



City of Colleyville City Council Agenda

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Tuesday, September 3, 2013

City Council Chambers

**PRE COUNCIL MEETING
EXECUTIVE SESSION
5:30 P.M.
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

CALL TO ORDER

- PC-1** Discussion of Entryway Marker Designs
- PC-2** Discussion of a worksession regarding sidewalks
- PC-3** Discussion of construction and maintenance standards for fences and screening walls in the Land Development Code
- PC-4** Discussion of proposed amendments to Chapter 8-Plat Review Procedures in the Land Development Code
- PC-5** Presentation of the Colleyville Economic Development Corporation Annual Activity Report
- PC-6** Presentation of the Quarterly Investment Report for June 30, 2013
- PC-7** Discussion of the September 3, 2013, City Council regular agenda items

1. EXECUTIVE SESSION - In accordance with Texas Government Code Chapter 551, Subchapter D

Section 551.071 - Legal - Consultation with attorney on legal issues raised by public hearing or action items on the agenda

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.087 - Economic Development - Discuss or deliberate regarding commercial or financial information that the City has received from business prospects that the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

7:00 P.M. - RECEPTION - BRIAN RILEY - FIRE CHIEF**RESUME REGULAR MEETING****7:30 P.M.****CITY COUNCIL CHAMBERS****INVOCATION: Pastor Jeff Strickland, Colleyville Assembly of God****PLEDGE OF ALLEGIANCE: Colleyville Fire Department Honor Guard**

- 2. EXECUTIVE SESSION: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - Resolution R-13-3661**
- 3. OATH OF OFFICE**
 - 3a** Administration of the Oath of Office to Fire Chief Brian Riley
- 4. ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS**
 - Announcements of civic and charitable events**
 - Presentation of calendar events and updates**
 - Announcements of awards and recognition**
- 5. CONSENT: READING AND PUBLIC HEARING - Resolution R-13-3662**
 - 5a** Approval of the minutes of the City Council Worksession of August 13, 2013
 - 5b** Approval of the minutes of the regular City Council meeting of August 20, 2013
 - 5c** Adopting the Economic Development Capital Improvement Program (EDCIP) for the Fiscal Years 2014-2018 (FY 2014-2018) of the Colleyville Economic Development Corporation
 - 5d** Approval to extend an ongoing annual agreement with Autobahn Motor Cars to sponsor the loan of a vehicle to the Colleyville Police Department for the expressed use of the Colleyville Heritage High School Resource Officer
 - 5e** Approval of the annual review of the City of Colleyville Investment Policy
 - 5f** Approval of the Colleyville Economic Development Corporation Bylaws

**6. ORDINANCE(S):
FIRST READING AND PUBLIC HEARING**

6a Ordinance O-13-1881

Request for approval of a Special Use Permit for alcoholic beverage sales for off-premises consumption on Lot 7A, Block 2, Village Park Addition located at 4801 Colleyville Boulevard. Approval of a Special Use Permit for alcoholic beverage sales for on-premises consumption on Lots 1R1, 4, 5A, 6A, 7A, and 9R, Block 2, Village Park Addition located at 4701, 4709, 4717, 4725, 4801, and 4843 Colleyville Boulevard, Case ZC13-009

6b Ordinance O-13-1882

Adoption of the proposed Fiscal Year 2014 (FY 2014) budget

6c Ordinance O-13-1883

Adoption of the Ad Valorem Tax Rate for Fiscal Year 2014 (FY 2014)

6d Ordinance O-13-1884

Adoption of the Colleyville Economic Development Corporation Fiscal Year 2014 (FY 2014) Budget

6e Ordinance O-13-1885

Request for approval to amend Part II, Chapter 2- Administration, Article II- Finance, Division 1, Sec. 2-26 of the Colleyville, Texas, Code of Ordinances, which sets fees and charges for City services

6f Ordinance O-13-1886

Amending Ordinance O-12-1850 relating to the Fiscal Year 2013 budget

7. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

8. REPORTS

Zoning Board of Adjustment Meeting Minutes - May 15, 2013

Sign Board of Appeals Meeting Minutes - July 9, 2013

Planning and Zoning Commission Meeting Minutes - July 22, 2013

9. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR SEPTEMBER 3, 2013 - Reading and Public Hearing - Resolution R-13-3663

10. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, August 30, 2013 by 5:00 p.m.

Amy Shelley, TRMC
City Secretary

Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion.

If you plan to attend this public meeting and have a disability that requires special accommodations, please advise the City Secretary at least 48 hours in advance at 817.503.1133, and reasonable accommodations will be made to assist you.



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number PC-1

Agenda Date 09/03/2013

Type Pre Council

Department City Manager

Title

Discussion of Entryway Marker Designs

Explanation

At the June 4, 2013 Pre Council meeting, City Council requested that staff create mock ups of several options for the blank areas on the City's two large entryway markers. Attached are the four options that City Council requested, including one with the City's logo elements, the logo elements with "Est. 1956", and two versions of just "Est. 1956". Staff is seeking the City Council's direction on the desired option that will be etched in the stone on the markers.

Attachments

1. Option A: City Logo Elements Only
2. Option B: City Logo Elements and Est. 1956
3. Option C: Est. 1956 (small)
4. Option D: Est. 1956 (large)

Option A: City Logo Elements Only



Option B: City Logo Elements and Est. 1956



Option C: Est. 1956 (small)



Option D: Est. 1956 (large)





City of Colleyville City Council Agenda Briefing

City Hall
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Agenda Number PC-2

Agenda Date 09/03/2013

Type Pre Council

Department Public Works

Title

Discussion of a worksession regarding sidewalks

Explanation

At the July 16, 2013 Pre Council meeting, City Council set the date of October 29, 2013, for a worksession to discuss possible revisions to the sidewalk policy, as adopted by the 2008 Colleyville Supplemental Sidewalk Map. Due to previously unknown conflicts, this date is no longer optimal for the worksession. Therefore, staff recommends City Council consider either Tuesday, November 12 or Wednesday, November 13 for a worksession to discuss sidewalks.

Attachments



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number PC-3

Agenda Date 09/03/2013

Type Pre Council

Department Community Development

Title

Discussion of construction and maintenance standards for fences and screening walls in the Land Development Code

Explanation

The purpose of this item is to present potential amendments to Section 3.26-Fences, Free Standing Walls, and Screening Materials in the Land Development Code. In April 2013, the City Council directed staff to review the specific construction and maintenance requirements for fences and walls in Section 3.26, and compare what other area cities require in comparison to Colleyville.

Staff has composed a comparison matrix of area city requirements attached to this briefing. Based on this research, in conjunction with a thorough review of requirements of Section 3.26, staff proposes the following potential amendments, which are also attached as mark-ups to Section 3.26; the sections below are labeled and numbered just as they would appear in Section 3.26; staff comments are italicized:

C. Maintenance

1. All fences erected as provided for in this section shall be maintained in good condition. *Existing requirement*
2. A fence shall not lean more than one inch out of vertical for each foot of height as measured from the top of the fence. *New requirement*
3. The owner shall replace broken, damaged, removed, or missing parts of a fence within ten (10) days of, the day the owner received notice from the Administrative Official, with the same material, or material with comparable composition, color, size, shape and quality of the original fence to which the repair is being made. No permit is required for repairs as defined in this ordinance. The Administrative Official may, upon written notice from the owner that unusual circumstances prevent the timely repair of a fence, extend the replacement time as required. The Administrative Official shall not extend the replacement time longer than reasonably necessary. The owner requesting a replacement time extension shall provide the Administrative Official a written scope and schedule detailing materials and estimated time period of the completed replacement for approval. *New requirement*

4. A fence shall be maintained in sound structural condition as a whole or completely removed, including post(s). *New requirement*
5. Property owners shall maintain fences, including those existing prior to the adoption of this ordinance, at all times in a state of good repair, safe and secure condition, with all braces, bolts, nails, supporting frame, and fastenings free from deterioration, termite infestation, rot, rust, or loosening, and able to withstand at all times the wind pressure for which they were designed. *New requirement*
6. Property owners shall regularly paint fence supports, gates, structural members and exterior surfaces that are covered with paint to prevent rusting, peeling or blistering surfaces. *New requirement*
7. Existing fences that were constructed prior to the adoption of this ordinance that were constructed with materials not currently permitted by this ordinance may be maintained as long as no part of the fence is, or becomes, unsafe, dilapidated, or a public nuisance. If the Administrative Official determines the fence is unsafe, dilapidated, or a public nuisance, the fence must be repaired with materials approved by this ordinance or be removed. *New requirement*
8. The construction of a fence or wall on the property line shall not preclude the property owner's responsibility to maintain and keep the area between the property line to the back of curb, or edge of the pavement or center of alley, free and clear of debris and high weeds. *New requirement*

The above standards would provide detailed maintenance requirements for all fences and walls where none currently exist.

14. General Construction Requirements for Wood Fences

- a. All vertical posts on fences over four (4) feet in height shall be galvanized steel with a minimum two (2) and three-eighths (3/8") inch diameter, a minimum fifteen (15) gauge thickness, and set in a concrete footing. Picket fences, split rail fences, ranch style, or agricultural fences, or other types of decorative fences approved by the Building Official or his/her designee shall be permitted to use wood posts. *New requirement. This would effectively prohibit wooden posts for any wood fence over four feet in height.*
- b. Concrete footings shall be a minimum of eight (8) inches in diameter. *New requirement*
- c. For fences less than seven (7) feet in height, posts shall be spaced at a maximum of eight (8) feet on center, set in a concrete footing of no less than twenty-four (24") inches deep. *New requirement*

d. For fences that are seven (7) feet or greater in height, posts shall be spaced at a maximum of six (6) feet on center, set in a concrete footing of no less than thirty-six (36") inches deep. *New requirement*

e. Fence posts attached to, or supported by, other structures, including retaining walls, shall be provided with foundation and anchorage to prevent movement of structure or retaining wall. *New requirement*

f. All materials shall be securely fastened, vertical boards to horizontal stringers, stringers to vertical posts, top rail, to ensure an ongoing attractive appearance and safe condition, free from rot, rust, vandalism, and other sources of decay. *New requirement*

g. The bottom of the fence shall be designed to prevent ground to wood contact. This can be achieved through the use of a concrete strip poured between the fence supports or by raising the pickets to provide a minimum of two inches between the bottom of the pickets and the ground. Fences located within drainage easements must be approved by the Public Works Director per the requirements of Section 8-170 of the Land Development Code and shall be built such that required drainage and stormwater run-off is not impeded. *New requirement*

h. All wood material shall be stained, pressure treated, painted, or adequately sealed to prevent decay. *New requirement*

The above standards would provide detailed construction requirements for wood fences where none currently exist.

15. Sealed Plans Required for Masonry Walls, Columns and Fences

Staff proposes adding the following potential language to Section 3.26:

"For all masonry walls, columns, and fences authorized by this Section, required plans and specifications shall be prepared and sealed by a design professional who is a registered landscape architect, architect, or engineer and shall consider the site's soil characteristics, wind loadings, and other environmental considerations. All field inspections and verifications for a new masonry wall, fence, and column must be approved by the design professional mentioned above or the professional's representative. Said inspection approval must be submitted to the Building Official in writing prior to the City's final inspection."

Sealed plans are not currently required for any fence construction. This would require all fence permits for masonry walls and/or columns to contain sealed plans from a registered professional noted above. Similar to the current requirement that retaining walls over four feet in height must be designed by a professional engineer, this would place the responsibility to ensure the structural integrity of the fence, wall, or column

in the hands of a registered design professional.

Regarding inspections of masonry walls, columns and fences, the design professional would be required to submit to the City a copy of their field verification that the fence meets their criteria before the City performs a final inspection. Regarding inspections of wood fences, most cities (including all of the cities surveyed and Colleyville), only perform a final inspection for wood fences. Therefore, in order to ensure compliance with the proposed new standards, the building inspector would have the right to require the fence permit applicant to provide proof that the fence was constructed according to code at any point prior to the approval of the final inspection, either through verification from an independent third party professional, or through an on-site verification. Additionally, all fence permit applicants will be required to sign an acknowledgement of the City's requirements with the understanding that the fence will be built according to City standards.

The current permit fee for a fence is \$25. This is proposed to increase to \$75 as part of the proposed fee schedule increase on agenda item 6e. This fee applies to all fence permits, regardless of whether the fence is a new fence or a partial fence repair/addition.

Staff recommends that, if these standards are adopted, a bulletin of the new standards be posted on the City's website and included in all other communication vehicles in which the City uses. Also, staff recommends sending a notice to all contractors in the City.

Based on City Council discussion of this item, staff may bring forward amendments for consideration at a future City Council meeting.

Attachments

1. City Comparison Matrix - Fence Construction and Maintenance Requirements
2. Potential Amendments to Section 3.26

City Comparison Matrix - Fence Construction and Maintenance Requirements

	Grapevine	Eules	Bedford	Hurst	North Richland Hills	Keller	Southlake	Arlington	Frisco	Coppell	Flower Mound	Colleyville
Engineered Plans Required for Masonry Walls?	No	Yes	No	No	No	Yes	No	Yes*	No	No	No	No
Specific Construction Standards for Wood Fences?	No	No	No	No	No	Yes	No	Yes	Yes	No	No	No
Detailed Maintenance Standards for Fences?	No	No	No	No	No	No	Yes	Yes	Yes	No	No	No

* A Registered Landscape Architect or Architect may also submit plans

Potential Amendments to Section 3.26

Colleyville, Texas, Land Development Code

Section 3.26 Fences, Free Standing Walls, and Screening Materials

A. Scope

1. This section is to regulate fences, free standing walls and other screening material in a manner so as to promote safety, preserve property values, promote the general welfare of the City of Colleyville, and to enhance the aesthetic quality of the community.
2. No fence, screen, freestanding wall or other visual barrier shall be constructed or placed in such a manner as would endanger the health or safety of the general public.
3. For administrative purposes, all references to fences or walls shall be interpreted to apply to free standing structures.

B. Definitions

Perimeter Subdivision Fencing. A subdivision perimeter fence shall be construed to be any decorative or security fence along a substantial portion of the boundary or property line of any plat, replat or phase of a plat or replat or filing of a plat or replat as those terms are defined in *Chapter 2 – Definitions* of this Land Development Code, of any property (1) zoned other than CPO, CN, CC1, CC2, CC3, or ML and shown on an approved plat thereof , or (2) property that is zoned AG, RE, R40, R30, R20, R15, RD, RMF.

C. Maintenance

1. All fences erected as provided for in this section shall be maintained in good condition.
2. A fence shall not lean more than one inch out of vertical for each foot of height as measured from the top of the fence.
3. The owner shall replace broken, damaged, removed or missing parts of a fence within ten (10) days of, the day the owner received notice from the Administrative Official, with the same material, or material with comparable composition, color, size, shape and quality of the original fence to which the repair is being made. No permit is required for repairs as defined in this ordinance. The Administrative Official may, upon written notice from the owner that unusual circumstances prevent the timely repair of a fence, extend the replacement time as required. The Administrative Official shall not extend the replacement time longer than reasonably necessary. The owner requesting a replacement time extension shall provide the Administrative Official a written scope and schedule detailing materials and estimated time period of the completed replacement for approval.
4. A fence shall be maintained in sound structural condition as a whole or completely removed, including post(s).
5. Property owners shall maintain fences, including those existing prior to the adoption of this Ordinance, at all times in a state of good repair, safe and secure condition, with all braces, bolts, nails, supporting frame and fastenings free from deterioration, termite infestation, rot, rust or loosening, and able to withstand at all times the wind pressure for which they were designed.
6. Property owners shall regularly paint fence supports, gates, structural members and exterior surfaces that are covered with paint to prevent rusting, peeling or blistering surfaces.
7. Existing fences that were constructed prior to the adoption of this Ordinance that were constructed with materials not currently permitted by this Ordinance may be maintained as long as no part of the fence is or becomes unsafe, dilapidated, or a public nuisance. If the Administrative Official determines the fence is unsafe, dilapidated, or a public nuisance the fence must be repaired with materials approved by this Ordinance or be removed.

Potential Amendments to Section 3.26

Colleyville, Texas, Land Development Code

8. The construction of a fence or wall on the property line shall not preclude the property owner's responsibility to maintain and keep the area between the property line to the back of curb or edge of the pavement or center of alley, free and clear of debris and high weeds.

~~Support columns and posts shall remain in an upright position and shall be generally perpendicular to the surrounding terrain. Masonry fences shall maintain their original aesthetic style and condition. Structurally unsound or substandard fences are considered unsafe and a nuisance and shall be repaired or replaced."~~

D. General Requirements/Prohibitions for all Fences and Free-standing Walls

1. *Screening Required in Residential Districts:*

- a. Nonresidential uses in a residential district shall be suitably screened from view of any adjacent residential lot or dwelling use along the side and rear property lines of such nonresidential use with a decorative masonry wall of not less than eight (8) feet in height. Said screening requirements shall not be mandatory for public schools, parks or churches, except where active outdoor intensive use area (such as a playground) is adjacent to a residential lot or dwelling. Off-street loading areas of any non-residential use shall be adequately screened from view of any residential dwelling or lot or of any other adjacent public or semi-public land use with a decorative masonry wall of not less than (8) feet in height or a landscaped berm.
- b. Where a multifamily or mobile home use abuts a one or two family district, or where a mobile home use abuts a one, two or multifamily use or district, the side and rear property lines of said multifamily or mobile home use or district shall be suitably screened from view of any adjacent dissimilar residential dwelling or lot with a decorative masonry wall of not less than eight (8) feet in height or a landscaped berm.
- c. Nothing in this section shall restrict the fencing of tennis courts with traditional fencing material to a maximum of twelve (12) feet.

2. *Screening Required in Non-Residential Districts:*

- a. Where a nonresidential use abuts a residential lot, use or district, the side and rear property lines abutting said residential lot, use or district shall be suitably screened, with a decorative masonry wall, by the nonresidential use so as to obscure the view from the residential lot, use or district to the nonresidential use to a height not less than eight (8) feet.
- b. Where a district boundary separating a residential district from a nonresidential district is along a street, and an automobile parking lot or parking area is located in the front yard of the nonresidential use, then said parking lot or parking area facing the residential lot, use or district shall be suitably screened to a height of not less than three and one-half (3-1/2) feet.
- c. In all districts where open storage is permitted and the screening thereof is required, then such screening shall be provided around the exposed perimeter thereof of not less than six (6) feet in height and shall be composed of decorative masonry material
- d. Off-street loading areas shall be adequately screened from view of any residential dwelling lot or of any other adjacent residential land use with a decorative masonry wall of not less than eight feet in height or a landscaped berm.
- e. All roof mounted mechanical equipment and parapet wall structural supports shall be screened from view.
- f. All required screening between residential and commercial, institutional, multifamily and mobile home uses shall be maintained in good condition by the property owner of the commercial, institutional, multifamily and mobile home use.

3. *Screening Requirements for Waste, Garbage, Compacting and Recycling Containers:* The following

Potential Amendments to Section 3.26

Colleyville, Texas, Land Development Code

regulations shall apply to all multifamily, mixed-use, institutional and commercial uses where large containers are utilized for the storage or compacting of waste, garbage or recycling materials for any properties where the building permit for the primary structure was issued on or after April 17, 2013:

- a. All containers shall be fully enclosed by a decorative masonry wall.
 - b. Masonry materials shall match the masonry materials of the exterior wall of the primary structure on the property where the container is located.
 - c. The height of the screening wall shall be a minimum of six feet, or one foot above the height of the container/compactor, whichever is greater, and shall not exceed 10 feet in height.
 - d. The gate shall be composed of solid metal and shall be of a color that matches or compliments the masonry wall.
 - e. The gate shall remain closed at all times. Exception: gates for recycling bins that are accessible to the public may remain open provided all recycling material is completely stored within the container.
 - f. Where possible, gates shall be oriented away from the view of any roadway traffic.
 - g. All enclosures and containers shall be located behind all required building setbacks and shall be located a minimum of 25 feet from any properties zoned or used for non-multifamily residential purposes.
 - h. Unless subject to a different requirement as part of an SUP or PUD ordinance, for properties where the building permit for the primary structure was issued before April 17, 2013, the required enclosure and gate may be composed of wood or masonry materials to a minimum height of six feet and the gate must remain closed at all times. Otherwise, said properties shall be exempt from the other provisions of this section. However, loss of any legal-nonconforming status for any property and/or building as described in Section 3.7 in the Land Development Code shall require full compliance with this section.
 - i. The City shall have the right to remove any container in an enclosure that has been non-compliant with this sub-section for more than 30 days.
4. **Obstruction Prohibited:** No fence, screen, free standing wall or other visual barrier shall be so located or placed that it obstructs the vision of a motor vehicle driver approaching any street, alley or drive intersection. A visual barrier shall be deemed to be any fence, wall, hedge, shrubbery, etc., higher than thirty (30) inches above ground level at the property line, except single trees having single trunks, which are pruned to a height of seven (7) feet above ground level. See Exhibit "3-1".

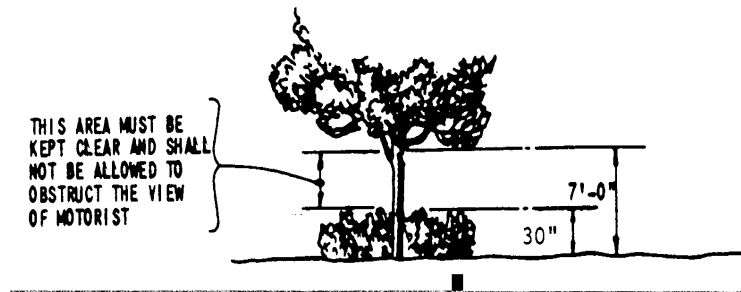


Exhibit "3-1"
Obstructions Prohibited

5. **Twenty-Five (25) Foot Visibility Triangle Required:** No fence, screen, wall or visual barrier shall be located or placed where it obstructs the vision of motor vehicle drivers approaching any street intersection. At all street intersections, clear vision shall be maintained across the lot for a distance of twenty-five (25) feet back from the property corner along both streets. See Exhibit "3-2".

Potential Amendments to Section 3.26

Colleyville, Texas, Land Development Code

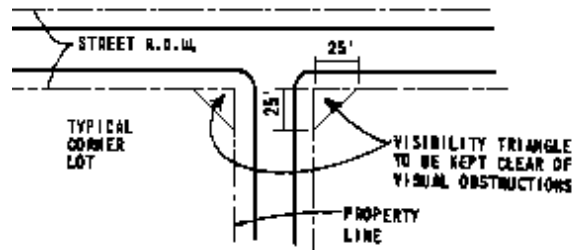


Exhibit "3-2"
Visibility Triangle

6. *Barbed Wire Prohibited:* Fences constructed of barbed wire and walls topped with broken glass or surfaced with any like material shall be prohibited except as provided below.

Barbed wire fences used in conjunction with permitted agricultural, livestock, and related activities, or in industrial districts are permitted without restrictions.

Barbed wire strands may be placed on the top of security fences in non-residential districts for the purpose of security from theft, entry and hazard such as around public utility substations and uses of a similar nature, provided the top strand is not higher than eight (8) feet nor the bottom strand lower than six (6) feet from the adjacent grade line.

7. *Electrical Fences:* Electrical fences and fence charging devices (Underwriters Laboratory approved) shall be plainly marked at a minimum of twenty-five (25) foot intervals as to the nature thereof.
8. *Eight (8) Foot Maximum Height:* No fence in a residential district shall exceed eight (8) feet in height above ground level at the fence line.
9. *Property Owners' Responsibility:* The construction of a fence or wall on the property line shall not preclude the property owner's responsibility to maintain and keep the area defined between the extension of the property lines to the back of curb or edge of pavement free and clear of debris and high weeds. See Exhibit "3-3".

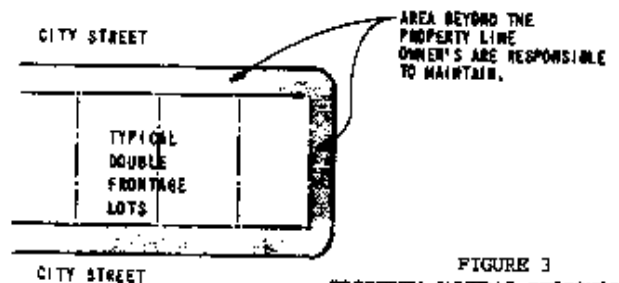


FIGURE 3
PROPERTY OWNER'S RESPONSIBILITY

Exhibit "3-3"
Property Owner's Responsibility

10. *Public Property:* No fence, guy wire, brace or any post of such fence shall be constructed upon or cause to protrude over property that the City or the general public has dominion and control over, owns or has an easement over, under, around or through, except upon drainage and utility easements which are permitted to be fenced.
11. *Floodway Permit Required:* The construction of a fence or wall in a floodway as shown on the most recent revision of the "Floodway - Flood Boundary and Floodway Map" prepared by the Federal Emergency Management Agency (FEMA) shall require a development permit as currently required in the City's drainage policies.
12. *Swimming Pools:* All swimming pools shall be fenced. A solid or chain link type fence or a barrier at least four (4) feet in height shall completely enclose every swimming pool to be constructed. There shall be no openings, holes, or gaps bigger than four (4) inch spaces and no openings whatsoever on horizontal picket type fences. All gates allowing access to the pool area shall be self-closing with

Potential Amendments to Section 3.26

Colleyville, Texas, Land Development Code

self-latching devices located in the upper quarter of the gate. All entrances to the swimming pool area must be able to be secured by a combination or key locking device. A dwelling house, accessory building, or apartment building may be used as part of such enclosure provided that all entrances to the swimming pool are equipped with gates as described herein. All fences should conform to local governmental codes and restrictions.

13. Pre-Formed Concrete: Pre-formed concrete is a permitted masonry material provided the texture adequately mimics the intended style match, be it wood, brick, stone, etc. Pre-formed concrete fences shall be maintained in good condition including any painted fences. The building official shall approve the final finished surface and reserves the right to deny a fence permit application if the surface does not adhere to these regulations.

14. General Construction Requirements for Wood Fences

- a. All vertical posts on fences over four (4) feet in height shall be galvanized steel with a minimum two (2) and three-eighths (3/8^{ths}) inch diameter, a minimum fifteen (15) gauge thickness, and set in a concrete footing. Picket fences, split rail fences, ranch style or agricultural fences, or other types of decorative fences approved by the Building Official or his/her designee shall be permitted to use wood posts.
- b. Concrete footings shall be a minimum of eight (8) inches in diameter.
- c. For fences less than seven (7) feet in height, posts shall be spaced at a maximum of eight (8) feet on center, set in a concrete footing of no less than twenty-four (24") inches deep.
- d. For fences that are seven (7) feet or greater in height, posts shall be spaced at a maximum of six (6) feet on center, set in a concrete footing of no less than thirty-six (36") inches deep.
- e. Fence posts attached to or supported by other structures, including retaining walls, shall be provided with foundation and anchorage to prevent movement of structure or retaining wall.
- f. All materials shall be securely fastened, vertical boards to horizontal stringers, stringers to vertical posts, top rail, to ensure an ongoing attractive appearance and safe condition, free from rot, rust, vandalism and other sources of decay.
- g. The bottom of the fence shall be designed to prevent ground to wood contact. This can be achieved through the use of a concrete strip poured between the fence supports or by raising the pickets to provide a minimum of two inches between the bottom of the pickets and the ground. Fences located within drainage easements must be approved by the Public Works Director per the requirements of Section 8-170 of the Land Development Code and shall be built such that required drainage and stormwater run-off is not impeded.
- h. All wood material shall be stained, pressure treated, painted, or adequately sealed to prevent decay.

15. Sealed Plans Required for Masonry Walls, Columns and Fences:— For all masonry walls, columns and fences authorized by this Section, required plans and specifications shall be prepared and sealed by a design professional who is a registered landscape architect, architect, or engineer and shall consider the site's soil characteristics, wind loadings, and other environmental considerations. All field inspections and verifications for a new masonry wall, fence, and column must be approved by the design professional mentioned above or the professional's representative. Said inspection approval must be submitted to the Building Official in writing prior to the City's final inspection.

E. Fence and Free Standing Wall Setback Requirements

1. **Front Yards:** No fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent solid construction shall extend into the required yard on which the primary structure faces.

Potential Amendments to Section 3.26

Colleyville, Texas, Land Development Code

- a. The primary fencing material shall be of wrought iron, pre-formed concrete, poured in place concrete, concrete masonry unit (CMU), brick, approved wood rail construction, a combination thereof or other similar material approved by the City Building Official. All poured in place concrete and CMU shall contain an architectural finish.
 - b. On a corner lot, a house shall be deemed to face on that street on which it has its least dimension unless otherwise determined by the Building Official.
 - c. Gate setback: Any gate shall be set back a sufficient distance from the property line to allow vehicle queuing space in order to maintain safety and to prevent backup along the street pavement. Sufficient distance shall be determined by the Building Official.
 - d. Exceptions to front yard requirement: Lots containing a minimum of 40,000 square feet, and subdivisions, shall be allowed to construct a perimeter fence within the front yard setback. Said fencing shall be no greater than eight (8) feet in height and shall have no greater than twenty-five (25) percent solid construction within the front yard. Allowed construction materials shall be the same as paragraph "1.a" above. **This exception shall not apply to properties zoned as a PUD district.**
2. Corner Side Yards: Except where allowed elsewhere in this chapter, fences and walls within a required side yard adjacent to a street right of way shall meet the following setback standards:

A privacy fence or wall (which shall be defined as any fence or wall greater than thirty inches (30") in height or greater than 25 percent opaque construction) within a required street side yard shall be subject to whichever of the following provisions a) through d) shall yield the greatest setback:

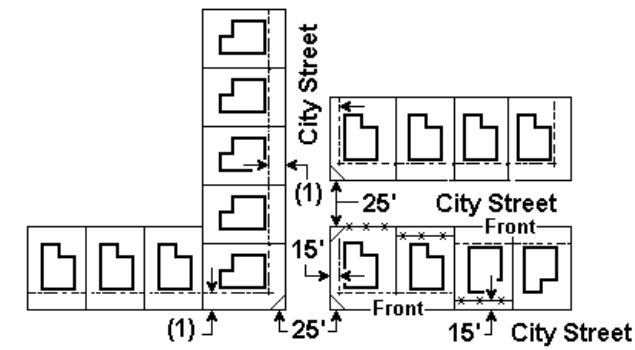
- a. If the subject lot has a street side yard which faces a dwelling front or lot front across the side street, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the property line, except on any lot having either a required side yard less than fifteen (15') feet or an existing primary structure setback less than fifteen (15') feet, then the fence or wall may be constructed with the same setback as the primary structure; or
- b. If the subject lot backs to the rear of another residential lot, the side yard privacy fence or wall shall be located not less than fifteen feet (15') from the side property line; or
- c. If the subject lot backs to the side of another residential lot, the side yard privacy fence or wall shall be located not closer to the side property line than the required front setback of the adjoining lot; or
- d. If the subject lot backs to an alley, the side yard privacy fence or wall shall be located not closer than fifteen feet (15') from the side property line.

A decorative wall or fence (which is defined as any wall or fence not greater than thirty inches in height and not greater than twenty-five percent opaque construction) within a required street side yard shall not be placed less than three feet (3') from the side property line, and shall not be subject to the provisions of the preceding sections (a) through (d).

3. *Adjacent to Undeveloped Property:* Except for perimeter subdivision fencing meeting the requirements in paragraph "1.a" above, no fence or wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent solid masonry, shall be located less than fifteen (15) feet from the side property line adjacent to the street which leads into undeveloped property. See Exhibit "3-4".

Potential Amendments to Section 3.26

Colleyville, Texas, Land Development Code



(1) Set-back established
by district regulations

Exhibit "3-4"
Typical 15'-0" Fence Setbacks

4. *Rear Fence and Free Standing Wall Setbacks:* Fences and walls meeting all of the construction requirements of paragraph "1.a" above and the Uniform Building Code may be erected on the rear property line except; however, lots whose rear property line abuts a public street on which one of the immediate adjacent lots maintains its required front yard, then no fence nor wall greater than thirty (30) inches in height shall be located within fifteen (15) feet of the subject lots rear property line. See Exhibit "3-4".

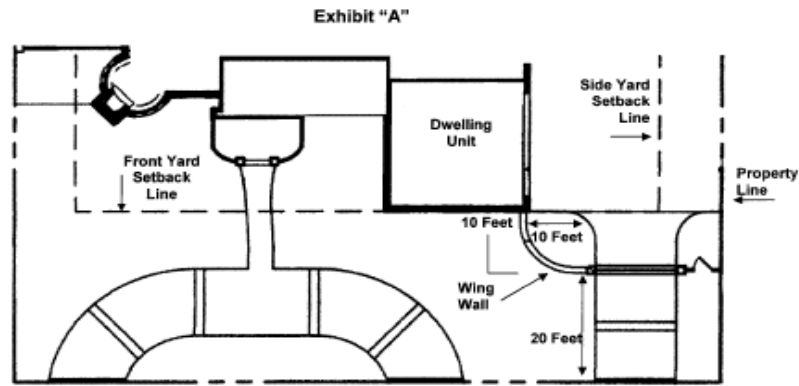
F. Security Gating Encroachments

A front yard fence or screening wall providing support for a security gate and not exceeding a maximum height of 6 feet, may encroach a maximum of 10-feet into the front yard setback of a residential lot when the fence or screening wall meets the following criteria and shown in Exhibit "A".:

1. The fence or screening wall shall attach to a gated entry across the driveway;
2. The fence or screening wall shall attach to the dwelling unit not more than 10 feet from the driveway and extend toward the driveway;
3. The fence or screening wall shall extend to the nearest side property line;
4. The fence or screening wall shall not extend beyond 10 feet into the setback from the dwelling unit;
5. The fence or screening wall shall not enclose nor extend across the entire front yard;
6. The gate and columns may not extend beyond one foot in height above the fence;
7. A minimum setback distance of 20 feet from the fence, screening wall and gate to the front property line shall be maintained.

Potential Amendments to Section 3.26

Colleyville, Texas, Land Development Code



G. Administration

1. Fence Permit Required - It shall be unlawful for any individual, partnership, company or corporation to erect or have erected a fence or any part of a fence of permanent construction in the city limits without first obtaining a fence permit from the ~~Community Development Department~~ Office of Building Inspections.
2. Application for Permit - Any individual, partnership, company or corporation making application for a fence permit must sign an application for same showing the following information:
 - a. Applicants name, address, and in addition, if the applicant represents a company or corporation, the name and address of the supervisor or foreman of said company or corporation and the name of its president.
 - b. Name and owner of the property.
 - c. Local address where fence is proposed to be erected.
 - d. Materials and type of fence construction.
 - e. Height of fence.
 - f. Applicant shall provide engineering plans and specifications for those types of fences where such engineering is deemed appropriate by the Building Official. The engineering plans shall be reviewed and approved by the Building Official prior to issuance of a fence permit.
 - g. Survey showing lot on which the fence is proposed to be erected and the location of adjoining or adjacent lots showing existing structures and fences. The proposed fence shall be delineated by a dark heavy line. In AG zoning districts a scaled plot plan can be submitted in lieu of a survey.

H. Variances

1. Any variance to the provisions of this section shall be heard by the Zoning Board of Adjustment.



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number PC-4

Agenda Date 09/03/2013

Type Pre Council

Department Community Development

Title

Discussion of proposed amendments to Chapter 8-Plat Review Procedures in the Land Development Code

Explanation

The purpose of this item is to present proposed amendments to Chapter 8-Plat Review Procedures in the Land Development Code. In May 2013, the City Council directed staff to review the procedures, specifically as they relate to the City Council's approval authority over subdivision plats. Staff was directed, where possible, to remove the requirement that the City Council approve plats.

Platting 101. Platting property is part of the development process. A subdivision plat is a map of specific land showing the location and boundaries of individual parcels of land subdivided into lots, with streets, alleys, and easements drawn to scale, which must be recorded in the Tarrant County Clerk's office after it has received the requisite approvals from the City. Cities are given the authority to require and regulate plats from Chapter 212 of the Texas Local Government Code. The regulation of subdivision platting is based upon the City's legitimate interest in promoting orderly development; insuring that subdivisions are constructed safely; and protecting future owners from inadequate police and fire protection, inadequate drainage, and unsanitary conditions. The Texas Local Government Code allows the City Council to approve a subdivision plat or, if the City Council chooses, delegate the approval of a plat to the Planning and Zoning Commission. In the case of Amending and Minor Plats, Chapter 212 states that a City may delegate the approval authority of a plat to City staff.

Chapter 212 also requires cities to approve a plat that satisfies all applicable municipal regulations, which includes zoning regulations, PUD ordinance requirements, subdivision regulations, etc. This means that the applicable approving body (staff, the Planning and Zoning Commission, and/or the City Council) must approve the plat if it meets all City development requirements. The legal reference for the requirement that the approving body must approve a plat based on full compliance with City requirements is called a "ministerial" action. The plat may only be denied by the approving body if it does not comply with a particular City requirement. The legal reference for the instance when the approving body has the option to approve or deny the plat based on any non-compliance with a City ordinance is called a "legislative" action.

A ministerial action, as it relates to a plat approval action, may be granted to City staff

where allowed by local ordinance and the Texas Local Government Code, the Planning and Zoning Commission, and/or the City Council. A legislative action may only be granted to the Planning and Zoning Commission and the City Council with no option for staff approval.

Given the platting information above and, based on the City Council's direction, staff has performed a thorough review of the procedures, as well as a review of the procedures of the seven cities that surround Colleyville (attached). Based on this review and the direction from the City Council, staff proposes the following amendments to Chapter 8-Plat Review Procedures in the Land Development Code, which are also attached as mark-ups to Chapter 8:

Changes to Plat Classifications

Staff proposes the addition of a Combination Preliminary/Final Plat to the plat classifications in the chapter. A Combination Preliminary/Final Plat would be allowed where a new subdivision that includes more than four lots that also includes a new street is to be developed in a single phase with no unplatted land left to be platted in a future phase of development. The fee would be the same as the fee for a final plat, which is \$350 plus \$7.50 per lot. The purpose of adding the new classification is based on the following reasons:

1. It reduces staff time spent on review of both a preliminary and then a final plat;
2. It streamlines the process for developers by allowing submission of a single combination plat as opposed to a separate preliminary and final plat;
3. Given the life-cycle of the City, there are fewer large tracts of land available for development in the City that necessitate a multi-phase subdivision in the City.

For the purpose of making the procedures easier to read, staff has also created new sections for each plat classification in the chapter. Therefore, each plat classification will be coded and defined as follows:

- Preliminary Plats - Section 8-140. Definition of a Preliminary Plat: A map, drawing, or chart showing the proposed arrangement of streets, lots, easements, and other public spaces in the subdivision. A Preliminary Plat is used when a plat contains more than four lots, will create new street(s), or will be developed in more than one phase.
- Final Plats - Section 8-145. Definition of a Final Plat: A map, drawing, or chart prepared according to the provisions of this Land Development Code, and containing all engineering and legal data, dedications, and certificates necessary to the recording of same in the maps and plats records of the county. A Final Plat is the second step in the platting process upon approval of the Preliminary Plat.

- Combination Preliminary/Final Plat - Section 8-150. Definition of a Combination Preliminary/Final Plat: A map, drawing, or chart prepared according to the provisions of this Land Development Code, and containing all engineering and legal data, dedications, and certificates necessary to the recording of same in the maps and plats records of the county. If approved by the City Council, a Combination Preliminary/Final Plat would be allowed where a new subdivision that includes more than four lots and/or includes a new street is to be developed in a single phase with no unplatted land left to be platted in a future phase of development.
- Minor Plat - Section 8-155. Definition of a Minor Plat: A subdivision of not more than four lots, which fronts on an existing street and does not require the creation of any new street, or the extension of municipal facilities, which allows a short form process that eliminates the need for a preliminary plat. A Minor Plat must contain all engineering and legal data, dedications, and certificates necessary to the recording of same in the maps and plats records of the county.
- Replat - Section 8-160. Definition of a Replat: A replat is used when a previously platted property is proposed for redevelopment or an existing platted lot is proposed for further subdivision. A Replat may include an additional parcel of un-platted property when the size of the un-platted portion does not dictate the submittal of a Preliminary Plat.
- Amending Plat - Section 8-165. Definition of an Amending Plat: A map, drawing, or chart prepared to show a minor change of an existing subdivision to a lot line or correction of an error such that the changes are not substantive, and no new lots are created.

The definitions would be added to Chapter 2-Definitions in the Land Development Code concurrent with the adoption of any amendments to Chapter 8.

Changes to Plat Approval Authority

Per the attached table, staff proposes the following changes to the approval authority of plats by classification type:

1. Preliminary Plats - Changed to allow the Planning and Zoning Commission to have final approval authority of the plat. If the plat application includes a request for a waiver or modification of a platting regulation, then the City Council must also approve the request. Currently the City Council has the final approval authority for a Preliminary Plat. A waiver can include any waiver of a Land Development Code requirement that pertains specifically to a plat such as lot size, lot width, right-of-way dedication criteria, etc.
2. Final Plats - Changed to allow the Planning and Zoning Commission to have final approval authority of the plat. If the plat application includes a request for a waiver or

modification of a platting regulation, then the City Council must also approve the request. Currently the City Council has the final approval authority for a Final Plat.

3. Combination Preliminary/Final Plats - This is a new classification. The Planning and Zoning Commission would have final approval authority of the plat. If the plat application includes a request for a waiver or modification of a platting regulation, then the City Council must also approve the request.

4. Minor Plat - Changed to allow the Community Development Director to have final approval authority of the plat. If the plat application includes a request for a waiver or modification of a platting regulation and/or is denied by the Community Development Director for any reason, then the Planning and Zoning Commission has final approval authority for the plat. If the Planning and Zoning Commission denies the plat, the applicant would have the ability to appeal the decision of the Commission to the City Council. Currently the Planning and Zoning Commission has the final approval authority for a Minor Plat. Chapter 212.0065 of the Texas Local Government Code allows cities to delegate approval of a Minor Plat to City staff.

5. Replat - No changes are proposed for Replats. Currently the Planning and Zoning Commission has final approval authority for Replats with the ability to appeal the plat for City Council approval, in the event of denial by the Planning and Zoning Commission.

6. Amending Plat - No changes are proposed for Amending Plats. Currently City staff has final approval authority for Amending Plats. "Staff" has been amended to read the "Community Development Director" for the purpose of consistency with the Minor Plat requirement. Per the current procedures for Amending Plats, if the plat application includes a request for a waiver or modification of a platting regulation and/or is denied by the Community Development Director for any reason, then the Planning and Zoning Commission has final approval authority for the plat. If the Planning and Zoning Commission denies the plat, the applicant would have the ability to appeal the decision of the Commission to the City Council. Chapter 212.0065 of the Texas Local Government Code allows cities to delegate approval of an Amending Plat to City staff.

The above approval authority conditions are shown on the attached table, which is also detailed in the Land Development Code attachment.

Other changes to the chapter include minor changes related to grammar, reference amendments, and structure.

Based on City Council discussion of this item, staff will bring forward amendments for City Council consideration on a future agenda.

Attachments

1. Comparison of Plat Requirements for Cities that Surround Colleyville

2. Proposed Subdivision Plat Approval Authority Table
3. Proposed Amendments to Chapter 8-Plat Review Procedures

Comparison of Plat Requirements for Cities that Surround Colleyville



CITY OF COLLEYVILLE							
SUBDIVISION PROCESS BENCHMARK SURVEY 2013					LEGEND	● = YES	
						● = NO	
CITY		COLLEYVILLE					
Type of Plat		Preliminary	Final	Minor	Amending	Replat	
Staff		●	●	●	●	●	
P & Z		●	●	●	●	●	
City Council		●	●	●	●	● (If more than 4 lots, or if appealed)	
Process Comparison to Benchmark Cities							
	Preliminary	Same approving bodies in Grapevine, Hurst, and Southlake only					
	Final	Same approving bodies in Grapevine and North Richland Hills only					
	Minor	Unique to Colleyville					
	Amending	Same approving bodies in Bedford, Euless (For a Minor Amending Plat and Corrected Plat), Grapevine, Keller, North Richland Hills and Southlake					
	Replat	Same approving bodies in Bedford*, Euless, Grapevine**, North Richland Hills***, and Southlake****					
		* Four (4) or more lots and any municipal facilities requires P&Z Approval; Less than 4 lots requires staff approval only.					
		** Replats in Colleyville are only required to go to City Council if more than 4 lots or under appeal. Grapevine					
		passes through P&Z and City Council on the same night.					

Comparison of Plat Requirements for Cities that Surround Colleyville

		***Replats are required to go to City Council					
		****Replats are required to go to City Council					
Bedford, Euless, and Keller do not require any platting process to be heard at City Council							
Definitions (Unless otherwise noted):							
	Preliminary Plat - A plat showing the proposed arrangement of streets, lots, easements, and other public spaces in the						
	subdivision						
	Final Plat - A plat prepared according to the provisions of this Land Development Code, and containing all engineering						
	legal data, dedications, and certificates necessary to the recording of same in the maps and plats records of the county.						
	Minor Plat - A subdivision of not more than four (4) lots, which fronts on an existing street and does not require the creation						
	of any new street or the extension of municipal facilities, which allows a short form process that eliminates the need for						
	a preliminary plat.						
	Amending Plat - A minor change of an existing subdivision to a lot line or correction of an error such						
	that the changes are not substantive, and no new lots are created.						
	Replat - A plat that is different from, and is intended for, the replacement of an existing recorded						
	plat or parts thereof.						
CITY		BEDFORD					
Type of Plat		Preliminary	Short Form	Final	Replat:		
			Final	Final	4 or More Lots	Less than 4 Lots	Amending
Staff		•	•	•	•	•	•
P & Z		•	•	•	•	•	•
City Council		•	•	•	•	•	•
Definition:							

Comparison of Plat Requirements for Cities that Surround Colleyville

	Short Form Final - For properties located in certain zoning districts; Must not propose any vacation of public rights of way or easements; The extension of public facilities or drainage improvements must not be required for utilization of the property, except for minor extensions of existing water and sewer lines.							
	Amending - Same as Colleyville.							
CITY		EULESS						
Type of Plat		Preliminary	Final	Conveyance Plat	Major Amending Plat	Minor Amending Plat	Replat	Corrected
Staff		•	•	•	•	•	•	•
P & Z		•	•	•	•	• (If needed)	•	•
City Council		•	•	•	•	•	•	•
Definitions:								
	Conveyance Plat - May be used in lieu of a final plat to record the subdivision of property provided that no single lot created is less than five (5) acres and is not intended for immediate development.							
	Minor Amending Plat - The adjustment of street and alley alignments, lengths, and paving details; the addition or deletion of lots within 10 percent of the approved number and the adjustment of lot lines.							
	Major Amending Plat - Addition or deletion of more than 10 percent of the approved number of lots							
	Corrected Plat - See definition of Colleyville's "Amending Plat".							
CITY		GRAPEVINE						
Type of Plat		Preliminary	Final	Replat	Amending			
Staff		•	•	•	•			
P & Z **		•	•	•	•	** P&Z and City Council meetings are held jointly		
City Council **		•	•	•	•			

Comparison of Plat Requirements for Cities that Surround Colleyville

Definitions: Same as Colleyville								
CITY		HURST						
Type of Plat		Preliminary	Short Form	Final				
Staff		•	•	•				
P & Z		•	•	•				
City Council		•	•	•				
Definition:								
	Short Form Final - Property meeting certain conditions may be approved on final plat without the necessity of a							
	preliminary plat. See section 21-6 of the City of Hurst Land Development Code for specifics.							
CITY		KELLER						
Type of Plat		Preliminary	Minor Sub.	Major Sub.	Amending	Replat:		
Staff		•	•	•	•	•		
P & Z		•	•	•	•	•, • (As needed)		
City Council		•	•	•	•	•		
Definitions:								
	Minor Subdivision Final Plat - See "Minor Plat" definition for City of Colleyville							
	Major Subdivision Final Plat - Involves the creation of new streets, the extension of municipal facilities or							
	the creation of four (4) or more lots. Preliminary plat required.							
	Amending Plat - Same as Colleyville							

Comparison of Plat Requirements for Cities that Surround Colleyville

	Replat - Same as Colleyville						
CITY		NORTH RICHLAND HILLS**					
		Preliminary	Final	Short Form	Replat	Amending	
				Final			
Staff		●	●	●	●	●	**No staff approvals with any plat
P & Z		●	●	●	●	●	process
City Council		●	●	●	●	●	
Definition:							
	Short Form Final - See City of Hurst above						
	Replat - Same as Colleyville						
	Amending Plat - Same as Colleyville						
CITY		SOUTHLAKE					
		Preliminary	Final	Plat Showing:		Amending	Replat
				Single Lot	Multi-lot		(Plat Revision)
Staff		●	●	●	●	●	●
P & Z		●	●	●	●	●	●
City Council		●	●	●	●	●	●
Definitions:							
	Plat Showing - When a tract or parcel of land has not been previously platted and recorded, the subdivider may elect						
	to combine the Preliminary Plat and Final Plats and submit a Plat Showing whenever the tract of land contains						
	less than 10 acres and involves four (4) or less lots and is to be subdivided without change of street location						

Comparison of Plat Requirements for Cities that Surround Colleyville

	or without substantial effect on City services, drainage, or adjacent properties. A subdivision involving more than	
	four (4) lots or which contains 10 or more acres of land can be considered as a Plat Showing by the Planning Director on	
	a case by case basis.	
	<u>Amending Plat</u> - Same as Colleyville	
	<u>Replat</u> - Same as Colleyville	

Proposed Subdivision Plat Approval Authority Table

Approving Body Responsible for Approving Plats			
Classification of Plat	Staff	P&Z	Council
Combination Preliminary/Final Plat	no	yes	no
Preliminary Plats	no	yes	no
Final Plats	no	yes	no
Minor Plats	yes	no *	no
Replat	no	yes	no
Amending Plats	yes	no *	no

* The Planning and Zoning Commission shall have the authority to approve a Minor Plat and an Amending Plat which has not been approved by City Staff.

Proposed Amendments to Chapter 8-Plat Review Procedures

Chapter 8 Plat Review Procedures

(Rev. 11/5/201302/21/06)

Section 8 – 100 Purpose of This Chapter

The purpose of this Chapter is to establish regulations which describe the process for the review and approval of subdivision plats, but more specifically to:

- A. provide for the safe, orderly, and healthful development of the area within the city and within the area surrounding the city and to promote the health, safety, and general welfare of the community;
- B. encourage the orderly development of the city through appropriate growth management techniques assuring the timing and sequencing of development, promoting in-fill development in existing neighborhoods and nonresidential areas with adequate public facilities, to assure proper urban form and open space separation of urban areas;
- C. encourage appropriate protection to environmentally sensitive areas;
- D. ensure that public facilities and services are available; and
- E. establish procedures for the review and approval of subdivision plats.

Section 8 – 105 Authorization for Adoption of This Chapter

The regulations contained in this Chapter have been adopted under the authority of the following:

- A. *Chapter 212 – Municipal Regulation of Subdivisions and Property Development of the Texas Local Government Code*, which authorizes a municipality to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction.
- B. *Chapter 51 – General Powers of Municipalities of the Texas Local Government Code*, which authorizes a municipality to adopt ordinances, rules, or police regulations that are for the good government, peace, or the trade and commerce of the municipality.
- C. *The Home Rule Charter of the City of Colleyville*, which authorizes the City Council to exercise all powers granted to municipalities by the Constitution and laws of the State of Texas.

Section 8 – 110 Variances and Appeals

Any person seeking approval of a development as required by this Land Development Code may request a variance from a requirement contained in this Chapter, or appeal a decision of an Administrative Official by submitting a request using the procedures described in *Chapter 1 – General Provisions* of this Land Development Code.

Section 8 – 115 Definitions

Definitions applicable to this Chapter may be found in *Chapter 2 – Definitions* of this Land Development Code.

Proposed Amendments to Chapter 8-Plat Review Procedures

Section 8 – 120 Plat Approval Required

It shall be unlawful for a person, firm or corporation owning a tract of land located within the corporate limits of the City of Colleyville, Texas, or extraterritorial jurisdiction, to hereafter divide the same tract of land into two or more parts, to lay out a subdivision, to lay out a building lot, or to lay out a street, alley, square, park, or other parts of the tract intended to be dedicated to public use, or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts for purpose of development without having a plat of the subdivision prepared and approved in accordance with this Chapter. A division of a tract includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method for purpose of development. A division of land under these regulations does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated. The provisions of this Chapter shall apply to any development which is intended as a single lot, tract or parcel where a primary structure will be located. Furthermore, the following shall be applicable to all subdivisions of land:

- A. It shall be the policy of the City of Colleyville to consider the subdivision of land and the subsequent development of the subdivided land as subject to the control of the City pursuant to the Colleyville Comprehensive Plan for the orderly, planned, efficient, and economical development of the City.
- B. The City has no obligation to extend water or sewer service to any lot, tract or parcel or land sold or created in violation of this Chapter.
- C. All plats and subdivisions shall conform to the rules and regulations set forth herein.
- D. This Chapter is not intended to repeal, abrogate, or impair any existing plans or ordinances. However, where the provisions of this Chapter and other ordinances or plans conflict or overlap, the most restrictive provisions thereof shall apply.
- E. The provisions contained in this Chapter, shall be considered as the minimum requirements for review and approval of a subdivision plat.

Section 8 – 125 Plat Required for Building Permit

No building permit shall be approved for any lot, tract or parcel of land unless and until a plat has been approved in accordance with this Land Development Code, except as provided as follows:

- A. Residential Structures - A building permit for an addition to, or renovation of, an existing residential structure may be issued on an un-platted lot, provided the value of such proposed construction, including the cumulative value of any proposed and all previously permitted building permits on the primary structure, does not exceed fifty (50%) percent of the value of the existing structure, excluding the value of the land, as shown on the most current tax roll. Building permits as used herein do not include electrical, plumbing or similar non-construction activities.
- B. Non-residential Structures - A building permit for an addition to, or renovation of, an existing non-residential structure may be issued on an un-platted lot, provided the value of such proposed construction, including the cumulative value of any proposed and all previously permitted building permits on the primary structure, does not exceed fifty (50%) percent of the value of the existing structure, excluding the value of the land, as shown on the most current tax roll. Building permits as used herein do not include electrical, plumbing or similar non-construction activities.
- C. Platting Exemption for Certain Accessory Buildings - A building permit for an accessory structure may be issued on an un-platted lot in the Agricultural District.
- D. Public Facilities Available - No building permit for a primary building will be issued until all public facilities have been installed and have been approved and accepted by the City or provision, acceptable to the City, has been made by the developer for such public facilities.

Proposed Amendments to Chapter 8-Plat Review Procedures

Section 8 – 130 Approval Authority Over Subdivision Plats

- A. Approval of Plats Required —~~In accordance with Chapter 212.004 of the Local Government Code, the Planning and Zoning Commission shall approve all subdivision plats, provided said plat conforms to the requirements and specifications of this Land Development Code. In addition to the requirement of approval of subdivision plats by the Planning and Zoning Commission, the City Council shall also be required to approve subdivision plats, except for the approval of minor plats or amending plats. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail.~~ The approving body for all subdivision plats shall be in accordance with the following table:

Approving Body Responsible for Approving Plats			
Classification of Plat	Staff	P&Z	Council
<u>Combination Preliminary/Final Plat</u>	<u>no</u>	<u>yes</u>	<u>no</u>
Preliminary Plats	no	yes	<u>no</u> yes
Final Plats	no	yes	<u>no</u> yes
Minor Plats	<u>yes</u> no	<u>no</u> *yes	<u>no</u> No
<u>Replat</u>	<u>no</u>	<u>yes</u>	<u>no</u>
Amending Plats	yes	no *	no **

* The Planning and Zoning Commission shall have the authority to approve a Minor Plat and ~~an~~ Amending Plat which has not been approved by City Staff.

** ~~The Planning and Zoning Commission may additionally require the approval of an amending plat by the City Council.~~

- B. Preliminary, Final or Combination Preliminary/Final Plat Approval by the Planning and Zoning Commission - The Planning and Zoning Commission shall approve or disapprove a Preliminary, Final or Combination Preliminary/Final Plat. If the application includes a request for a waiver or modification of a platting regulation, the City Council must also approve the request.
- C. Replat Approval by the Planning and Zoning Commission - The Planning and Zoning Commission shall approve or disapprove a Replat. If the application includes a request for a waiver or modification of a platting regulation, the City Council may approve the request upon appeal by the applicant to the decision of the Planning and Zoning Commission.
- ~~DB.~~ Minor Plat Approval by ~~Planning and Zoning Commission~~Staff – The Community Development Director~~Planning and Zoning Commission~~ shall be authorized to approve ~~or disapprove~~ a Minor Plat, as defined by this Land Development Code provided said plat conforms to the requirements and specifications of this Land Development Code, without the additional approval of the Planning and Zoning Commission~~City Council~~. If the application includes a request for a waiver or modification of a platting regulation, the Planning and Zoning Commission shall ~~have the authority to~~ approve or disapprove the request. The City Council may approve the request upon appeal by the applicant to the decision of the Planning and Zoning Commission.~~The Planning and Zoning Commission may require the additional approval of any Minor Plat or waiver request by the City Council. The Community Development Director, may not disapprove a Minor Plat, but shall refer any Minor Plat which he/she refuses to approve to the Planning and Zoning Commission within thirty (30) days after the date the plat is filed.~~
- ~~EG.~~ Amending Plat Approval by Staff – The Community Development Director~~City Manager, or his designee,~~ shall be authorized to approve an Amending Plat as defined by the Local Government Code, provided said plat conforms to the requirements and specifications of this Land Development Code. If the

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application includes a request for a waiver from the subdivision requirements, the Community Development Director~~the City Manager, or his designee~~, shall present the amending plat to the Planning and Zoning Commission for approval. The Planning and Zoning Commission shall have the authority to approve the Amending Plat. The Planning and Zoning Commission may require additional approval of any Amending Plat by the City Council.

The Community Development Director~~The City Manager, or his designee~~, may not disapprove an Amending Plat, but shall refer any Amending Plat which he refuses to approve to the Planning and Zoning Commission within thirty (30) days after the date the plat is filed.

~~FD.~~ Appeal Procedure – A subdivision plat that has been denied by the Planning and Zoning Commission may be appealed to the City Council for consideration at the next available public meeting. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail.

Section 8 – 135 Procedure for Approval of Subdivisions

- A. Time Period for Taking Action – The ~~Planning and Zoning Commission~~approving body shall approve or disapprove a subdivision application within thirty (30) days after the date the subdivision application is filed as provided in this Chapter. A subdivision application is considered approved if the ~~Planning and Zoning Commission~~approving body fails to act on a plat within the prescribed period. Provided however, that the subdivider may request a deferral of action on the subdivision application, thereby waiving the thirty day time period for action by the ~~Planning and Zoning Commission~~approving body, provided said request is submitted in writing.
- B. Additional Time Period for City Council Approval – Where City Council action is required or requested on a subdivision application as provided in this Chapter, the action shall be taken no later than thirty (30) days after the date the subdivision application was considered by the Planning and Zoning Commission. A subdivision is considered approved if the City Council fails to act on a plat within the prescribed period. Provided however, that the subdivider may request a deferral of action on the subdivision application, thereby waiving the thirty day time period for action by the City Council, provided said request is submitted in writing.
- C. Certificate of Compliance – In cases where the City fails to act on a subdivision application within the thirty day time period, the ~~Community Development Director~~Administrative Official, upon written request, shall issue a certificate of compliance stating the date the subdivision was filed and that the City failed to act on the subdivision application within the specified time.
- D. Authorization to Sign Plats – The approval of a plat by the approving body by the City Council, or in the case of a Minor or Amending plat by the staff or Planning and Zoning Commission, shall constitute authority for the Community Development Director or, the Chairman and Secretary of the Planning and Zoning Commission and/or the Mayor and City Secretary, ~~or staff~~ to execute said plat, and shall constitute approval for recording in the County Clerk's Office of Tarrant County.
- E. Modification of Conditions – Where the approving body finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve modifications of conditions to these platting regulations so that substantial justice may be done and the public interest secured. Such a finding by the City shall not have the effect of nullifying the intent and purpose of these platting regulations.
- F. Completeness Determination – Every subdivision plat application shall be subject to a determination of completeness by the Administrative Official as provided for in this Section.
1. No later than the tenth business day from the date the application is received, the Administrative Official shall make a written determination that all documents required by the Land Development Code for a subdivision plat submittal have been received.
 2. The applicant shall be provided written notice of any deficient documents no later than ten (10) business days from the date the application is received. The determination shall specify the

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documents or other information needed to complete the application and shall state the date the application will expire if the documents or other information are not provided. For purposes of this Section, the applicant shall be deemed to have been notified if the City has mailed a copy of the determination as provided herein.

3. The processing of an application by any City official or employee prior to the time the application is determined to be complete shall not be binding on the City as the official acceptance of the application for filing,
 4. A determination of completeness by the Administrative Official shall not constitute a determination of compliance with the substantive requirements of the Land Development Code.
- G. Expiration of Application – If a subdivision plat application is not completed on or before the 45th day after the application is received by the Administrative Official for processing, the application will be deemed to have expired. Thereafter, a new subdivision plat application must be submitted, including payment of the applicable application fee. The City shall retain any fee paid for reviewing the original application for completeness.
- H. Incompleteness as Grounds for Denial – No subdivision plat application shall be scheduled for action by an approving body unless it is determined that the application is complete and all required items, studies and documents have been submitted to and received by the City, unless the applicant has provided a written request for a waiver or modification of said requirement. An incomplete subdivision application shall be grounds for denial or revocation of the application. No vesting right shall accrue from the filing of an application that has expired pursuant to this Section, or from the filing of a complete application that is subsequently denied.
- I. Official Plat Submittal Date – The date from which the statutory period requiring approval or disapproval of a subdivision plat application shall commence on the date the Administrative Official responsible for processing subdivision plat applications has determined the application to be complete and marked said date on the application and has scheduled said application for action by the approving body.
- J. Development Review Committee – The City Manager shall designate a Development Review Committee (DRC) which shall be an advisory committee to the Planning and Zoning Commission and have responsibility for providing comments and recommendations on subdivision applications. In addition, the Development Review Committee shall submit comments and recommendations on vacation of public rights-of-way or easements and site plan reviews required by this Code. The Administrative Official responsible for subdivision review shall coordinate the actions of the Development Review Committee.
- K. DRC Review – Copies of subdivision plat applications shall be distributed to the Development Review Committee (DRC) members for technical review. The DRC shall provide written comments and recommendations on the proposed development to the Administrative Official.

The Administrative Official responsible for subdivision review shall compile a report of the written comments received from the DRC and provide a copy of said report to the subdivider within five (5) working days following the day of receipt of all staff comments. The subdivider shall submit revised copies of the subdivision application, which incorporates and fully satisfies the comments of the DRC or provide written response as to why such modification is not proposed.

- L. Consistency with Master Plans – No subdivision plat shall be approved which is not consistent with the Colleyville Master Plan, the Parks Development Plan, and trail systems plans of the City.
- M. Compliance with Zoning – No subdivision plat shall be approved that is not consistent with the existing zoning regulations applicable to the property being platted, unless a rezoning application is pending that will provide consistency with the proposed development.
- N. Public Facilities – No subdivision application shall be approved by the City unless the Director of Public Works has reviewed the construction plans for the proposed public improvements and has determined that the public facilities will be adequate to support and service the area of the proposed subdivision. To expedite the review process, the Director of Public Works may accept a written offer by the developer as satisfactory evidence that public improvement requirements of the Land Development Code will be satisfied. The Director of Public Works may require the applicant to submit sufficient information and data

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to demonstrate that the existing public facilities are adequate to serve the proposed subdivision. Public facilities and services to be examined for adequacy shall include drainage facilities, roads, sewage, and water systems. Public facilities shall be designed and constructed in accordance with the requirements contained in this Land Development Code. Said proposed public improvements shall conform to and be properly related to the Colleyville Master Plan and all applicable capital improvement plans, including but not limited to the following:

1. Master Thoroughfare Plan – All subdivisions shall be designed to coordinate with the right-of-way widths and street patterns shown on the Master Thoroughfare Plan.
 2. Water System - All lots shall be served by a public water system capable of providing water for health and emergency purposes, including adequate fire protection. Proposed water system improvements shall be consistent with the Master Water System Plan.
 3. Wastewater Collection System - All lots shall be served by an approved means of wastewater collection and treatment. Proposed sewer system improvements shall be consistent with the Master Wastewater Collection System Plan.
 4. Storm Water Management - The Director of Public Works may require the use of control methods such as retention or detention, and/or the construction of offsite drainage improvements to mitigate the impacts of the proposed developments. Any proposed drainage system improvements shall be consistent with the Master Storm Water Management Plan.
- O. Records Maintenance – The Administrative Official responsible for subdivision review shall maintain a record of each application submitted under this Chapter, and the action taken on the application.
- P. Dedication Offers – All streets, drainage ways, parks, and other rights-of-way or public easements shown within a subdivision plat and intended for public use shall be offered for dedication as part of the approval of a plat. Upon approval of the subdivision application by the City, the offers shall be deemed dedicated and available for acceptance by the City in accordance with the requirements of this Section.
1. Whenever a subdivision proposes the dedication of land for public use and the City finds that such land is not required or is not suitable for public use, the approving body shall either deny the subdivision application or require the rearrangement of lots to include such land.
 2. The approval of a subdivision plat by the City is not considered an acceptance of any dedication and does not impose on the City any duty regarding the maintenance or improvement of any dedicated parts until the City Council makes an actual appropriation of the dedicated parts by entry, use, or improvement.
 3. Disapproval of a plat shall be deemed a refusal by the City to accept the offered dedications shown thereon.
- Q. Nuisance Ordinances and Outstanding Liens – No subdivision plat shall be placed on the agenda for action by an approving body in which the Code Enforcement Officer has issued notice to the owner of the property being subdivided that the property being considered for development is in violation of a public nuisance ordinance of the City of Colleyville and the violation has not been abated prior to the subdivision application date. No subdivision plat shall be placed on the agenda for action by an approving body that has an outstanding delinquent lien payable to the City of Colleyville.
- R. Frontage on Public Access Required – Every lot shall have frontage on a public street right-of-way. Said frontage shall not be less than eighty percent (80%) of the minimum required lot width established for the zoning district. In non-residential areas, access to a lot with a public access easement that is acceptable by the City as meeting the minimum requirements to provide public ingress and egress and for adequate emergency vehicle access may be allowed in lieu of a public street right-of-way.
- S. Plats Straddling or Adjacent to Municipal Boundaries – Where access to a proposed subdivision is required across land in an adjacent city, the Administrative Official shall coordinate the review of the plat with the adjacent city and the ~~approving body~~Planning and Zoning Commission shall require written

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approval from the adjacent city.

- T. Official City Map – The Administrative Official responsible for subdivision review shall maintain an Official City Map, which shall indicate all subdivisions, lots and street rights-of-way. Subdivision plats hereafter approved shall be placed on the Official Map in a timely order and include the names of all streets and street suffix classifications. Where street name inconsistencies exist, from one subdivision to another, the Administrative Official shall place on the Official City Map the generally accepted street name, its proper spelling, and suffix classification. The Administrative Official responsible for subdivision review shall assign street address ranges for each block and coordinate these with the Office of the Fire Marshal and other emergency service providers.
- U. Enforcement of Chapter – In addition to any other remedy provided by law, the City and its officers shall have the right to enjoin any violation of this Chapter by injunction issued by a court of competent jurisdiction.

Section 8 – 140 Preliminary Plats

- A. Preliminary Plat Classification – Submittal of a Preliminary Plat is the first of a two step process for approval of a subdivision plat. The Preliminary Plat procedure shall be used when the property proposed for development is not platted as defined in this Chapter, does not qualify as a minor plat, and will be platted in more than one phase. The purpose of the Preliminary Plat procedure is to allow a subdivider to submit an abbreviated subdivision proposal for approval to determine the feasibility of developing a parcel of land before proceeding to the final platting process where the development will involve more than one phase of construction.
- B. Platting all Land in Common Ownership – The Preliminary Plat shall include all contiguous holdings of the owner, including land in “common ownership” as defined in this Chapter, with an indication of the portion which is proposed for subdivision.
- C. ~~Phasing of Preliminary Plat~~ Phasings – ~~In the event that the property indicated is to be final platted in phases,~~ the Preliminary Plat shall clearly indicate the parcels of land to be included in the phasing. Subsequently, Final Plats shall generally comply with the phasing lines indicated on the Preliminary Plat. Significant departure from the phase lines indicated on the Preliminary Plat shall require an amendment to the Preliminary Plat prior to further final platting of property.
- D. Effect of Approval – Upon approval of the Preliminary Plat, a copy of the approved Preliminary Plat shall be signed by the Administrative Official and kept for public record. Said approved Preliminary Plat shall reflect any and all revisions to the original submitted Preliminary Plat as was directed by the Planning and Zoning Commission and/or City Council which were made a condition of approval. Approval of the Preliminary Plat shall not constitute final acceptance or approval of the subdivision nor shall the approval of the Preliminary Plat confer any vesting rights in the arrangement of lots, streets and other features on the Final Plat. Approval of the Preliminary Plat shall constitute authority to proceed with the Final Plat process as described in this Chapter.
- E. Expiration of Approval – Approval of a Preliminary Plat shall expire after twelve (12) months from the date of approval, unless a Final Plat is submitted for all or part of the area that has received Preliminary Plat approval. The approving body may approve a time extension upon written request from the developer or may waive the twelve month termination period when the Final Plat is determined to be consistent with the approved Preliminary Plat and no additional standards have been adopted by the City.
- F. Re-submittal of Preliminary Plat – When a Preliminary Plat is disapproved, the subdivider, at any time thereafter, may submit a new design for approval, following the same procedures as required for the original application, including the payment of application fees.
- G. Preliminary Plat Exhibits – The subdivider shall file an application for approval of a Preliminary Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:

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1. *Preliminary Plat Application* – The application shall be on forms furnished by the Administrative Official. If the applicant is not the official owner of record, written authorization from the property owner is required.
 2. *Preliminary Plat Drawing* – The plat drawing shall contain the information listed in Section 8 - ~~18065~~ *Required Plat Information*, where applicable.
 3. *Preliminary Drainage Information* – The subdivider shall submit a Preliminary Drainage Analysis to determine the need for drainage facilities, unless the Director of Public Works has determined that a Preliminary Drainage Analysis is not necessary at time of platting. The Preliminary Drainage Analysis shall be prepared in accordance with the drainage analysis requirements contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.
 4. *Preliminary Utility Plan* – The subdivider shall submit preliminary construction drawings which shall indicate the general location and approximate sizes of all existing and proposed public utilities, unless the Director of Public Works has determined that no public utility improvements are necessary. The size of all proposed water and sewer lines shall be determined using the design criteria contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.
 5. *Tree Survey* – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.
 6. *Nuisance Compliance Certification* – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.
 7. *Fees* – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.
- H. *Grading Site Prior to Final Approval* – Following Preliminary Plat approval, the developer may apply for an earthwork permit and upon approval of said permit may commence construction to the grades and elevations required by the Preliminary Plat.

Section 8 – 145 Final Plats

- A. *Final Plat Classification* – Approval of a Final Plat is the second step in the process for approval of a subdivision plat. The Final Plat procedure shall be used when the property proposed for development has been previously approved as a Preliminary Plat, was not submitted as a Combination Preliminary/Final Plat and conforms to the requirements of this Chapter. The purpose of the Final Plat procedure is to allow a subdivider to submit for approval all the documents necessary to fully develop the subdivision.
- ~~1. *Minor Plats:* A Minor Plat submittal shall be used when the property proposed for development is not platted, contains four (4) or fewer lots and will not create a new street. A Minor Plat is intended to allow a subdivider to combine the Preliminary and Final Plat procedures and thereby expedite the review and approval of a small subdivision where no new public street is created. Where applicable, the Minor Plat submittal shall contain the same exhibits as a Final Plat submittal.~~
 - ~~2. *Replats:* A Replat submittal shall be used when a previously platted property is proposed for redevelopment. A Replat may include an additional parcel of un-platted property when the size of the un-platted portion does not dictate the submittal of a Preliminary Plat. The Administrative Official responsible for subdivision review shall review each Replat application and determine whether or the not the size of the un-platted portion of the proposed development warrants the submittal of a Preliminary Plat. Where applicable, the Replat submittal shall contain the same exhibits as a Final Plat submittal.~~

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~~3. **Additional Criteria for Replats:** The following additional criteria for approval shall apply in the re-subdivision of an existing plat, without vacating the immediate previous plat:~~

~~a. A public hearing shall be required on the Replat at which interested parties and citizens have an opportunity to be heard.~~

~~b. If any of the proposed area to be re-subdivided or re-platted, within the immediate preceding five years, was limited by any interim or permanent zoning classification to residential use for not more than two residential units per lot, or if any lot in the immediate previous subdivision was limited by deed restriction to residential use for not more than two residential units per lot, notice of the public hearing shall be given in advance in the following manner:~~

~~i. Publication at least 15 days before the date of the hearing in a newspaper of general circulation in the City.~~

~~ii. A written notice of the public hearing shall be forwarded no less than fifteen (15) days prior to the day of the hearing to the owners (as the ownership appears on the last approved ad valorem tax roll) of all lots in the immediate preceding plat that are within 200 feet of the lots to be re-platted. The notice may be served by depositing it properly addressed and postage paid, in the United States post office.~~

~~c. If the proposed replat requires a waiver of a requirement and is protested in accordance with this section, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the Planning and Zoning Commission and/or City Council. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the Planning and Zoning Commission and City Council prior to the closing of the public hearing. In computing the percentage of land area, the area of streets and alleys shall be included.~~

~~4. Compliance with paragraphs (2) & (3) is not required for approval of a replat or a portion of a prior plat if the area to be re-platted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.~~

B. **Final Plat Prerequisites** – Unless exempt from the requirements of Preliminary Plat approval, no Final Plat shall be placed on the agenda for action by the approving body until a Preliminary Plat of a subdivision has been previously approved in accordance with this Chapter. Upon approval of a Preliminary Plat, a subdivider may file an application for approval of a Final Plat. The Final Plat shall conform to the Preliminary Plat as approved and incorporate any and all changes, modifications, corrections and conditions imposed by the prior approval. A Final Plat will not be presented to the approving body for consideration, which fails to incorporate the recommendations of the Preliminary Plat approval.

C. **Final Plat Exhibits** – The subdivider shall file an application for approval of a Final Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:

1. ***Final Plat Application*** – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.

2. ***Final Plat Drawing*** – The plat drawing shall contain the information contained in *Section 8 - 18065 Required Plat Information* of this Land Development Code.

3. ***Drainage Information*** – The subdivider should discuss with the Director of Public Works the need to submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.

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4. *Construction Drawings* – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Final Plat. The construction drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.
5. *Tree Survey* – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees. These documents are not necessary if they have been submitted with the Preliminary Plat.
6. *Nuisance Compliance Certification* – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.
7. *Fees* – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 – 150 Combination Preliminary/Final Plat

- A. Combination Preliminary/Final Plat Classification – Approval of a Combination Preliminary/Final Plat may occur when a plat is submitted that involves more than four lots and will include a new street but will not be phased but, instead, will be developed in a single phase. The purpose of the Combination Preliminary/Final Plat procedure is to allow a subdivider to submit for approval all the documents necessary to fully develop the subdivision in a single application.
- B. Combination Preliminary/Final Plat Exhibits – The subdivider shall file an application for approval of a Combination Preliminary/Final Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:
 1. Combination Preliminary/Final Plat Application – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.
 2. Plat Drawing – The plat drawing shall contain the information contained in Section 8 - 180 Required Plat Information of this Land Development Code.
 3. Drainage Information – The subdivider should discuss with the Director of Public Works the need to submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in Chapter 14 – Engineering Design Standards of this Land Development Code.
 4. Construction Drawings – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Combination Preliminary/Final Plat. The construction drawings shall conform to the technical specifications contained in Chapter 14 – Engineering Design Standards of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.
 5. Tree Survey – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.
 6. Nuisance Compliance Certification – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.

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7. Fees – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official. The fee for a Combination Preliminary/Final Plat shall be the same as the fee for a Final Plat.

Section 8 – 155 Minor Plats

- A. Minor Plats: A Minor Plat submittal shall be used when the property proposed for development is not platted, contains four (4) or fewer lots and will not create a new street. A Minor Plat is intended to allow a subdivider to combine the Preliminary and Final Plat procedures and thereby expedite the review and approval of a small subdivision where no new public street is created. Where applicable, the Minor Plat submittal shall contain the same exhibits as a Final Plat submittal.
- B. Minor Plat Exhibits – The subdivider shall file an application for approval of a Minor Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:
 1. Minor Plat Application – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.
 2. Plat Drawing – The plat drawing shall contain the information contained in Section 8 – 180 Required Plat Information of this Land Development Code.
 3. Drainage Information – The subdivider should discuss with the Director of Public Works the need to submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in Chapter 14 – Engineering Design Standards of this Land Development Code.
 4. Construction Drawings – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Minor Plat. The construction drawings shall conform to the technical specifications contained in Chapter 14 – Engineering Design Standards of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.
 5. Tree Survey – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.
 6. Nuisance Compliance Certification – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.
 7. Fees – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 – 160 Replats

- A. Replats: A Replat submittal shall be used when a previously platted property is proposed for redevelopment. A Replat may include an additional parcel of un-platted property when the size of the un-platted portion does not dictate the submittal of a Preliminary Plat. The Administrative Official responsible for subdivision review shall review each Replat application and determine whether or the not the size of the un-platted portion of the proposed development warrants the submittal of a Preliminary Plat. Where applicable, the Replat submittal shall contain the same exhibits as a Final Plat submittal.

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B. Additional Criteria for Replats: The following additional criteria for approval shall apply in the re-subdivision of an existing plat, without vacating the immediate previous plat:

1. A public hearing shall be required on the Replat at which interested parties and citizens have an opportunity to be heard.

2. If any of the proposed area to be re-subdivided or re-platted, within the immediate preceding five years, was limited by any interim or permanent zoning classification to residential use for not more than two residential units per lot, or if any lot in the immediate previous subdivision was limited by deed restriction to residential use for not more than two residential units per lot, notice of the public hearing shall be given in advance in the following manner:

a. Publication at least 15 days before the date of the hearing in a newspaper of general circulation in the City.

b. A written notice of the public hearing shall be forwarded no less than fifteen (15) days prior to the day of the hearing to the owners (as the ownership appears on the last approved ad valorem tax roll) of all lots in the immediate preceding plat that are within 200 feet of the lots to be re-platted. The notice may be served by depositing it properly addressed and postage paid, in the United States post office.

3. If the proposed replat requires a waiver of a requirement and is protested in accordance with this section, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the Planning and Zoning Commission and/or City Council. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the Planning and Zoning Commission and City Council prior to the closing of the public hearing. In computing the percentage of land area, the area of streets and alleys shall be included.

C. Compliance with paragraphs (a) & (b) is not required for approval of a replat or a portion of a prior plat if the area to be re-platted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

D. Replat Exhibits – The subdivider shall file an application for approval of a replat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:

1. Replat Application – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.

2. Plat Drawing – The plat drawing shall contain the information contained in Section 8 - 180 Required Plat Information of this Land Development Code.

3. Drainage Information – The subdivider should discuss with the Director of Public Works the need to submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in Chapter 14 – Engineering Design Standards of this Land Development Code.

4. Construction Drawings – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Minor Plat. The construction drawings shall conform to the technical specifications contained in Chapter 14 – Engineering Design Standards of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.

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5. Tree Survey – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.
6. Nuisance Compliance Certification – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.
7. Fees – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 - ~~16550~~ Amending Plats

- A. Amending Plat Classification – The Amending Plat procedure shall be used when making a minor change to an existing subdivision. These changes must not be substantive, nor create any new lots. Notice, public hearing, and the approval of other lot owners is not required for the approval of an Amending Plat.
- B. Amending Plat Procedures – The City is authorized to approve an Amending Plat which is signed by the property owners, and which is for one (1) or more of the purposes set forth in this Section, and such approval shall not require notice, hearing or approval of other lot owners. Amending Plats in accordance with the provisions of this Section shall be approved if the sole purpose of the Amending Plat is to:
 1. Correct an error in any course or distance shown on the prior plat;
 2. Add any course or distance that was omitted on the prior plat;
 3. Correct an error in the description of the real property shown on the prior plat;
 4. Indicate monuments set after death, disability or retirement from practice of the surveyor charged with the responsibilities for setting monuments;
 5. Show the proper location or character of any monument which has been changed in location or character or which originally was shown at the wrong location or incorrectly as to its character on the prior plat;
 6. Correct any other type of scrivener or clerical error or omission as previously approved by the City; such errors and omissions may include, but are not limited to, numbers, acreage, street names and identification of adjacent recorded plats;
 7. Correct an error in courses and distances of lot lines between two adjacent lots where both lot owners join in the application for plat amendment, and neither lot is abolished; provided that such amendment does not attempt to remove recorded covenants or restrictions and does not have a material adverse effect on the property rights of the other owners in the plat;
 8. Relocate a lot line in order to cure an inadvertent encroachment of a building or improvement on a lot line or on an easement;
 9. Relocate one or more lot lines between one or more adjacent lots where the owner or owners of all such lots join in the application for the plat amendment, provided that such amendment does not:
 - a. Attempt to remove recorded covenants or restrictions; or
 - b. Increase the number of lots; or
 - c. Remove or otherwise abandon any easement or right-of-way.
 10. To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or part of the subdivision covered by the preceding plat if;
 - a. the changes do not affect applicable zoning and other regulations of the municipality;

Proposed Amendments to Chapter 8-Plat Review Procedures

- b. the changes do not attempt to amend or remove any covenants or restrictions; and
 - c. the area covered by the changes is located in an area that the municipal planning commission or other appropriate governing body of the municipality has approved, after a public hearing, as a residential improvement area; or
- 11. To replat one or more lots fronting on an existing street if:
 - a. the owners of those lots join in the application for amending the plat;
 - b. the amendment does not attempt to remove recorded covenants or restrictions;
 - c. the amendment does not create or require creation of a new street or make necessary the extension of municipal facilities.
- C. Amending Plat Exhibits – The subdivider shall file an application for approval of an Amending Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:
 - 1. Amending Plat Application – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.
 - 2. Amending Plat Drawing – The plat drawing shall contain the information contained in *Section 8 - 165 Required Plat Information* of this Land Development Code, where applicable.
 - 3. Drainage Information – As determined by the Director of Public Works, the developer shall submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code
 - 4. Construction Drawings – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the plat. The construction drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.
 - 5. Nuisance Compliance Certification – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances.
 - 6. Fees – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 - ~~17055~~ Official Plat Recording

- A. Required Filing Documents – No subdivision plat shall be filed of record with the Tarrant County Clerk's Office unless the following are complete:
 - 1. The plat has been drawn on mylar reproducible film or other permanent material, contains all required signatures, including the signature of the Planning and Zoning Commission Chairman, and/or the Mayor, or City staff, as applicable; and
 - 2. All applicable fees have been received.

Proposed Amendments to Chapter 8-Plat Review Procedures

- B. Construction Prior to Official Filing – No construction of public improvements shall be allowed and no permits for building construction shall be approved until the subdivision plat has been filed of record with the Tarrant County Clerk's Office.
- C. Maximum Approval Period – The approval of a subdivision plat shall expire one-hundred and eighty (180) days from the date of approval by the approving body, unless the subdivision plat has been filed of record with as provided in this Section.
- D. Re-approval Required – No subdivision plat shall be filed of record with the Tarrant County Clerk's Office where the approval time period has expired, unless the approving body has approved a re-submittal of the plat application and payment of plat application fee.

Section 8 - ~~17569~~ Vacation of Plats

A plat may be vacated by the owners of the land covered by the plat at any time before a lot in the plat is sold. If lots have been sold, the plat or any part of the plat may be vacated upon the application of all the owners of lots in the plat and with the approval of the City obtained in the manner prescribed for the original plat.

Section 8 - ~~18065~~ Required Plat Information

The applicant requesting subdivision plat approval shall submit the required number of copies of a plat drawing as determined by the Administrative Official and which complies with this Section.

1. All plat drawings shall contain the following information where applicable:
 - a. *Owner / Subdivider* - The names and addresses of the subdivider and the current owner of record.
 - b. *Surveyor Name* - The name, address and telephone number of the surveyor responsible for the plat which shall contain the seal of a Texas Registered Professional Land Surveyor.
 - c. *Subdivision Name* - If the land to be platted is situated within or adjacent to an existing subdivision, that plat may take the name of the existing subdivision, subject to the approval of the City. The name of the proposed subdivision shall be clearly shown with large letters and shall not be a duplication of any existing subdivision name, whether by spelling or pronunciation, or similar to any other subdivision within the City. The plat drawing shall indicate whether the plat is a Preliminary Plat, Final Plat, Replat, or Amending Plat.
 - d. *Location Map* - A location map showing the tract by reference to streets or highways.
 - e. *Date* - The date the plat was prepared.
 - f. *Scale & North Arrow* - The plat shall be prepared at a numerical scale no greater than one (1) inch equals one hundred (100) feet unless approved by the Administrative Official responsible for subdivision review. A graphic scale symbol shall be placed on the drawing with a north arrow indicating the approximate true north.
 - g. *Subdivision Boundary Lines* - The subdivision boundary lines shall be shown in heavy lines so as to provide a differentiation with the internal features of the area being proposed for platting. The location and dimensions of all boundary lines of the property shall be expressed to the nearest hundredth foot.
 - h. *Metes and Bounds Description* - A written metes and bounds description of the property shall be shown on the plat and be capable of reproducing such lines upon the ground with a closure error of less than 1:25,000. The legal description shall include reference to an original survey, subdivision

Proposed Amendments to Chapter 8-Plat Review Procedures

corner, or the Texas Coordinate System of 1983, North Central Zone. The legal description shall include the acreage of the total area of the proposed subdivision and be consistent with the subdivision boundary. The legal description shall contain information to show the last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date, and land records reference.

- i. *Adjacent Properties* - All property lines, streets and easements on lands immediately adjacent to and contiguous with the perimeter of the proposed subdivision and extending one hundred (100) feet shall be shown with the names of the owners as shown on the most current Tax Assessor's files; if the adjacent properties are platted, the names of adjoining subdivisions and the names of adjoining streets are to be shown.
- j. *Street Rights-of-Way* - The width of all public street rights-of-way shall be shown on the plat. The general location and width shall be consistent with the Master Thoroughfare Plan. Dimensions shall be shown for all curves. The distance from the centerline of any existing roadway of a boundary street to the proposed subdivision shall be shown to determine the adequacy of right-of-way along the route and to determine if additional right-of-way is necessary to accommodate the proposed street.
- k. *Permanent Structures* - The location and general outline of any existing permanent structures with sufficient dimensions to determine building line encroachments. Any permanent structures which encroach any building set-back lines that will remain after completion of the development shall be shown on the drawing with appropriate dimensions.
- l. *Building Set-back Lines* - Front building set-back lines shall be indicated by dashed lines on all lots in accordance with the requirements of the applicable zoning district. Side yard building set-back lines shall be indicated by dashed lines on the side yards of lots with side street frontage. Additional building set-back may be required by the City. Existing building set-back lines on adjacent properties shall be shown, where applicable.
- m. *City Limit Lines* - The general location of the city limit boundaries of the City of Colleyville and any adjacent city shall be shown on the plat and referenced per city maps, only.
- n. *Easements* - The location and dimension of all existing or proposed easements shall be shown on the plat drawing indicating whether such easement is for any specific purpose. General easements for the use of public utilities of not less than seven and one-half (7.5') feet in width shall be provided along each side of all rear property lines. If necessary for the extension of water or sewer mains, storm drainage or other utilities, easements of greater width shall be required along lot lines or across large lots. In all cases, easements shall connect with easements already established on adjoining properties or extend to connect with a public right-of-way. No lot shall be shown with an easement which prevents proper development and full utilization of the lot as a suitable building site for the intended zoning district.
- o. *Lot and Block Numbering* - All lots and blocks shall be consecutively numbered, or lettered in alphabetical order. The blocks in subdivisions bearing the same name shall be numbered or lettered consecutively through the several sections or phases. Lettering for blocks shall be larger and bolder than lot numbers or circled to make identification clear. Any lot or block which is planned as an 'out-parcel' shall be numbered and designated on the plat with notation regarding any development restrictions.
- p. *Sheet Size* - Map sheets shall be of such size as are acceptable for filing in the Tarrant County Clerk's Office, and shall not exceed twenty-four by thirty-six (24"x 36") inches, but may be eighteen by twenty-four (18" x 24") inches, with a binding margin of not less than one and one-half inches on the left side of the sheets. Sheets shall be numbered in sequence if more than one (1) sheet is used and an index sheet provided with match lines.
- q. *Plat Notes and Conditions* - When appropriate, the plat shall contain a listing of any Plat Notes and Plat Conditions in a readily identifiable location with each note numbered consecutively.

Proposed Amendments to Chapter 8-Plat Review Procedures

Land Development Code

City of Colleyville, Texas

- r. *Public Use Areas* - The location and dimensions of all property proposed to be set aside for public use or common reservation shall be shown on the plat drawing, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
- s. *Street Names* - All street names shall be shown on the plat. New street names shall be sufficiently different in sound and in spelling from other street names in the city to avoid confusion. The continuation of an existing street shall bear the same name.
- t. *Phasing of Plats* ~~— For Preliminary plats,~~ The plat drawing shall indicate any phasing of the proposed subdivision. Thereafter, plats of subsequent phases shall conform to the approved overall layout and phasing, unless a revised Preliminary Plat is submitted and approved in accordance with this Chapter. However, a subsequent reduction of a phase may be considered provided that it conforms to the original street arrangement.
- u. *Lot Dimensions* - The approximate dimensions of all lots shall be shown on a Preliminary Plat and the exact dimension shown on all other plats with accuracy to one-hundredth's of one foot. The dimensions shall be sufficient to verify compliance with the minimum requirements of the applicable zoning district.
- v. *Flood Plain Features* - The location of the 100-year flood limits, if applicable, shall be shown on the plat and contained within a drainage easement. If the subdivision, or a portion thereof, is located in the 100 year flood-prone area, the developer will be required to comply with the Flood Damage Prevention Ordinance.
- w. *Irregular Side Lot Lines* - Side lot lines which are not perpendicular to the street right-of-way shall be indicated with bearing and distance.
- x. *Lot Areas* - The area for each lot expressed in square feet shall be shown on the plat.
- y. *Survey Notes* - The Final Plat shall be accompanied by one (1) set of surveyor's closure notes for the boundary of the subdivision. The notes shall be referenced in the same manner as the plat.
- z. *Certification Blocks* – All plats shall contain the appropriate certification blocks which shall be similar to those shown.

Planning and Zoning Commission Approval

WHEREAS The Planning and Zoning Commission of the City of Colleyville, Texas voted affirmatively on this _____ day of _____, 20__, to approve this Plat.

Chairman, Planning and Zoning Commission

Attest: Secretary, Planning and Zoning Commission

City Council Approval

Whereas the City Council of the City of Colleyville, Texas voted affirmatively on this _____ day of _____, 20__, to approve of this Plat.

Mayor, City of Colleyville

Attest: City Secretary

Proposed Amendments to Chapter 8-Plat Review Procedures

Land Development Code

City of Colleyville, Texas

Staff Approval Authority

This amending or minor plat is approved in accordance with Section 212.0065 of the Texas Local Government Code and the City of Colleyville Subdivision Regulations

Date

Community Development Director~~Manager~~

Director of Public Services

Surveyor's Certification

KNOW ALL MEN BY THESE PRESENTS:

That I, _____, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground. Further, this survey conforms to the general rules of procedures and practices of the most current Professional Land Surveying Practices Act.

Signature

Date

(Affix Seal)

Dedication Certificate

WHEREAS, *(owners name)*, are the owners of a tract of land situated in the *(name)* Survey, Abstract N. *(#)*, Tarrant County, Texas, and being out of a *(#)* acre tract conveyed to them by *(deed reference)*, and being more particularly described as follows:

(metes and bounds description)

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That We, *(names)*, Owners, do hereby adopt this plat designating the hereinbefore described property as *(subdivision name)*, and addition to the City of Colleyville, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever all streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

Witness our hands this _____ day of _____, 20____.

Owners Name

STATE OF TEXAS

⌋

Proposed Amendments to Chapter 8-Plat Review Procedures

Land Development Code

City of Colleyville, Texas

COUNTY OF TARRANT	{
Before me, the undersigned Notary Public in and for said county and State on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.	
Given under my hand and seal of office this _____ day of _____, 20____.	
Notary Public in and for Tarrant County	_____
(affix seal)	_____
My printed name	_____
My commission expires:	_____

Section 8 – ~~18570~~ Easement and Right-of-Way Encroachments

(Ord. O-01-1280 / 08/08/01)

No building permit shall be issued for any structure that encroaches into or over a public drainage and/or utility easement or public right-of-way, unless an easement encroachment and joint use agreement has been approved in accordance with the procedures contained in this Section.

1. The applicant must submit a written application on forms furnished by the City, together with the appropriate filing fee, stating the reason for the proposed encroachment. Said application must contain the signature of the property owner or legal agent of the property owner where the encroachment is proposed or of the property that is adjacent to the right-of-way where the encroachment and joint use is proposed.
2. The applicant must provide a metes and bounds description indicating the exact location of the encroachment and a plot plan showing the nature of the improvements proposed within the encroachment area.
3. The application must include written documentation signed by all public utility companies, including the City of Colleyville ~~Public Works~~Engineering Department, indicating their consent to the encroachment and joint use of the easement or right-of-way. All public utility companies must approve the encroachment request before any consideration is given by the City of Colleyville.
4. No notification of adjacent properties is required unless, the City Manager, or designated official, determines that the encroachment or joint use has a direct impact on the adjacent properties.
5. An application requesting an easement encroachment may be approved by the City Manager or other designated official. Applications requesting a right-of-way encroachment require approval by the City Council.
6. Upon approval of the request, documents shall be filed in the Tarrant County Deed Records.
7. The application fee shall be set by separate ordinance approved by the City Council.

Section 8 – ~~19075~~ Amendments to This Chapter

Reserved for listing of amendments to this Chapter.

Ord. Number	Date	Subject
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Proposed Amendments to Chapter 8-Plat Review Procedures

Land Development Code

City of Colleyville, Texas

O-00-1261	12/19/00	Incomplete Submittals / DRC Review
O-01-1280	08/08/01	Easement & right-of-way encroachments
O-06-1566	02/21/06	Comprehensive Chapter Revisions
<u>O-13-XXXX</u>	<u>11/5/2013</u>	<u>Revisions to Approval Authority and Plat Classifications</u>



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number PC-5

Agenda Date 09/03/2013

Type Pre Council

Department City Manager

Title

Presentation of the Colleyville Economic Development Corporation Annual Activity Report

Explanation

The Colleyville Economic Development Corporation Bylaws require that the Board make an annual report by February 1, 2014, to the City Council, "reviewing the accomplishments of the Corporation for the preceding year and the activities of the Corporation for the budget year". Attached is the annual report that was approved by the Colleyville Economic Development Corporation Board at the August 27, 2013 meeting.

Attachments

1. Colleyville Economic Development Corporation Annual Activity Report
2. Memorandum - Colleyville Center sloped seamed metal roof history

ANNUAL REPORT OF THE COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION

ACTIONS OF THE CORPORATION

On August 28, 2012, the Board held its annual meeting and approved the FY 2013 annual budget for the Corporation with projected revenues of \$2,401,735 and expenses of \$2,142,389. The Board also adopted the attached Exhibit "A" Economic Development Capital Improvement Program (EDCIP) for Fiscal Years 2013 through 2017. Projection of sales tax growth conservatively remains at 1% annually throughout the next five years. There is a slight change from year to year due to the annual changes in investable cash from beginning fund balance in the two different EDCIP plans. There is the use of available cash from the .4 times bond coverage ratio in all years of the plan, with the ending target fund balance in 2017 at a level slightly above \$850,000. In FY 2013, there is a carry forward of funding for incomplete projects - completion of Pleasant Run Trail design (Bogart Drive to Mission Lane) - \$41,340 and the right-of-way acquisition for the trail (\$168,000). As was included in the approved FY 2012 - 2016 EDCIP, there is funding for the construction of the following trails: Pleasant Run Trail (Bogart Drive to Mission Lane) - \$277,000 and the Cotton Belt II spur at Webb House - \$165,000. Funding is included for the replacement of tables (\$12,000) and chairs (\$41,000) at the Colleyville Center. These are used at over 600 events annually, and are replacements of the original tables purchased when the Colleyville Center opened in 1998, and replacements for the chairs acquired in 2005. The replacement of the chairs was moved in the EDCIP from FY 2015 to FY 2013 with a cost increase of \$4,000 due to the inclusion of delivery costs and an increase in price. There was an increase of \$3,000 for replacement of additional tables that was scheduled for FY 2013 in the prior EDCIP. Additionally, funding is included for the replacement of the original flat roof area of the Colleyville Center (\$50,000) and the main air conditioning unit (\$30,000), which is the original unit that has been in service since 1998. The \$134,905, which was allocated to a future parks project, pending the completion of the Parks Master Plan in FY 2012, has been allocated to a rebranding study of the Senior Center (\$35,000) and renovations to the Senior Center (\$99,905). The rebranding study was recommended in the Parks Master Plan, which was adopted by City Council on December 6, 2011, and will propose additional uses for the Senior Center. It is anticipated there will be renovations needed to accommodate the additional uses, and there is a need for replacement of air conditioning components. There is also \$9,000 included for the replacement of tables and chairs, which have been in use since the Senior Center opened in 2006. Lastly, there is funding in the amount of \$100,000 for improvements to the Cotton Belt Trail at the L.D. Lockett Park trailhead. This funding would be used for removal of the existing house from the property, and possible improvements such as a covered shelter area, a picnic area, bike racks, and play elements. For FY 2014, the future projects category was increased from \$400,000 to \$425,000. For FY 2015, the future projects allocation is increased from \$370,000 to \$425,000. For FY 2016, the future projects allocation is

increased from \$400,000 to \$425,000. For 2017, the future projects allocation is \$450,000 and funding, in the amount of \$25,000, is included for the replacement of the original stage curtain that has been in use since 1998.

On August 15, 2013, the Board held a worksession to discuss the FY 2014-2018 EDCIP prior to the annual meeting to be held on August 27, 2013. The proposed changes from the attached adopted FY 2013 - FY 2017 EDCIP are as follows:

Revenues:

The projected sales tax for FY 2014 replicates the FY 2014 City sales tax budget projection. For the remaining years, in FY 2015 there is a projected increase of eight percent to account for new business in the Village Park shopping center, and a one percent growth for FY 2016 - 2018. There is a slight change from year to year in interest income, due to the annual changes in investable cash from beginning fund balance in the two different EDCIP plans. There is the use of available cash from the .4 times bond coverage ratio in all years of the plan, with the ending target fund balance in 2018 at a level slightly above \$850,000.

Expenditures:

FY 2014:

Carry forward of funding for incomplete projects - completion of Pleasant Run Trail (Bogart Drive to Mission Lane) right-of-way acquisition for the trail (\$168,000) and construction of the trail (\$277,000), and improvements at the Cotton Belt - L.D. Lockett Park trailhead (\$100,000). There is \$125,000, included for the design of renovations to the Senior Center. There is a study of the Senior Center for future use, programs, and renovations, currently in process, which is a FY 2013 CEDC funded project. This study was recommended in the Parks, Recreation and Trails Master Plan, which was adopted by City Council on December 6, 2011. Funding in the amount of \$175,000 is included for the update of City Park, which opened in 1998, to provide for more efficient property irrigation, lower water use landscaping, and an update of the dugout and spectator areas. There is funding for a site master plan of the Colleyville Center and the surrounding grounds (\$25,000), to provide for improved utilization of the surrounding grounds. Funding is also included for repairs to the original sloped seamed metal roof of the Colleyville Center (\$48,000), with additional information in the attached memorandum regarding the history of the roof. Funding, for the replacement of the original stage curtain (\$25,000) that has been in use since 1998, was moved forward from FY 2017 in the prior EDCIP. Also, funding of \$4,000 is included to refinish the stage at the Colleyville Center, in conjunction with the stage curtain replacement. The future projects allocation of \$425,000 was removed and reallocated through the future years of the plan.

FY 2015:

Carry forward of funding for incomplete projects - the Cotton Belt II spur at Webb House - \$165,000. The future projects allocation is increased from \$425,000 to \$500,000. There is also funding included for future trail projects (\$150,000).

FY 2016:

The future projects allocation is increased from \$425,000 to \$500,000. Funding is added for future trail projects in the amount of \$150,000.

FY 2017:

The future projects allocation is increased from \$425,000 to \$500,000. Funding is added for future trail projects in the amount of \$150,000.

FY 2018:

The future projects funding allocation is \$500,000. Funding is included for the construction of a trail on Pleasant Run Road from the Cotton Belt railroad crossing to John McCain Road (\$300,000).

MEMORANDUM

Date: August 9, 2013

From: Terry Leake, Assistant City Manager / Chief Financial Officer

To: Colleyville Economic Development Corporation Board of Directors

Subject: Colleyville Center sloped seamed metal roof history

In January 1998, the Colleyville Center opened, however there were issues with the main roof of the building (green sloped metal seamed roof), due to improper installation by the roofing subcontractor. Various roofing repairs were made in 1999, while the final retainage payment was withheld from the contractor, R. C. Small & Associates. The contractor pursued legal means to obtain the roofing warranty from the roofing contractor, but was unable to resolve the situation and obtain a warranty.

In June 2000, City Council authorized Resolution R-00-1663 remitting the final retainage payment to the contractor. By this resolution, the City retained \$25,000 of the final retainage payment for future roof repairs, and eliminated the roof warranty in exchange for retaining the \$25,000. Since June 2000, various roof repairs have been made to the sloped metal roof, and a limited amount of the withheld retainage funding remains. As the roof is over 15 years old, staff recently sought information detailing the cost to repair all of the sloped metal roof deficiencies. This cost is approximately \$42,000, and is included in the EDCIP in FY 2015 at a total of \$48,000, to allow for a 15% contingency. The majority of the items requiring repairs would include a 20 year warranty, with the remainder having a 10 year warranty.



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number PC-6

Agenda Date 09/03/2013

Type Pre Council

Department City Manager

Title

Presentation of the Quarterly Investment Report for June 30, 2013

Explanation

During the period of April 1, 2013 through June 30, 2013, the City of Colleyville had an average of \$47,587,180 invested on a daily basis, which earned \$24,207, with an average yield of 0.20%. The average yield on investments for this quarter is down from the prior quarter's average of 0.24%. As of June 30, 2013, the City had \$49,915,566 invested in the LOGIC Investment Pool, CDARS Certificates of Deposit, and various debt instruments in the following percentages:

Logic	47.67%	FFCB Notes	30.36%
FHLB Notes	11.32%	CDARS CD's	8.05%
Treasury Note	2.60%		

These percentages are within the guidelines for portfolio diversification in the City's investment policy. The market value of the City's investments on June 30, 2013 was \$22,102,270 as compared to a purchase price of \$22,111,333 (this excludes LOGIC Investment Pool and CDARS Certificates of Deposit). The Colleyville Economic Development Corporation currently holds a Treasury Note (\$550,000) with a market value of \$551,612 and a purchase price of \$554,469. Additionally, \$1,096,748 was invested in the Corporation's name in the LOGIC Investment Pool. These funds earned interest of \$590 for the quarter.

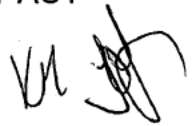
The quarterly investment report was presented to the Audit Committee at the August 20, 2013 meeting.

Attachments

1. Quarterly Investment Report for the quarter ending June 30, 2013

QUARTERLY INVESTMENT REPORT
FOR QUARTER ENDING JUNE 30, 2013

THIS REPORT IS IN COMPLIANCE WITH THE PUBLIC FUNDS INVESTMENT ACT
AND ADOPTED INVESTMENT POLICY STRATEGY

A handwritten signature in black ink, appearing to be 'VH' followed by a stylized flourish.

OUTSTANDING INVESTMENTS AT JUNE 30, 2013

	PURCHASE PRICE	PAR VALUE	MARKET VALUE @ 6/30/13	MATURITY DATE	YIELD ON INVESTMENT
FFCB NOTE	\$749,625	\$750,000	\$750,008	8/8/2013	0.183%
FHLB NOTE	\$500,820	\$500,000	\$500,476	11/27/2013	0.270%
FFCB NOTE	\$1,200,000	\$1,200,000	\$1,204,252	12/27/2013	0.470%
TREASURY NOTE	\$1,297,078	\$1,300,000	\$1,300,000	12/31/2013	0.275%
FHLB NOTE	\$999,500	\$1,000,000	\$1,001,006	1/29/2014	0.355%
FFCB NOTE	\$1,216,016	\$1,200,000	\$1,207,188	2/27/2014	0.320%
FHLB NOTE	\$1,000,000	\$1,000,000	\$1,000,178	4/22/2014	0.240%
FHLB NOTE	\$750,408	\$750,000	\$750,085	4/23/2014	0.265%
FFCB NOTE	\$999,780	\$1,000,000	\$1,000,583	5/1/2014	0.265%
FFCB NOTE	\$1,000,000	\$1,000,000	\$999,827	5/13/2014	0.200%
FHLB NOTE	\$1,099,450	\$1,100,000	\$1,101,571	6/18/2014	0.400%
FFCB NOTE	\$1,200,000	\$1,200,000	\$1,200,011	9/18/2014	0.300%
FFCB NOTE	\$1,200,000	\$1,200,000	\$1,200,248	9/25/2014	0.270%
FHLB NOTE	\$1,300,000	\$1,300,000	\$1,299,266	10/8/2014	0.230%
FFCB NOTE	\$999,800	\$1,000,000	\$998,924	11/14/2014	0.270%
FFCB NOTE	\$1,200,000	\$1,200,000	\$1,199,082	11/21/2014	0.280%
FFCB NOTE	\$1,198,956	\$1,200,000	\$1,197,728	11/24/2014	0.260%
FFCB NOTE	\$1,199,700	\$1,200,000	\$1,198,420	12/26/2014	0.270%
FFCB NOTE	\$1,000,000	\$1,000,000	\$998,182	2/15/2015	0.280%
FFCB NOTE	\$1,000,000	\$1,000,000	\$998,322	2/25/2015	0.320%
FFCB NOTE	\$1,000,200	\$1,000,000	\$996,913	6/24/2015	0.330%
TOTAL OUTSTANDING INVESTMENTS	\$22,111,333	\$22,100,000	\$22,102,270		

CITY OF COLLEYVILLE BALANCES AT JUNE 30, 2013

INVESTMENT PURCHASES	\$22,100,000
CDAR'S CERTIFICATES OF DEPOSIT	\$4,018,645
LOGIC INVESTMENT POOL	\$23,796,921
TOTAL CITY INVESTMENTS HELD AT JUNE 30, 2013	\$49,915,566

COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION (CEDC) BALANCES AT JUNE 30, 2013

INVESTMENT PURCHASES	\$550,000
LOGIC INVESTMENT POOL	\$1,096,748
TOTAL CEDC INVESTMENTS HELD AT JUNE 30, 2013	\$1,646,748

TOTAL INVESTMENTS HELD BY CITY OF COLLEYVILLE AND COLLEYVILLE ECONOMIC DEVELOPMENT CORP AT JUNE 30, 2013	\$51,562,314
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INTEREST EARNINGS ON CITY OF COLLEYVILLE INVESTMENTS FOR THE PERIOD OF APRIL 1 - JUNE 30, 2013
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	PURCHASE PRICE	PAR VALUE	MATURITY DATE	YIELD ON INVESTMENT	INTEREST EARNED
FNMA NOTE	\$1,041,670	\$1,000,000	4/8/2013	0.233%	\$45
FFCB NOTE	\$850,000	\$850,000	5/24/2013	0.250%	\$309
FFCB NOTE	\$749,625	\$750,000	8/8/2013	0.183%	\$342
FHLB NOTE	\$500,820	\$500,000	11/27/2013	0.270%	\$337
FHLB NOTE	\$1,210,319	\$1,200,000	12/27/2013	0.300%	\$898
TREASURY NOTE	\$1,297,078	\$1,300,000	12/31/2013	0.275%	\$891
FHLB NOTE	\$999,500	\$1,000,000	1/29/2014	0.355%	\$885
FFCB NOTE	\$1,216,016	\$1,200,000	2/27/2014	0.320%	\$957
FHLB NOTE	\$1,000,000	\$1,000,000	4/22/2014	0.240%	\$598
FHLB NOTE	\$750,408	\$750,000	4/23/2014	0.265%	\$496
FFCB NOTE	\$1,200,000	\$1,200,000	5/1/2014	0.265%	\$793
FFCB NOTE	\$1,000,000	\$1,000,000	5/13/2014	0.200%	\$499
FHLB NOTE	\$1,099,450	\$1,100,000	6/18/2014	0.400%	\$1,097
FFCB NOTE	\$1,200,000	\$1,200,000	9/18/2014	0.300%	\$898
FFCB NOTE	\$1,200,000	\$1,200,000	9/25/2014	0.270%	\$808
FHLB NOTE	\$1,300,000	\$1,300,000	10/8/2014	0.230%	\$565
FFCB NOTE	\$999,800	\$1,000,000	11/14/2014	0.270%	\$673
FFCB NOTE	\$1,200,000	\$1,200,000	11/21/2014	0.280%	\$838
FFCB NOTE	\$1,198,956	\$1,200,000	11/24/2014	0.260%	\$162
FFCB NOTE	\$1,199,700	\$1,200,000	12/26/2014	0.270%	\$808
FFCB NOTE	\$1,000,000	\$1,000,000	2/15/2015	0.280%	\$698
FFCB NOTE	\$1,000,000	\$1,000,000	2/25/2015	0.320%	\$61
FFCB NOTE	\$1,000,200	\$1,000,000	6/24/2015	0.330%	\$54

TOTAL INTEREST EARNED ON CITY INVESTMENTS HELD APRIL 1, 2013 THROUGH JUNE 30, 2013

\$13,711

RECAP OF MARKET VALUES ON CITY OF COLLEYVILLE INVESTMENTS HELD APRIL 1 - JUNE 30, 2013

INVESTMENT	PURCHASE DATE	MATURITY DATE	PURCHASE PRICE	PAR VALUE	MARKET VALUE @ 3-31-13	LESS MATURITY PROCEEDS	PLUS PERIOD PURCHASES	MARKET VALUE @ 6-30-13
FFCB NOTE	12/21/2011	5/24/2013	\$850,000	\$850,000	\$850,156	\$850,000	N/A	N/A
FFCB NOTE	2/8/2012	8/8/2013	\$749,625	\$750,000	\$750,054	N/A	N/A	\$750,008
FNMA NOTE	2/29/2012	4/8/2013	\$1,041,670	\$1,000,000	\$1,000,967	\$1,000,000	N/A	N/A
FHLB NOTE	5/3/2012	11/27/2013	\$500,820	\$500,000	\$500,677	N/A	N/A	\$500,476
FHLB NOTE	6/27/2012	12/27/2013	\$1,210,319	\$1,200,000	\$1,206,290	N/A	N/A	\$1,204,252
FFCB NOTE	6/28/2012	2/27/2014	\$1,216,016	\$1,200,000	\$1,210,314	N/A	N/A	\$1,207,188
FHLB NOTE	6/28/2012	6/18/2014	\$1,099,450	\$1,100,000	\$1,102,118	N/A	N/A	\$1,101,571
FHLB NOTE	6/29/2012	12/31/2013	\$1,297,078	\$1,300,000	\$1,299,797	N/A	N/A	\$1,300,000
FHLB NOTE	7/24/2012	4/23/2014	\$750,408	\$750,000	\$750,361	N/A	N/A	\$750,085
FFCB NOTE	9/18/2012	9/18/2014	\$1,200,000	\$1,200,000	\$1,200,016	N/A	N/A	\$1,200,011
FFCB NOTE	9/25/2012	9/25/2014	\$1,200,000	\$1,200,000	\$1,201,081	N/A	N/A	\$1,200,248
FHLB NOTE	10/22/2012	4/22/2014	\$1,000,000	\$1,000,000	\$1,000,430	N/A	N/A	\$1,000,178
FFCB NOTE	11/20/2012	5/1/2014	\$999,780	\$1,000,000	\$1,000,967	N/A	N/A	\$1,000,583
FFCB NOTE	11/21/2012	11/21/2014	\$1,200,000	\$1,200,000	\$1,200,008	N/A	N/A	\$1,199,082
FFCB NOTE	12/27/2012	12/26/2014	\$1,199,700	\$1,200,000	\$1,199,611	N/A	N/A	\$1,198,420
FFCB NOTE	1/14/2013	11/14/2014	\$999,800	\$1,000,000	\$999,701	N/A	N/A	\$998,924
FHLB NOTE	1/15/2013	1/29/2014	\$1,002,104	\$1,000,000	\$1,001,623	N/A	N/A	\$1,001,006
FFCB NOTE	2/13/2013	5/13/2014	\$1,000,000	\$1,000,000	\$999,944	N/A	N/A	\$999,827
FFCB NOTE	2/15/2013	2/12/2015	\$1,000,000	\$1,000,000	\$999,513	N/A	N/A	\$998,182
FHLB NOTE	4/8/2013	10/8/2014	\$1,299,266	\$1,300,000	N/A	N/A	\$1,300,000	\$1,299,266
FFCB NOTE	6/12/2013	11/24/2014	\$1,198,856	\$1,200,000	N/A	N/A	\$1,200,000	\$1,197,728
FFCB NOTE	6/24/2013	6/24/2015	\$1,000,200	\$1,000,000	N/A	N/A	\$1,000,000	\$996,913
FFCB NOTE	6/25/2013	2/25/2015	\$1,000,000	\$1,000,000	N/A	N/A	\$1,000,000	\$998,322
TOTALS					\$19,473,628	\$1,850,000	\$4,500,000	\$22,102,270

LISTING OF INVESTMENTS

BY GENERAL LEDGER

ACCOUNT NUMBER

ACCOUNT	ALLOCATION OF INVESTMENT	INVESTMENT-G/L TOTAL
001-1172	GENERAL FUND OPERATING	\$10,769,002.91
002-1166	UTILITY DEBT SERVICE RESERVE	\$650,770.85
002-1172	UTILITY FUND OPERATING	\$3,752,200.86
002-1178	CUSTOMER DEPOSITS	\$415,689.42
002-1557	THE RESERVE LIFT STATION	\$62,029.33
003-1180	BEDFORD BRIDGE ESCROW	\$35,833.82
003-1188	TOWN CENTER/HWY26	\$36,283.13
003-1192	MCDONWELL WOODS EST ESCROW	\$10,983.13
003-1200	LONGWOOD-PARKING ESCROW	\$13,363.97
003-1204	BEDFORD LAKES/SOMERSET	\$227,705.11
003-1228	PLEASANT RUN HARDAGE ESTATES/ESC	\$46,662.62
003-1229	GLADE RD SUMMERBROOK	\$56,097.48
003-1231	LAKEWOOD ESCROW	\$26,072.36
003-1236	E. GLADE CRANBROOK ESCROW	\$117,652.91
003-1237	E. GLADE ASHMORE I ESCROW	\$51,849.16
003-1247	GLADE/WAYSIDE ESCROW	\$42,369.17
003-1250	REATA PLACE	\$98,344.35
003-1257	ASHMORE II A GLADE RD ESCROW	\$27,730.00
003-1268	MILL CREEK/ GLADE ESCROW	\$30,168.65
003-1271	ASHMORE III/ GLADE ESCROW	\$63,971.57
003-1278	GLADE RD/ASHMORE IIB ESCROW	\$35,519.75
003-1301	LAKEWOOD PH IV	\$77,585.15
003-1304	VILLAS DEL MAR	\$60,252.07
003-1307	SPRING GARDEN	\$93,943.37
003-1309	COVENANT CHRISTIAN	\$140,572.32
003-1313	APPLEBEE'S	\$43,797.30
003-1319	REMINGTON PARK	\$27,875.57
003-1323	SHALIMAR	\$69,607.80
003-1325	PECAN GARDENS	\$32,322.32
003-1330	REMINGTON PARK	\$80,901.25
003-1340	CASTLETON MANOR	\$81,366.80
003-1357	CITGO/LD LOCKETT	\$56,741.19
003-1392	CLAIRMONT-PH I	\$104,849.14
003-1404	TANGLEWOOD	\$26,080.00
003-1418	CLAIRMONT-PH II	\$147,153.83
003-1429	WARWICK PARC	\$89,277.18
003-1434	ROCKRIMMON	\$65,161.32
003-1486	CHANEL'S COURT	\$47,929.10
003-1500	SH26 ROW PURCHASES	\$227,568.09
003-1563	VILLAS OF COLLEYVILLE	\$53,016.77
005-1172	VOLUNTARY PARK FUND	\$399,016.13
011-1172	LIBRARY DONATIONS FUND	\$358,328.12
012-1172	PARK LAND DEDICATION FUND	\$1,499,484.89
017-1172	DRAINAGE FUND OPERATING	\$116,699.18
024-1172	CEDC OPERATING	\$554,468.75
026-1172	TIF OPERATING	\$628,926.45
032-1172	CAPITAL EQUIPMENT RESERVE	\$450,000.00
034-1172	COLLEYVILLE TOMORROW	\$375,000.00
PER GENERAL LEDGER		\$22,678,224.64
MARKET VALUE		\$22,653,879.85
VALUE AT MATURITY		\$22,650,000.00
INTEREST RECEIVED TO MATURITY		\$104,849.94

INVESTMENT	FFCB NOTE	FHLB NOTE	FHLB NOTE	FFCB NOTE	FHLB NOTE	TREASURY NOTE
DATE ACQUIRED	08-Feb-12	03-May-12	27-Jun-12	28-Jun-12	28-Jun-12	29-Jun-12
MATURITY DATE	08-Aug-13	27-Nov-13	27-Dec-13	27-Feb-14	18-Jun-14	31-Dec-13
26 WEEK T-BILL AUCTION DISCOUNT/WEEK OF PURCHASE	0.100%	0.145%	0.150%	0.150%	0.150%	0.150%
YIELD TO MATURITY	0.183%	0.270%	0.300%	0.320%	0.400%	0.275%
ACCOUNT	ALLOCATION OF INVESTMENT					
001-1172	GENERAL FUND OPERATING	500,820.00	350,000.00	1,216,016.40	600,562.51	
002-1166	UTILITY DEBT SERVICE RESERVE		650,770.85			
002-1172	UTILITY FUND OPERATING	749,625.00	191,525.88			
002-1178	CUSTOMER DEPOSITS		18,022.07			
002-1557	THE RESERVE LIFT STATION					
003-1180	BEDFORD BRIDGE ESCROW					35,833.82
003-1188	TOWN CENTER/HWY26					
003-1192	MCDONWELL WOODS EST ESCROW					
003-1200	LONGWOOD-PARKING ESCROW					
003-1204	BEDFORD LAKES/SOMERSET					
003-1228	PLEASANT RUN HARDAGE ESTATES/ESC					46,662.62
003-1229	GLADE RD SUMMERBROOK					
003-1231	LAKEWOOD ESCROW					
003-1236	E. GLADE CRANBROOK ESCROW					
003-1237	E. GLADE ASHMORE I ESCROW					
003-1247	GLADE/WAYSIDE ESCROW					
003-1250	REATTI PLACE					
003-1257	ASHMORE II A GLADE RD ESCROW					
003-1268	MILL CREEK/ GLADE ESCROW					
003-1271	ASHMORE III/ GLADE ESCROW					
003-1278	GLADE RD/ASHMORE IIB ESCROW					
003-1301	LAKEWOOD PH IV					
003-1304	VILLAS DEL MAR					
003-1307	SPRING GARDEN					
003-1309	COVENANT CHRISTIAN					
003-1313	APPLEBEE'S					
003-1319	REMINGTON PARK					
003-1323	SHALIMAR					32,322.32
003-1325	PECAN GARDENS					80,901.25
003-1330	REMINGTON PARK					
003-1340	CASTLETON MANOR					
003-1357	CITGO/LD LOCKETT					
003-1392	CLAIRMONT-PH I					
003-1404	TANGLEWOOD					
003-1418	CLAIRMONT-PH II					
003-1429	WARWICK PARC					
003-1434	ROCKRIMMON					
003-1486	CHANEL'S COURT					
003-1500	SH26 ROW PURCHASES					
003-1563	VILLAS OF COLLEYVILLE					
005-1172	VOLUNTARY PARK FUND					199,016.13
011-1172	LIBRARY DONATIONS FUND				356,326.12	
012-1172	PARK LAND DEDICATION FUND				115,559.37	460,497.49
017-1172	DRAINAGE FUND OPERATING					69,297.80
024-1172	CEDC OPERATING					
026-1172	TIF OPERATING					372,546.26
032-1172	CAPITAL EQUIPMENT RESERVE					
034-1172	COLLEYVILLE TOMORROW				25,000.00	
PER GENERAL LEDGER	\$749,625.00	\$500,820.00	\$1,210,318.80	\$1,216,016.40	\$1,099,450.00	\$1,297,077.69
MARKET VALUE	\$750,007.50	\$500,476.00	\$1,204,251.60	\$1,207,188.00	\$1,101,570.80	\$1,300,000.00
VALUE AT MATURITY	\$750,000.00	\$500,000.00	\$1,200,000.00	\$1,200,000.00	\$1,100,000.00	\$1,300,000.00
INTEREST RECEIVED TO MATURITY	\$2,061.30	\$2,120.73	\$5,405.17	\$6,407.09	\$8,689.72	\$5,386.99

INVESTMENT	FHLB NOTE	TREASURY NOTE	FFCB NOTE	FFCB NOTE	FHLB NOTE	FFCB NOTE
DATE ACQUIRED	24-Jul-12	26-Jul-12	18-Sep-12	25-Sep-12	22-Oct-12	20-Nov-12
MATURITY DATE	23-Apr-14	15-Dec-13	18-Sep-14	25-Sep-14	22-Apr-14	01-May-14
26 WEEK T-BILL AUCTION DISCOUNT/WEEK OF PURCHASE	0.140%	0.130%	0.140%	0.140%	0.150%	0.135%
YIELD TO MATURITY	0.265%	0.164%	0.300%	0.270%	0.240%	0.265%
ACCOUNT	ALLOCATION OF INVESTMENT					
001-1172	GENERAL FUND OPERATING					500,000.00
002-1166	UTILITY DEBT SERVICE RESERVE					
002-1172	UTILITY FUND OPERATING					499,780.00
002-1178	CUSTOMER DEPOSITS					
002-1557	THE RESERVE LIFT STATION					62,029.33
003-1180	BEDFORD BRIDGE ESCROW					
003-1188	TOWN CENTER/HWY26					36,283.13
003-1192	MCDONWELL WOODS EST ESCROW					10,983.13
003-1200	LONGWOOD-PARKING ESCROW					13,363.97
003-1204	BEDFORD LAKES/SOMERSET					227,705.11
003-1228	PLEASANT RUN HARDAGE ESTATES/ESC					
003-1229	GLADE RD SUMMERBROOK					
003-1231	LAKEWOOD ESCROW					26,072.36
003-1236	E. GLADE CRANBROOK ESCROW					117,652.91
003-1237	E. GLADE ASHMORE I ESCROW					
003-1247	GLADE/WAYSIDE ESCROW					42,368.17
003-1250	REATTI PLACE					98,344.35
003-1257	ASHMORE II A GLADE RD ESCROW					
003-1268	MILL CREEK/ GLADE ESCROW					
003-1271	ASHMORE III/ GLADE ESCROW					
003-1278	GLADE RD/ASHMORE IIB ESCROW					
003-1301	LAKEWOOD PH IV					60,252.07
003-1304	VILLAS DEL MAR					
003-1307	SPRING GARDEN					
003-1309	COVENANT CHRISTIAN					43,797.30
003-1313	APPLEBEE'S					
003-1319	REMINGTON PARK					69,607.80
003-1323	SHALIMAR					
003-1325	PECAN GARDENS					
003-1330	REMINGTON PARK					
003-1340	CASTLETON MANOR					56,741.19
003-1357	CITGO/LD LOCKETT					104,849.14
003-1392	CLAIRMONT-PH I					26,080.00
003-1404	TANGLEWOOD					
003-1418	CLAIRMONT-PH II					
003-1429	WARWICK PARC					89,277.18
003-1434	ROCKRIMMON					65,161.32
003-1486	CHANEL'S COURT					
003-1500	SH26 ROW PURCHASES					227,568.09
003-1563	VILLAS OF COLLEYVILLE					
005-1172	VOLUNTARY PARK FUND					200,000.00
011-1172	LIBRARY DONATIONS FUND					
012-1172	PARK LAND DEDICATION FUND					300,000.00
017-1172	DRAINAGE FUND OPERATING					
024-1172	CEDC OPERATING					554,468.75
026-1172	TIF OPERATING					456,380.19
032-1172	CAPITAL EQUIPMENT RESERVE					450,000.00
034-1172	COLLEYVILLE TOMORROW					
PER GENERAL LEDGER	\$750,408.00	\$554,468.75	\$1,200,000.00	\$1,200,000.00	\$1,000,000.00	\$999,780.00
MARKET VALUE	\$750,084.75	\$551,611.50	\$1,200,010.80	\$1,200,248.40	\$1,000,178.00	\$1,000,583.00
VALUE AT MATURITY	\$750,000.00	\$550,000.00	\$1,200,000.00	\$1,200,000.00	\$1,000,000.00	\$1,000,000.00
INTEREST RECEIVED TO MATURITY	\$3,479.28	\$1,252.62	\$7,200.00	\$6,480.00	\$3,596.71	\$3,826.16

INVESTMENT	FFCB NOTE	FFCB NOTE	FFCB NOTE	FHLB NOTE	FFCB NOTE	FFCB NOTE
DATE ACQUIRED	21-Nov-12	27-Dec-12	14-Jan-13	15-Jan-13	12-Feb-13	13-Feb-13
MATURITY DATE	21-Nov-14	26-Dec-14	14-Nov-14	29-Jan-14	12-Feb-15	13-May-14
26 WEEK T-BILL AUCTION DISCOUNT/WEEK OF PURCHASE	0.135%	0.130%	0.105%	0.105%	0.120%	0.120%
YIELD TO MATURITY	0.280%	0.270%	0.270%	0.172%	0.280%	0.200%
ACCOUNT	ALLOCATION OF INVESTMENT					
001-1172	GENERAL FUND OPERATING	1,200,000.00	999,800.00	1,002,104.00	1,000,000.00	650,000.00
002-1186	UTILITY DEBT SERVICE RESERVE					
002-1172	UTILITY FUND OPERATING					
002-1178	CUSTOMER DEPOSITS					
002-1557	THE RESERVE LIFT STATION					
003-1180	BEDFORD BRIDGE ESCROW					
003-1188	TOWN CENTER/HWY26					
003-1192	MCDONWELL WOODS EST ESCROW					
003-1200	LONGWOOD-PARKING ESCROW					
003-1204	BEDFORD LAKES/SOMERSET					
003-1228	PLEASANT RUN HARDAGE ESTATES/ESC					
003-1229	GLADE RD SUMMERBROOK					
003-1231	LAKEWOOD ESCROW					
003-1236	E. GLADE CRANBROOK ESCROW					
003-1237	E. GLADE ASHMORE I ESCROW					
003-1247	GLADE/WAYSIDE ESCROW					
003-1250	REATA PLACE					
003-1257	ASHMORE II A GLADE RD ESCROW					
003-1268	MILL CREEK/ GLADE ESCROW					
003-1271	ASHMORE III/ GLADE ESCROW					
003-1278	GLADE RD/ASHMORE IIB ESCROW					
003-1301	LAKEWOOD PH IV		77,585.15			
003-1304	VILLAS DEL MAR					
003-1307	SPRING GARDEN		93,943.37			
003-1309	COVENANT CHRISTIAN					
003-1313	APPLEBEE'S					
003-1319	REMINGTON PARK		27,875.57			
003-1323	SHALIMAR					
003-1325	PECAN GARDENS					
003-1330	REMINGTON PARK					
003-1340	CASTLETON MANOR		81,366.80			
003-1357	CITGO/LD LOCKETT					
003-1392	CLAIRMONT-PH I					
003-1404	TANGLEWOOD					
003-1418	CLAIRMONT-PH II		147,153.83			
003-1429	WARWICK PARC					
003-1434	ROCKRIMMON					
003-1486	CHANEL'S COURT		47,929.10			
003-1500	SH26 ROW PURCHASES					
003-1563	VILLAS OF COLLEYVILLE		53,016.77			
005-1172	VOLUNTARY PARK FUND					
011-1172	LIBRARY DONATIONS FUND					
012-1172	PARK LAND DEDICATION FUND		623,428.03			
017-1172	DRAINAGE FUND OPERATING		47,401.38			
024-1172	CEDC OPERATING					
026-1172	TIF OPERATING					
032-1172	CAPITAL EQUIPMENT RESERVE					
034-1172	COLLEYVILLE TOMORROW					350,000.00
PER GENERAL LEDGER	\$1,200,000.00	\$1,199,700.00	\$999,800.00	\$1,002,104.00	\$1,000,000.00	\$1,000,000.00
MARKET VALUE	\$1,199,082.00	\$1,198,419.60	\$998,924.00	\$1,001,006.00	\$998,182.00	\$999,827.00
VALUE AT MATURITY	\$1,200,000.00	\$1,200,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00
INTEREST RECEIVED TO MATURITY	\$6,720.00	\$6,471.12	\$4,939.97	\$1,788.07	\$5,600.00	\$2,487.67

INVESTMENT	FHLB NOTE	FFCB NOTE	FFCB NOTE	FFCB NOTE
DATE ACQUIRED	08-Apr-13	12-Jun-13	24-Jun-13	25-Jun-13
MATURITY DATE	08-Oct-14	24-Nov-14	24-Jun-15	25-Feb-15
26 WEEK T-BILL AUCTION DISCOUNT/WEEK OF PURCHASE	0.095%	0.080%	0.105%	0.105%
YIELD TO MATURITY	0.230%	0.280%	0.320%	0.330%
ACCOUNT	ALLOCATION OF INVESTMENT			
001-1172	GENERAL FUND OPERATING	750,000.00	1,000,200.00	999,500.00
002-1166	UTILITY DEBT SERVICE RESERVE			
002-1172	UTILITY FUND OPERATING	802,347.23	448,956.00	
002-1178	CUSTOMER DEPOSITS	232,316.16		
002-1557	THE RESERVE LIFT STATION			
003-1180	BEDFORD BRIDGE ESCROW			
003-1188	TOWN CENTER/HWY26			
003-1192	MCDONWELL WOODS EST ESCROW			
003-1200	LONGWOOD-PARKING ESCROW			
003-1204	BEDFORD LAKES/SOMERSET			
003-1228	PLEASANT RUN HARDAGE ESTATES/ESC			
003-1229	GLADE RD SUMMERBROOK	56,097.48		
003-1231	LAKEWOOD ESCROW			
003-1236	E. GLADE CRANBROOK ESCROW			
003-1237	E. GLADE ASHMORE I ESCROW	51,849.16		
003-1247	GLADE/WAYSIDE ESCROW			
003-1250	REATTI PLACE			
003-1257	ASHMORE II A GLADE RD ESCROW	27,730.00		
003-1268	MILL CREEK/ GLADE ESCROW	30,168.65		
003-1271	ASHMORE III/ GLADE ESCROW	63,971.57		
003-1278	GLADE RD/ASHMORE IIB ESCROW	35,519.75		
003-1301	LAKEWOOD PH IV			
003-1304	VILLAS DEL MAR			
003-1307	SPRING GARDEN			
003-1309	COVENANT CHRISTIAN			
003-1313	APPLEBEE'S			
003-1319	REMINGTON PARK			
003-1323	SHALIMAR			
003-1325	PECAN GARDENS			
003-1330	REMINGTON PARK			
003-1340	CASTLETON MANOR			
003-1357	CITGO/LD LOCKETT			
003-1392	CLAIRMONT-PH I			
003-1404	TANGLEWOOD			
003-1418	CLAIRMONT-PH II			
003-1429	WARWICK PARC			
003-1434	ROCKRIMMON			
003-1486	CHANEL'S COURT			
003-1500	SH26 ROW PURCHASES			
003-1563	VILLAS OF COLLEYVILLE			
005-1172	VOLUNTARY PARK FUND			
011-1172	LIBRARY DONATIONS FUND			
012-1172	PARK LAND DEDICATION FUND			
017-1172	DRAINAGE FUND OPERATING			
024-1172	CEDC OPERATING			
026-1172	TIF OPERATING			
032-1172	CAPITAL EQUIPMENT RESERVE			
034-1172	COLLEYVILLE TOMORROW			
PER GENERAL LEDGER	\$1,300,000.00	\$1,198,956.00	\$1,000,200.00	\$999,500.00
MARKET VALUE	\$1,299,265.50	\$1,197,728.40	\$996,913.00	\$998,322.00
VALUE AT MATURITY	\$1,300,000.00	\$1,200,000.00	\$1,000,000.00	\$1,000,000.00
INTEREST RECEIVED TO MATURITY	\$4,489.10	\$4,532.15	\$6,399.20	\$5,516.59

CDARS CERTIFICATE OF DEPOSIT ALLOCATION

CDARS CERTIFICATES OF DEPOSIT

FUND ALLOCATION	AMOUNT	PURCHASE DATE	MATURITY DATE	INTEREST RATE	INTEREST EARNED DURING QUARTER
UTILITY FUND	\$502,303.63	8/2/2012	8/1/2013	0.45%	\$563.54
GENERAL FUND	\$504,362.98	6/27/2013	6/26/2014	0.30%	\$551.00
GENERAL FUND	\$503,750.22	3/28/2013	3/28/2014	0.30%	\$376.78
GENERAL FUND	\$1,508,227.67	9/27/2012	9/26/2013	0.27%	\$1,015.26
GENERAL FUND	\$500,000.00	9/26/2012	9/25/2014	0.50%	\$623.29
GENERAL FUND	\$500,000.00	9/26/2012	9/26/2013	0.35%	\$436.30
TOTAL	\$4,018,644.50				\$2,506.58

LOGIC INVESTMENT POOL ALLOCATION

AND GENERAL INFORMATION

LOCAL GOVERNMENT INVESTMENT COOPERATIVE / "LOGIC"
ACCOUNT ALLOCATION AT JUNE 30, 2013

ACCT #	DESCRIPTION	BALANCE
<i>GENERAL FUND</i>		
001.1115	GENERAL OPERATING	\$622,981.03
<i>UTILITY FUND</i>		
002.1115	UTILITY OPNS	\$2,115,236.84
002.1116	IMPACT FEES WATER	\$953,982.63
002.1130	UTILITY INTEREST & SINKING FUND	\$782,214.85
002.1294	IMPACT FEES SEWER	\$534,577.90
<i>CAPITAL PROJECTS FUND</i>		
003.1113	IMPACT FEES/SA I	\$191,130.05
003.1396	2002 CERTIFICATES OF OBLIGATION	\$14,237.65
003.1508	MICRO-RESURFACING	\$303,934.62
003.1509	STREET RESURFACING	\$1,722,132.84
<i>DEBT SERVICE FUND</i>		
004.1115	DEBT SERVICE OPERATING	\$748,662.10
<i>DRAINAGE FUND</i>		
017.1115	DRAINAGE OPERATING	\$606,372.83
017.1159	DRAINAGE INT & SINKING FUND	\$233,504.36
017.1380	2001 DRAINAGE BONDS	\$2,322.43
<i>TIF FUND</i>		
026.1115	TIF OPERATING	\$9,901,428.09
026.1383	2001 TIF BONDS	\$183,013.95
<i>CCCPD FUND</i>		
027.1115	CCCPD OPERATING	\$808,141.06
027.1147	99 POLICE/COURT BLDG FUND	\$3,860.69
<i>SALES TAX INCENTIVE AGREEMENT FUND</i>		
031.1115	SALES TAX INCENTIVE AGREEMENT OPERATING	\$518,593.88
<i>CAPITAL EQUIPMENT REPLACEMENT FUND</i>		
032.1115	CAPITAL EQUIPMENT REPLACEMENT FUND	\$281,570.61
<i>COLLEYVILLE TOMORROW FUND</i>		
034.1115	COLLEYVILLE TOMORROW FUND	\$1,616,400.02
<i>PARKS TOMORROW FUND</i>		
035.1115	PARKS TOMORROW FUND	\$1,207,514.72
<i>STRATEGIC INITIATIVES FUND</i>		
036.1115	STRATEGIC INITIATIVES FUND	\$295,547.54
TOTAL LOGIC POOL BALANCE		<u>\$23,647,360.69</u>



LOGIC Newsletter

June 2013

Performance

As of June 30, 2013

Current Invested Balance	\$2,478,319,009.61
Weighted Average Maturity (1)*	57 Days
Weighted Average Maturity (2)*	62 Days
Net Asset Value	1.000021
Total Number of Participants	456
Management Fee on Invested Balance	0.0875%
Interest Distributed	\$457,847.72
Management Fee Collected	\$187,302.80
% of Portfolio Invested Beyond 1 Year	0.00%
Standard & Poor's Current Rating	AAAm

June Averages:

Average Invested Balance	\$2,604,251,304.46
Average Monthly Yield, on a simple basis	0.1264%
Average Weighted Average Maturity (1)*	56 Days
Average Weighted Average Maturity (2)*	59 Days

* Definition of Weighted Average Maturity (1) & (2)

- (1) This weighted average maturity calculation uses the SEC Rule 2a-7 definition for stated maturity for any floating rate instrument held in the portfolio to determine the weighted average maturity for the pool. This Rule specifies that a variable rate instrument to be paid in 397 calendar days or less shall be deemed to have a maturity equal to the period remaining until the next readjustment of the interest rate.
- (2) This weighted average maturity calculation uses the final maturity of any floating rate instruments held in the portfolio to calculate the weighted average maturity for the pool.

Rates reflect historical information and are not an indication of future performance.

New Participants

We would like to welcome the following entities who joined the LOGIC program in June:

- ★ CPS Energy
- ★ City of Dallas

Program Information

We want to remind participants about the enhancements made this past year to the online monthly statement process. In addition to the monthly account history, you are also able to retrieve PDFs of the mailed LOGIC monthly statements by the end of the second business day of the month. To obtain your statements, log in to www.logic.org and select "Transactions" at the top of the screen. Select "Statements" from the menu bar and choose the month you would like to access. These files can also be saved to your local computer for future access.

Economic Commentary

Market participants reacted to the Federal Reserve Chairman Bernanke's testimony to Congress in May during which he indicated that the Fed could begin reducing its \$85 billion in monthly asset purchases at one of its next few meetings if improvements in economic growth seemed sustainable. U.S. Treasury rates, credit markets and equities weakened. The sell-off in Treasuries and risk markets was even more aggressive after the June 19th FOMC meeting when the Fed reiterated the possibility of scaling back asset purchases later in the year and added that purchases may end in mid-2014 if incoming data is consistent with the Fed's "rosy" forecasts. Although the Fed reinforced that its policies would be data dependent, investors reacted negatively, sending the ten-year Treasury yield over 2.60% in June, from just 1.63% on May 1st. All fixed income sectors suffered during the sell-off, with emerging markets and high yield bonds getting hit especially hard. Bond mutual funds and ETFs experienced approximately \$80 billion in outflows in June as investors began to see the era of "easy money" concluding sooner than anticipated.

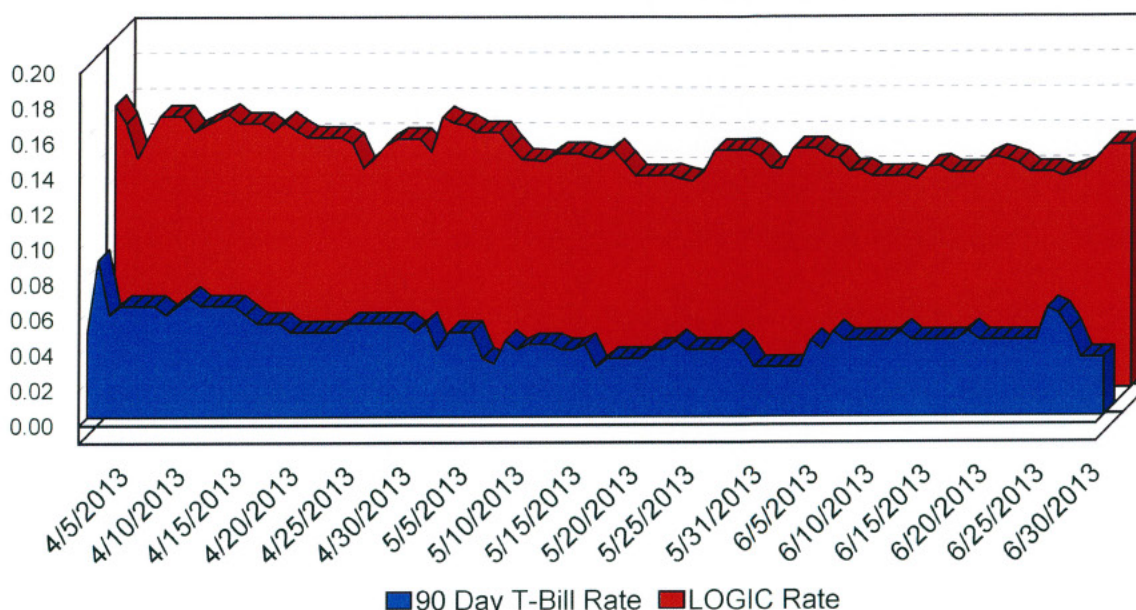
While the macro strategy outlook for a global sub-trend recovery has not changed, it is reflective of the rapidly shifting dynamics of the fixed income markets. The sharp correction in asset prices during May and June challenged the premise that asset prices would remain supported by highly accommodative monetary policy. However, the sell-off in markets was not due to central bank tightening. Rather, yields rose as increased volatility led to the liquidation of positions whose values had been supported by unprecedented central bank accommodation, even as dealer balance sheets have radically shrunk. While the Fed seems to be losing faith in the benefits of quantitative easing and appears to be testing the markets for a rational way to end the program, it is worth noting that they are unlikely to ever sell their existing holdings, as Bernanke confirmed following the most recent Fed meeting. Thus far, the improvement in U.S. housing, auto sales and employment has been balanced by the recent rise in U.S. mortgage rates, potential further effects of sequester fiscal cuts, the recession in Europe and tighter Chinese lending standards. Despite benign growth and inflationary pressures, more widespread fixed income mutual fund redemptions could trigger a destructive rise in interest rates. The recent market correction has been severe, but should create a buying opportunity as long as the fundamentals do not change.

This information is an excerpt from an economic report dated June 2013 provided to LOGIC by JPMorgan Asset Management, Inc., the investment manager of the LOGIC pool.

News

Daily Rates

LOGIC versus 90-Day Treasury Bill



This material is for information purposes only. This information does not represent an offer to buy or sell a security. The above rate information is obtained from sources that are believed to be reliable; however, its accuracy or completeness June be subject to change. The LOGIC management fee may be waived in full or in part at the discretion of the LOGIC co-administrators and the LOGIC rate for the period shown reflects waiver of fees. This table represents investment performance/return to the customer, net of fees, and is not an indication of future performance. An investment in the security is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the issuer seeks to preserve the value of an investment at \$1.00 per share, it is possible to lose money by investing in the security. Information about these and other program details are in the fund's Information Statement which should be read carefully before investing. The yield on the 90-Day Treasury Bill ("T-Bill Yield") is shown for comparative purposes only. When comparing the investment returns of the LOGIC pool to the T-Bill Yield, you should know that the LOGIC pool consist of allocations of specific diversified securities as detailed in the respective Information Statements. The T-Bill Yield is taken from Bloomberg Finance L.P. and represents the daily closing yield on the then current 90-day T-Bill.

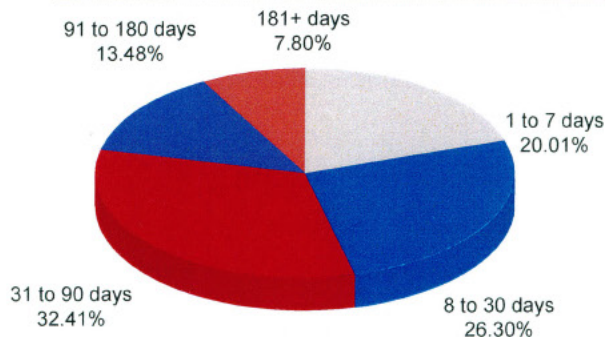
Daily Summary

Daily Summary for June 2013

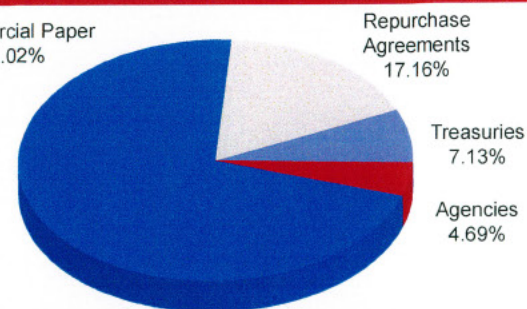
Date	Mny Mkt Fund Equiv. [SEC Std.]	Daily Allocation Factor	LOGIC Invested Balance	Market Value Per Share	WAM Days (1)*	WAM Days (2)*
6/1/2013	0.1362%	0.000003732	\$2,713,076,330.17	1.000071	51	52
6/2/2013	0.1362%	0.000003732	\$2,713,076,330.17	1.000071	51	52
6/3/2013	0.1316%	0.000003606	\$2,706,559,992.31	1.000079	51	52
6/4/2013	0.1303%	0.000003571	\$2,700,323,908.43	1.000078	55	56
6/5/2013	0.1232%	0.000003375	\$2,709,514,778.56	1.000080	54	56
6/6/2013	0.1238%	0.000003392	\$2,701,060,094.85	1.000078	56	57
6/7/2013	0.1202%	0.000003292	\$2,684,320,173.08	1.000067	54	55
6/8/2013	0.1202%	0.000003292	\$2,684,320,173.08	1.000067	54	55
6/9/2013	0.1202%	0.000003292	\$2,684,320,173.08	1.000067	54	55
6/10/2013	0.1204%	0.000003298	\$2,682,346,987.69	1.000073	57	58
6/11/2013	0.1184%	0.000003245	\$2,668,687,778.86	1.000072	57	62
6/12/2013	0.1252%	0.000003431	\$2,655,121,751.94	1.000069	59	64
6/13/2013	0.1260%	0.000003452	\$2,642,295,225.06	1.000069	59	63
6/14/2013	0.1223%	0.000003351	\$2,616,279,374.96	1.000062	57	62
6/15/2013	0.1223%	0.000003351	\$2,616,279,374.96	1.000062	57	62
6/16/2013	0.1223%	0.000003351	\$2,616,279,374.96	1.000062	57	62
6/17/2013	0.1286%	0.000003523	\$2,615,230,800.57	1.000072	56	61
6/18/2013	0.1313%	0.000003596	\$2,531,472,416.92	1.000071	57	62
6/19/2013	0.1296%	0.000003551	\$2,507,782,234.59	1.000070	57	62
6/20/2013	0.1273%	0.000003487	\$2,502,865,955.51	1.000069	56	61
6/21/2013	0.1226%	0.000003360	\$2,527,440,298.42	1.000058	53	58
6/22/2013	0.1226%	0.000003360	\$2,527,440,298.42	1.000058	53	58
6/23/2013	0.1226%	0.000003360	\$2,527,440,298.42	1.000058	53	58
6/24/2013	0.1200%	0.000003287	\$2,519,885,748.20	1.000057	53	58
6/25/2013	0.1219%	0.000003339	\$2,589,622,081.52	1.000037	56	61
6/26/2013	0.1241%	0.000003400	\$2,558,314,570.30	1.000039	59	63
6/27/2013	0.1307%	0.000003581	\$2,491,225,579.91	1.000042	59	64
6/28/2013	0.1378%	0.000003774	\$2,478,319,009.61	1.000021	57	62
6/29/2013	0.1378%	0.000003774	\$2,478,319,009.61	1.000021	57	62
6/30/2013	0.1378%	0.000003774	\$2,478,319,009.61	1.000021	57	62
Average	0.1264%	0.000003464	\$2,604,251,304.46		56	59

Information at a Glance

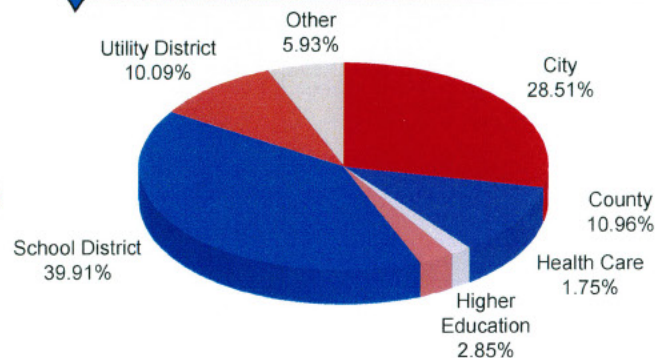
Portfolio by Type of Investment As of June 30, 2013



Commercial Paper
71.02%



Portfolio by Maturity As of June 30, 2013



Distribution of Participants by Type As of June 30, 2013

Historical Program Information

Month	Average Rate	Book Value	Market Value	Net Asset Value	WAM (1)*	WAM (2)*	Number of Participants
Jun 13	0.1264%	\$2,478,319,009.61	\$2,478,371,853.17	1.000021	56	59	456
May 13	0.1320%	2,713,076,330.17	2,713,270,235.28	1.000071	53	54	454
Apr 13	0.1457%	3,092,146,941.09	3,092,356,673.37	1.000067	56	58	453
Mar 13	0.1540%	3,225,167,330.30	3,225,360,648.11	1.000059	55	58	452
Feb 13	0.1543%	3,374,642,633.05	3,374,901,165.62	1.000076	56	60	450
Jan 13	0.1553%	3,529,376,299.19	3,529,647,746.04	1.000076	53	59	448
Dec 12	0.1785%	2,901,152,418.66	2,901,360,833.82	1.000071	51	58	448
Nov 12	0.1804%	2,488,323,083.01	2,488,496,976.98	1.000069	50	52	446
Oct 12	0.1971%	2,387,683,334.65	2,387,863,589.71	1.000075	53	55	442
Sep 12	0.1964%	2,370,820,935.14	2,370,986,418.51	1.000069	48	51	441
Aug 12	0.1927%	2,412,204,530.32	2,412,368,953.31	1.000066	45	49	440
Jul 12	0.2379%	2,576,792,523.17	2,576,977,647.64	1.000071	42	47	438

History

Portfolio Asset Summary as of June 30, 2013

	Book Value	Market Value
Uninvested Balance	\$ 7,117,622.83	\$ 7,117,622.83
Accrual of Interest Income	779,779.92	779,779.92
Interest and Management Fees Payable	(522,270.36)	(522,270.36)
Payable for Investment Purchased	0.00	0.00
Receivable for Investment Sold	8,546,255.98	8,546,255.98
Repurchase Agreements	422,627,000.00	422,627,000.00
Commercial Paper	1,748,707,832.19	1,748,750,758.00
Government Securities	291,062,789.05	291,072,706.80
Total	\$ 2,478,319,009.61	\$ 2,478,371,853.17

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by J.P. Morgan Chase & Co. and the assets are safekept in a separate custodial account at the Federal Reserve Bank in the name of LOGIC. The only source of payment to the Participants are the assets of LOGIC. There is no secondary source of payment for the pool such as insurance or guarantee. Should you require a copy of the portfolio, please contact LOGIC Participant Services.

Assets



LOGIC Participant Services
c/o First Southwest Asset Management, Inc.
325 North St. Paul Street, Suite 800
Dallas, TX 75201

LOGIC Board Members

Philip G. Roberson	Arlington ISD	Board President
Fred L. Werner	Municipal Finance Director	Board Vice President
Judd R. Sanderson	North Texas Municipal Water District	Board Treasurer / Investment Officer
Sandra Newby	Tarrant Regional Water District	Board Member
Wes Vela	City of Missouri City	Board Member

For more information contact LOGIC Participant Services ★ 1-800-895-6442 ★ www.logic.org

FirstSouthwest 

J.P.Morgan
Asset Management



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number PC-7

Agenda Date 09/03/2013

Type Pre Council

Department City Secretary

Title

Discussion of the September 3, 2013, City Council regular agenda items



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 1

Agenda Date 09/03/2013

Type Executive Session

Department City Secretary

Title

Section 551.071 - Legal - Consultation with attorney on legal issues raised by public hearing or action items on the agenda

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.087 - Economic Development - Discuss or deliberate regarding commercial or financial information that the City has received from business prospects that the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

Attachments

RESOLUTION R-13-3661

**A RESOLUTION APPROVING CITY COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF SEPTEMBER 3, 2013**

WHEREAS, following discussion in Executive Session, and in full accordance with the requirements of the Open Meetings Act, the City Council determines that the following action is in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the following actions of the City Council are hereby adopted and approved:

a. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____ ABSTENTIONS ON THIS THE 3RD DAY OF SEPTEMBER 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 3

Agenda Date 09/03/2013

Type Oath of Office

Department City Secretary

Title

Administration of the Oath of Office to Fire Chief Brian Riley

Explanation

City Secretary Amy Shelley will administer the Oath of Office to Fire Chief Brian Riley.

Attachments



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 4

Agenda Date 09/03/2013

Type Announcements, Proclamations and Presentations

Department City Secretary

Title

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

RESOLUTION R-13-3662

A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 3, 2013

WHEREAS, City Council has taken action on certain items on the agenda under Consent Items.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

- Sec. 1. THAT the agenda decisions approved by City Council action under Consent Items as follows are hereby adopted:
- a. Approval of the minutes of the City Council Worksession of August 13, 2013
 - b. Approval of the minutes of the regular City Council meeting of August 20, 2013
 - c. Adopting the Economic Development Capital Improvement Program (EDCIP) for the Fiscal Years 2014-2018 (FY 2014-2018) of the Colleyville Economic Development Corporation
 - d. Approval to extend an ongoing annual agreement with Autobahn Motor Cars to sponsor the loan of a vehicle to the Colleyville Police Department for the expressed use of the Colleyville Heritage High School Resource Officer
 - e. Approval of the annual review of the City of Colleyville Investment Policy
 - f. Approval of the Colleyville Economic Development Corporation Bylaws

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____
ABSTENTIONS ON THIS THE 3RD DAY OF SEPTEMBER 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor



City of Colleyville

City Council Worksession

Minutes - Draft

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Tuesday, August 13, 2013
6:00 p.m.

Executive Conference Room
Third Floor, City Hall

Mayor David Kelly called the Colleyville City Council Worksession to order on August 13, 2013, at 6:05 p.m.

ROLL CALL: Mayor David Kelly, Mayor Pro Tem Mike Taylor and Councilmembers Carol Wollin, Chuck Mogged, Stan Hall, Jody Short, and Tom Hart.

City Manager Jennifer Fadden, Assistant City Manager and Chief Financial Officer Terry Leake, Police Chief Mike Holder, Captain Robert Hinton, Interim Fire Chief Clif Nelson, Economic Development Director Marty Wieder, Parks and Recreation and Library Director Mary Rodne, Human Resources Director Michelle Reyes, Colleyville Center Manager Leslie Hill, Public Works Director Bob Lowry, City Engineer Jeremy Hutt, Finance Manager Karen Hines, Community Development Director Ron Ruthven, Communications and Marketing Director Mona Gandy, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, and City Secretary Amy Shelley.

2. PRESENTATION AND DISCUSSION

2a Presentation and discussion of the proposed Fiscal Year 2014 (FY 2014) budget

City Manager Jennifer Fadden presented the proposed Fiscal Year 2014 budget.

Councilmember Hall questioned staff regarding the \$2.4 million stated and the funding for the capital improvement plan of \$27 million dollars. City Manager Jennifer Fadden stated the \$2.4 million dollars is what is necessary to reconstruct the City's unimproved roads annually, over the next 25 years, in addition to the funds required for the regular maintenance of those roads.

Mayor Kelly stated there is a balancing act to be done with maintenance and reconstruction.

Councilmember Mogged questioned staff regarding if the 43½ miles of unimproved roads are mostly major thoroughfares and heavily traveled roadways? City Manager Jennifer Fadden replied yes, the majority of the major thoroughfares are unimproved roads. She explained that there are a few improved roadways such as Hall-Johnson, Bogart, and Church Street. She added all of the other main roads are considered unimproved and originally used as a County road.

Councilmember Mogged questioned staff regarding if the residential areas tend to be in better shape than the major thoroughfares. City Manager Jennifer Fadden replied yes.

Mayor Kelly added some of the older residential streets are in poor shape.

Councilmember Hall questioned staff regarding if the employee compensation recommendation of \$415,000 was allocated in the budget? City Manager Jennifer Fadden replied yes and that amount was divided between market adjustments and performance based merit increases.

Councilmember Hart questioned staff regarding the network fiber for the City, are there savings with this in the future such as with citywide WIFI? City Manager Jennifer Fadden stated this will allow the City to get off of a currently leased network. She added that as the band width increases, the cost increases as well. She stated it is the better way to go for the long term, and the project would be done in phases, rather than all at once, so that the funding is not needed all at one time.

Mayor Pro Tem Taylor questioned staff regarding what is currently in the buildings. Information Systems Manager Chris Pena replied currently we lease the fiber from Time Warner.

Mayor Pro Tem Taylor questioned staff regarding the network within the building. Manager Pena replied we have fiber in almost every building, but specifically the City owns the fiber connecting the Library, City Hall, Parks Annex, and separately, the Justice Center and Colleyville Center. He added fiber comes into all of the other buildings through a service provider.

Mayor Pro Tem Taylor questioned staff regarding what is bought with the \$400,000? Manager Pena replied it will allow for the purchase of connecting the four major areas, Public Works, Police, Central Fire, and City Hall.

Mayor Pro Tem Taylor questioned staff regarding what is the return on investment. Manager Pena stated approximately 12 years.

Mayor Pro Tem Taylor questioned staff regarding if some of the funding is listed as a constant dollar. City Manager Jennifer Fadden yes, it is for a constant level of funding.

Mayor Pro Tem Taylor questioned staff regarding if it will really be 12 years, given the cost of inflation, were those items considered? Manager Pena replied yes, but cannot forecast those items, especially since more and more space is needed.

Mayor Pro Tem Taylor questioned staff regarding if a single point to point was looked at for each budget year. Manager Pena stated it is currently broken out into three phases; however, the entire cost was given this evening.

Councilmember Hart stated if the thought is to continue this citywide, it makes sense to own it citywide. Mayor Kelly concurred and stated the payback would also need to be beneficial.

Councilmember Short questioned staff regarding if other partners, such as the school district, have been sought after with projects such as the fiber. Manager Pena stated he had in the past, but he has not done so recently; previously the school district was not interested.

Mayor Pro Tem Taylor stated we make quite a commitment with technology, and we do not want to find out later, that the soft dollar affects us. He stated if the calculations are done in the beginning, the payback period drops way down.

Mayor Pro Tem Taylor questioned staff regarding if the calculations have truly been considered, and that the City is really going to be saving that money. Manager Pena stated the cost is more relevant when the technology is taken away rather than when added, but that he will consider it in the future.

Mayor Kelly stated great strides have been made with technology. Councilmember Hart concurred, especially in budget years ahead.

Mayor Pro Tem Taylor questioned if any of the CIP projects were sacrificed because of the compensation plan. City Manager Jennifer Fadden stated with the original projections for the fiscal year 2014 budget, \$600,000 was set aside for compensation, not knowing exactly what the cost would be. She stated as the budget was built, there was a place holder for those compensation adjustments and given that only \$415,000 was going to be used, staff was then able to go back to the list of the other unfunded projects, and add things back in. She stated there is \$500,000 recommended for a one time funding toward street maintenance for fiscal year 2014, as well as the additional compensation program implementation costs identified for fiscal years 2015-2016, of limiting the adjustment to not more than 10 percent. She added that staff has not allocated every dime of available net revenue in the budget to recurring costs. She added that there will be the ability to program those future expenditures in future years.

Mayor Pro Tem Taylor questioned staff regarding what is the net reduction in the capital improvements program to cover the salary of the new position? City Manager Jennifer Fadden stated each project has three percent of that project, allocated for the expenditure cost to cover those inspections and fees related to such, and covered in the bottom line of the CIP.

Mayor Pro Tem Taylor questioned staff regarding if a qualified person will be hired for this position. City Manager Jennifer Fadden replied staff will not hire an unqualified person for this position and given the proposed budget, there will be three inspectors.

Public Works Director Bob Lowry added not one inspector is qualified to do all types of inspections.

Mayor Pro Tem Taylor questioned staff regarding how the \$1 million in fund balance is paid back. City Manager Jennifer Fadden stated the financial forecast illustrates that draw down stops in 2018. She stated staff is comfortable with the \$8 million fund balance to remain at the AAA bond rating.

Mayor Pro Tem Taylor questioned staff regarding what supplies the fund balance and why is it so high? City Manager Jennifer Fadden replied the fund balance is an accumulation each year of either revenue coming in from over budget or from expenditures that come in below budget. She added that in recent years, staff has moved those remaining balances into the capital projects fund for future CIP projects.

Mayor Pro Tem Taylor stated we have a fund balance that we are comfortable with to allow us for the unexpected and to further fund capital equipment and for streets.

Councilmember Hall stated the current projections show this can be maintained through 2018. City Manager Jennifer Fadden replied yes.

Councilmember Hart stated the bond rating has increased.

Mayor Pro Tem Taylor questioned staff regarding if the utility fund transfers of eight percent is technically raising the cost of service delivery to the citizens. City Manager Jennifer Fadden stated the utility fund transfer is set forth by ordinance of eight percent and four percent is dedicated to the indirect costs incurred by the general fund for services that support utility services, such as human resources, information technology, and fleet maintenance. She added the other four percent is considered a franchise fee to cover those costs incurred by the utility fund for obtaining right-of-way or for infrastructure provided in that right-of-way.

Councilmember Mogged questioned staff regarding the Texas Municipal Retirement Services (TMRS) fund, is the City at full funding? City Manager Jennifer Fadden replied the City is at full funding and has no long term unfunded pension liability.

Councilmember Wollin questioned staff regarding when the eight additional personnel will be brought on board. City Manager Jennifer Fadden explained the three firefighters are estimated to come on board shortly after October 1st, and the police personnel would begin April 1st. She added the other positions are

budgeted for a full year, unlikely they will be in their place by October 1, but recruitment will begin shortly thereafter.

Councilmember Wollin questioned staff regarding what is the difference between the development coordinator and plans examiner position. City Manager Jennifer Fadden explained the development coordinator will work with all development projects from economic development through zoning, platting, and the legislative process, until that business is open. She added that the plans examiner is a technical role in the organization and will be used to understand the building code and land development code so that those plans will meet those requirements of those codes. She stated currently the building official reviews all of those plans and when he is out of the office, those plans are not reviewed, and therefore those performance measures have decreased because of that.

Councilmember Short questioned staff regarding if a private contractor is expected to take care of the traffic signals and school zone flashers. City Manager Jennifer Fadden stated yes.

Councilmember Short questioned staff regarding if a neighboring city has been contacted about partnering with that contract. Director Lowry replied staff has contacted Grapevine; however they are not excited about taking care of those signals, especially since their staffing levels are not robust in this area.

Councilmember Wollin questioned staff regarding if the Colleyville Center site master plan will be incorporated into the overall comprehensive plan. City Manager Jennifer Fadden replied yes.

Councilmember Wollin stated she wished the microphones in Colleyville Center worked consistently. Colleyville Center Manager Hill added that staff is aware of the situation and is currently working to address the issue. She stated it may be a channel, operator, or frequency issue.

Mayor Kelly recessed the worksession at 7:19 p.m.

Mayor Kelly reconvened the worksession at 7:30 p.m.

Councilmember Wollin questioned staff regarding if agency requests are funded as in previous years. City Manager Jennifer Fadden replied yes and further explained the funding process for each agency.

Councilmember Hall questioned staff regarding the City's current status with the Colleyville Chamber. City Manager Jennifer Fadden replied the City will continue with the in-kind support through a waiver of the Colleyville Center fees of about \$5,000.

Councilmember Wollin questioned staff regarding if the agencies send the City reports. City Manager Jennifer Fadden replied the agencies are required to provide an annual report.

Mayor Pro Tem Taylor questioned staff regarding the process used to get to the compensation structure. City Manager Jennifer Fadden replied future increases, regarding salaries, will either be based on market changes or performance based merit; increases will not be given based on time and grade.

Councilmember Wollin questioned staff regarding the percentage used throughout the range spread. City Manager Jennifer Fadden stated there is currently a 35 percent spread for the current pay ranges; however, the proposed new ranges will vary with a greater spread at higher level classifications. Human Resources Director Michelle Reyes added the range is typically a funnel shape due to job complexity/greater learning curve; therefore the higher level classifications have a greater width than lower level classifications.

Mayor Kelly questioned staff regarding if the candidates for recruitment are more competitive with this spread. City Manager Jennifer Fadden concurred.

City Manager Jennifer Fadden stated the pay structure, with the comparative market of public versus private, does impact those with a higher level within the organization, however, it significantly impacts the lower and entry level type positions.

Councilmember Wollin stated she is still struggling with the private and public comparative mix for the study. Mayor Kelly stated the employee pool is very lean, and the quality recruit may come from the private sector. Director Lowry added Public Works is definitely competing with the private sector to fill any vacancy.

Councilmember Mogged questioned staff regarding if an entry level position is not limited to bringing them in at the minimum. City Manager Jennifer Fadden replied correct. She added candidates can be brought in up to the midpoint in the range but anything above midpoint has to be approved by her.

Mayor Kelly stated he wants to be able to offer a competitive salary to get a good, qualified person.

Councilmember Short questioned staff regarding if the private sector data is necessarily dictating that the City is paying higher in the range. City Manager Jennifer Fadden stated the private sector data is weighted, depending on the amount of data collected in the study. Director Reyes added the median number of the public and private data collected is used to determine market value, not the average value of the 45 benchmarked jobs.

Mayor Pro Tem Taylor questioned staff regarding the number of employees who are at or above the midpoint. City Manager Jennifer Fadden replied approximately 50.

Mayor Pro Tem Taylor questioned staff regarding the TMRS benefit. City Manager Jennifer Fadden explained the process at which an employee is paid when retiring from Colleyville and how the City is at 100 percent funded.

Mayor Kelly explained that this will be a multi-year commitment since this will create some compression. Councilmember Wollin stated the merit will help with that compression.

Councilmember Wollin questioned staff regarding how the new system will be evaluated and that it is accomplishing the goals of the study. City Manager Jennifer Fadden stated there may not be a definitive answer within the first year of using this system. She added she has discussed with Director Reyes about a more robust analysis as to the reasons for why employees leave the organization.

Director Reyes stated there are multiple ways to see if the system is working such as feedback from the department directors and supervisors regarding the ease of the system. She stated additional turnover could be an indicator with the use of the exit survey.

Councilmember Wollin questioned staff regarding the exit interview and is it objective. Director Reyes stated human resources currently sets up the exit interview by providing an optional survey to provide feedback regarding working conditions or why they are leaving, and where they are going.

Councilmember Wollin questioned staff regarding if the survey is confidential. Director Reyes replied yes.

Councilmember Wollin questioned staff regarding the timing of the market adjustments. City Manager Jennifer Fadden replied the market adjustments will be made with the first full pay period in October and the any performance based merit would be applied in the first pay period in April of 2014.

Councilmember Wollin questioned staff regarding the employee anniversary date versus yearly. City Manager Jennifer Fadden explained the feedback has consistently been that a once a year review is much more preferred than an anniversary date.

Mayor Pro Tem Taylor questioned staff regarding if the handouts would be emailed to City Council. City Manager Jennifer Fadden replied yes.

City Manager Jennifer Fadden stated the proposed budget will be on the September 3, 2013 agenda for a first reading and on the September 17, 2013 agenda for a second reading.

2b Presentation of the 2013 certified tax roll

Assistant City Manager and Chief Financial Officer Terry Leake presented the 2013 certified tax roll.

3. ADJOURNMENT

There being no further business before the City Council, Mayor Kelly adjourned the meeting at 8:19 p.m.

APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____
ABSTENTIONS ON THIS THE 3RD DAY OF SEPTEMBER 2013.

Minutes taken and prepared by:

*Amy Shelley, TRMC
City Secretary*



City of Colleyville City Council Minutes - Draft

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Tuesday, August 20, 2013

City Council Chambers

Mayor David Kelly called the Pre Council meeting of the Colleyville City Council to order on August 20, 2013, at 5:35 p.m.

ROLL CALL: Mayor David Kelly, Mayor Pro Tem Mike Taylor and Councilmembers Carol Wollin, Chuck Mogged, Stan Hall, Jody Short, and Tom Hart.

City Manager Jennifer Fadden, Assistant City Manager and Chief Financial Officer Terry Leake, Police Chief Mike Holder, Captain Robert Hinton, Interim Fire Chief Clif Nelson, Fire Captain Kenny Philips, Economic Development Director Marty Wieder, Parks and Recreation and Library Director Mary Rodne, Human Resources Director Michelle Reyes, Colleyville Center Manager Leslie Hill, Public Works Director Bob Lowry, City Engineer Jeremy Hutt, Finance Manager Karen Hines, Community Development Director Ron Ruthven, Communications and Marketing Director Mona Gandy, Parks Superintendent Tim Hightshoe, Strategic Services Manager Adrienne Lothery, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley.

PC-1 Discussion of the comments from the public meeting for the Kingston Addition Reconstruction Project

City Engineer Jeremy Hutt updated City Council regarding the public meeting for the Kingston Addition Reconstruction Project.

Mayor Kelly stated the supplemental sidewalk map does not have sidewalks for this neighborhood. Engineer Hutt replied correct, however, staff wanted to allow citizen feedback to see if they wanted sidewalks in this neighborhood.

Councilmember Hart stated this was a great way to receive feedback from the neighbors regarding what they want in their neighborhood.

Mayor Kelly questioned staff regarding parking on the street and will there be any issues with emergency access. Engineer Hutt replied cars will be allowed to park on the street and with a 28 foot wide street, there will not be any emergency access issues.

Councilmember Hall questioned staff regarding the width of the current street. Engineer Hutt replied currently it is 14 feet wide.

Councilmember Hall questioned staff regarding the proposed width of the street and if it will have curb and gutter. Engineer Hutt replied yes and the width is proposed at 28 feet.

Councilmember Wollin stated there were concerns for drainage in heavy rains and this will help with those issues. Engineer Hutt concurred.

Councilmember Short questioned staff regarding the reasoning for the on-street parking. Engineer Hutt replied staff wanted to get citizen input regarding on-street parking to evaluate the proposed width of the street. Public Works Director Bob Lowry explained if the street were to be narrower than 28 feet, there would have to be "No Parking" signs posted on one side of the street.

Councilmember Wollin stated the neighbors did not want people parking in their yards; however, the curbs will eliminate those concerns.

Councilmember Hall questioned staff regarding if some right-of-way will need to be acquired for the new street. Engineer Hutt replied there is plenty of right-of-way; however, there may be some drainage easements which will need to be acquired.

Councilmember Hart questioned staff regarding if there are any savings for a 28 foot wide street rather than a 31 foot wide street. Engineer Hutt replied not significant.

Mayor Pro Tem Taylor stated it will take the neighbors a little bit of time to get used to any on-street parking, especially if they are parking on both sides of the street. Mayor Kelly stated the street will feel wide to those neighbors since they currently only have 14 feet.

Councilmember Mogged stated the citizens were originally concerned about losing their front yards.

Mayor Kelly stated having the drainage corrected will be a better compromise to those neighbors, rather than the concerns about losing their yard.

Mayor Pro Tem Taylor questioned staff regarding street lighting. Engineer Hutt replied there are currently no street lights on Kingston, and by following current standards, there will be an addition of four or five residential street lights installed.

PC-2 Presentation and update on the City's recycling and household hazardous waste programs

Strategic Services Manager Adrienne Lothery presented an update regarding the City's recycling and household hazardous waste programs. Paul Hanson and Norm Bulaich with Progressive Waste were available for any questions as well.

Mayor Kelly questioned Mr. Hanson regarding how the community is doing with the non-recyclable materials. Mr. Hanson replied overall it has been very clean, good recyclable items.

Councilmember Mogged stated large metal items are not recyclable. Councilmember Hall added it is surprising that the plastic grocery bags are not recyclable.

Mayor Kelly questioned Mr. Bulaich regarding commercial recycling. Mr. Bulaich replied the commercial recycling is a dumpster type container and the commercial facility is charged for recycling, once a week. He added smaller businesses can use the carts as well.

Mayor Pro Tem Taylor questioned staff regarding if citizens can just drop off items at the Environmental Collection Center (ECC), and then is the City charged for those trips? Manager Lothery replied correct. Mayor Kelly added during Clean Sweep, information regarding the ECC is handed out to those citizens, so that they know for the future.

Mayor Pro Tem Taylor questioned staff regarding if there is a capacity issue during the Clean Sweep event. Manager Lothery replied yes. Mayor Kelly added there is also a demand issue, but during the past few years, not many have been turned away because of capacity.

Councilmember Hall questioned staff regarding if the ECC takes electronics. Manager Lothery stated staff directs those citizens to an electronics recycling center, which was available during Clean Sweep last spring.

Councilmember Hart questioned staff regarding the \$47 dollar fee, is that regardless of the amount? Manager Lothery replied yes, but that during Clean Sweep, it is based on the honor system with the amount of recyclables.

Mayor Pro Tem Taylor questioned staff regarding why Colleyville is such a big user. Manager Lothery stated some is overall quantity and the overall awareness of our citizens.

Mayor Pro Tem Taylor questioned staff regarding tree debris. Manager Lothery stated this is simple household hazardous waste.

Mayor Kelly added Progressive is really good about picking up tree debris, and does it for a minimal charge.

Mayor Pro Tem Taylor questioned staff regarding if any complaints have been received about the recycling. Manager Lothery stated the complaints have been down since the program was installed.

Mayor Pro Tem Taylor questioned Mr. Hanson regarding the recycling carts, are those carts also available for the garbage side of service? Mr. Hanson replied they would be happy to look into this if the City wants this service. He stated typically the cities are using the recycling carts versus carts for garbage.

Mayor Pro Tem Taylor questioned Mr. Hanson regarding if Progressive is looking to this in the future. Mr. Hanson stated it is possible, however, there are weight factors for this service, in other words, garbage weighs more than recyclables, therefore the recycle trucks can handle the lifting of the carts. He stated lawn services, in Colleyville, place the grass clippings and so forth at the curb to be picked up by the garbage service and those items weigh more.

Mayor Kelly added there would be a greater cost to the citizen for the automated garbage service; therefore the City chose to do the automated recycling only.

Mayor Pro Tem Taylor questioned Mr. Hanson regarding if there is an advantage with going with the automated system for garbage collection. Mr. Hanson replied he wants to keep the citizens rates down just as the City wants to keep those rates lower.

Mayor Kelly stated the citizens would be very limited on what they could put in those containers for garbage, which would be something Colleyville citizens are not used to, since they currently have a full service garbage collection.

PC-3 Selection of a date for a City Council worksession to discuss the status of the SH26 reconstruction project

Mayor Kelly questioned City Council regarding a date for the worksession. Most concurred Monday, September 16th at 6:00 p.m. in the executive conference room would work for them.

PC-4 Update on the City's Emergency Management Plan

Interim Fire Chief Clif Nelson updated City Council regarding the City's Emergency Management Plan.

Mayor Pro Tem Taylor questioned staff regarding if the Mayor is the total authority in the City, in the event of an emergency and can only be overridden by the County Judge. Chief Nelson replied the County Judge could only override this if the Mayor had not been designated by the plan. He added many times the Judge will not enter into the City and make a decision, if the Mayor has been designated and the Mayor can delegate any of his duties, as he sees fit to assign.

Mayor Kelly encouraged everyone to visit the Emergency Operations Center.

City Manager Jennifer Fadden added the City will have a spokesperson responsible to the media, in the event an emergency does exist.

Mayor Kelly thanked Captain Phillips for his efforts in keeping this plan up-to-date.

PC-5 Discussion of the Performance Management Report

There was no discussion regarding this item.

PC-6 Presentation of the Monthly Financial Report - July 2013

There was no discussion regarding this item.

PC-7 Discussion of the August 20, 2013, City Council regular agenda items

Mayor Kelly adjourned the Pre Council meeting at 6:23 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Kelly at 7:34 p.m.

ROLL CALL: Mayor David Kelly, Mayor Pro Tem Mike Taylor and Councilmembers Carol Wollin, Chuck Mogged, Stan Hall, Jody Short, and Tom Hart.

City Manager Jennifer Fadden, Assistant City Manager and Chief Financial Officer Terry Leake, Police Chief Mike Holder, Captain Robert Hinton, Interim Fire Chief Clif Nelson, Economic Development Director Marty Wieder, Public Works Director Bob Lowry, City Engineer Jeremy Hutt, Community Development Director Ron Ruthven, Strategic Services Manager Adrienne Lothery, Communications and Marketing Director Mona Gandy, Information Systems Manager Chris Pena, City Attorney Matthew Boyle, and City Secretary Amy Shelley.

1. EXECUTIVE SESSION - In accordance with Texas Government Code Chapter 551, Subchapter D

Section 551.071 - Legal - Consultation with attorney on legal issues raised by public hearing or action items on the agenda

Section 551.071 - Legal - Consultation with attorney regarding solicitor ordinance

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.087 – Economic Development - Discuss or deliberate regarding commercial or financial information that the City has received from business prospects that the City seeks to have locate, stay, or expand in the City and

with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

Mayor Kelly explained the Executive Session had been called in accordance with the Texas Government Code, Chapter 551, Subchapter D, Section 551.071, Legal, Section 551.072, Real Estate, and Section 551.087, Economic Development. He further explained there would be no decisions made or action taken during this time. The meeting was recessed at 6:23 p.m. and reconvened at 6:24 p.m.

INVOCATION: Pastor Lee Johnson, Bear Valley Church

PLEDGE OF ALLEGIANCE: City Attorney Matthew Boyle

2. EXECUTIVE SESSION: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - Resolution R-13-3656

This resolution was not needed.

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS
Announcements of civic and charitable events
Presentation of calendar events and updates
Announcements of awards and recognition

In recognition of Colleyville's featured business - Market Street United, 5605 Colleyville Boulevard - Alyssa Grimes, Concierge; Josh Griffin, General Manager; Allen Strange, Store Operations Manager - Mayor David Kelly and Economic Development Director Marty Wieder

Mayor Kelly and Economic Development Director Marty Wieder recognized Alyssa Grimes, Concierge; Josh Griffin, General Manager; and Allen Strange, Store Operations Manager, Market Street United.

4. CONSENT: READING AND PUBLIC HEARING - Resolution R-13-3657

- 4a** Approval of the minutes of the regular City Council meeting of July 16, 2013
- 4b** Approval of the minutes of the City Council Worksession of July 23, 2013
- 4c** Approval of the minutes of the City Council Worksession of July 30, 2013

- 4d** Approval of a preliminary plat on 10.07 acres on Lot 1, Block 1, of the Stajduhar Addition located at 816 W. L. D. Lockett Road, Case PC13-012
- 4e** Approval of a City-Developer Agreement with Ivy Glen Colleyville, L.L.C. for the construction of and the reimbursement of a storm drain along Cheek-Sparger Road, and authorize the city manager to execute the agreement
- 4f** Approval to purchase a Harben Sewer Jet truck from Philpott Ford, through the Texas Local Governmental Purchasing Cooperative (BuyBoard), in an amount not to exceed \$120,205, and authorize the city manager to execute the contract
- 4g** Approval of an Interlocal Agreement with the City of Bedford to provide for the construction of a roundabout at the intersection of Cheek-Sparger Road and Jackson Road/Central Drive, and authorize the city manager to execute the agreement
- 4h** Approval to purchase audio/video replacement equipment and services for the City of Colleyville Emergency Operations Center and Police Department training and conference areas, from Digital Resources, Inc., in an amount not to exceed \$65,000, and authorize the city manager to execute the contract
- 4i** Approval of the Traffic Safety Advisory Committee bylaws

Mayor Kelly read Resolution R-13-3657 in its entirety.

Councilmember Hall questioned staff regarding agenda item 4d, will Laura Lane be closed? Community Development Director Ron Ruthven replied the street will be open.

Mayor Pro Tem Taylor questioned staff regarding agenda item 4h, and the difference between the two items. Information Systems Manager Chris Pena replied the difference in size is because of the difference in the room size.

Mayor Pro Tem Taylor questioned staff regarding if one unit goes down, will the other one be used as a back-up? Manager Pena replied staff would have to move to the room in which the communication unit is available.

Mayor Kelly opened the public hearing at 7:46 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 7:46 p.m.

Councilmember Hart moved to approve Resolution R-13-3657. Councilmember Short seconded the motion.

The motion to approve carried by the following vote:

Aye: 7 - Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Carol Wollin, Chuck Mogged, Stan Hall, Jody Short, and Tom Hart

5. RESOLUTION(S): READING AND PUBLIC HEARING

5a Resolution R-13-3658

Approval of a preliminary plat for 5.7 acres located on Lots A1, B1, and B1A of The Oaks Addition, located at One and Two Country Way, Case PC13-006

Mayor Kelly read Resolution R-13-3658 in its entirety.

Community Development Director Ron Ruthven presented the agenda item and briefed the City Council.

Mayor Kelly opened the public hearing at 7:51 p.m.

Bryan Holland, and Ty Thompson, both with Graham Hart, came forward to present the case and brief City Council.

Ron Carroll, 1 Country Way, stated the drainage coming from the Covington addition is creating an issue; however, this development will fix those drainage issues.

Mary Carroll, 1 Country Way, spoke in support of this plat request since this development will fix the drainage issue.

Rob Tomerlin, 2 Country Way, spoke in support of this plat request since it seems that it will fix the drainage issue.

The following persons did not wish to speak but registered their support of this request: Martha Tomerlin, 2 Country Way and JoAnn Fawcett, 3 Country Way.

There were no others present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 8:12 p.m.

Mayor Kelly questioned staff regarding if the waiver requests should be approved through the plat approval process versus a zoning change. Director Ruthven replied this is not the typical process in which waiver requests are made.

Mayor Kelly questioned staff regarding if the property is currently zoned for this use. Director Ruthven replied yes.

Mayor Kelly questioned staff regarding if this plat will require a comprehensive drainage plan to address these issues. Director Ruthven replied yes, the developer will be required to comply with the current drainage standards. He added a comprehensive analysis is not required with this request.

Councilmember Hall stated these items seem to be ones discussed during a planned unit development process. Mayor Kelly concurred.

Director Ruthven stated any waiver with the Land Development Code can be approved by City Council at any time, not necessarily during a zoning change.

Mayor Kelly questioned Mr. Holland regarding why not go through the zoning process rather than a plat process. Mr. Holland stated the property is already zoned R20-Single Family Residential, therefore it did not require a zoning change.

Mayor Kelly questioned staff regarding if there is a sidewalk waiver request. Director Ruthven replied yes.

Mayor Kelly questioned staff regarding if there is an underground waiver request to the drainage. Director Ruthven replied yes.

Mayor Kelly stated it seems that these are items being thought about after the fact, since the property is zoned correctly.

Mayor Pro Tem Taylor stated he concurred with the Mayor's comments.

Mayor Pro Tem Taylor questioned staff regarding the drainage issue. City Attorney Matthew Boyle stated the general standard on the City's liability is that the City would only have the liability with someone else's development if the City had absolute knowledge of the drainage flow.

Mayor Pro Tem Taylor stated the City standard is that no more drainage may exist, other than what is currently draining. He added he did not know this property was flooding.

Mayor Pro Tem Taylor stated he could not support a bar-ditch proposal and added he would only support the current standards for the existing zoning.

Mayor Kelly stated a straight zoning request does not allow any waiver requests.

Mayor Pro Tem Taylor questioned Mr. Holland regarding if all property owners are selling their properties. Mr. Holland stated that Mr. Tomerlin is selling four acres, and Mr. Carroll is selling his entire parcel.

Mayor Pro Tem Taylor questioned Mr. Holland regarding where the water is currently going. Mr. Holland stated it flows across their property onto L.D. Lockett Road, and further explained the process in which they will route the water flow.

Mayor Kelly stated this just does not seem the right forum to discuss these waiver requests. Mr. Holland stated these same issues will be discussed at a rezoning request. Mayor Kelly concurred; however, those issues are usually discussed at that time.

Mayor Pro Tem Taylor stated he is not comfortable with using the plat request to discuss these waivers.

Councilmember Mogged questioned staff regarding what are the steps being missed to get through those engineering issues through this plat process rather than a zoning change. Director Ruthven replied there are specific requirements for a planned unit development, in particular a detailed staff analysis, as well as three public hearings. He added any code amendment is codified in the ordinance.

Councilmember Hall questioned staff regarding if all items were met for the R20 zoning district, would this plat need City Council approval? Director Ruthven replied yes, since this plat has more than four lots, it requires City Council approval, and is usually done by consent. He added any other waiver requests would be independent from the plat approval.

Mayor Kelly questioned staff regarding if the plat is approved, with some lot width variances, could the developer move forward with the development and then come back for separate waiver requests? Director Ruthven replied yes.

Councilmember Hall questioned staff regarding the sidewalk waiver request. Director Ruthven replied the developer can later submit for a sidewalk waiver request.

Councilmembers Hall and Short questioned Mr. Holland regarding if he will walk away from this project if the plat is not approved. Mr. Holland replied he is not sure at this time.

Councilmember Hart stated he hoped Mr. Holland would not walk away from this. He stated he understands this is a difficult piece of property, but that it seems some of these issues can be resolved. Mr. Holland stated he wants to continue to develop in Colleyville but this property is difficult. He stated he does not want the cost to supersede the beauty of the property.

Mayor Pro Tem Taylor stated City Council does not willingly create these circumstances. He stated he wants this development to be done and approved properly by City Council.

Mayor Kelly questioned staff regarding what would be the process the developer would have to seek if the other waiver requests are not granted. City Attorney Matthew Boyle replied the other waiver requests would have to come back to City Council in some format. He added it is possible for City Council to approve the preliminary plat request, with the only waiver being to the lot width requirement on those few lots not meeting the standard zoning district width.

Mayor Pro Tem Taylor questioned staff regarding the lot width waiver. Director Ruthven replied the lot width waiver request would include Lots 1, 2, and 3.

Mayor Pro Tem Taylor questioned staff regarding if the rear lot width is considered. Director Ruthven replied the lot width is measured at the front building line.

Mayor Kelly stated being comfortable with the proposed lot sizes, especially since the square footage exceeds the zoning district requirement.

Councilmember Hall questioned Mr. Holland regarding if he is seeking some assurances that the final plat will be approved. Mr. Holland stated he would have to know that he could move forward through the steps with the variances that have been requested, at some point during the development.

Councilmember Hall stated he would like to give options so that this project may move forward so that the properties can be sold and improved. Mr. Holland stated the project has to be profitable for him.

Mayor Pro Tem Taylor questioned staff regarding the width of Lot 1. Director Ruthven replied Lot 1 is 87 feet wide.

Mr. Tomerlin stated if sidewalks were constructed in this development, those sidewalks lead to nowhere.

Mayor Kelly stated there is a proper mechanism to request a waiver to a sidewalk.

Director Ruthven added if the waiver to the lot width is granted for this preliminary plat, the same request will be made for approval of the final plat and recorded for the legal dimensions on the plat.

Mr. Holland questioned City Council regarding what is considered the cul-de-sac. Director Ruthven stated it would be at the point in which the radius moves from the straight right-of-way.

Mayor Pro Tem Taylor stated the R20 zoning district requires a 100 foot front width. Mayor Kelly stated the lots meet the 20,000 square foot requirement rather than the street frontage.

Mayor Pro Tem Taylor stated there has been a historical compliance with the 100 foot frontage requirement with the R20 zoning district.

Mayor Kelly questioned staff regarding if the preliminary plat is approved, will the final plat be binding for approval? Director Ruthven replied correct, it will not be binding for approval. He added if the plat is denied, a final plat cannot be brought forward.

Mr. Holland questioned staff regarding if the final plat could still be denied even if the preliminary plat is approved. City Attorney Matthew Boyle replied yes, but that it has not been the case with this City Council.

Mayor Kelly moved to approve Resolution R-13-3658 with the following variance: Lots 1, 2, and 3 are allowed to be 95 feet in width. Councilmember Hall seconded the motion.

Councilmember Hart questioned City Council regarding what are the next steps. Mayor Kelly stated the developer will have to address the other waiver requests prior to final plat approval.

The motion to approve carried by the following vote:

Aye: 7 - Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Carol Wollin, Chuck Mogged, Stan Hall, Jody Short, and Tom Hart

5b Resolution R-13-3659

Approval of a proposal to set the ad valorem tax rate for Fiscal Year 2014 at \$.3559 per hundred dollars of valuation

Mayor Kelly read Resolution R-13-3659 in its entirety.

Assistant City Manager and Chief Financial Officer Terry Leake presented the agenda item and briefed the City Council.

Mayor Kelly opened the public hearing at 9:12 p.m.

There was no one present wishing to speak concerning this item and Mayor Kelly closed the public hearing at 9:12 p.m.

Mayor Kelly stated the tax rate has remained the same for almost 18 years. Assistant City Manager and Chief Financial Officer Terry Leake replied it has remained the same since 1996.

Mayor Pro Tem Taylor moved to approve Resolution R-13-3658. Councilmember Hart seconded the motion.

Councilmember Hart stated the voters approved the increase in 2008 for \$0.01 cent; however, the entire cent was not even used. Mayor Kelly concurred and thanked staff for being fiscal conscious. Mayor Pro Tem Taylor thanked the citizens for their efforts.

The motion to approve carried by the following vote:

Aye: 7 - Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Carol Wollin, Chuck Mogged, Stan Hall, Jody Short, and Tom Hart

6. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

Linda Baker, 4900 Behrens, came forward and spoke regarding the animal control ordinance, and stated she did not want the City of Colleyville to necessarily adopt what the City of Keller is proposing.

7. REPORTS

Traffic Safety Advisory Committee Meeting Minutes - June 28, 2011
Senior Center Advisory Committee Meeting Minutes - April 18, 2013
Sign Board of Appeals Meeting Minutes - May 15, 2013
Planning and Zoning Commission Meeting Minutes - June 10, 2013
Colleyville Library Board Meeting Minutes - June 10, 2013
Planning and Zoning Commission Meeting Minutes - June 24, 2013

There was no discussion of this item.

8. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR AUGUST 20, 2013 - Reading and Public Hearing - Resolution R-13-3660

This resolution was not needed.

9. ADJOURNMENT

There being no further business before the City Council, Councilmember Mogged moved to adjourn, and Councilmember Hart seconded the motion.

The motion carried with the following vote:

Aye: 7 - Mayor David Kelly, Mayor Pro Tem Mike Taylor, and Councilmembers Carol Wollin, Chuck Mogged, Stan Hall, Jody Short, and Tom Hart

Mayor Kelly adjourned the City Council meeting at 9:20 p.m.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE
_____ DAY OF _____ 2013.

Minutes taken and prepared by:

*Amy Shelley, TRMC
City Secretary*



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 5c
Type Resolution
Department City Manager

Agenda Date 09/03/2013

Number Resolution R-13-3662

Title

Adopting the Economic Development Capital Improvement Program (EDCIP) for the Fiscal Years 2014-2018 (FY 2014-2018) of the Colleyville Economic Development Corporation

Explanation

Reading and Public Hearing

The Colleyville Economic Development Corporation Bylaws require the Board to develop a combined Economic Development Capital Improvement Program (EDCIP) annually, which sets forth long and short-term goals. This program "shall be one that addresses the development needs of the City within the financial constraints available to the Corporation." The "EDCIP shall identify the projects to be undertaken by the Corporation and include proposed methods and the expected cost of the implementation." After the EDCIP is developed, it must be approved by the City Council.

On August 15, 2013, the Board met in a worksession and reviewed and discussed the proposed projects for FY 2014 through 2018 from the attached EDCIP (Exhibit A). The Board's input from the August 15, 2013 worksession is reflected in the FY 2014-2018 EDCIP (Exhibit A) that was approved by the Board unanimously at their annual meeting held on Tuesday, August 27, 2013.

The proposed changes from the attached adopted FY 2013 - FY 2017 EDCIP (Exhibit B) are as follows:

Revenues:

The projected sales tax for FY 2014 replicates the FY 2014 City sales tax budget projection. For the remaining years, in FY 2015 there is a projected increase of eight percent to account for new business in the Village Park shopping center, and a one percent growth for FY 2016 - 2018. There is a slight change from year to year in interest income, due to the annual changes in investable cash from beginning fund balance in the two different EDCIP plans. There is the use of available cash from the .4 times bond coverage ratio in all years of the plan, with the ending target fund balance in 2018 at a level slightly above \$850,000.

Expenditures:

FY 2014:

Carry forward of funding for incomplete projects - completion of Pleasant Run Trail (Bogart Drive to Mission Lane) right-of-way acquisition for the trail (\$168,000) and construction of the trail (\$277,000), and improvements at the Cotton Belt - L.D. Lockett Park trailhead (\$100,000). There is \$125,000, included for the design of renovations to the Senior Center. There is a study of the Senior Center for future use, programs, and renovations, currently in process, which is a FY 2013 CEDC funded project. This study was recommended in the Parks, Recreation, and Trails Master Plan, which was adopted by City Council on December 6, 2011. Funding in the amount of \$175,000 is included for the update of City Park, which opened in 1998, to provide for more efficient property irrigation, lower water use landscaping, and an update of the dugout and spectator areas. There is funding for a site master plan of the Colleyville Center and the surrounding grounds (\$25,000), to provide for improved utilization of the surrounding grounds. Funding is also included for repairs to the original sloped seamed metal roof of the Colleyville Center (\$48,000), with additional information in the attached memorandum regarding the history of the roof. Funding for the replacement of the original stage curtain (\$25,000), that has been in use since 1998 was moved forward from FY 2017 in the prior EDCIP. Also, funding of \$4,000 is included to refinish the stage at the Colleyville Center, in conjunction with the stage curtain replacement. The future projects allocation of \$425,000 was removed and reallocated through the future years of the plan.

FY 2015:

Carry forward of funding for incomplete projects - the Cotton Belt II spur at Webb House - \$165,000. The future projects allocation is increased from \$425,000 to \$500,000. There is also funding included for future trail projects (\$150,000).

FY 2016:

The future projects allocation is increased from \$425,000 to \$500,000. Funding is added for future trail projects in the amount of \$150,000.

FY 2017:

The future projects allocation is increased from \$425,000 to \$500,000. Funding is added for future trail projects in the amount of \$150,000.

FY 2018:

The future projects funding allocation is \$500,000. Funding is included for the construction of a trail on Pleasant Run Road from the Cotton Belt railroad crossing to John McCain Road (\$300,000).

Financial Impact

The base sales tax revenue estimate is one-half of the sales tax revenue estimated in the City's proposed FY 2014 budget. The use of available cash during FY 2014 - 2018 brings fund balance down to \$858,991 in FY 2018.

Recommendation

Approve

Attachments

1. EDCIP FY 2014 - 2018 - Exhibit A
2. EDCIP FY 2013 - 2017 - Exhibit B
3. Colleyville Center sloped seamed metal roof history memorandum

COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION
ECONOMIC DEVELOPMENT CAPITAL IMPROVEMENT PROGRAM FY 2014 - FY 2018

EXHIBIT A

FISCAL YEAR	2013	2014	2015	2016	2017	2018
BEGINNING FUND BALANCE	\$1,974,664	\$2,013,612	\$1,465,431	\$1,157,637	\$1,095,969	\$1,044,615
REVENUES:						
PROJECTED 1/2 CENT SALES TAX REVENUE	\$1,335,000	\$1,437,500	\$1,551,875	\$1,567,394	\$1,583,068	\$1,598,898
INTEREST INCOME	\$3,895	\$4,027	\$2,931	\$2,315	\$2,192	\$2,089
USE OF AVAILABLE CASH	\$1,062,844	\$806,033	\$565,948	\$321,835	\$311,249	\$442,900
TOTAL REVENUES	\$2,401,739	\$2,247,560	\$2,120,753	\$1,891,544	\$1,896,509	\$2,043,888
EXPENDITURES:						
OPERATING:						
ADMINISTRATIVE	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
2005 DEBT SERVICE & 1.4 TIMES COVERAGE	\$907,711	\$902,482	\$903,536	\$910,584	\$909,629	\$900,956
WATER / WASTEWATER- MC PHERSON PARK	\$1,615	\$17,750	\$18,283	\$18,831	\$19,396	\$19,978
PERSONNEL - SENIOR CENTER	\$65,025	\$64,975	\$66,924	\$68,932	\$71,000	\$73,130
PERSONNEL - LIBRARY	\$71,095	\$76,448	\$77,977	\$79,536	\$81,127	\$82,750
OPERATIONS - LIBRARY	\$4,292	\$4,421	\$4,553	\$4,690	\$4,831	\$4,976
PROMOTIONAL:						
OLD TYME BBQ EVENT	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
HOLLY COLLEY HOLIDAY EVENT	\$40,000	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
RED, WHITE & SOUSA EVENT	\$30,000	\$36,000	\$36,000	\$36,000	\$36,000	\$36,000
ECONOMIC DEVELOPMENT PROMOTIONAL	\$48,889	\$57,153	\$68,481	\$69,971	\$71,526	\$73,099
CAPITAL:						
INTERFUND LOAN - COLLEYVILLE CENTER RENOVATIONS (\$661,325 REPAID OVER 4 YEARS)	\$165,331	\$165,332	\$0	\$0	\$0	\$0
CITY PARK - LANDSCAPE AND AMENITIES	\$0	\$175,000	\$0	\$0	\$0	\$0
COLLEYVILLE CENTER - REPLACEMENT TABLES	\$9,580	\$0	\$0	\$0	\$0	\$0
COLLEYVILLE CENTER - REPLACEMENT CHAIRS	\$38,400	\$0	\$0	\$0	\$0	\$0
COLLEYVILLE CENTER - REPLACEMENT MAIN AIR CONDITIONER UNIT	\$30,000	\$0	\$0	\$0	\$0	\$0
COLLEYVILLE CENTER - REPLACEMENT FLAT ROOFS	\$49,732	\$0	\$0	\$0	\$0	\$0
COLLEYVILLE CENTER - REPLACEMENT ORIGINAL STAGE CURTAIN	\$0	\$0	\$25,000	\$0	\$0	\$0
COLLEYVILLE CENTER - REFINISH STAGE	\$0	\$0	\$4,000	\$0	\$0	\$0
COLLEYVILLE CENTER - REPAIRS TO ORIGINAL SLOPED METAL ROOF	\$0	\$0	\$48,000	\$0	\$0	\$0
COLLEYVILLE CENTER - SITE MASTER PLAN	\$0	\$25,000	\$0	\$0	\$0	\$0
CITYWIDE TRAIL SYSTEM -						
COTTON BELT II SPUR @ WEBB HOUSE CONSTRUCTION-CARRY FORWARD	\$0	\$0	\$165,000	\$0	\$0	\$0
PLEASANT RUN TRAIL DESIGN (BOGART TO MISSION)-CARRY FORWARD	\$41,340	\$0	\$0	\$0	\$0	\$0
PLEASANT RUN TRAIL ROW ACQUISITION (BOGART TO MISSION)-CARRY FORWARD	\$0	\$168,000	\$0	\$0	\$0	\$0
PLEASANT RUN TRAIL CONSTRUCTION (BOGART TO MISSION)-CARRY FORWARD	\$0	\$277,000	\$0	\$0	\$0	\$0
IMPROVEMENTS AT COTTON BELT - LD LOCKETT PARK TRAILHEAD	\$0	\$100,000	\$0	\$0	\$0	\$0
FUTURE TRAIL CONSTRUCTION	\$0	\$0	\$150,000	\$150,000	\$150,000	\$0
PLEASANT RUN TRAIL CONSTRUCTION (COTTON BELT TO JOHN MCMCAIN)	\$0	\$0	\$0	\$0	\$0	\$300,000
SENIOR CENTER						
REBRANDING STUDY	\$35,000	\$0	\$0	\$0	\$0	\$0
RENOVATION - DESIGN	\$0	\$125,000	\$0	\$0	\$0	\$0
TABLE AND CHAIR REPLACEMENTS	\$4,283	\$0	\$0	\$0	\$0	\$0
FUTURE PROJECTS	\$0	\$0	\$500,000	\$500,000	\$500,000	\$500,000
TOTAL EXPENDITURES	\$1,559,293	\$2,247,561	\$2,120,753	\$1,891,544	\$1,896,509	\$2,043,888
EXCESS REVENUES OVER EXPENDITURES	\$842,446	\$0	\$0	\$0	\$0	\$0
ADD BACK .4 TIMES BOND COVERAGE RATIO	\$259,346	\$257,852	\$258,153	\$260,167	\$259,894	\$257,416
ENDING FUND BALANCE	\$2,013,612	\$1,465,431	\$1,157,637	\$1,095,969	\$1,044,615	\$859,131

ASSUMPTIONS: FY 2014: 1/2 OF CITY SALES TAX BUDGET PROJECTION / FY 2015: 1/2 OF LONG RANGE CITY SALES TAX PROJECTION / FY 2016-2018: 1% GROWTH

COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION
ECONOMIC DEVELOPMENT CAPITAL IMPROVEMENT PROGRAM FY 2013 - FY 2017

EXHIBIT B

FISCAL YEAR	2012	2013	2014	2015	2016	2017
BEGINNING FUND BALANCE	\$1,854,880	\$1,945,474	\$1,141,977	\$952,523	\$935,125	\$920,488
REVENUES:						
PROJECTED 1/2 CENT SALES TAX REVENUE	\$1,382,500	\$1,335,000	\$1,348,350	\$1,361,834	\$1,375,452	\$1,389,206
INTEREST INCOME	\$3,905	\$3,891	\$2,284	\$1,905	\$1,870	\$1,841
USE OF AVAILABLE CASH	\$168,041	\$1,062,844	\$447,307	\$275,551	\$274,805	\$316,048
TOTAL REVENUES	\$1,554,446	\$2,401,735	\$1,797,940	\$1,639,289	\$1,652,127	\$1,707,095
EXPENDITURES:						
OPERATING:						
ADMINISTRATIVE	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
2005 DEBT SERVICE & 1.4 TIMES COVERAGE	\$905,223	\$907,711	\$902,482	\$903,536	\$910,584	\$909,629
PROMOTIONAL	\$129,368	\$133,889	\$135,063	\$136,374	\$137,732	\$139,105
WATER / WASTEWATER- MC PHERSON PARK	\$16,480	\$16,974	\$17,483	\$18,008	\$18,548	\$19,104
PERSONNEL - SENIOR CENTER	\$70,095	\$72,198	\$73,642	\$75,851	\$78,127	\$80,471
PERSONNEL - LIBRARY	\$69,024	\$71,095	\$72,517	\$73,967	\$75,447	\$76,956
OPERATIONS - LIBRARY	\$4,167	\$4,292	\$4,421	\$4,553	\$4,690	\$4,831
CAPITAL:						
INTERFUND LOAN - COLLEYVILLE CENTER RENOVATIONS (\$661,325 REPAID OVER 4 YEARS)	\$165,331	\$165,331	\$165,332	\$0	\$0	\$0
COLLEYVILLE CENTER - REPLACEMENT TABLES	\$0	\$12,000	\$0	\$0	\$0	\$0
COLLEYVILLE CENTER - REPLACEMENT CHAIRS	\$0	\$41,000	\$0	\$0	\$0	\$0
COLLEYVILLE CENTER - REPLACEMENT MAIN AIR CONDITIONER UNIT	\$0	\$30,000	\$0	\$0	\$0	\$0
COLLEYVILLE CENTER - REPLACEMENT FLAT ROOF	\$0	\$50,000	\$0	\$0	\$0	\$0
COLLEYVILLE CENTER - REPLACEMENT STAGE CURTAIN	\$0	\$0	\$0	\$0	\$0	\$25,000
LIBRARY - BALANCE OF UNUSED 2011 SALARIES (FF&E)	\$46,532	\$0	\$0	\$0	\$0	\$0
LIBRARY - SECOND FLOOR, TEEN ROOM AND FIRST FLOOR-TECHNOLOGY / FF&E	\$78,566	\$0	\$0	\$0	\$0	\$0
LIBRARY TECHNOLOGY REPLACEMENTS	\$51,000	\$0	\$0	\$0	\$0	\$0
CITYWIDE TRAIL SYSTEM						
COTTON BELT II SPUR @ WEBB HOUSE CONSTRUCTION	\$0	\$165,000	\$0	\$0	\$0	\$0
PLEASANT RUN TRAIL DESIGN (BOGART TO MISSION)-CARRY FORWARD	\$16,660	\$41,340	\$0	\$0	\$0	\$0
PLEASANT RUN TRAIL ROW ACQUISITION (BOGART TO MISSION)-CARRY FORWARD	\$0	\$168,000	\$0	\$0	\$0	\$0
PLEASANT RUN TRAIL CONSTRUCTION (BOGART TO MISSION)	\$0	\$277,000	\$0	\$0	\$0	\$0
IMPROVEMENTS AT COTTON BELT - LD LOCKETT PARK TRAILHEAD	\$0	\$100,000	\$0	\$0	\$0	\$0
SENIOR CENTER						
REBRANDING STUDY	\$0	\$35,000	\$0	\$0	\$0	\$0
RENOVATIONS	\$0	\$99,905	\$0	\$0	\$0	\$0
TABLE AND CHAIR REPLACEMENTS	\$0	\$9,000	\$0	\$0	\$0	\$0
FUTURE PROJECTS	\$0	\$0	\$425,000	\$425,000	\$425,000	\$450,000
TOTAL EXPENDITURES	\$1,554,446	\$2,401,735	\$1,797,940	\$1,639,289	\$1,652,127	\$1,707,095
EXCESS REVENUES OVER EXPENDITURES	\$0	\$0	\$0	\$0	\$0	\$0
ADD BACK .4 TIMES BOND COVERAGE RATIO	\$258,635	\$259,346	\$257,852	\$258,153	\$260,167	\$259,894
ENDING FUND BALANCE	\$1,945,474	\$1,141,977	\$952,523	\$935,125	\$920,488	\$864,334

ASSUMPTIONS: FY 2013: 1/2 OF CITY SALES TAX BUDGET PROJECTION / FY 2014 - 2017: 1% GROWTH

MEMORANDUM

Date: August 9, 2013

From: Terry Leake, Assistant City Manager / Chief Financial Officer

To: Colleyville Economic Development Corporation Board of Directors

Subject: Colleyville Center sloped seamed metal roof history

In January 1998, the Colleyville Center opened, however there were issues with the main roof of the building (green sloped metal seamed roof), due to improper installation by the roofing subcontractor. Various roofing repairs were made in 1999, while the final retainage payment was withheld from the contractor, R. C. Small & Associates. The contractor pursued legal means to obtain the roofing warranty from the roofing contractor, but was unable to resolve the situation and obtain a warranty.

In June 2000, City Council authorized Resolution R-00-1663 remitting the final retainage payment to the contractor. By this resolution, the City retained \$25,000 of the final retainage payment for future roof repairs, and eliminated the roof warranty in exchange for retaining the \$25,000. Since June 2000, various roof repairs have been made to the sloped metal roof, and a limited amount of the withheld retainage funding remains. As the roof is over 15 years old, staff recently sought information detailing the cost to repair all of the sloped metal roof deficiencies. This cost is approximately \$42,000, and is included in the EDCIP in FY 2015 at a total of \$48,000, to allow for a 15% contingency. The majority of the items requiring repairs would include a 20 year warranty, with the remainder having a 10 year warranty.



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 5d

Agenda Date 09/03/2013

Number Resolution R-13-3662

Type Resolution

Department Police

Title

Approval to extend an ongoing annual agreement with Autobahn Motor Cars to sponsor the loan of a vehicle to the Colleyville Police Department for the expressed use of the Colleyville Heritage High School Resource Officer

Explanation

Reading and Public Hearing

The Colleyville Police Department requests the extension of the attached ongoing agreement with Autobahn Motor Cars that allows the dealership to provide a vehicle to the Colleyville Police Department for the expressed use by the School Resource Officer assigned to Colleyville Heritage High School. The sponsorship program began in 2004 as a way for Autobahn Motor Cars to enter into a community partnership that benefits the City of Colleyville, Colleyville Police Department, and the Grapevine-Colleyville Independent School District. The annual sponsorship of the vehicle begins and ends in conjunction with the Grapevine-Colleyville Independent School District academic calendar year.

The attached agreement allows the Colleyville Police Department the ability to place the Police Department's markings on the vehicle to clearly identify it as a Colleyville Police Department vehicle. In addition, the vehicle will be marked with decals that state "provided by Autobahn Motor Cars". The agreement allows the vehicle to be used at all school related functions, as well as City of Colleyville or Colleyville Police Department sponsored events.

Financial Impact

The Colleyville Police Department is responsible for the fuel, markings, and insurance costs related to the vehicle. All other maintenance related costs will be the responsibility of Autobahn Motor Cars. The City of Colleyville is required to list the vehicle for insurance coverage through Texas Municipal League.

Recommendation

Approve

Attachments

1. Autobahn-Colleyville Agreement for Loan Vehicle 2013-2014 School Year

Agreement for Loan Vehicle

Participants:

Autobahn Motor Cars (Autobahn)
and
City of Colleyville, Texas (Colleyville)

Vehicle Make	Volkswagen
Model	2014 Passat
VIN	1VWAH7A36EC004264
Mileage @ Delivery	36
Value of Vehicle	\$24,325.00

The following details include conditions with which a vehicle is loaned to the City of Colleyville by Autobahn Motor Cars.

- Autobahn agrees to furnish the above vehicle to the City of Colleyville Police Department for the primary use of the Colleyville Heritage High School Resource Officer (SRO).
- Autobahn will retain ownership of the above vehicle and Colleyville will provide insurance coverage for the vehicle and a certificate of insurance to Autobahn.
- Autobahn being the rightful owner of the above vehicle reserves the right to withdraw the loan of the vehicle with four weeks advance notice if this action is necessary. Colleyville reserves the right to return the vehicle prior to the end of the loan agreement with four weeks advanced notice if this action is necessary.
- Colleyville will place decals on the vehicle in order to create the appearance of a Police Unit. All decals will be removed by Colleyville prior to return to Autobahn. The only Police equipment installed in the vehicle will be temporarily added and not require permanent mounting brackets or drilling holes on any part of the vehicle's exterior or interior. In addition to parking the vehicle at the High School on school days, the vehicle will also be used during school sponsored activities and local community functions.
- The vehicle will have two decals indication "provided by Autobahn Motor Cars" with one placed at the top of the windshield with not less than 2" letters and one on the lower part of the rear window with not less than 4" letters.
- The vehicle will be loaned to Colleyville for a term that would include the Colleyville Heritage school year or other term preferred by Autobahn.
- Colleyville will maintain and service the vehicle as directed by Autobahn.

This agreement is entered into on the _____ day of _____, 20____

John Chase, CEO
Autobahn Motor Cars

David Kelly, Mayor
City of Colleyville



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 5e

Agenda Date 09/03/2013

Number Resolution R-13-3662

Type Resolution

Department City Manager

Title

Approval of the annual review of the City of Colleyville Investment Policy

Explanation

Reading and Public Hearing

A section in the Public Funds Investment Act requires that the governing body of a public entity review the investment strategy annually. The City's investment strategy is contained in the section of the attached City of Colleyville Investment Policy entitled "Investment Strategy", and is presented for the City Council's review. There are no changes proposed in the existing policy, which was adopted in September 2012.

Financial Impact

The Investment Policy provides required parameters for the investment of City funds as required by the State of Texas Public Funds Investment Act.

Recommendation

Approve

Attachments

1. City of Colleyville Investment Policy

CITY OF COLLEYVILLE INVESTMENT POLICY

Policy

It is the policy of the City of Colleyville (the City) to invest public funds in a manner which will provide the highest investment return with the maximum security, while meeting the daily cash flow demands of the entity and conforming to all State of Texas laws and statutes including the Public Funds Investment Act, Chapter 2256 of the Government Code and City ordinances.

Scope

This investment policy applies to all financial assets of the City. These funds are accounted for in the City's Comprehensive Annual Financial Report and include:

- General Fund
- Special Revenue Funds
- Capital Projects Funds
- Enterprise Funds
- Debt Service Funds, including reserves and sinking funds
- Trust and Agency Funds, to the extent not required by law or existing contract to be kept segregated and managed separately

and any new fund created by the City Council, unless specifically exempted by the City Council or by law. All funds may be combined as pooled funds unless specifically prohibited by State law or statute or City ordinance.

Objectives

The primary objectives, in priority order, of the City's investment activities shall be:

Safety: Safety of principal is the foremost objective of the City in managing its portfolio. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective the City will diversify its investments by investing funds among a variety of securities offering independent returns and financial institutions. The City will also take into account the marketability of the investment if the need arises to liquidate the investment before maturity.

Liquidity: The City will also maintain sufficient liquidity to provide adequate and timely working funds.

Return on Investments: The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and cash flow needs. The City investment strategy is passive and the portfolio shall be designed with the objective of regularly exceeding the weighted average return on thirteen-week Treasury bills. This is considered a benchmark for riskless investment transactions, and therefore, is a minimum standard for the portfolio's rate of return. For bond funds that fall under the arbitrage provisions of the Tax Reform Act of 1986, the City will attempt to earn allowable bond yield with market conditions permitting.

Delegation of Authority

The City designates the Investment Officers to be the City Manager with overall responsibilities to see that investment objectives are accomplished and the Assistant City Manager/Chief Financial Officer and the Finance Manager with the specific day-to-day performance of managing the funds of the City.

Ethics and Conflict of Interest

All Investment Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or that could impair their ability to make impartial investment decisions. Employees shall disclose to the City of Colleyville and Texas Ethics Commission a statement under the following conditions:

- A. If they have a personal business relationship with a business organization offering to engage in an investment transaction with the entity. Under the Public Funds Investment Act, a personal business relationship is defined as:
 - 1. The investment officer owns 10 percent or more of the voting stock or shares of the business organization, or owns \$5,000 or more of the fair market value of the business organization; or
 - 2. Funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or

3. The investment officer has acquired from the business organization during the previous year, investments with a book value of \$2,500 or more for the personal account of the investment officer.
- B. If they are related within the second degree by affinity or consanguinity, as determined by Chapter 573 V.A.T.C.S. to an individual seeking to sell an investment to the City of Colleyville.

Prudence

Investments shall be made with judgment and care – under circumstances then prevailing – which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital, as well as the probable income to be derived.

The standard of prudence to be used by investment officials shall be the "prudent person", which means the officer may not be an expert, but is obligated to act responsibly and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Investment officers shall notify the City Council in writing of any conflicts of interest, as defined by the Public Funds Investment Act, no later than the next regularly scheduled City Council meeting.

It is the policy of the City that the Investment Officers perform their duties in accordance with the policies and procedures set forth in this policy. The Investment Officers of the City (City Manager, Assistant City Manager/Chief Financial Officer, and Finance Manager) shall be personally indemnified in the event of investment loss provided the Investment Policy is followed.

Internal Controls

The Assistant City Manager/Chief Financial Officer and Finance Manager shall establish a system of written internal controls which shall be reviewed annually by the independent auditor. The controls shall be designed to prevent the loss of public funds due to fraud, error, misrepresentation, unanticipated market changes, or imprudent actions.

Permissible Instruments

The following is a list of permissible instruments as authorized by the 70th Texas Legislature in the Public Funds Investment Act (TEX. REV. CIV. STAT. ANN. ACT 842A-2) and amended by the 71st Legislature:

1. Obligations of the United States or its agencies or instrumentalities; and
2. Direct obligations of the State of Texas or its agencies; and
3. Other obligations, the principal of, and interest on, which are unconditionally guaranteed or insured by the State of Texas, or the United States or its agencies or instrumentalities;
4. Obligations of states, agencies, counties, cities, and other political subdivisions of any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of not less than "A", or its equivalent;
5. Certificates of deposit issued by state and national depository institutions that have its main office or branch office in this state that are:
 - a. Guaranteed or insured by the Federal Deposit Insurance City, FSLIC or its successors; or
 - b. Secured by obligations that are described by subdivisions (1) through (4) of this subsection, which are intended to include all direct federal agency or instrumentality issued mortgage backed securities, and which have a market value of not less than the principal amount of the certificates, or in any other manner and amount provided by law for deposits of the investing entities;
6. Invest in a local government investment pool as authorized by the Interlocal Cooperation Act (TEX. REV. CIV. STAT. ANN. ACT. 4413 (32c), as amended, and the Public Funds Investment Act (TEX. REV. CIV. STAT. ACT. 842a-2), as amended. The investment pool must comply with the requirements of the Public Funds Investment Act, as amended, as follows:
 - a. The investment pool maintains a stable asset value of one dollar as defined in the Public Funds Investment Act; and
 - b. The investment pool maintains a AAA, or AAAM rating by one of the nationally recognized rating agencies; and
 - c. The investment pool's maximum average dollar weighted maturity does not exceed 90 days; and
 - d. The investment pool's continued compliance with the remaining provisions of the Public Funds Investment Act.
 - e. The eligible investments of the pool are as follows: obligations of

the United States or its agencies and instrumentalities, other obligations, the principal of and interest on which are unconditionally guaranteed or insured by the United States, fully collateralized repurchase agreements with a defined termination date secured by obligations of the United States or its agencies and instrumentalities, other obligations, the principal of and interest on which are unconditionally guaranteed or insured by the United States, and SEC registered money market funds authorized by the Public Funds Investment Act and rated in the highest category by at least one nationally recognized rating agency, reverse repurchase agreements with a term of no longer than 90 days.

- f. Include in its investment policy and/or operating procedures the following information: a description of eligible investment securities and unacceptable investments, a written statement on investment policy and objectives, a description of interest calculations, distribution, and treatment of gains and losses, security safeguarding, valuation collateralization and auditing, and a fee schedule.
7. Direct repurchase agreements with primary security dealers or financial institutions doing business in the State of Texas, having a defined termination date, and secured by U.S. Government or federal agency securities, provided that the ownership of collateral for the repurchase agreement is transferred to the City, and deposited with a safekeeping agent for the duration of the contract, and a signed master repurchase agreement has been executed with the counterparty.
 8. SEC-registered no-load money market mutual funds with a dollar weighted average portfolio of 90 days or less, whose assets consist exclusively of United States Government Securities, whose investment objectives include seeking to maintain a stable net asset value of \$1.00 per share. Investment in mutual funds shall be limited to a maximum of ten percent (10%) of the City's available funds.
 9. Certificate of Deposit Account Registry Service (CDARS) deposited with a certificate of deposit issued by a depository institution that has its main office or branch office in this state that is selected by the investing entity pursuant to the requirements of Section 2256.010 of the Government Code.

The City is not required to liquidate an investment that was authorized at the time of its purchase.

Unacceptable Investment Instruments

The following securities, although authorized by the Public Funds Investment Act, are not eligible investments for the City:

1. Collateralized mortgage obligations and/or obligations of the following structure:
 - a. obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;
 - b. obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
 - c. collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and
 - d. collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.
2. Commercial paper
3. Banker's acceptances
4. Reverse repurchase agreements (Local Government Investment Pools, which the City participates in may engage in reverse repurchase agreements if the term is 90 days or less)
5. No-load mutual funds other than SEC-registered no-load money market mutual funds with a dollar weighted average portfolio of 90 days or less whose assets consist exclusively of United States Government Securities whose investment objectives include seeking to maintain a stable net asset value of \$1.00 per share
6. Guaranteed investment contracts
7. Share certificates of qualifying credit unions

Effect of Loss of Required Rating

An investment that requires a minimum rating does not qualify as an authorized investment during the period the investment does not have a minimum rating. The Investment Officer shall take all prudent measures that are consistent with the City's investment policy to liquidate the investment(s) that does not have the minimum rating (2256.021). In accordance with Section (2256.005(b)), the

Investment Officer shall monitor rating changes in current investments by keeping a monthly record of ratings issued by three nationally recognized rating agencies.

Investment Strategy

The investment strategy by type of fund is as follows:

(1) Operating Funds

The investment strategy for operating fund(s) is to assure that anticipated cash flows are matched with adequate investment liquidity. A secondary objective is to create a portfolio, which will experience minimum volatility during economic cycles. These funds shall not have an investment with a stated maturity greater than two years and the weighted average maturity shall not exceed eighteen months.

(2) Debt Service Funds

The investment strategy for debt service fund(s) is the assurance of investment liquidity to cover the debt service obligations on the required payment date. Investments purchased shall not have a stated final maturity date which exceeds the corresponding debt service payment date. The weighted average maturity shall not exceed one year.

(3) Reserve Funds

The investment strategy for reserve fund(s) is the assurance of investment liquidity adequate to cover the debt service obligations not funded by debt service funds on the required payment date. Investment of reserve funds are controlled by their ordinance, resolution, or indenture, and Federal and State law. Bond documents must be examined for each issue, for potential differences with this policy concerning investment instruments, maximum maturity or average life restrictions, call dates or sinking fund redemptions, and applicable arbitrage yields and rebate liability. Provisions contained in the bond documents will supersede provisions of this policy. Weighted average maturity shall be in compliance with bond requirements, as stated.

Reserve funds will be invested using a more conservative approach than the current standard investment strategy when arbitrage rebate rules require refunding excess earnings. All excess earnings received will be segregated to allow a proper determination of interest income to be used in the arbitrage calculation.

(4) Special Project or Special Purpose Funds

The investment strategy for special projects or special purpose fund portfolio(s) will have, as their primary objective, to assure that anticipated cash flows are matched with adequate investment liquidity. The states final maturity dates of securities held shall not exceed the estimated project completion date. Funds in excess of defined construction payment schedules shall be limited to a maximum final maturity date of three years.

Maturity limitations for single issue reserve funds shall not exceed the sooner of five (5) years, the call provisions of the bond ordinance, or the final maturity of the bond issue.

Annually, the City Council shall formally review the Investment Policy and investment strategy contained with the Policy and record in writing that it has reviewed the Policy and record any changes to either the policy or strategy.

A. Diversification

The City will attempt to limit the risk of loss through diversification of its portfolio and to achieve the aforementioned investment strategies by diversification of instruments.

Diversification by Instrument of Portfolio	Maximum Percent
U.S. Treasury Obligations (Bills, Notes and Bonds)	100%
U.S. Government Agency Securities, and Instrumentalities of Government Sponsored Corporations	75%
Certificates of Deposit (CD's) Commercial Bank's	75%
Local Government Investment Pool	75%
Certificate of Deposit Account Registry Service (CDARS)	75%
Tri-Party Repurchase Agreement	75%
SEC registered, no-load mutual fund	10%

Investment Procedures

The City shall enter the following agreements (if applicable): safekeeping, PSA

repurchase agreements, wire transfer agreements, banking services contracts, and collateral/depository agreements. These contracts shall include the explicit delegation of authority to persons responsible for the transactions involving these agreements. No person except those designated in the contract may engage in any investment transactions.

On all funds invested in instruments as listed in "Permissible Investments" numbers one through five, oral bids shall be requested from at least two broker/dealers or national banks. The City will accept the bid that provides the highest rate of return within the maturity required and within the parameters of this policy. Records will be kept of the bids offered, bids accepted, and a brief explanation of the decision that was made regarding the investment.

Qualified Institutions

Annually, the City Council shall approve four financial institutions for investment purposes as recommended by the Finance Manager. All firms shall answer the Broker/Dealer questionnaire (Appendix A) and submit their most recent audited financial statements to the City Council for evaluation of credit worthiness. All personnel in the firms who will be trading or quoting securities to the City Council must maintain a current NASD license and be registered to deal securities in the State of Texas. An investment certification form (Appendix B) on the firm's letterhead signed by a principal of the firm must be on file with the City.

Safekeeping

All marketable securities purchased by the City shall be held in third party safekeeping by an institution designated as primary agent. All securities will be delivered to the third party institution by seller. Personnel in the third party institution will verify the correct security was delivered by the seller ("delivery vs payment"). The third party institution shall issue a safekeeping receipt to the City listing the specific instrument, rate/yield, maturity, CUSIP, and other pertinent information. Collateral on deposit type securities which exceed the FDIC coverage shall be held in a third party safekeeping institution. In the event a third party safekeeping institution is used, a collateral agreement shall be executed between the City Council, depository which pledged the collateral, and the third party custodian of the collateral. The City will retain possession of all original safekeeping receipts and the receipts will state the security is pledged to the City. Either the City Manager, Assistant City Manager/Chief Financial Officer, or the Finance Manager must approve release of collateral in writing, prior to its removal from the safekeeping account.

Selection of Financial Institutions

Depositories shall be selected through the City's banking services procurement process, which shall include a formal request for application. In selecting depositories, the services available, service costs, and credit-worthiness of institutions shall be considered, and the Investment Officers, shall conduct a comprehensive review of prospective depositories' credit characteristics and financial history.

The City shall select financial institutions from which the City may purchase certificates of deposit in accordance with the Act and this Policy. The City will have a written depository agreement with any financial institution with whom the City has time or demand deposits. The Investment Officer shall monitor the financial condition of financial institutions where certificates of deposit are held. A qualified representative of the financial institution must sign the investment certification form (Appendix B) on the financial institutions letterhead and it must be kept on file with the City.

Collateral Securities for Certificates of Deposit and Demand Accounts

The City will accept as collateral for its Certificates of Deposit and demand accounts the following securities:

- A. FDIC coverage
- B. U.S. Treasury bills, notes and bonds
- C. United States Agency and instrumentalities bills or notes
- D. GNMA mortgage backed fully modified pass through securities
- E. Texas state, city county or school bonds with a remaining maturity of seven years or less and a rating of "A" or better by Moody's, Fitch Ratings, and Standard and Poor's.
- F. Surety Bond
- G. Federal Home Loan Bank Letter of Credit issued to the City

Collateral shall be "marked to market" monthly by the Finance Manager. The following percentages constitute the minimum market value for collateral instruments that are pledged for the City's Certificates of Deposit and demand deposits.

Form of Collateral Pledged	Collateral Ratio
1. U.S. Treasury bills, notes, and bonds	
a. maturing within 1 year	102%
b. maturing in 1-5 years	105%
c. maturing in more than 5 years	110%
2. Actively traded U.S. Government Agency securities	
a. maturing in less than 1 year	103%
b. maturing in 1-5 years	107%
c. maturing in more than 5 years	115%
3. GNMA mortgage pass through securities	115%
4. Entities in the State of Texas bonds	
General Obligation Bonds	
a. maturing in less than 1 year	102%
b. maturing in 1-5 years	105%
c. maturing in more than 5 years	107%
Revenue Bonds	
a. maturing in less than 1 year	105%
b. maturing in 1-5 years	110%
c. maturing in more than 5 years	115%

Collateral shall be audited annually by the City's independent auditor and may be audited by the City at anytime during normal business hours of the safekeeping bank.

Arbitrage

The Tax Reform Act of 1986 places limitations on the City's yield from investing certain tax-exempt bond proceeds, debt service funds, and reserve funds. The rebate provisions require that the City compute earnings on investments from certain issues of bonds on a periodic basis to determine if rebate is required.

To determine the City's arbitrage position, the City is required to calculate the actual yield earned on the investment of the funds and compare it to the yield that would have been earned if the funds had been invested at a rate equal to the yield on the applicable bonds sold by the City. The rebate provisions state that periodically (not less than once every five years and not later than sixty days after maturity of the bonds), the City is required to pay the United States Treasury a rebate of any excess earnings. These restrictions require extreme precision in the

monitoring and record keeping of investments, particularly in computing yields to ensure compliance. Failure to comply can dictate that the bonds become taxable, retroactively from the date of issuance.

The investment strategy for bond funds, which fall under the arbitrage provisions of the Tax Reform Act of 1986, is that the City will attempt to earn maximum allowable bond yield with market conditions permitting.

Reporting Requirements

The Assistant City Manager/Chief Financial Officer and Finance Manager shall issue a written report quarterly to the Audit Committee and City Council concerning the City's investment transactions for the preceding quarter and describing in detail the investment position of the City as of the end of the quarter indicating the market values of all investments held during the quarter. The report shall list for each investment held during the quarter: the purchase price of the investment, the par value of the investment, the market value of the investment at the beginning of the quarter, market value of the investment at the end of the quarter, and fully accrued interest for the period. The portfolio shall be marked to market monthly and market pricing information is to be obtained through the use of appropriate external third party software, third party safekeeping service, or a third party independent pricing service. This report shall be in compliance with provisions of the Public Funds Investment Act, as amended. The report shall be signed by the Assistant City Manager/Chief Financial Officer and Finance Manager, as the investment officers for the City, and state its compliance with the Public Funds Investment Act and adopted investment policy strategy. The quarterly investment reports must be reviewed annually by the City's external audit firm as a part of the City's annual audit and reported to the City Council.

Training Requirements

In accordance with the Act (2256.005 and 2256.008), the Assistant City Manager/Chief Financial Officer and Finance Manager shall attend 10 hours of investment training within 12 months of assuming duties and 10 hours not less than once in a two-year period that begins on the first day of the City's fiscal year and consists of the two consecutive fiscal years after that date. This training may be obtained from the following sources: North Central Texas Council of Governments, Government Treasurer's Organization of Texas, Government Finance Officer's of Texas, Texas Municipal League, or the University of North Texas Center for Public Management. The training must include education in investment controls, security risks, strategy risks, market risks, and any other topics as required by the Public Funds Investment Act.

GLOSSARY

AGENCIES - Federal agency securities and/or Government-sponsored entities.

BENCHMARK – A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BROKER – A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT – A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

COLLATERAL – Securities, evidence of deposit, or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

DEALER – A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DELIVERY VERSUS PAYMENT – Delivery verses payment is the delivery of a security and there is an exchange of money after the delivery of the security.

DISCOUNT SECURITIES – Non-interest bearing money market instruments that are being issued at a discount, and redeemed at maturity for full face value, e.g. Treasury Bills.

DIVERSIFICATION – Dividing instruments among securities offering independent returns.

FEDERAL CREDIT AGENCIES – Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g. savings and loans, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) – A Federal agency that insures bank deposits, currently up to \$250,000 per deposit.

FEDERAL HOME LOAN BANKS (FHLB) – Government sponsored regional wholesale banks which lend funds and provide correspondent banking services to member commercial banks, thrift institutions, credit unions and insurance companies. The mission of the FHLB is to liquefy the housing related assets of its members who must purchase stock in their district bank.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA) – FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. It is a federal corporation and the largest single provider of residential mortgage funds in the United States. FNMA's securities are highly liquid and widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA) – Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, and savings and loan associations. Security holder is backed by the full faith and credit of the US Government.

LIQUIDITY – An asset that can be converted quickly and easily to cash.

LOCAL GOVERNMENT INVESTMENT POOL – An investment by local governments in which their money is pooled as a method for managing local funds.

MARKET VALUE – The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT – A written contract covering all future transactions between the parties to repurchase – reverse repurchase agreements that establish each party's rights in the transactions. A master agreement will specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MATURITY – The date upon which the principal or stated value of an investment becomes due and payable.

MUTUAL FUND – An investment company that pools money and can invest in a variety of securities, including fixed-income securities and money market instruments. Mutual funds are regulated by the Investment Company Act of 1940 and must abide by Securities and Exchange disclosure guidelines.

PORTFOLIO – Collection of securities held by an investor.

PRIMARY DEALER – A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to informal oversight.

PRUDENT PERSON RULE – An investment standard outlining fiduciary responsibilities of public funds investors relating to investment practices.

RATE OF RETURN – The yield obtainable on a security based on its purchase price or its current market price.

REPURCHASE AGREEMENT – An agreement of one party to sell securities at a specified price to a second party and a simultaneous agreement of the first party to repurchase the securities at a specified price or at a specified later date.

REVERSE REPURCHASE AGREEMENT – An agreement of one party to sell securities at a specified price to a second party and a simultaneous agreement by the first party to resell the securities at a specified price to the second party on demand or at a specified date.

SAFEKEEPING – Holding of assets (e.g. securities) by a financial institution.

TREASURY BILLS – A non-interest bearing discount security issued by the US Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year. The yields on these bills are monitored closely for interest rate trends.

TREASURY BONDS – Long term US government debt securities with maturities of ten to thirty years.

TREASURY NOTES – Intermediate term US government debt securities with maturities of one to ten years.

YIELD – The current rate of return on an investment security generally expressed as a percentage of the securities current price.

Appendix A

CITY OF COLLEYVILLE BROKER/DEALER CERTIFICATION QUESTIONNAIRE

1. Name of Firm
2. Address
3. Telephone - National Local
4. Primary Representative / Branch Manager
5. Is your firm a primary dealer in U.S. Government securities? If so, how long?
6. Identify all personnel who will be trading or quoting securities to our City's employees.
7. Identify which personnel have read the City of Colleyville's investment policy.
8. Please indicate the current licenses of your representative(s) and attach a copy of their registration.

Representative Name(s)

License(s)

9. Have any of your public sector clients ever reported to your firm, its officers or employees, orally or in writing, that they sustained a loss (in a single year) exceeding 10 percent of original purchase price on any individual security purchased through the firm?
10. Has your firm consistently complied with Federal Reserve Bank's capital adequacy guidelines?
As of this date, does your firm comply with the guidelines?
11. By what factor does your firm presently exceed the capital adequacy guidelines?
12. Please attach a sample of any confirmations or transactions reports that the City will receive after a transaction has occurred.
13. Does your firm participate in the S.I.P.C. insurance program? If not, what is the comparable alternative?
14. What percentage of your transactions failed last month? Last year?
15. Describe the precautions taken by your firm to protect the interests of the public when dealing with governmental agencies as investors.
16. Please attach a copy of your firm's most recent audited financial statements. (Condensed statements are acceptable)

(To be completed on firm's letterhead)

**Texas Public Funds Investment Act
Certification by Business Organization**

This certification is executed on behalf of the City of Colleyville, Texas ("the Investor"), and (name of firm) ("the Business Organization") pursuant to the Public Funds Investment Act, Chapter 2256, Texas Government Code, (the Act) in connection with investment transactions conducted between the Investor and the Business Organization.

The undersigned Qualified Representative of the Business Organization hereby certifies on behalf of the Business Organization that:

1. The undersigned is a Qualified Representative of the Business Organization offering to enter an investment transaction with the Investor and is duly authorized to execute this Certification on behalf of the Business Organization (Note: as such terms are used in the Public Funds Investment Act, chapter 2256, Texas Government Code); and
2. The Qualified Representative of the Business Organization has received and reviewed the Investment Policy furnished by the Investor; and
3. The Qualified Representative of the Business Organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the Business Organization and the Investor that are not authorized by the Investor's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the Investor's entire portfolio or requires an interpretation of subjective investment standards.

Qualified Representative of the Business Organization

Signature

Name (Printed)

Title

Date



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 5f
Type Resolution
Department City Secretary

Agenda Date 09/03/2013

Number Resolution R-13-3662

Title

Approval of the Colleyville Economic Development Corporation Bylaws

Explanation

Reading and Public Hearing

The Colleyville Economic Development Corporation Board of Directors approved the attached amended Bylaws at the August 27, 2013 meeting. The amendments were primarily considered to reflect current City policy and procedure, branding (font and formatting), and punctuation and grammar.

The Articles of Incorporation of the CEDC, Article Nine state: *The initial bylaws of the Corporation shall be in the form and substance approved by the City Council in its Resolution R-96-1238 approving these Articles. Such bylaws shall be adopted by the Corporation's board and shall, together with these Articles, govern the internal affairs of the Corporation until and unless amended in accordance with these Articles. Neither the initial bylaws nor any subsequently effective bylaws of the Corporation may be amended without the consent and approval of the City Council. The Board shall make application to the City Council for the approval of any proposed amendments, but the same shall not become effective until or unless the same shall be approved by resolution adopted by the City Council.*

The amendment highlights are as follows:

Article II Board of Directors: Section 1. Number and Term of Office: added as item D. ***A President and Vice President shall be elected by the Board and shall serve a term of one (1) year. The President and Vice President shall continue to serve until their successors are appointed.*** The above was removed from Article II, Section 1.

Section 3. Meetings of Directors: added the following paragraph: ***Meeting agenda packets will be available to the public on the City's website, and will be distributed to each member 72 hours prior to a meeting.***

Section 6. Committees of the Board: added ***Notice of all committee meetings shall be provided and set forth in accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Local Government Code.***

Article IV Functional Corporate Duties and Requirements: Section 4. added *The*

*required annual report shall be forwarded to the City Council no later than February 1 of each year, **after the close of the fiscal year**, in the **Reports** section of the City Council agenda.*

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. CEDC Bylaws

**BYLAWS
OF THE
COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION**

**ARTICLE I.
PURPOSE AND POWERS**

SECTION 1. REGISTERED OFFICE AND REGISTERED AGENT.

The COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION (the "Corporation") shall have and continuously maintain in the State of Texas a registered office, and a registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act and state law. The Registered Agent for the Corporation shall be the City Secretary, subject that the Board of Directors (the "Board") from time to time, may change the registered agent and/or the address of the registered office, subject to City Council approval, provided that such change is appropriately reflected in these Bylaws and in the Articles of Incorporation (the "Articles").

The registered office of the Corporation is located at 100 Main Street, Colleyville, Tarrant County, Texas 76034, and at such address is the Corporation, whose mailing address is 100 Main Street, Colleyville, Texas 76034-0185. Said address shall also serve as the principal office of the Corporation and Board.

SECTION 2. PURPOSE.

The Corporation is incorporated as a non-profit corporation for the purposes set forth in the Articles. The same to be accomplished on behalf of the City of Colleyville, Texas (the "City"), as its duly constituted authority, and instrumentality in accordance with the Texas Development Corporation Act of 1979, Article 5190.6, Section 4B Tex. Rev. Civ. Stat. Ann., as amended, (the "Act"), other applicable laws, and by Resolution R-96-1238 adopted by the City Council of the City on the third day of September, 1996, including all permissible projects prescribed by the Act, and for maintenance and operating costs of the publicly owned and operated projects. The Corporation shall be a non-profit corporation as defined by the Internal Revenue Code 1986, as amended, and the applicable regulations of the United States Treasury Department and the rulings of the Internal Revenue Service of the United States prescribed and promulgated thereunder.

SECTION 3. POWERS.

In the fulfillment of its corporate purpose, the Corporation shall be governed by the Act, and shall have all of the powers set forth and conferred in Section 4B of the Act, and in other applicable laws, subject to the limitations prescribed therein and herein, and to the provisions thereof and hereof.

**ARTICLE II.
BOARD OF DIRECTORS**

SECTION 1. NUMBER AND TERM OF OFFICE.

- A. The property and affairs of the Corporation shall be managed and controlled by a Board and, subject to the restrictions imposed by law, by the Articles, and these Bylaws, the Board shall exercise all of the powers of the Corporation.
- B. The Board shall consist of seven (7) directors, each of whom shall be appointed by the City Council. Each of the directors shall be a resident of the City.
- C. Four (4) members of the first Board shall serve terms of one (1) year and three (3) members shall serve terms of two (2) years. The respective terms of the initial directors shall be determined by the City Council. Thereafter, each successive member of the Board shall be appointed and serve for two (2) years or until a successor is appointed as hereinafter provided. Three (3) directors shall be persons who are not employees, officers of the City, or members of the City Council.
- D. A President and Vice President shall be elected by the Board and shall serve a term of one (1) year. The President and Vice President shall continue to serve until their successors are appointed, as provided in Article II, Section 1.
- E. Any director may be removed from office by the City Council at will. A vacancy of any director's position, which occurs by reason of death, resignation, disqualification, removal, or otherwise, shall be filled by the City Council.

SECTION 2. VACANCIES AND RESIGNATIONS.

A vacancy in any position of director, which occurs by reason of death, resignation, disqualification, removal, or otherwise, shall be filled as prescribed in Article II, Section 1. A vacancy in the office of President or Vice President which occurs by reason of death, resignation, disqualification, removal, or otherwise, shall be filled by election by the Board, from the remaining directors, for the unexpired portion of the term of that office.

Any director may resign at any time. Such resignation shall be made in writing, addressed to the Mayor and the City Secretary, and shall take effect at the time specified therein, or if no time is specified, at the time of its receipt by the City Secretary.

SECTION 3. MEETINGS OF DIRECTORS.

For meetings of the Board, notice thereof shall be provided and set forth in accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Local Government Code. Any member of the Board, officers of the Corporation, or Mayor, may have an item placed on the agenda by delivering the same in writing to the Secretary of the Board no less than three (3) calendar days prior to the date of the Board meeting. Each agenda of a Board meeting shall contain an item, titled "Citizen Comments/Presentations Regarding Items Not On The Agenda"; to allow public comment to be made by the general public concerning Board related matters. However, no official or formal action or vote may be taken on any comment made by citizens during Citizens Comments.

The annual meeting of the Board shall be on the fourth Tuesday in August of each year. The Board shall hold regular, worksession, and special meetings, in the corporate limits of the City, at such place or places as the Board may from time to time determine, and in conformance with the Texas Open Meetings Act.

Meeting agenda packets will be available to the public on the City's website, and will be distributed to each member 72 hours prior to a meeting.

SECTION 4. QUORUM.

A quorum is a majority of the Board (being not less than four (4) members), and shall be present for the conduct of the official business of the Corporation. The act of four (4) or more directors at a meeting at which a quorum is in attendance shall constitute the act of the Board and of the Corporation, unless the act of a greater number is required by these Bylaws, policies/procedures of the Board, City Council resolution/ordinance, or state law.

SECTION 5. CONDUCT OF BUSINESS.

- A. At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with the rules of procedure as from time to time prescribed by the Board. Unless otherwise adopted by the Board, the rules of procedures of the City Council shall be the rules of procedures for the Board.
- B. At all meetings of the Board, the President shall preside, and in the absence of the President, the Vice President shall exercise the powers of the President.
- C. The President, or in the absence of the President, the presiding officer, may recognize individuals wishing to speak regarding an item on the agenda.

- D. The Secretary of the Corporation shall act as Secretary of all meetings of the Corporation, but in the absence of the Secretary, the presiding officer may appoint any person to act as Secretary of the meeting. The Secretary shall keep minutes of the transactions of the Board and committee meetings and shall cause such official minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

SECTION 6. COMMITTEES OF THE BOARD.

An official committee of the Board shall consist of two (2) or more directors. It is provided, however, that all final official actions of the Corporation may be exercised only by the Board. Notice of all committee meetings shall be provided and set forth in accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Local Government Code. Each committee shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

SECTION 7. COMPENSATION OF DIRECTORS.

The directors, including the President and Vice President, shall not receive any salary or compensation for their services. However, directors may be reimbursed for their actual expenses incurred in the performance of their duties hereunder, including, but not limited to the cost of travel, lodging, and incidental expenses reasonably related to the corporate duties of the Board. Travel expenses incurred by directors for both regular and special meetings are not eligible for reimbursement.

ARTICLE III. OFFICERS AND DIRECTORS POWERS AND DUTIES

SECTION 1. PRESIDENT.

The President shall be the chief executive officer of the Corporation, and shall preside at all meetings of the Board, and absent any different designation by a majority of the Board, shall sign and execute all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, and notes in the name of the Corporation. In addition, the President shall:

- A. call both regular and special meetings of the Board and establish the agenda for such;
- B. shall endorse and countersign, on behalf of the Corporation, for collection or issuance, checks, notes and other obligations in or drawn upon such bank or

banks or depositories as shall be designated by the City Council consistent with these Bylaws;

- C. have the authority to appoint standing or study committees to aid and assist the Board in its business undertaking or other matters incidental to the operation and functions of the Board;
- D. perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board, subject to approval by the City Council;
- E. appear before the City Council on a periodic basis to give a report on the status of activities of the Corporation; and
- F. appear before the City Council, or be represented by his designee, regarding any item being considered by the City Council concerning the Corporation.

SECTION 2. VICE PRESIDENT.

The Vice President shall exercise the powers of the President during that officer's absence or inability to act. The Vice President shall also perform other duties as from time to time may be assigned by the President or the Board.

SECTION 3. ATTENDANCE.

Directors must be present in order to vote at any meeting. Regular attendance at the Board meetings is required of all directors. Three (3) consecutive unexcused absences from meetings of the Board shall cause the position to be considered vacant and constitutes the replacement of the director.

In addition, the position of any director who has four (4) unexcused absences in a twelve (12) month period shall also be considered vacant.

SECTION 4. CONFLICT OF INTEREST.

In the event a director is aware that he, or another director, has a conflict of interest or potential conflict of interest, with regard to any particular matter or vote coming before the Board, the director shall bring the same to the attention of the Board and the director(s) shall abstain from discussion and voting thereof. Failure to conform to these requirements herein and policies as may be adopted by the Board is cause for dismissal from the Board by action of the City Council.

SECTION 5. IMPLIED DUTIES.

The Corporation is authorized to do that which the Board deems desirable, subject to City Council approval, to accomplish any of the purposes or duties set out or alluded to in the Articles, these Bylaws, and in accordance with state law.

SECTION 6. BOARD'S RELATIONSHIP WITH THE CITY.

In accordance with state law, the Board shall be responsible for the proper discharge of its duties assigned herein. The Board shall determine its policies and directives within the limitations of the duties herein imposed by applicable laws, the Articles, these Bylaws, contracts entered into with the City, and budget and fiduciary responsibilities. Any request for services made to the departments of the City shall be made by the Board or its designee in writing to the City Manager. The City Manager may approve such request for assistance from the Board when he finds such requested services are available within the City and that the Board has agreed to reimburse the City for the cost of such services so provided, as provided in Article III, Section 7 of these Bylaws.

SECTION 7. CONTRACTS FOR SERVICE.

The Corporation may, with approval of the City Council, contract with any qualified and appropriate person, association, corporation, or governmental entity to perform and discharge designated tasks, which will aid or assist the Board in the performance of its duties. However, no such contract shall ever be approved or entered into which seeks or attempts to divest the Board of its discretion and policy - making functions in discharging the duties herein set forth. An administrative services contract shall be executed between the Board and the City Council for the services provided by the General Manager, Finance Manager, Secretary, and other City services/functions and compensated as provided for herein.

Subject to the authority of the City Manager under the Charter of the City, the Corporation shall have the right to utilize the services of the staff and employees of the City, provided (i) that the City Manager approves of the utilization of such services, (ii) that the Corporation shall pay, as approved by the City Manager, reasonable compensation to the City for such services, and (iii) the performance of such services does not materially interfere with the other duties of such personnel of the City. Utilization of the aforesaid City staff shall be solely by a contract approved by the City Council.

ARTICLE IV.
FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

SECTION 1. GENERAL MANAGER.

The General Manager shall be an employee of the City. The General Manager shall be the chief administrative officer of the Corporation and be in general charge of the properties and affairs of the Corporation, shall administer all work orders, requisitions for payment, purchase orders, contract administration/oversight, and other instruments or activities as prescribed by the Board in the name of the Corporation.

SECTION 2. FINANCE MANAGER.

The Finance Manager shall be an employee of the City. The Finance Manager shall have the responsibility to see to the handling, custody, and security of all funds and securities of the Corporation. When necessary or proper, the Finance Manager shall endorse and sign, on behalf of the Corporation, for collection or issuance, checks, notes, and other obligations drawn upon such bank or banks, or depositories as shall be designated by the City Council consistent with these Bylaws. The Finance Manager shall see to the entry in the books of the Corporation of full and accurate accounts of all monies received and paid out on account of the Corporation. The Finance Manager shall, at the expense of the Corporation, give such bond for the faithful discharge of the duties in such form and amount as the City Council shall require, by resolution. The Finance Manager shall provide financial reports to the Board and to the City Council concerning activities of the Corporation in a format consistent with other financial reports of the City and on a periodic basis as shall be directed by the Board or the City Council.

SECTION 3. SECRETARY.

The Secretary shall be an employee of the City. The Secretary shall keep the minutes of all meetings of the Board and committees in books provided for that purpose, shall give and serve all notices, shall sign with the President in the name of the Corporation, and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation, shall have charge of the corporate books, records, documents and instruments except the books of account and financial records and securities, and such other books and papers as the Board may direct, all of which shall at all reasonable times be open to public inspection upon application at the office of the Corporation during business hours, and shall in general perform all duties incident to the office of Secretary subject to the control of the Board.

SECTION 4. DUTIES OF THE BOARD.

The Board shall develop a combined Economic Development Capital Improvement Program, ("the EDCIP"), including maintenance and operation costs thereof, for the City, which shall include and set forth short and long term goals. Such plan shall be approved by the City Council. The EDCIP developed by the Board shall be one that addresses development needs of the City within the financial constraints of revenues available to the Corporation. The Board shall conduct a public hearing concerning both the adoption and required annual updates to the EDCIP. A legal notice shall be advertised as determined by the Board, at least three (3) days, prior to the scheduled public hearing.

The Board shall review and update the EDCIP once a year to ensure the plan is up to date with current community needs and is capable of meeting community development needs of the City and consistent with the Act. The Board shall expend, in accordance with state law and subject to City Council approval, the funds received by it for projects defined in the Act where such expenditures will have a benefit to the residents of the City. The Board shall make an annual report to the City Council including, but not limited to the following:

- A. A review of the accomplishments of the Corporation for the preceding year; and
- B. The activities of the Corporation for the budget year addressed in the annual report.

The required annual report shall be forwarded to the City Council no later than February 1 of each year, after the close of the fiscal year, in the Reports section of the City Council agenda.

The Board shall be accountable to the City Council for all activities undertaken by it or on its behalf, and shall report on all activities of the Board, whether discharged directly by the Board or by any person, firm, corporation, agency, association, or other entity on behalf of the Board.

SECTION 5. COMPONENTS OF THE EDCIP.

The Board shall submit to the City Council for its approval, the EDCIP, which shall identify the projects to be undertaken by the Corporation and include proposed methods and the expected costs of implementation, and cost of operations and maintenance of the projects.

SECTION 6. ANNUAL CORPORATE BUDGET.

Annually, the Board shall prepare and adopt a proposed budget of expected revenues and proposed expenditures for each fiscal year. The fiscal year of the corporation shall commence on October 1 of each year and end on September 30. The budget proposed for adoption shall include the projected operating expenses, and such other budgetary information as shall be required by the City Council for its approval and adoption. The budget shall be considered adopted upon formal approval by the City Council.

SECTION 7. FINANCIAL BOOKS, RECORDS, AUDITS.

The Finance Manager shall keep and properly maintain, in accordance with generally accepted accounting principles, complete financial books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs.

The City shall cause the Corporation's financial books, records, accounts, and financial statements to be audited at least once each fiscal year by an outside, independent, auditing and accounting firm selected by the City Council. Such audit shall be at the expense of the Corporation.

SECTION 8. DEBT, DEPOSIT, AND INVESTMENT OF CORPORATE FUNDS.

All proceeds from the issuance of bonds, notes, or other debt instruments (the "Bonds") issued by the Corporation shall be deposited and invested as provided in the resolution, order, indenture, or other documents authorizing or relating to their execution or issuance, but no bonds shall be issued, including refunding bonds, by the Corporation without the approval of the City Council.

All monies of the Corporation shall be deposited, secured, and/or invested in the manner provided for the deposit, security, and/or investment of the public funds of the City and in accordance with investment policies adopted by the City Council. The Finance Manager shall designate the accounts and depositories to be created and designated for such purposes, and the methods of withdrawal of funds there from for use by and for the purposes of the Corporation upon the signature of the Corporation's Finance Manager, General Manager, and/or the Secretary. The accounts, reconciliation, and investment of such funds and accounts shall be performed by the Finance Department of the City.

SECTION 9. EXPENDITURES OF CORPORATE MONEY.

The monies of the Corporation, including sales and use taxes collected pursuant to the Act, the proceeds from the investment of funds of the Corporation, the proceeds from the sale of property, monies derived from the repayment of loans, rents received from

the lease or use of property, the proceeds derived from the sale of bonds, and other proceeds may be expended by the Corporation for any of the purposes authorized by the Act, subject to the following limitations:

- A. Expenditures from the proceeds of bonds shall be identified and described in the orders, resolutions, indentures, or other agreements submitted to and approved by the City Council.
- B. Expenditures that may be made from a fund created from the proceeds of bonds, and expenditures of monies derived from sources other than the proceeds of bonds may be used for the purposes of financing or otherwise providing one or more projects, as defined in the Act.
- C. All other proposed expenditures shall be made in accordance with and shall be set forth in the annual budget required by these Bylaws or in contracts meeting the requirements of the Article.

No bonds, including refunding bonds, shall be authorized or sold and delivered by the Corporation without the approval of the City Council.

SECTION 10. CONTRACTS.

As provided herein, the President and Secretary shall enter into any contracts or other instruments, which the Board has approved and authorized in the name and on behalf of the Corporation. Such authority may be confined to specific instances or defined in general terms. When appropriate, the Board may grant a specific or general power of attorney to carry out some action on behalf of the Board, provided, however, that no such power of attorney may be granted unless an appropriate resolution of the Board authorizes the same to be done.

ARTICLE V. MISCELLANEOUS PROVISIONS

SECTION 1. SEAL.

The Board may obtain a corporate seal, which shall bear the words "Corporate Seal of the Colleyville Economic Development Corporation," and the Board may thereafter use the corporate seal and corporate name; but these Bylaws shall not be construed to require the use of the corporate seal.

SECTION 2. APPROVAL OR ADVICE AND CONSENT OF THE CITY COUNCIL.

To the extent that these Bylaws refer to any action, approval, advice, or consent by the City or refer to action, approval, advice or consent by the City Council, such

action, approval, advice or consent shall be evidenced by a motion, resolution or ordinance duly passed by the City Council and reflected in the minutes of the City Council.

SECTION 3. INDEMNIFICATION OF DIRECTORS, OFFICERS AND EMPLOYEES.

As provided in the Act and in the Articles of Incorporation, the Corporation is, for the purposes of the Texas Tort Claims Act (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.

The Corporation shall indemnify each and every member of the Board, its officers and its employees, and each member of the City Council and each employee of the City, to the fullest extent permitted by law against any and all liability or expense, including attorneys fees, incurred by any of such persons by reason of any actions or omissions that may arise out of the functions and activities of the Corporation. This indemnity shall apply even if one or more of those to be indemnified was negligent or caused or contributed to cause any loss, claim, action or suit. Specifically, it is the intent of these Bylaws and the Corporation to require the Corporation to indemnify those named for indemnification, even for the consequences of the negligence of those to be indemnified which caused or contributed to cause any liability.

The Corporation must purchase and maintain insurance on behalf of any director, officer, employee, or agent of the Corporation, or on behalf of any person serving at the request of the Corporation as a Board member, officer, employee, or agent of another corporation, partnership, joint venture, trust, or other enterprise, against any liability asserted against that person and incurred by that person in any such capacity or arising out of any such status with regard to the Corporation, whether or not the Corporation has the power to indemnify that person against liability for any of those acts.

SECTION 4. GIFTS.

The Board may accept on behalf of the Corporation any contribution, gift, bequest, or device for the general purpose or for any special purposes of the Corporation.

SECTION 5. CODE OF ETHICS.

Each director, including the President and Vice President, its officers, employees, and agents shall abide by and be subject to the City's code of ethics. The code of ethics shall be applicable to independent contractors of the Corporation, except to the extent that such independent contractor is not performing work on behalf of the Corporation.

SECTION 6. AMENDMENTS TO BYLAWS.

These Bylaws may be amended or repealed and new Bylaws may be adopted by an affirmative vote of four (4) of the authorized directors serving on the Board, subject to approval by the City Council. The City Council may amend these Bylaws at any time. Such amendments by the City Council will be duly passed and adopted by motion, resolution or ordinance duly reflected in the minutes of the City Council and, thereafter, duly noted to the Board.

SECTION 7. DISSOLUTION OF THE CORPORATION.

Upon dissolution of the Corporation, titles to, or other interest in, any real or personal property owned by the Corporation at such time shall vest in the City of Colleyville.

SECTION 8. APPLICABILITY OF CITY CHARTER, POLICIES, AND PROCEDURES.

The City Charter and all duly approved City policies and procedures shall apply directly to the Corporation and the Board unless such charters, policies, or procedures are superseded by state law or not related to the functions of the Board. The Board has the prerogative, subject to approval by the City Council, to adopt other policies and procedures in addition to, or in place of, those of the City.

SECTION 9. EFFECTIVE DATE.

These Bylaws, having been approved by Resolution R-96-1238, adopted on the third day of September 1996, shall become effective upon the approval of such by the Board.



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 6a

Agenda Date 09/03/2013

Number Ordinance O-13-1881

Type Ordinance

Department Community Development

Title

Request for approval of a Special Use Permit for alcoholic beverage sales for off-premises consumption on Lot 7A, Block 2, Village Park Addition located at 4801 Colleyville Boulevard. Approval of a Special Use Permit for alcoholic beverage sales for on-premises consumption on Lots 1R1, 4, 5A, 6A, 7A, and 9R, Block 2, Village Park Addition located at 4701, 4709, 4717, 4725, 4801, and 4843 Colleyville Boulevard, Case ZC13-009

Explanation

First Reading and Public Hearing

AC Village Park Partners, LLC, has submitted a Special Use Permit (SUP) application to allow the sale of alcoholic beverages for off-premises consumption and a blanket provision for the sale of alcoholic beverages for on-premises consumption in the existing Village Park Shopping Center located between Colleyville Boulevard (SH26), Glade Road, Glade Creek Drive, and Centerpark Drive.

The applicant is the owner of the shopping center, which includes 195,865 square feet of existing retail space. The applicant plans to locate a Whole Foods Market in the vacant anchor tenant space located at 4801 Colleyville Boulevard. The applicant also plans to locate several restaurants in the shopping center. In conjunction with the proposed new tenants, the applicant plans to remodel the shopping center including the installation of a new front façade for the entire length of the shopping center.

Existing Zoning and Development Conditions. The subject properties are zoned CC2-Shopping Center zoning district. The sale of alcoholic beverages for on and off-premises consumption is allowed in the CC2-Shopping Center district with the approval of a SUP.

The only existing SUP for alcoholic beverage sales in the shopping center applies to the Goody Goody Liquor package store located at 4701 Colleyville Boulevard, approved by Ordinance O-10-1780. Ordinance O-10-1780 would not be affected by the applicant's proposal. The subject properties are currently developed as follows:

4701 Colleyville Boulevard – 88,029 square feet of existing contiguous multi-tenant shopping center space

4709 Colleyville Boulevard – 24,400 square feet of existing contiguous multi-tenant shopping center space

4717 Colleyville Boulevard – 4,080 square feet of retail pad space

4725 Colleyville Boulevard – 2,137 square feet of retail pad space

4801 Colleyville Boulevard – 60,673 square feet of existing contiguous multi-tenant shopping center space

4843 Colleyville Boulevard – 16,546 square feet of existing contiguous multi-tenant shopping center space

Applicant's Request. The applicant is requesting a “restaurant overlay district” for all of the subject properties whereby the sale of alcoholic beverages for on-premises consumption would be allowed under a blanket provision with no time limit or ownership conditions. The applicant states that they “are working with a number of restaurant operators whose businesses involve the sale of alcoholic beverages for on-premises consumption”. “In addition, Whole Foods Market is planning to introduce a restaurant concept within its store, and expects to sell alcoholic beverages for on-premises consumption.”

The applicant also proposes to allow the sale of alcoholic beverages for off-premises consumption for the Whole Foods Market only, to be located at 4801 Colleyville Boulevard. The off-premises sales would include beer and wine only. The sale of liquor for off-premises consumption would not be permitted in the proposed Whole Foods Market.

Hours of Operation for Alcohol Sales for On-Premises Consumption. The applicant requests that no restrictions be placed on hours of operation for the SUP for on-premises alcohol consumption. As such, the restrictions on the hours of operation for any restaurant that sells alcohol for on-premises consumption authorized by the proposed SUP would be subject to the restrictions for hours of operation listed in the Texas Alcoholic Beverage Code, which are as follows:

Monday through Saturday: 7:00 a.m. to 2:00 a.m. the following day

Sunday: 10:00 a.m. to 2:00 a.m. the following day

Landscaping. With the exception of 4701 Colleyville Boulevard, the subject properties are currently not in compliance with Chapter 4-Landscaping and Buffering in the Land Development Code. Staff recommends that all of the subject properties be brought into compliance as a condition of approval for the SUP. This includes providing landscaped islands within the parking lots and providing the requisite number of trees and shrubs based on the linear frontage of the shopping center adjacent to Centerpark Drive,

Colleyville Boulevard, and Glade Road. This provision is contained in the proposed ordinance.

Dumpster Screening. Staff recommends that all dumpsters be screened per the requirements of the Land Development Code prior to the issuance of the certificate of occupancy for any business selling alcoholic beverages per the provisions of the proposed ordinance.

Building Design and Construction. The applicant has provided proposed front building elevations (attached) for the entire length of the shopping center as seen from Colleyville Boulevard. According to Chapter 6-Building Design of the Land Development Code, all commercial buildings are required to meet a minimum design score of 30. Based upon staff's analysis, the elevations, as presented, contain an approximate design score of 30. Staff recommends the building elevations meet all requirements of Chapter 6-Building Design of the Land Development Code prior to the issuance of the certificate of occupancy for any business selling alcoholic beverages per the provisions of the proposed ordinance.

Signage. The applicant is proposing to construct a landmark sign per the attached exhibit. The new sign would be located close to Colleyville Boulevard at 4801 Colleyville Boulevard. The applicant also proposes to alter the existing landmark sign at 4701 Colleyville Boulevard (approved by Ordinance O-10-1780) such that it matches the sign in the attached exhibit.

Section 7-155(B) of the Sign Regulations in the Land Development Code states that landmark signs are only allowed with City Council approval. The purpose of a landmark sign is to identify a major shopping center and the name of a business, profession, service, product, or activity conducted, sold, or offered within a shopping center. A landmark sign is a free standing four-sided (unless approved otherwise) sign that provides an effective area for multi-tenant advertisement and is only allowed within major shopping centers containing more than 100,000 square feet.

The applicant is also allowed to place one monument sign per lot, per the provisions of Chapter 7-Sign Regulations in the Land Development Code. As such, the applicant would be allowed to place one monument sign along Centerpark Drive, four monument signs along Colleyville Boulevard (SH26), and one monument sign along Glade Road. Wall signs are also allowed above each individual tenant space.

The landmark sign provisions noted above have been added to the proposed ordinance.

Parking. The Land Development Code requires one (1) parking space per 200 square feet of gross floor area for general retail uses such as a shopping center. The applicant is requesting a parking waiver such that the total spaces required are calculated at 4.5

spaces per 1,000 feet of gross floor area. This equates to one space per each 222.22 square feet of gross floor area.

There are currently 883 existing parking spaces on the subject properties. This does not account for any spaces that may be removed as a result of installing the required parking lot landscaping, mentioned above, or the proposed electrical charging stations mentioned in the Statement of Planning Objectives. Based on the existing gross floor area of 195,865 square feet for the entire shopping center, 979 total parking spaces are required under the existing City parking requirements. Based on the applicant's proposed calculation method, 881 spaces are required. There is additional space available behind the shopping center to add more required parking if necessary.

As mentioned above, the applicant plans to install two electrical car charging stations on the subject property. The applicant states that the stations will allow for the charging of electrically powered automobiles. However, the applicant has not yet determined a final location for the stations and they "are simply asking for the allowance of the land use in conjunction with this SUP request".

The parking waiver requested by the applicant and the use of two electrical car charging stations has been added to the proposed ordinance.

Required Distance Measurements and Findings. Section Six-Alcoholic Beverage Regulations of the Code of Ordinances requires a minimum distance of 300 feet from any establishment that sells alcoholic beverages and a church, public or private school, or hospital. The measurement distance must be calculated from closest front door to closest front door for churches and hospitals and from closest property line to closest property line for public or private schools.

There is an existing private school located behind the subject properties called the "Colleyville Montessori School". Per the attached map exhibit, the property lines for 4701, 4709, and 4801 Colleyville Boulevard are within the 300 foot separation required for the Montessori School. As such, a waiver will be required in order to approve the SUP. This waiver has been added to the proposed ordinance.

Surrounding Properties. Properties to the east are zoned CC2-Shopping Center District, and R-MF-Multifamily Residential district and are developed as offices, a private school, and single family detached residences. Properties to the south are zoned PUD-R-Planned Unit Development Residential district and developed as single family detached residences. Properties to the west and north are zoned CC1-Village Retail and CC2-Shopping Center district and developed as retail and office uses.

Master Plan. The Colleyville Master Plan designates this property for future retail uses. The proposed use of the property complies with the plan, with the approval of a SUP.

Public Notification. Staff notified 110 property owners within 500 feet of the subject

properties regarding this request as well as all homeowner's associations within 500 feet. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. Staff has not received any correspondence regarding this request.

Planning and Zoning Commission Recommendation. The Planning and Zoning Commission recommended approval of this item by a vote of (7-0) at the August 26, 2013 meeting.

Summary. Although there are several waivers being requested as part of this proposal, staff agrees that the waivers will have little to no impact above and beyond what is already in place with regard to the shopping center. Staff also agrees that the proposed tenant additions to the shopping center, along with the proposed improvements to the buildings and site, are consistent with the strategic goals of the City, as they relate to economic development and community sustainability.

Financial Impact

There is no financial impact to the City.

Recommendation

Approval with the following conditions:

1. GENERAL

a. The Special Use Permit shall apply to the sale of alcoholic beverages for on-premises consumption and off-premises consumption.

b. The sale of alcoholic beverages for on-premises consumption may apply to any restaurant located on the subject properties provided that the restaurant is in compliance with the City's alcoholic beverage regulations. The expiration and revocation provisions for Special Use Permits in the Land Development Code are hereby waived for any restaurant that serves alcoholic beverages for on-premises consumption as authorized by this ordinance.

c. The sale of alcoholic beverages for off-premises consumption shall only include beer and wine sales and shall only apply to the Whole Foods Market located at 4801 Colleyville Boulevard. The provision for off-premises sales of alcoholic beverages shall automatically expire upon the abandonment of the business, change in the use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.

d. A variance to the 300 foot distance requirement to churches, public or private schools, or public hospitals is hereby granted by this ordinance.

e. All requirements of the Land Development Code and the Code of Ordinances shall be met, except where amended herein.

2. LANDSCAPING AND SCREENING

a. Prior to the issuance of any Certificate of Occupancy for any business authorized to sell alcoholic beverages per the provisions of this ordinance, all landscaping on the subject properties shall meet the requirements of Chapter 4-Landscaping and Buffering in the Land Development Code.

b. Prior to the issuance of any Certificate of Occupancy for any business authorized to sell alcoholic beverages per the provisions of this ordinance, all dumpsters on the subject properties shall be enclosed and screened per the requirements of Section 3.26 in the Land Development Code.

3. BUILDING DESIGN, SIGNAGE, AND PARKING

a. Prior to the issuance of any Certificate of Occupancy for any business authorized to sell alcoholic beverages per the provisions of this ordinance, the front façade of the shopping center shall meet the minimum requirements of Chapter 6-Building Design in the Land Development Code. The front façade shall be generally consistent with Exhibit "C".

b. Prior to the issuance of any Certificate of Occupancy for any business authorized to sell alcoholic beverages per the provisions of this ordinance, not more than two landmark signs, as described in Chapter 7-Sign Regulations in the Land Development Code, shall be placed on the subject properties. The signs shall be generally consistent with Exhibit "D". The existing landmark sign located at 4701 Colleyville Boulevard and authorized by Ordinance O-10-1780 shall meet the standards shown in Exhibit "D".

c. Required parking space calculations for the subject properties may be calculated at 4.5 parking spaces per 1,000 feet of gross floor area.

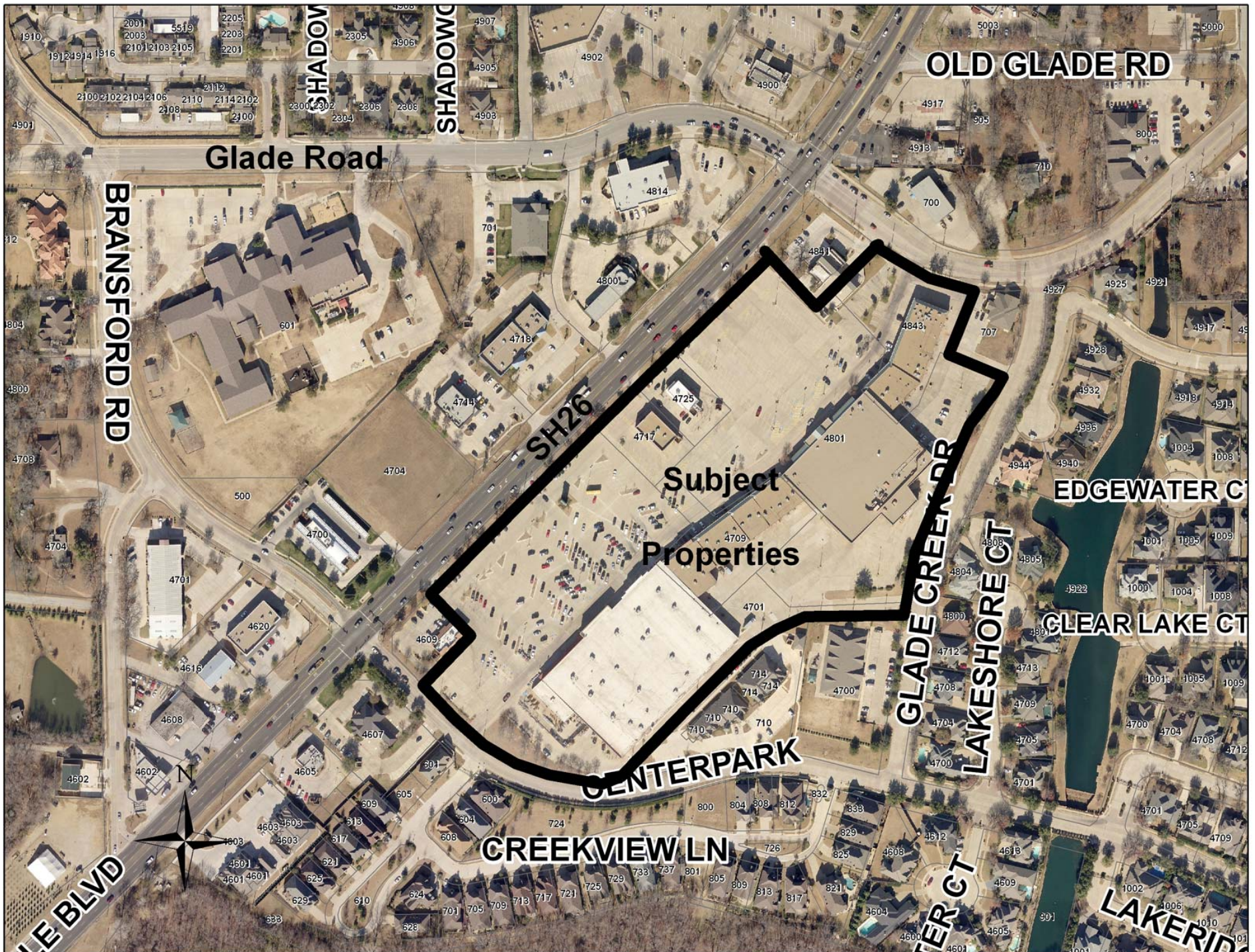
d. No more than two electrical charging stations shall be allowed on the subject properties in conjunction with this Special Use Permit.

Attachments

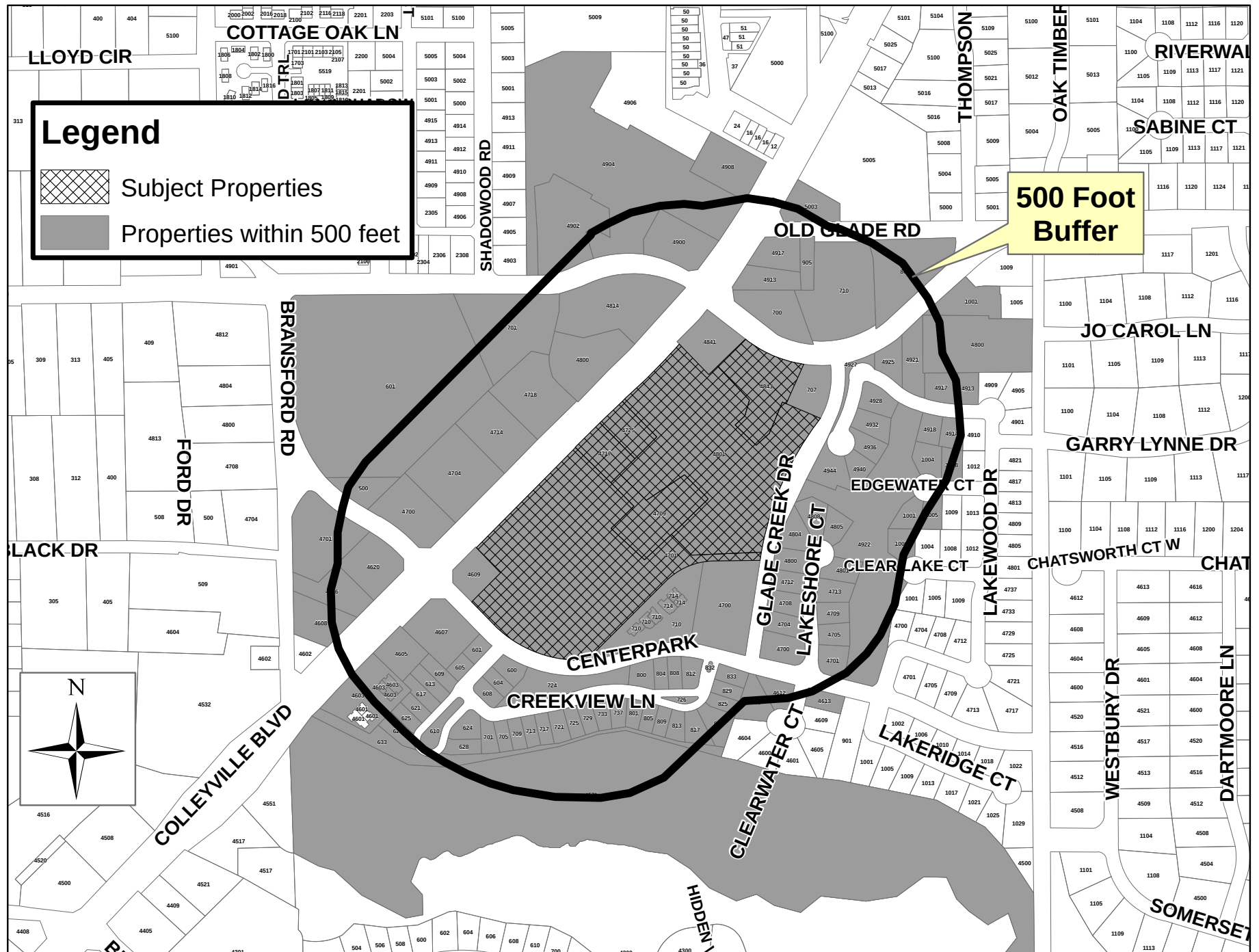
1. Location and Zoning Map
2. Aerial
3. Buffer Map
4. Notification List
5. Statement of Planning Objectives
6. Proposed Alcohol Sales Site Exhibit
7. Proposed Front Elevations for Shopping Center
8. Landmark Sign Exhibits
9. Landmark Sign Location Exhibit
10. 300 Foot School Separation Map for Alcoholic Beverage Sales
11. Ordinance O-10-1870
12. Ordinance O-13-1881

The map displays a residential area with various zoning districts and property boundaries. The central area, outlined in black, is labeled "Subject Properties" and is primarily zoned CC-2. Surrounding areas include R-MF (Residential Medium Density), CC-1 (Community Center), CC-2 (Community Center), SH26 (Single-House Two-Story), PUD-R (Planned Unit Development Residential), R-20 (Residential Single-Family), R-40 (Residential Single-Family), and R-20 (Residential Single-Family). The map also shows numerous individual lots with their respective lot numbers. Major roads include Glade Road, Bransford Rd, Glade Creek Dr, Lakeshore Ct, and Centerpark. A north arrow is located in the bottom left corner.

Aerial



Buffer Map



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
1 Chronicles 29:10-20 Llc	6620 Cedar Grove Dr	North Richland Hills	Texas	76182	714 Centerpark
Ac Village Park Partners Llc	8235 Douglas Ave Ste 655	Dallas	Texas	75225	4701 Colleyville Blvd
Alavi, Kambiz Etux Homa	5009 Westgrove Ln	Colleyville	Texas	76034	4709 Lakeshore Ct
Cambridge Homes Inc	5601 Democracy Dr Ste 190	Plano	Texas	75024	800 Creekview Ln
Ayia Properties Llc	1905 Central Dr Ste 205	Bedford	Texas	76034	714 Centerpark
Bennett, James Etux Joann	4917 Lakewood Dr	Colleyville	Texas	76034	4917 Lakewood Dr
Benton, Richard B Etux Susan N	4705 Lakeshore Ct	Colleyville	Texas	76034	4705 Lakeshore Ct
Betty B Pannell Rev Liv Tr	PO Box 815	Colleyville	Texas	76034	710 Centerpark
Blockbuster Investment Ltd	2317 Clearview Ct	Lewisville	Texas	75057	4608 Colleyville Blvd
Boney, Michael	4925 Lakewood Dr	Colleyville	Texas	76034	4925 Lakewood Dr
Bowden, William Etux Sharon	4928 Lakewood Dr	Colleyville	Texas	76034	4928 Lakewood Dr
Cambridge Homes Inc	5601 Democracy Dr Ste 190	Plano	Texas	75024	605 Creekview Ln
Centerpark Colleyville Prtnrs	3008 E Hebron Pkwy Bldg 300	Carrollton	Texas	75010	4712 COLLEYVILLE BLVD
Chandler, Raman	PO Box 611	Colleyville	Texas	76034	4501 COLLEYVILLE BLVD
Chonody, Andrew Etux Sandra	829 Creekview Ln	Colleyville	Texas	76034	829 Creekview Ln
Colleyville Blvd Condo Assoc	PO Box 47	Colleyville	Texas	76034	4603 Colleyville Blvd
Colleyville Centerpark Assoc	PO Box 47	Colleyville	Texas	76034	710 Centerpark
Colleyville Plaza Lp	580 Decker Dr Ste 203	Irving	Texas	75062	4908 Colleyville Blvd
Compass Bancshares Inc	PO Box 10566	Birmingham	Alabama	35296	4841 Colleyville Blvd
Crumpler, John K Etux Kandis L	725 Creekview Ln	Colleyville	Texas	76034	725 Creekview Ln
Curtis, Eleanor K Tr	629 Creekview Ln	Colleyville	Texas	76034	629 Creekview Ln
Daunis, Walter F & Letaine	8900 Crest Wood Dr	Fort Worth	Texas	76179	4609 Colleyville Blvd
Dehart, Doris	737 Creekview Ln	Colleyville	Texas	76034	737 Creekview Ln
Donato, Mario Jr Etux Melissa	4612 Clearwater Ct	Colleyville	Texas	76034	4612 Clearwater Ct
Drennan, Billy Etux Frances	705 Creekview Ln	Colleyville	Texas	76034	705 Creekview Ln
Enochson, Michael Etux Heather	4914 Lakewood Dr	Colleyville	Texas	76034	4914 Lakewood Dr
Erickson, O M & A L Magistrado	4804 Lakeshore Ct	Colleyville	Texas	76034	4804 Lakeshore Ct
Ervin, Richard L Etux Terri	1155 W Wall St Ste 101	Grapevine	Texas	76051	4700 Colleyville Blvd
Fick, Gary Etux Rebecca Cast	804 Creekview Ln	Colleyville	Texas	76034	804 Creekview Ln
Fiscal Fitness Center Lc	4603 Collyville Blvd Ste 140	Colleyville	Texas	76034	4603 Colleyville Blvd # 140
Fonberg, Mitchell Etal	5452 Glen Lakes Dr Ste 203	Dallas	Texas	75231	4714 Colleyville Blvd
Fonberg, Peter D	5452 Glen Lakes Dr Ste 203	Dallas	Texas	75231	4718 Colleyville Blvd
Giroir, Ron L Etux Lisiinla G	609 Creekview Ln	Colleyville	Texas	76034	609 Creekview Ln
Glade Road Capital Llc	PO Box 1821	Colleyville	Texas	76034	1001 Village Park Dr
Grapevine Colleyville ISD	3051 Ira E Woods Ave	Grapevine	Texas	76051	601 Glade Rd
Haochuan, Li Etux Mei Han	4313 Pembroke Pkwy N	Colleyville	Texas	76034	4603 Colleyville Blvd # 120
Hardin, Carl W Tr	223 N Guadalupe St Unit 559	Santa Fe	New Mexico	87501	713 Creekview Ln
Hardin, Jo Dora	600 Creekview Ln	Colleyville	Texas	76034	600 Creekview Ln
Harris, John	4808 Lakeshore Ct	Colleyville	Texas	76034	4808 Lakeshore Ct
Hawkins, Christopher & Patrici	PO Box 235	Colleyville	Texas	76034	4944 Lakewood Dr
Hendricks, Chas Etux Patricia	4918 Lakewood Dr	Colleyville	Texas	76034	4918 Lakewood Dr
Heritage Personal Training Inc	1208 Crest Dr	Colleyville	Texas	76034	707 Glade Rd
Hoa - Lakewood Estates	6707 Brentwood Stair Rd	Fort Worth	Texas	76112	4922 Lakewood Dr
Hoa - Lakewood Estates	6707 Brentwood Stair Rd	Fort Worth	Texas	76112	4935 LAKEWOOD DR
Hoa Of Cambridge Place Inc	3500 Maple Ave Ste 1165	Dallas	Texas	75219	633 Creekview Ln
Jackson, Sharon R	4801 Lakeshore Ct	Colleyville	Texas	76034	4801 Lakeshore Ct
Johnson, Yvonne F	608 Creekview Ln	Colleyville	Texas	76034	608 Creekview Ln
Karegeannes, Harry G Etux	1004 Edgewater Ct	Colleyville	Texas	76034	1004 Edgewater Ct
Kettle, Keith & Teresa S	714 Centerpark Dr Ste 120	Colleyville	Texas	76034	710 Centerpark
Krivsky-Bartusiak Inc	3220 Clear Fork Dr	Hurst	Texas	76054	4701 Bransford Rd
Kwik Kar Of Colleyville Tx Llc	4616 Collyville Blvd	Colleyville	Texas	76034	4616 Colleyville Blvd
Lee, Moon D Etux Young Sun Lee	628 Creekview Ln	Colleyville	Texas	76034	628 Creekview Ln
Looney, John R	3001 S Country Club Rd	Garland	Texas	75043	4917 Colleyville Blvd
Loveita & Schon Llc	803 Caprock Dr	Big Spring	Texas	79720	4620 Colleyville Blvd
Matlock, Jc Jr	805 Creekview Ln	Colleyville	Texas	76034	805 Creekview Ln
McMahon, Danial J	1008 Edgewater Ct	Colleyville	Texas	76034	1008 Edgewater Ct
Mejia, Eduardo Etux Maria Silv	247 S Maple Glade Cir	Spring	Texas	77382	4800 Lakeshore Ct
Miller, Harry M Etux Belinda	4805 Lakeshore Ct	Colleyville	Texas	76034	4805 Lakeshore Ct
Mirzadeh, Marzia	4608 Clearwater Ct	Colleyville	Texas	76034	4608 Clearwater Ct
Moroski, Peter J Etux Deborah	813 Creekview Ln	Colleyville	Texas	76034	813 Creekview Ln
Morse, Julius Etux Billie	821 Creekview Ln	Colleyville	Texas	76034	821 Creekview Ln
Moyer, Cecilia C	604 Creekview Ln	Colleyville	Texas	76034	604 Creekview Ln
Nicholas, Rene Lou	808 Creekview Ln	Colleyville	Texas	76034	808 Creekview Ln
Nobel Source Company Llc	640 S Hill St Ste 341	Los Angeles	California	90014	800 Glade Rd
Noblit, Don Etux Barbara	PO Box 820895	Fort Worth	Texas	76182	4913 Colleyville Blvd

Notification List

Noorani, Anis Etux Reema	4940 Lakewood Dr	Colleyville	Texas	76034	4940 Lakewood Dr
Owen, Geoffrey R Etux Helen M	809 Creekview Ln	Colleyville	Texas	76034	809 Creekview Ln
Pardo, Lisa D	904 Saddlebrook Dr	Colleyville	Texas	76034	4607 Colleyville Blvd
Patel, Geeta Tr	601 Creekview Ln	Colleyville	Texas	76034	601 Creekview Ln
Pettit, Lois Jeannean	625 Creekview Ln	Colleyville	Texas	76034	625 Creekview Ln
Pittman, Bobby G	4913 Lakewood Dr	Colleyville	Texas	76034	4913 Lakewood Dr
Poslick, Martin A Etux Evelyn	4932 Lakewood Dr	Colleyville	Texas	76034	4932 Lakewood Dr
R&L Capital Properties Llc	6903 Shepherds Gln	Colleyville	Texas	76034	4800 Colleyville Blvd
Raphael Leasing Llc	PO Box 820895	North Richland Hills	Texas	76182	710 Centerpark
Realty Income Tx Pro 1 Llc	PO Box 460069	Escondido	California	92046	4700 Glade Creek Dr
Reddy, Prabhakar Etux Pallavi	4701 Lakeshore Ct	Colleyville	Texas	76034	4701 Lakeshore Ct
Renberg, Timothy S	613 Creekview Ln	Colleyville	Texas	76034	613 Creekview Ln
Rhodes, Dee Ann Etvir Joe	4712 Lakeshore Ct	Colleyville	Texas	76034	4712 Lakeshore Ct
Pillai, Jaime	621 Creekview Ln	Colleyville	Texas	76034	621 Creekview Ln
Ross, Peter M Etux Mickey K	721 Creekview Ln	Colleyville	Texas	76034	721 Creekview Ln
Salemizadeh, A Etux Belgheys G	1005 Edgewater Ct	Colleyville	Texas	76034	1005 Edgewater Ct
Sawyer, Matthew Etux Christi	4700 Lakeshore Ct	Colleyville	Texas	76034	4700 Lakeshore Ct
Schwab Group Llc	714 Centerpark Dr Ste 100	Colleyville	Texas	76034	714 Centerpark
Sharp, Perry L Etux Lori A	812 Creekview Ln	Colleyville	Texas	76034	812 Creekview Ln
Sisdr Properties Llc	4603 Colleyville Blvd Ste 100	Colleyville	Texas	76034	4603 Colleyville Blvd # 100
Small, Marvin B Jr	4613 Clearwater Ct	Colleyville	Texas	76034	4613 Clearwater Ct
Sorlie, Victor A Etux Linda	729 Creekview Ln	Colleyville	Texas	76034	729 Creekview Ln
Stalford, Elizabeth R Tr	701 Creekview Ln	Colleyville	Texas	76034	701 Creekview Ln
Stitts, Andrea A	4713 Lakeshore Ct	Colleyville	Texas	76034	4713 Lakeshore Ct
Suiter, Scott M Etux Julie A	825 Creekview Ln	Colleyville	Texas	76034	825 Creekview Ln
Sveska, Dorothy & Robert F	4700 Lakewood Dr	Colleyville	Texas	76034	617 Creekview Ln
Tadlock, Larry & Karen	624 Creekview Ln	Colleyville	Texas	76034	624 Creekview Ln
Talkington, Mary Alice	4708 Lakeshore Ct	Colleyville	Texas	76034	4708 Lakeshore Ct
Taylor, Virginia Ann	809 Silver Lake Dr	Keller	Texas	76248	4936 Lakewood Dr
Teague, Mary P Etvir Daniel	733 Creekview Ln	Colleyville	Texas	76034	733 Creekview Ln
Terry, Doug Etux Lee Martin	PO Box 622	Colleyville	Texas	76034	1001 Edgewater Ct
Thompson, John E	5017 Montclair Dr	Colleyville	Texas	76034	905 Old Glade Rd
Trow, Bradley M	PO Box 1201	Hurst	Texas	76053	4605 Colleyville Blvd
Tutt, Dorothy	4800 Bedford Rd	Colleyville	Texas	76034	4800 Bedford Rd
Wal-Mart Real Estate Bus Trust	PO Box 8050	Bentonville	Arkansas	72716	4904 Colleyville Blvd
Wilson, Edwin E	817 Creekview Ln	Colleyville	Texas	76034	817 Creekview Ln
Wilson, Mark D & John B Blick	701 Glade Rd	Colleyville	Texas	76034	701 Glade Rd
Winstead, Debra A	717 Creekview Ln	Colleyville	Texas	76034	717 Creekview Ln
Worthington National Bank	500W Main St	Fort Worth	Texas	76102	4814 Colleyville Blvd
Wren, Donald C Etux Barbara	4704 Lakeshore Ct	Colleyville	Texas	76034	4704 Lakeshore Ct
Y2Kitchen Properties Llc	4500 Dartmoore Ln	Colleyville	Texas	76034	5003 Colleyville Blvd
Yellock, Johnnie Etux Reagan	709 Creekview Ln	Colleyville	Texas	76034	709 Creekview Ln
Young, Alan	1000 Clear Lake Ct	Colleyville	Texas	76034	1000 Clear Lake Ct
Zell Three Inc	1190 Explorer St	Duncanville	Texas	75137	700 GLADE RD
Zinger, Charles Etux Joanne	833 Creekview Ln	Colleyville	Texas	76034	833 Creekview Ln
Ac Village Park Partners Llc, Applicant	8235 Douglas Ave Ste 655	Dallas	Texas	76034	Applicant

Public Hearing notices were mailed
Fri., Aug. 16, 2013 by Taci Wrisley

Statement of Planning Objectives

AC VILLAGE PARK PARTNERS, LLC
8235 Douglas Avenue, Suite 655
Dallas, Texas 75225

We currently own the Village Park Shopping Center located at the Southeast corner of Hwy. 26/Colleyville Boulevard and Glade Road, containing approximately 192,865 square feet of retail space (the "Property"). The Property is within Tax Increment Reinvestment Zone Number One and is the subject of an Economic Development Grant Agreement executed on February 19, 2013 between us and the City of Colleyville, Texas.

As you know, we are in the process of redeveloping and rebranding the Property into Colleyville Downs, a Class A shopping center to be anchored by Whole Foods Market. The redevelopment will not only introduce a Whole Foods grocery store to Colleyville, but will also involve a renovation of the shopping center to achieve an elevated quality of appearance, which blends harmoniously with the character and history of the City of Colleyville. In addition, we are working to introduce other new retailers and multiple restaurants to the center. At this point, we have entered into a lease agreement with Whole Foods, are in various stages of pre-leasing other vacancies at the center and in the pre-development stage of our construction activity. While we have had and continue to have success in execution of the business plan, we are in need of assistance to overcome certain obstacles that we have identified and are interfering with our redevelopment plans.

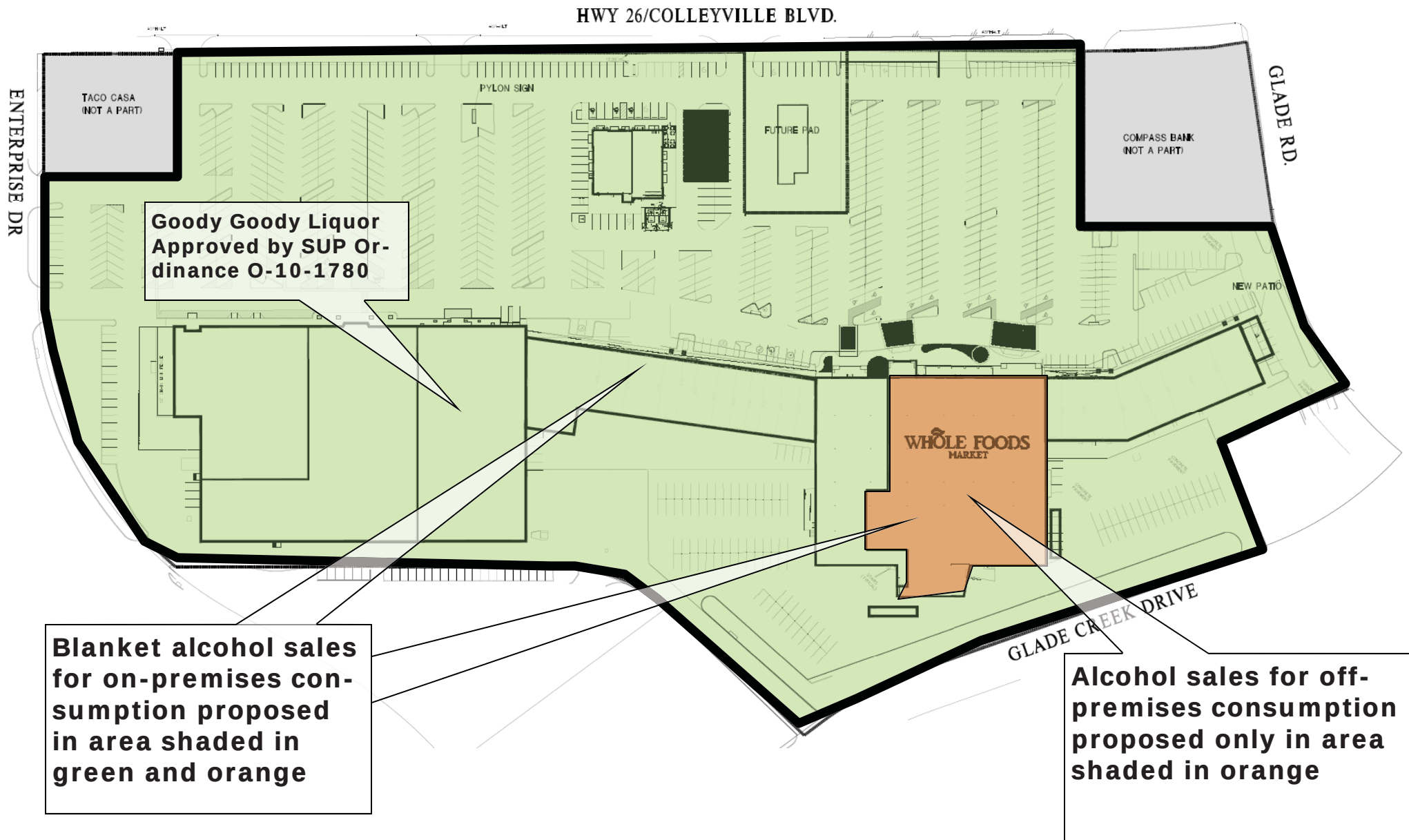
In furtherance of the Colleyville Downs redevelopment plan, we are writing to request that the City adopt a Special Use Permit that would provide for the following:

- **Restaurant Overlay District.** We are working with a number of restaurant operators whose businesses involve the sale of alcoholic beverages for on-premises consumption. In addition, Whole Foods is planning to introduce a restaurant concept within its store, and expects to sell alcoholic beverages for on-premises consumption. We would like to request a Restaurant Overlay District for Lots 1R1, 4, 5A, 6A, 7A and 9R.
- **Sale of Alcohol by Whole Foods.** Whole Foods is in the business of selling beer and wine for off-premises consumption. We would like to request permission for that activity on Lot 7A, Block 2 Village Park Addition – Colleyville.
- **Construction of New Landmark Sign.** Retailers that are interested in Colleyville Downs have demanding criteria for site selection, which include requirements of visibility, access and signage. Considering depth and slope of the parking field together with certain other issues, visibility in portions of the shopping center is limited. As a result, we will need to have the ability to offer additional signage to attract more retailers to the center. We would like to request permission to build a multi-tenant landmark sign at 4801 Colleyville Boulevard. The new landmark sign is designed to be consistent with the materials and design of the shopping center and resemble the existing landmark sign located at 4701 Colleyville Boulevard.

Statement of Planning Objectives

- **Improvement of Existing Landmark Sign.** As mentioned above, our success in leasing Colleyville Downs is determined in large part by available signage. In addition, considering our plan to improve the appearance of the shopping center, we think it would be appropriate to improve the appearance of existing signage so that it is consistent with the higher quality of the redeveloped shopping center. Thus, we would like to request permission to remodel the existing landmark sign that is identified on Exhibit "B". The remodeled sign would be constructed to be substantially similar to the drawing on Exhibit "C".
- **Establish 4.5 / 1000 Parking Ratio.** In order to accommodate the tenant interest in Colleyville Downs and optimize the occupancy, value, shopping traffic and sales volumes at the center, we would like to request a parking ratio of 4.5 /1000; which will suffice to comply with all permitted uses under the CC-2 Shopping Center district.
- **Allow for two electrical charging stations.** These stations will allow for the charging of electrically powered automobiles. We have not yet determined a final location for these devices and are simply asking for the allowance of the land use in conjunction with this Special Use Permit request.

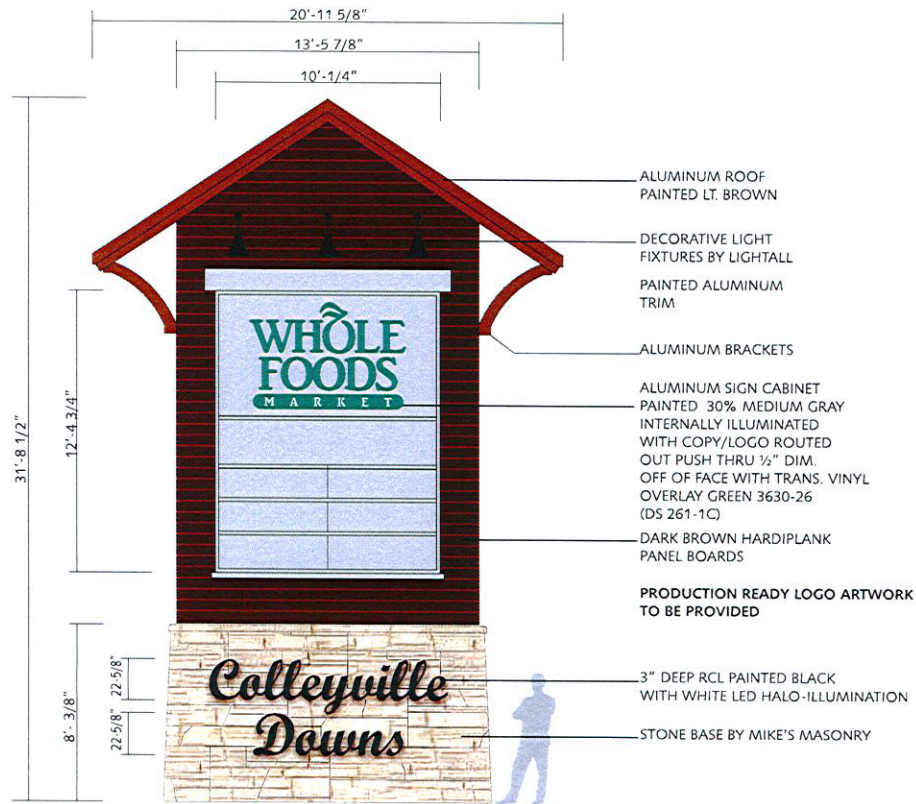
Proposed Alcohol Sales Site Exhibit



Proposed Front Elevations for Shopping Center

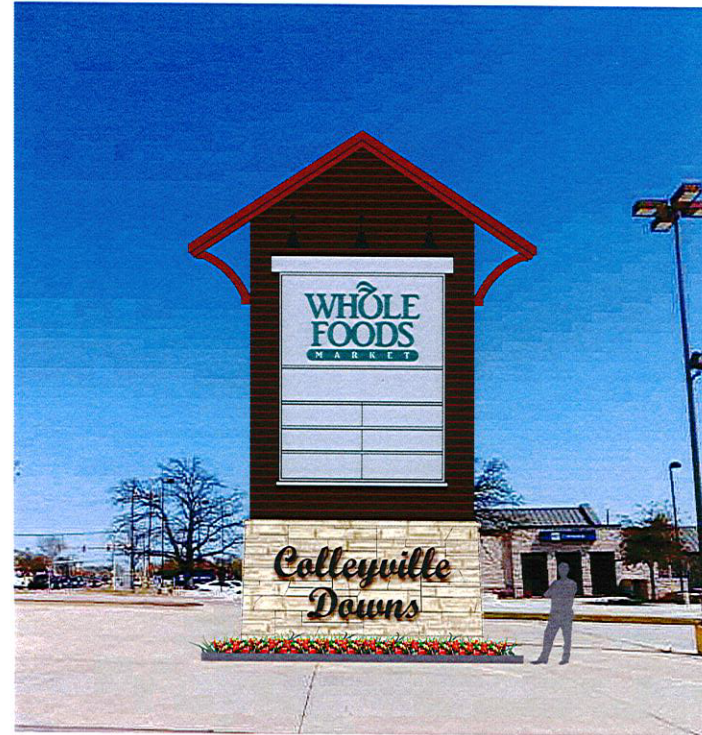


Landmark Sign Exhibits



D/F MONUMENT SIGN
(1) REQUIRED - MANUFACTURE & INSTALL

SCALE: 3/16"=1'-0"



**COLLEYVILLE
DOWNS**

Design #

13-0544R2

Sheet 1 of 4

Client:

COLLEYVILLE DOWNS

Address

4701 COLLEYVILLE BLVD
COLLEYVILLE, TX.

Account Rep. M. WILSON

Designer RFF

Date 03.18.13

Approval / Date

Client	
Sales	
Estimating	
Art	
Engineering	
Landlord	

Revision / Date

R1 RFF 03.21.13 add logos

R2 RFF 04.03.13 add colors

Chandler Signs
Brand Image Begins Here

www.chandler-signs.com

3201 Manor Way, Dallas, TX 75235
214-902-2000 Fax 214-902-2044

2104 Valliant Sanderson, TX 79216
210-349-3804 Fax 210-349-8724

335 Park Center Drive, Unit C
Vista, CA 92083
760-967-7003 Fax 760-967-7033

963 Baxter Avenue, Suite 200
Louisville, KY 40204
502-479-2015 Fax 502-412-0003

2584 Sand Hill Peing Circle
Davenport, FL 33832
863-450-1000 Fax 863-424-1160

37 Waterfront Park Court
Dawsonville, GA 30534
800-651-7062 Fax 210-349-8724

P.O. Box 125, 204 Rural Drive
Portland, TX 78374
281-563-5599 Fax 281-643-6533

This drawing is the property of
Chandler Signs, L.P., L.P.

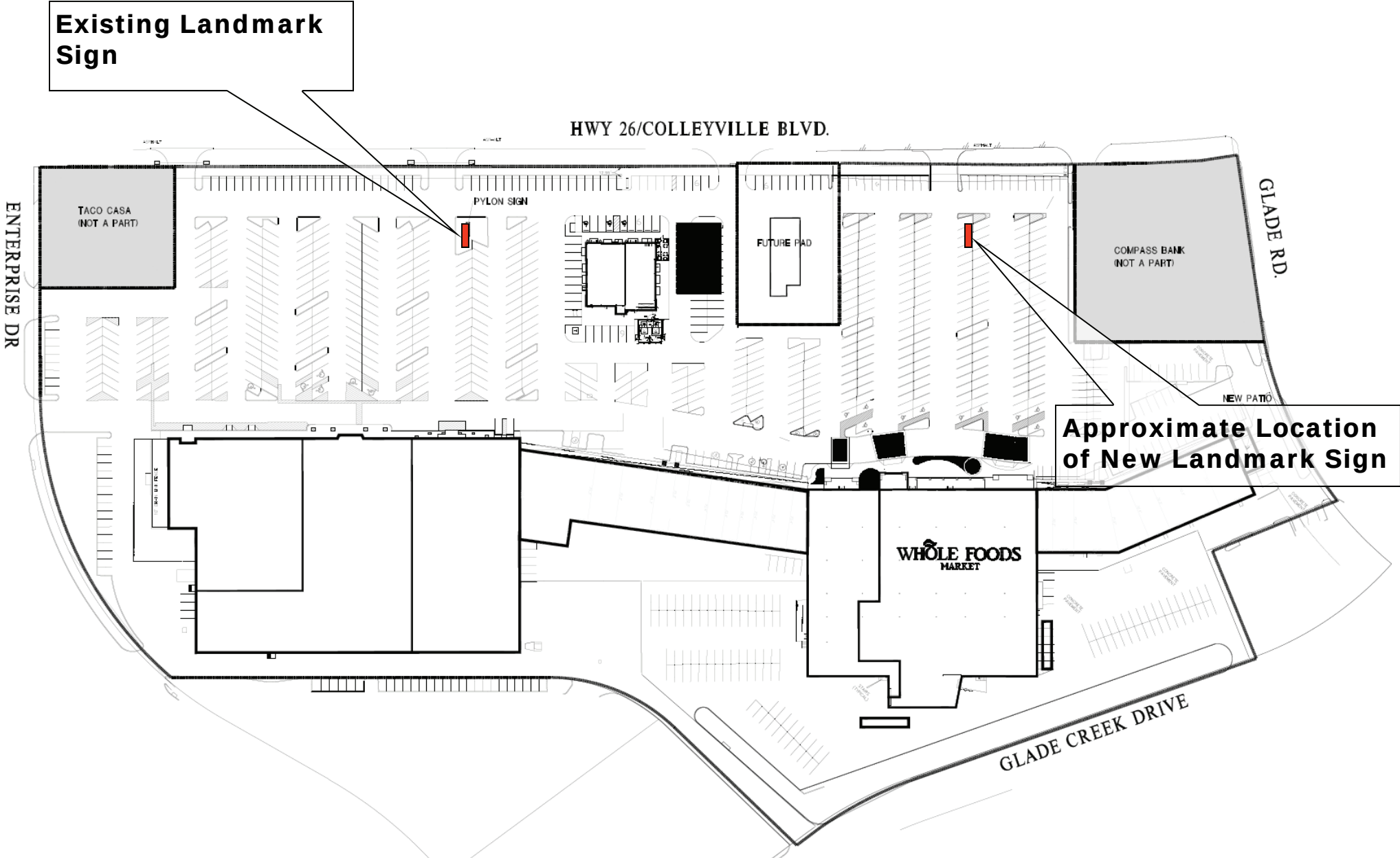
All rights in its use for reproduction are
reserved by Chandler Signs, L.P., L.P.

FINAL ELECTRICAL
CONNECTION BY
CUSTOMER

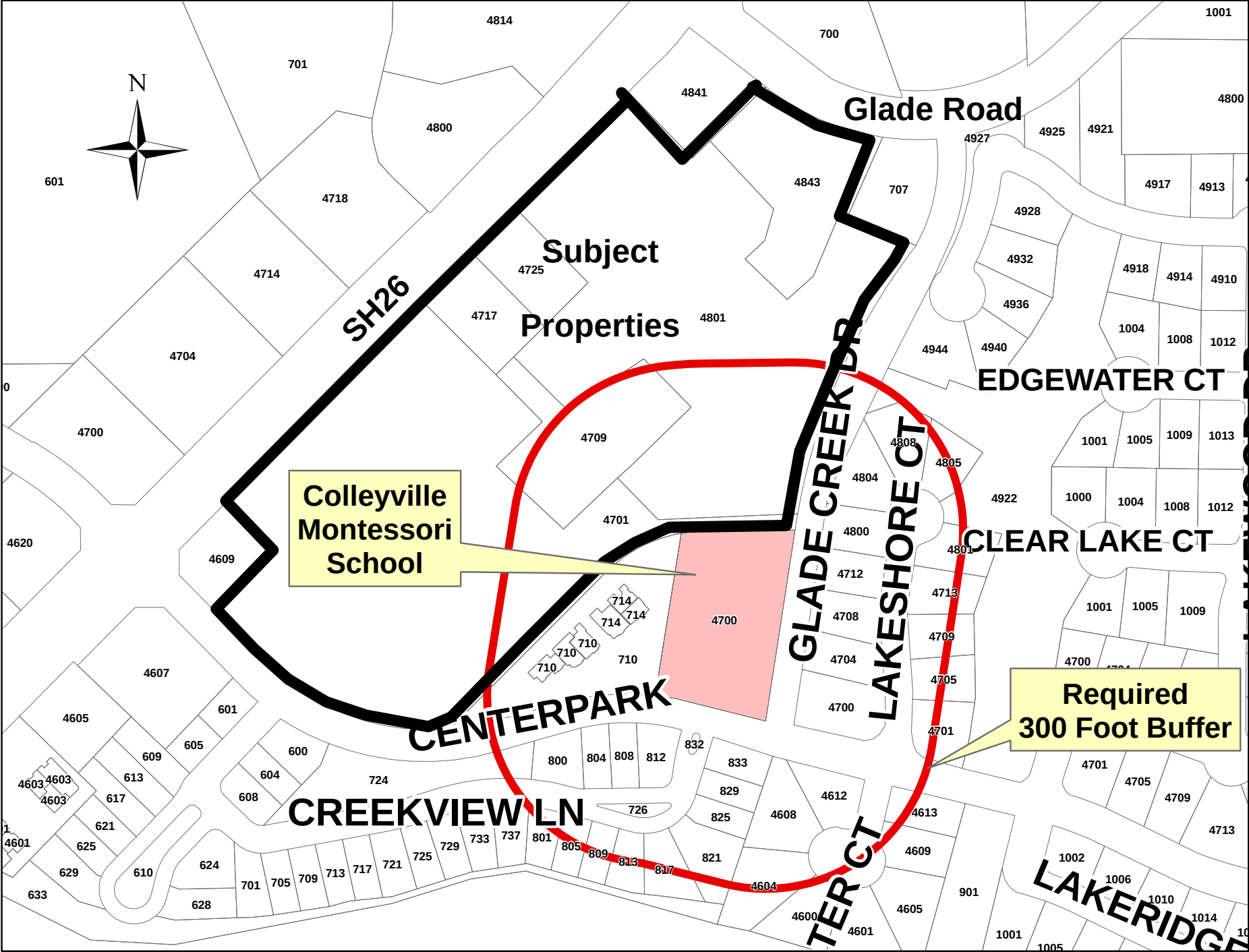
THIS SIGN IS INTENDED TO BE MANUFACTURED
IN ACCORDANCE WITH THE NATIONAL
ELECTRICAL CODE AND OTHER
APPLICABLE ELECTRICAL CODES. THE SIGN
SHALL BE INSTALLED IN ACCORDANCE
WITH THE NATIONAL ELECTRICAL
CODE, NECA, AND NETA.

UL

Landmark Sign Location Exhibit



300 Foot School Separation Map for Alcoholic Beverage Sales



ORDINANCE O-10-1780

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOT 1R1, BLOCK 2, OF THE VILLAGE PARK ADDITION LOCATED AT 4701 COLLEYVILLE BOULEVARD BY AUTHORIZING A SPECIAL USE PERMIT FOR A PACKAGE STORE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. ZC10-024; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by amending the official zoning map by authorizing a Special Use Permit for a package store on Lot 1R, Block 2, of the Village Park Addition located at 4701 Colleyville Boulevard, as depicted on Exhibit "A".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. This Special Use Permit shall only apply to the use of a package store as depicted on Exhibit "A" and described in Exhibit "B".
- b. The package store authorized by this Special Use Permit shall not exceed 28,560 square feet in size.
- c. The parking lot shall be landscaped per the requirements for parking lot landscaping in the Land Development Code except that no landscaping shall be required for the parking lot islands directly in front of the entrances for the proposed package store and Vineyard Antique Mall lease spaces. This exemption shall only apply to a maximum of three (3) parking lot islands on the subject property.
- d. All dumpsters shall, at a minimum, be screened per the requirements for dumpster screening in the Land Development Code.
- e. All buildings located on the subject property shall, at a minimum, meet a minimum design score of 25, per the requirements of Chapter 6-Building Design in the Land Development Code prior to the issuance of the certificate of occupancy for the package store. However, the front façade of the package store shall be generally consistent with Exhibit "E" and shall meet a minimum design score of 28.

- f. All signs advertising the package store shall meet the following conditions: (1) the existing multi-tenant pylon sign on the subject property shall be replaced with the landmark sign shown in Exhibit "D" prior to the issuance of the certificate of occupancy; (2) all signage, including existing signage, shall, at a minimum, meet the minimum requirements of Chapter 7-Sign Regulations in the Land Development Code; (3) Section 108.52 of the Texas Alcoholic Beverage Code is hereby adopted by reference of which all requirements pertaining to signage shall apply to this Special Use Permit; (4) Upon abandonment of the business authorized by this Special Use Permit, all signage advertising the package store shall be removed in its entirety at the expense of the business and/or property owner within thirty (30) days of abandonment.
 - g. The package store authorized by this Special Use Permit shall be required to comply with all provisions of the attached Exhibit "F".
 - h. This Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.
 - i. All requirements of the Land Development Code shall be met, except where amended herein.
- Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

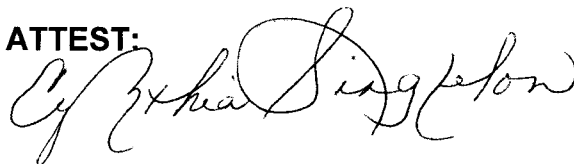
Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of November 2010.

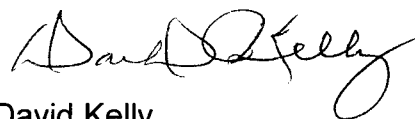
The second reading and public hearing being conducted on the 16th day of November 2010.

ATTEST:



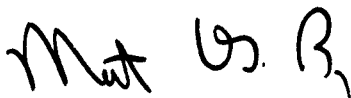
Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

Exhibit "A" - Location and Zoning Map

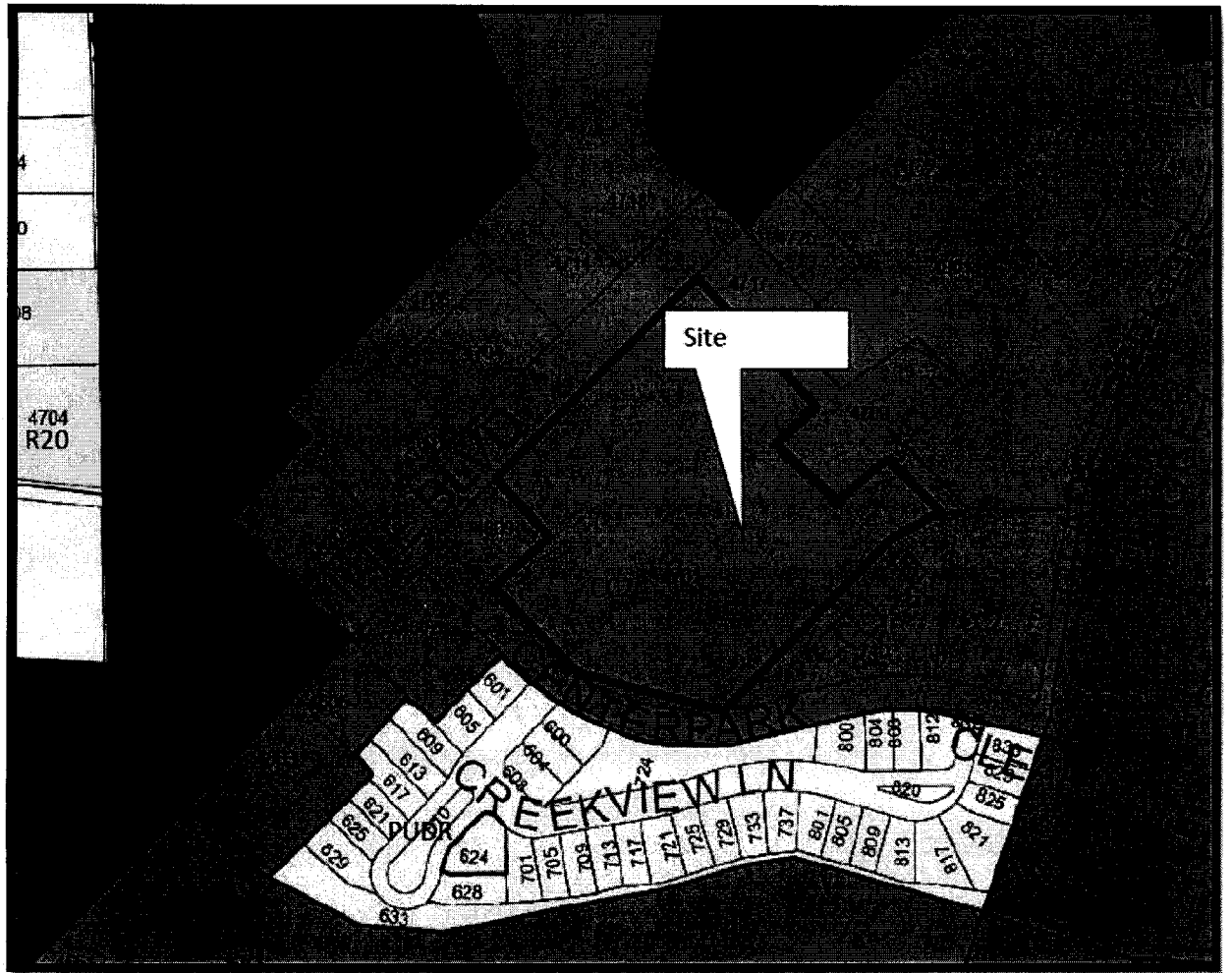


Exhibit "B" – Statement of Planning Objectives

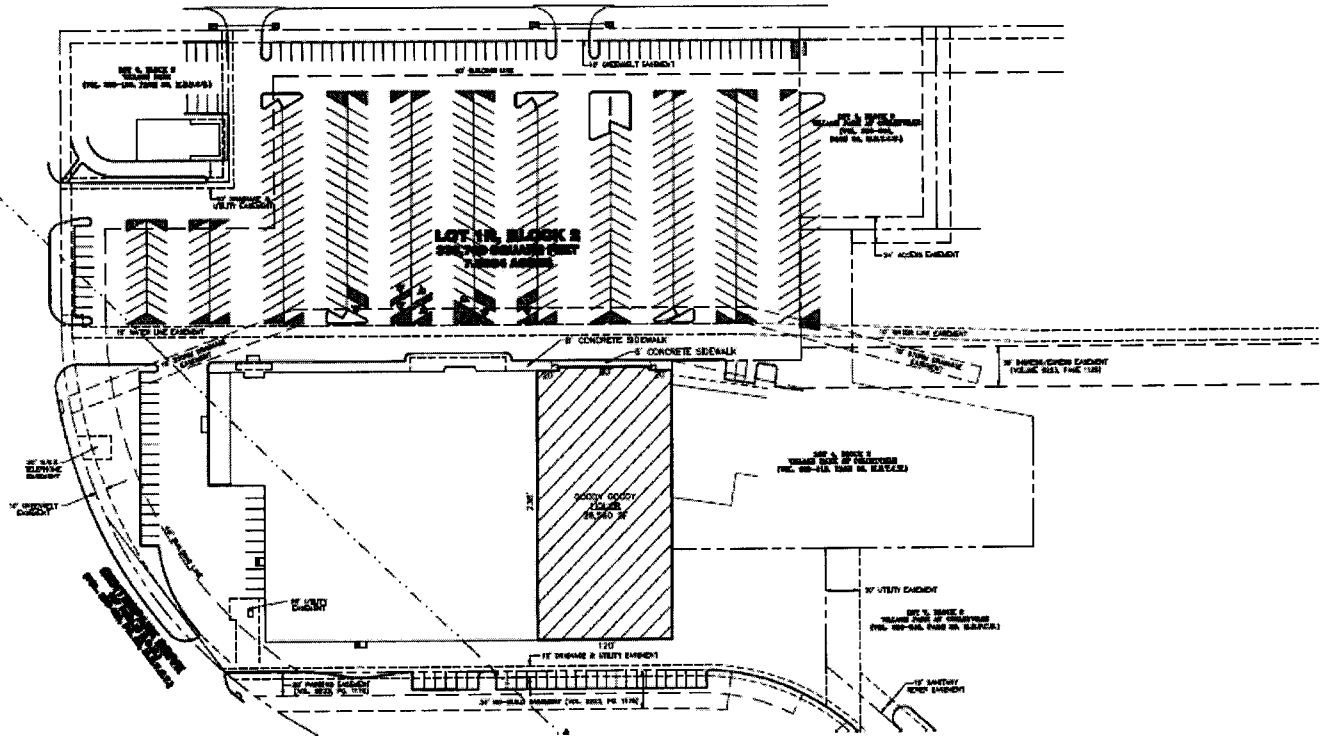
Goody Goody Liquor, inc. (The Company) has been a family owned and operated business since 1964 and is now the second largest package store chain in the state of Texas. The business model is large, clean stores with huge selections and the best pricing in the market. A store this size will carry 7,000 different products from around the world.

The proposed location is at 4701 Colleyville Blvd, which is currently being occupied by the Vineyard Antique Mall. The space will be split so that The Company will occupy 28,560 square feet. The finish out will be similar to the Companies' location on Camp Bowie Blvd. In Fort Worth, TX. Photos of that location are attached.

Application for TABC licenses will be made at the earliest possible date and will take no more than 90 days. The construction phase will take between four and five months after building permits are issued. Given this timetable, the earliest time the store could be opened would be late January or early February 2011.

The store will operate from 10 AM in the morning until 9 PM at night, 6days per week. The store will be closed on all Sundays, Thanksgiving, Christmas day, and New Years day. A store this size will start out employing fifteen people and will grow to twenty employees over the next eight years.

COLLEGEVILLE, N.Y.
FOR THE UNIVERSITY OF
THE STATE OF NEW YORK



[illegible]

[illegible]

2 FRONT ELEVATION
2'6" - 1'6"

ORDINANCE O-13-1881

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOTS 1R1, 4, 5A, 6A, 7A, AND 9R, BLOCK 2 OF THE VILLAGE PARK ADDITION, LOCATED AT 4701, 4709, 4717, 4725, 4801, AND 4843 COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION AND OFF-PREMISES CONSUMPTION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for on-premise consumption of alcohol under Case No. ZC13-009; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the

Charter of the City of Colleyville, and state law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on Lots 1R1, 4, 5A, 6A, 7A, and 9R, Block 2, Village Park Addition located at 4701, 4709, 4717, 4725, 4801, and 4843 Colleyville Boulevard by authorizing a Special Use Permit for the sale of alcoholic beverages for on-premises consumption and off-premises consumption, as depicted on Exhibit "A" and described in Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the sale of alcoholic beverages for on-premises consumption and off-premises consumption.
- b. The sale of alcoholic beverages for on-premises consumption may apply to any restaurant located on the subject properties provided that the restaurant is in compliance with the City's alcoholic beverage regulations.

The expiration and revocation provisions for Special Use Permits in the Land Development Code are hereby waived for any restaurant that serves alcoholic beverages for on-premises consumption as authorized by this ordinance.

- c. The sale of alcoholic beverages for off-premises consumption shall only include beer and wine sales and shall only apply to the Whole Foods Market located at 4801 Colleyville Boulevard. The provision for off-premises sales of alcoholic beverages shall automatically expire upon the abandonment of the business, change in the use, a change in ownership, or upon the expiration or termination of the Certificate of Occupancy.
- d. A variance to the 300 foot distance requirement to churches, public or private schools, or public hospitals is hereby granted by this ordinance.
- e. All requirements of the Land Development Code and the Code of Ordinances shall be met, except where amended herein.

2. LANDSCAPING AND SCREENING

- a. Prior to the issuance of any Certificate of Occupancy for any business authorized to sell alcoholic beverages per the provisions of this ordinance, all landscaping on the subject properties shall meet the requirements of Chapter 4-Landscaping and Buffering in the Land Development Code.
- b. Prior to the issuance of any Certificate of Occupancy for any business authorized to sell alcoholic beverages per the provisions of this ordinance, all dumpsters on the subject properties shall be enclosed and screened per the requirements of Section 3.26 in the Land Development Code.

3. BUILDING DESIGN, SIGNAGE, AND PARKING

- a. Prior to the issuance of any Certificate of Occupancy for any business authorized to sell alcoholic beverages per the provisions of this ordinance, the front façade of the shopping center shall meet the minimum requirements of Chapter 6-Building Design in the Land Development Code.

The front façade shall be generally consistent with Exhibit "C".

- b. Prior to the issuance of any Certificate of Occupancy for any business authorized to sell alcoholic beverages per the provisions of this ordinance, not more than two landmark signs, as described in Chapter 7-Sign Regulations in the Land Development Code, shall be placed on the subject properties. The signs shall be generally consistent with Exhibit "D". The existing landmark sign located at 4701 Colleyville Boulevard and authorized by Ordinance O-10-1780 shall meet the standards shown in Exhibit "D".
- c. Required parking space calculations for the subject properties may be calculated at 4.5 parking spaces per 1,000 feet of gross floor area.
- d. No more than two electrical charging stations shall be allowed on the subject properties in conjunction with this Special Use Permit.

Sec. 5. THAT any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of September 2013.

The second reading and public hearing being conducted on the 17th day of September 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

[illegible]

Exhibit “B” – Statement of Planning Objectives

AC VILLAGE PARK PARTNERS, LLC
8235 Douglas Avenue, Suite 655
Dallas, Texas 75225

We currently own the Village Park Shopping Center located at the Southeast corner of Hwy. 26/Colleyville Boulevard and Glade Road, containing approximately 192,865 square feet of retail space (the “Property”). The Property is within Tax Increment Reinvestment Zone Number One and is the subject of an Economic Development Grant Agreement executed on February 19, 2013 between us and the City of Colleyville, Texas.

As you know, we are in the process of redeveloping and rebranding the Property into Colleyville Downs, a Class A shopping center to be anchored by Whole Foods Market. The redevelopment will not only introduce a Whole Foods grocery store to Colleyville, but will also involve a renovation of the shopping center to achieve an elevated quality of appearance, which blends harmoniously with the character and history of the City of Colleyville. In addition, we are working to introduce other new retailers and multiple restaurants to the center. At this point, we have entered into a lease agreement with Whole Foods, are in various stages of pre-leasing other vacancies at the center and in the pre-development stage of our construction activity. While we have had and continue to have success in execution of the business plan, we are in need of assistance to overcome certain obstacles that we have identified and are interfering with our redevelopment plans.

In furtherance of the Colleyville Downs redevelopment plan, we are writing to request that the City adopt a Special Use Permit that would provide for the following:

- **Restaurant Overlay District.** We are working with a number of restaurant operators whose businesses involve the sale of alcoholic beverages for on-premises consumption. In addition, Whole Foods is planning to introduce a restaurant concept within its store, and expects to sell alcoholic beverages for on-premises consumption. We would like to request a Restaurant Overlay District for Lots 1R1, 4, 5A, 6A, 7A and 9R.
- **Sale of Alcohol by Whole Foods.** Whole Foods is in the business of selling beer and wine for off-premises consumption. We would like to request permission for that activity on Lot 7A, Block 2 Village Park Addition – Colleyville.
- **Construction of New Landmark Sign.** Retailers that are interested in Colleyville Downs have demanding criteria for site selection, which include requirements of visibility, access and signage. Considering depth and slope of the parking field together with certain other issues, visibility in portions of the shopping center is limited. As a result, we will need to have the ability to offer additional signage to attract more retailers to the center. We would like to request permission to build a multi-tenant landmark sign at 4801 Colleyville Boulevard. The new landmark sign is designed to be consistent with the materials and design of the shopping center and resemble the existing landmark sign located at 4701 Colleyville Boulevard.

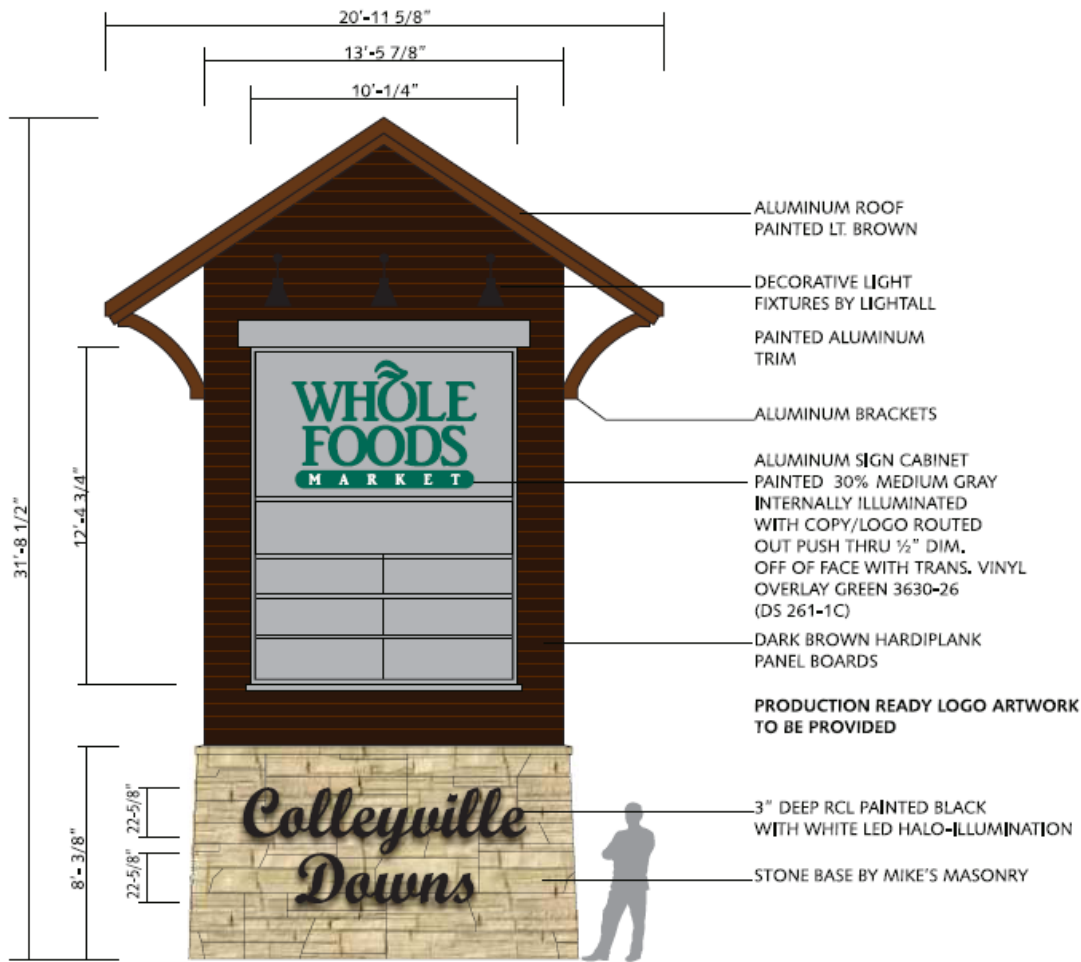
Exhibit “B” – Statement of Planning Objectives Cont.

- **Improvement of Existing Landmark Sign.** As mentioned above, our success in leasing Colleyville Downs is determined in large part by available signage. In addition, considering our plan to improve the appearance of the shopping center, we think it would be appropriate to improve the appearance of existing signage so that it is consistent with the higher quality of the redeveloped shopping center. Thus, we would like to request permission to remodel the existing landmark sign that is identified on Exhibit “B”. The remodeled sign would be constructed to be substantially similar to the drawing on Exhibit “C”.
- **Establish 4.5 / 1000 Parking Ratio.** In order to accommodate the tenant interest in Colleyville Downs and optimize the occupancy, value, shopping traffic and sales volumes at the center, we would like to request a parking ratio of 4.5 /1000; which will suffice to comply with all permitted uses under the CC-2 Shopping Center district.
- **Allow for two electrical charging stations.** These stations will allow for the charging of electrically powered automobiles. We have not yet determined a final location for these devices and are simply asking for the allowance of the land use in conjunction with this Special Use Permit request.

Exhibit "C" – Front Façade Elevations

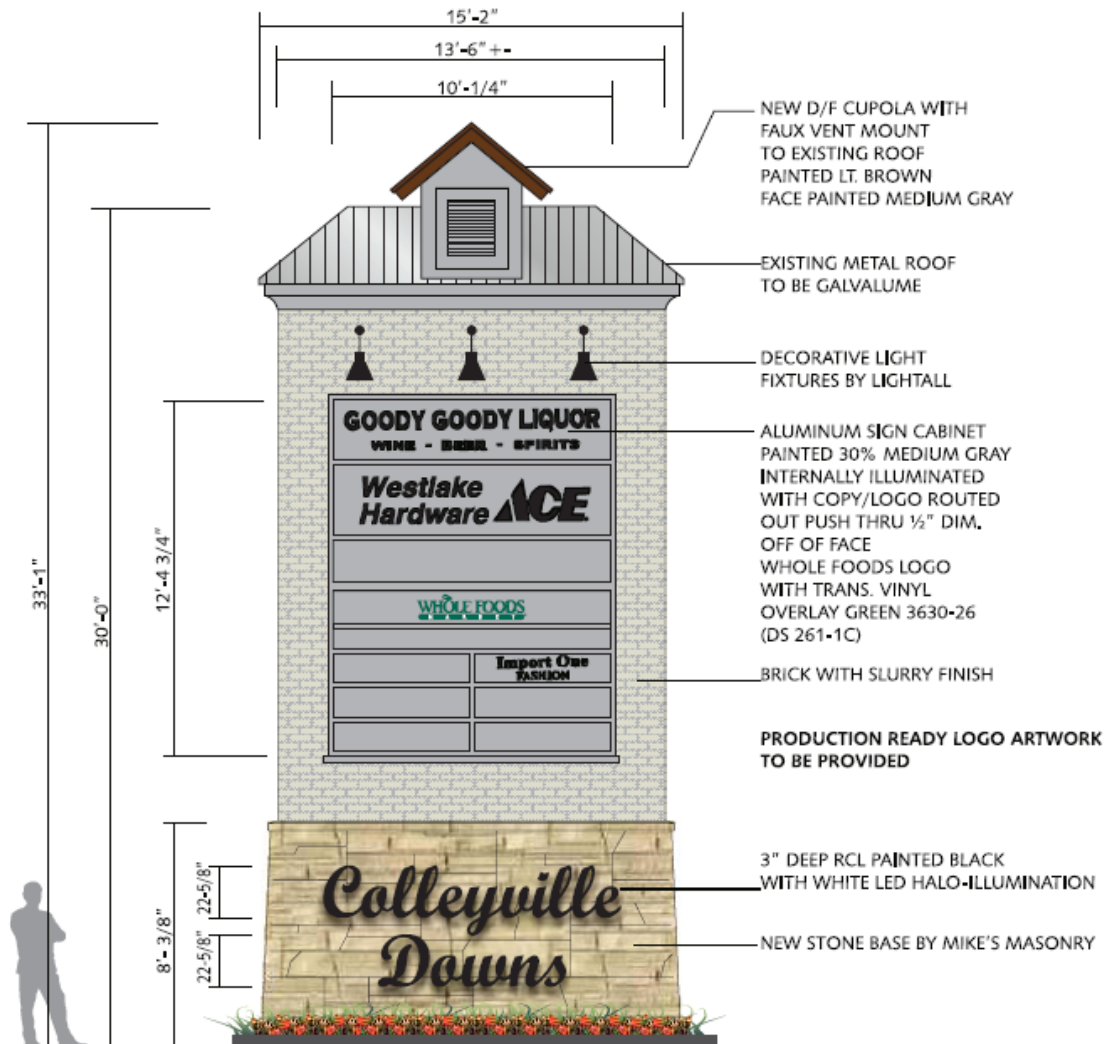


Exhibit "D" – Landmark Sign Exhibits



A D/F MONUMENT SIGN SCALE: 3/16" = 1'-0"
(1) REQUIRED - MANUFACTURE & INSTALL

Exhibit "D" – Landmark Sign Exhibits Cont.



D/F EXISTING MONUMENT SIGN SCALE: 3/16"=1'-0" **MODIFIED**

(1) REQUIRED - MANUFACTURE & INSTALL
REF. W.O. 360714



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 6b
Type Ordinance
Department City Manager

Agenda Date 09/03/2013

Number Ordinance O-13-1882

Title

Adoption of the proposed Fiscal Year 2014 (FY 2014) budget

Explanation

First Reading and Public Hearing

On August 13, 2013, the City Council held a worksession to review the proposed FY 2014 budget. Funding for the General Fund, Utility Fund, Debt Service, and Drainage Utility Funds contained in the proposed ordinance is the same as presented to the City Council at the worksession. The proposed FY 2014 budget is outlined in more detail in the attached FY 2014 Proposed Budget Message. The budget for the first year (FY 2014) of the Five-Year Capital Improvement Program (CIP) contained in the proposed ordinance is also the same as presented to the City Council at the worksession.

The total proposed expenditures in each fund are:

General Fund:	\$21,533,967
Utility Fund:	\$13,176,572
Debt Service Fund:	\$ 1,685,797
Drainage Utility Fund:	\$ 873,519

Expenditures outlined in the first year (FY 2014) of the Five-Year CIP are \$27,118,446.

For FY 2014, the tax rate remains at \$.3559 per hundred dollars of valuation.

Financial Impact

The adoption of the budget will provide expense appropriation for the General Fund, Utility Fund, Debt Service Fund, and Drainage Utility Fund for Fiscal Year 2014. It will also authorize expenditures outlined in the first year (FY 2014) of the Five-Year Capital Improvement Program.

Recommendation

Approve

Attachments

1. FY 2014 Budget Message
2. Ordinance O-13-1882

COLLEYVILLE

FY 2014 Budget Message

We are pleased to present the proposed FY 2014 Combined Annual Operating Budget for the City of Colleyville. This document represents the City's ongoing commitment to prudent fiscal management in delivering services that enhance the quality of life of Colleyville's citizens and meeting the expressed needs of our community. It also addresses the need to protect the long-term future of the community, primarily in the areas of public safety, preservation of public infrastructure, and in delivering sustainable government that aligns with the demands of today, while ensuring the ability to rapidly respond to growth. While this budget covers only fiscal year 2014, it continues to define a path that will move Colleyville into the future as a safe city with a solid infrastructure and an ongoing commitment to a unique quality of life.

The proposed budget funds current and enhanced service levels to meet the Colleyville City Council's priorities for service delivery, while still maintaining the current tax rate. The proposed budget has been formulated with a philosophy of:

- Providing solid, high-quality, core governmental services
- Efficiently allocating resources to meet citizen needs
- Emphasizing affordability and sustainability
- Capitalizing on technology to improve service delivery
- Valuing our employees

Furthering our commitment to fostering community involvement and governmental transparency, a summary presentation of the proposed budget has been placed on the City's website. A public hearing on the budget is scheduled on September 3, 2013, to allow citizens an opportunity to provide input on the proposed budget. The proposed budget will be presented to the City Council for final approval on September 17, 2013. Any questions or requests for additional information should be directed to Adrienne Lothery, strategic services manager, at 817.503.1112 or by email to alothery@colleyville.com.



BUDGET DEVELOPMENT

By definition, preparation of any budget is the allocation of scarce resources. There will always be more needs than available funds. The challenge is to ensure that available resources are dedicated to the community and City Council's highest priorities. Delivery of citizen services is at the heart of city government. And recognition of the services desired and expected by the community is central to effective service delivery. Development of the fiscal year 2014 budget was aided immensely by the input provided by our citizens in the 2012 citizen survey, and each budget proposal was measured in large part by the priority placed on it by our citizens. Each item has been vetted for its alignment with the City's strategic plan, reviewed for resource optimization, and finally weighted against both current and future community needs.

The budget-building process included four key components:

- Determination of program and service priorities based on strategic plan alignment and the prioritization of citizens through the citizen survey.
- Determination of the value and cost of each service based on the level of service needed and/or desired by our citizens, including long-term forecasting.
- Determination of optimal service delivery methods to ensure the efficient, effective service delivery our citizens expect through utilization of performance measurement and benchmarking.
- Determination of the scope and value of government in relation to the availability of revenue for the City.

The fiscal year 2014 budget focuses on ensuring that services are provided at the high quality level expected by citizens, and that to the greatest extent possible current programs and services are considered fully funded and fully functioning at the desired level before the addition of any new services are considered. In line with this philosophy, additional funding requests submitted by departments in the budget process were categorized as either requests to fully fund the current service level, or as service enhancement requests. These efforts are meant to ensure that the City's resources and staff are aligned to meet the demands of today and that the service levels provided to meet those demands are sustainable for the foreseeable future.

The goal of the proposed budget is to align services delivered with the needs identified as priorities by the community. The reality of any budget is that it consists of a collection of purchasing decisions. The City Council, on behalf of the citizens, establishes the costs community members are willing to pay for local government services. Utilizing citizen input, the City Council determines various goals to meet the priorities of citizens. Staff's role is to guide the process by providing purchasing proposals pursuant to the City Council's priorities. It is important to note that, as the budget will serve as a policy document upon adoption for the next fiscal year, any service level enhancements beyond those included in the adopted budget must be vetted and determined by the City Council, and will



likely necessitate the loss or reduction of other programs or services in order to stay within the City's balanced budgetary parameters.

BUDGET OVERVIEW

Over the years, Colleyville's budget document has evolved from a simple financial report with proposals for expenditures and estimates of revenue, into the City's most comprehensive annual document establishing budgetary policies. The budget decisions outlined in this document influence the fiscal state of the city, the function of its government, and budget considerations for current and future needs. The City's budget, therefore, is the most important working policy and planning tool used by the City Council and staff to provide quality services to the citizens of Colleyville, as determined by the City Council and for which funds are available.

Financial Summary

The proposed budget is balanced in accordance with state law, the City Charter and ordinances. The combined proposed expenditures and transfers of the City's major operating funds total \$37,268,855 which is an \$1,345,105 increase from the current year budget.

<i>Fund Type</i>	<i>Proposed FY 2014</i>	<i>Adopted FY 2013</i>	<i>Change</i>
General	\$21,533,967	\$20,444,340	\$1,089,627
Drainage	\$ 873,519	\$ 867,192	\$ 6,327
Utility	\$13,176,572	\$12,315,772	\$ 860,800
Debt Service	\$ 1,685,797	\$ 2,296,446	(\$ 610,649)
Total:	\$37,269,855	\$35,923,750	\$1,346,105

One measure of a city's financial strength is the level of its fund balance. In keeping with the City Council's conservative fiscal policy of a 90-day reserve requirement, the General Fund is projected to have 102 days over the 90-day minimum for a total of a 192 day reserve and the Utility Fund is projected to have 98 days over the 90-day minimum cash balance for a total of a 188 day reserve as of September 30, 2013.

<i>Fund Type</i>	<i>Number of Days</i>	<i>Amount</i>
General	192	\$10,766,194
Utility	188	\$6,358,420

The reserve earns interest, bolsters cash flow and is available for unanticipated expenditures or emergencies. As a non-recurring revenue source, beginning fund balances are used to fund capital or other one-time expenses only.



Issues and Challenges

Colleyville benefits from a strong residential base, which helps mitigate the negative effects of economic fluctuations. Property values have rebounded substantially from the declines experienced in fiscal years 2011 and 2012, and continued growth is anticipated in economy-driven revenues, such as sales tax. While other funding sources for fiscal year 2014 remain relatively flat in the majority of revenue categories, prudent management of the City's finances on previous and current capital improvement projects has reduced debt and, subsequently, debt service costs. The resulting debt service savings will be used to help fund current and long-term funding priorities as delineated in the fiscal year 2014 budget. Through June of fiscal year 2013, 265 new single-family lots were approved. As such, it is anticipated that the number of building permits issued will increase in fiscal year 2014. As Colleyville approaches build-out, which is estimated to be in 2025, development revenues will be difficult to predict due to the declining availability of land for new development. Each revenue source is discussed in more detail in subsequent sections of this budget message.

Like much of the country, the City of Colleyville endured the uncertainties and financial turmoil of the economic climate that engulfed the nation for the past few years. And, like city governments and American households across the country, the City adjusted to what has been termed—the “new normal”—cutting back where possible and delaying large expenditures until the financial picture stabilized. In that new normal, while the future remained a consideration, out of necessity, the primary emphasis was on delivering city services in an efficient and effective manner in the present—balancing limited and sometimes dwindling resources with citizen expectations—against an ever-changing and unpredictable economic environment. The City was able to easily adjust to the new normal and beginning in fiscal year 2013 was able to again plan not only for the present and near-term, but for the long-term future of the Colleyville community.

At the budget worksession in June, staff presented a six-year General Fund budget forecasted to fiscal year 2019. That forecast includes conservative estimates for revenues such as property tax and sales tax, as well as expenditures and any changes that can be reasonably anticipated. One of the challenges Colleyville experiences is limited growth in the property tax revenue category due to a freeze on assessed valuation for properties owned by individuals 65 years or older, even though property values are increasing. Sales tax revenue is anticipated to grow, particularly with the development surrounding the opening of Whole Foods Market, but projections remain conservative as this is one of the most volatile revenue sources, often impacted by fluctuations in the overall economy. The forecast for expenditures includes the commitment to hire an additional police officer in each of the next four fiscal years, the commitment to hire three new fire personnel in each of the next two fiscal years, general cost increases for materials and contractual services required each year, and modest growth in personnel costs. This forecast served as the framework and starting point for budget discussions, helping staff and the City Council focus on the long-term budgetary implications of current funding decisions. It also helped to put long-term goals into perspective relative to



the overall resources available in the General Fund. This information was weighted heavily in determining fiscal year 2014 budget priorities, particularly in ensuring that all current services are adequately funded, prior to considering any new or enhanced services. Additionally, careful consideration was given to ensure that new expenditures could be sustained into the future.

Priorities and Fiscal Year 2014 Focus

With this budget, staff recommended allocating resources according to the priorities of our citizens and City Council, while maintaining the conservative fiscal approach that has allowed Colleyville to attain and maintain an AAA bond rating. The service delivery plan maintains or enhances the programs and services identified by our citizens as priorities. The overall focus of the fiscal year 2014 budget is to deliver “sustainable government,” one of the five strategic points adopted by the City Council.

As part of the effort to deliver sustainable government, staff reviewed current staffing levels to determine the best allocation of resources for addressing citizen priorities. This analysis led to the reclassification of several positions in fiscal year 2013; and, those changes are reflected in the proposed budget. The fiscal year 2014 budget also includes the addition of seven full time and two part time positions (three firefighter/paramedics, police officer, construction inspector, plans examiner, property room clerk, part-time building inspector, and part-time assistant librarian), which have been identified as necessary to achieving the City’s strategic goals. These personnel changes are categorized in the sections that follow, according to their relationship to the City’s strategic points.

Furthermore, the service delivery plan invests in the City’s most important resource—the employees who are ultimately responsible for service delivery. Local government is a service organization, and as with most service organizations, the skills, experience, education, and attitude of our employees are the essential ingredients of our success. We can only attract and retain quality employees if we provide compensation, facilities, equipment, and a work environment that allows each employee to reach his or her potential. The fiscal year 2014 budget includes funding for the transition to a new compensation and classification system that provides greater flexibility and responsiveness to market conditions. Implementation of the new system will involve moving from the current set of pay ranges and job classifications to broader decision bands and associated pay ranges. Market adjustments have been included for certain positions, as well as funding for performance-based merit increases.

One of the highest priorities in this and future budgets will be to improve the city’s public infrastructure, including roads, sidewalks, bridges, public buildings, water and sewer lines, pipes, inlets, parks and playgrounds, trails, traffic signs and signals, and the hardware associated with technology (computers, servers, etc.) While components of some of these will receive funding in this budget and will continue to be funded in future budgets to the extent funds are available, the improvement of our city streets will be one of our highest long-term priorities.



The fiscal year 2014 budget does include a strategic draw down of the City's fund balance to provide additional funding for street maintenance, while still maintaining a healthy fund balance in excess of the adopted 90-day reserve requirement. This will be the second year of this strategic draw down, which is anticipated to continue through fiscal year 2018. At that point, other funding must be identified to continue the same level of street maintenance.

In keeping with our focus to sustain and plan for Colleyville's long-term needs, the fiscal year 2014 budget includes the City's first 5-Year comprehensive Capital Improvement Plan (CIP). This plan identifies needed projects during the next five years, available funding sources, and a schedule for completion. Capital projects are defined as those projects requiring an investment of \$100,000 or more. Colleyville's CIP includes projects in a number of categories, as shown in the chart below. Similar to the six-year General Fund budget projection, the CIP provides an opportunity to consider all of the city's capital needs in the coming years and determine the priority of each, as well as whether available funding resources are sufficient to support those expenditures. The CIP operates on a multi-year basis and utilizes a variety of funding sources including the City's major operating funds, impact fees, special revenue funds, and other entities such as TxDOT. In the sections that follow, major fiscal year 2014 investments in the CIP from City resources has been described in more detail.

FY 2014 CIP Project Categories	
Facility - Rehabilitation	\$ 425,000
Parks	\$ 505,000
Streets - Intersection Improvements	\$ 2,953,433
Streets - Reconstruction	\$ 21,098,929
Streets - Rehabilitation	\$ 1,249,106
Utilities - Waterline Renewals (Including Upsizing)	\$ 886,979
TOTAL	\$ 27,118,446

The fiscal year 2014 budget continues delivery of current citizen services while placing greater emphasis on ensuring the long-term sustainability of the city's services and public infrastructure. As is typical in local government, funding requests exceed available revenues, requiring decisions regarding what to fund. As we begin to plan for the future in more detail, not all items can be funded. The fiscal year 2014 budget is a balanced budget based on community and City Council priorities and makes significant progress toward achieving many of the city's needs and long-term goals. Those items that were not funded this fiscal year are described in a subsequent section of this budget message and may be considered in future budgets.

ACCOUNTING FOR INTEGRITY

The proposed budget is balanced and prepared in accordance with state law, the Colleyville City Charter, ordinances, budget policies, and in accordance with the provisions outlined in the Governmental Accounting Standards Board (GASB) "Statement No. 34, Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments."

The accounts of the City are organized on the basis of funds or account groups, each of which is considered to be a separate accounting entity. All funds are budgeted and accounted for on a Generally Accepted Accounting Practice (GAAP) basis for purposes of financial statement presentation. The governmental fund types use a financial resources measurement focus and are accounted and budgeted for using the modified accrual basis of accounting. Under this modified accrual basis, revenues are recorded when susceptible to accrual, i.e., both measurable and available. "Available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. Expenditures represent a decrease in net financial resources and, other than interest on general long-term debt, are recorded when the fund liability is incurred, if measurable. Interest on general long-term debt is recorded when due.

Governmental fund types are those through which most governmental functions of the City are financed. The acquisition, use, and balances of the City's expendable financial resources and the related liabilities (except those accounted for in the proprietary and fiduciary fund types) are accounted for through governmental fund types.

Proprietary fund types are accounted and budgeted for on a cost-of-service or "capital maintenance" measurement focus, using the accrual basis of accounting. These fund types operate in a manner similar to private business. The City utilizes only the enterprise fund type. Under the accrual basis of accounting, revenues are recognized when earned; expenses are recognized when incurred. For purposes of this budget presentation, depreciation is not displayed, and capital expenditures and bond principal payments are shown as uses of funds.

The City provides a full range of municipal services supported by statute or the Colleyville City Charter. This budget contains all of the funds that account for these services. The identity and functions of these funds are:

- General Fund: Accounts for the resources and expenditures related to the generally recognized governmental services and/or functions provided by various City departments – a governmental fund type.
- Utility Fund: Accounts for all the activities required for the provision of water and sanitary sewer to residents of the city – a proprietary fund type.
- Capital Projects Fund: Accounts for financial resources to be used for the acquisition or construction of major capital projects – a governmental fund type.



- Capital Equipment Replacement Fund: An internal service fund to account for funding for, and acquisition of, the City's vehicles, maintenance equipment, and computer equipment – a governmental fund type.
- Drainage Utility Fund: Accounts for all the activities required for the management of storm water drainage – a proprietary fund type.
- Court Technology Fund: Accounts for all activities, in accordance with state statutes, related to the collection and use of the Municipal Court technology fee imposed on convictions on cases adjudicated in the Court – a governmental fund type.
- Court Security Fund: Accounts for all activities, in accordance with state statutes, related to the collection and use of the Municipal Court building security fee imposed on convictions on cases adjudicated in the Court – a governmental fund type.
- Strategic Initiatives Fund: Accounts for financial resources to be used with the City Council's authorization for programs and projects linked directly to the City's strategic plan – a governmental fund type.
- Colleyville Crime Control and Prevention District (CCCPD): Accounts for the City of Colleyville Crime Control and Prevention District formed to act on behalf of the City for financing the development of crime control throughout the City.
- Colleyville Economic Development Corporation (CEDC): Accounts for the use of bond proceeds and sales tax revenues for municipal park improvements, the purchase of land and equipment for additional neighborhood parks, and for the construction of a community center and library. Consistent with state law, some funds may be allocated by the board of directors for promotional efforts for special events and marketing.
- Voluntary Library Fund: Accounts for the operations for which voluntary contributions by citizens are used. Contributions are used primarily to support library activities.
- Voluntary Park Fund: Accounts for the operations for which voluntary contributions by citizens are used. Contributions are used primarily to support park activities.
- Colleyville Tax Increment Financing (TIF) District: Created in 1998, the primary goal of the district is to encourage quality commercial development in the city by using ad valorem revenues from property value growth since the creation of the district, within the district for infrastructure improvements and economic development.

BUDGET STRATEGY

In preparing this budget, the primary goal was to achieve the identified objectives that maintain and improve services for citizens. The proposed budget has been structured to steer a course toward fulfillment of the City's strategic vision by aligning municipal resources with the overall needs of the community. Staff used the City Council's strategic points as the primary guide:



- Make a long-term commitment to economic development and promote a more diversified tax base
- Foster excellence in core service delivery
- Protect and preserve Colleyville's neighborhoods
- Deliver sustainable government
- Brand Colleyville with a unique identity

By remaining focused on these initiatives, the community, City Council, and staff can weigh the divergent demands of the citizenry, pursuing only those elements that help achieve these initiatives, and thereby ensuring the highest priorities of the community as a whole are accomplished. For this reason, every new effort and element of the City's business plan, including existing programs, is tied to one or more of these strategic points, as detailed in the sections below. The items listed under each strategic point include highlights of the investments slated to receive continued funding in fiscal year 2014 and a description of new items that will receive funding.

MAKE A LONG-TERM COMMITMENT TO ECONOMIC DEVELOPMENT & PROMOTE A MORE DIVERSIFIED TAX BASE

In the 2012 citizen survey, attracting and retaining quality businesses ranked as the most critical issue facing Colleyville. Economic development continues to be a top priority for the City Council. In fiscal year 2013, the City made considerable strides on the economic development and redevelopment front. Whole Foods Market will open its second Tarrant County location in Colleyville in mid-2014. It will be the anchor tenant at the former Village Park Shopping Center, now rebranded as Colleyville Downs Shopping Center. Extensive renovations are planned for the center, which will help attract new restaurants and retailers to the area. The property across Colleyville Boulevard from Colleyville Downs has been purchased by a development group, in anticipation of growth spurred by Whole Foods Market. Colleyville has also welcomed several new restaurants, including Tribeca America Bistro & Lounge and Citrus Bistro.

In fiscal year 2014, with the strategies implemented in the past few years showing results, our investment in those successful strategies will continue. Additional funds have been allocated either to invest in current strategies at a higher level or invest in new strategies. Efforts to build economic development advocates within the community, such as through the Colleyville Exchange, will continue to be funded. Staff will continue to capitalize on the incentive guidelines and criteria previously adopted by the City Council for matching grant and forgivable loan programs to attract and retain commercial development and enhance the aesthetic value of Colleyville's legacy properties.



In the fiscal year 2014 budget, the economic development program is supported through the following:

General Fund

- CoStar subscription - \$2,415

The City's CoStar subscription augments marketing tools available on commercial properties in Colleyville. This funding provides wireless service to access property information wireless through the CoStar Go app (a new service), allowing staff to show property information on a mobile device from anywhere.

Colleyville Economic Development Corporation (CEDC)

- Special events and promotions - \$144,153

Special events and festivals bring visibility and economic impact to the city. The proposed budget contains recommendations that support the planning, promotion, and production of Colleyville events. Funding through the CEDC has been included for the Old Tyme Barbeque (\$15,000), Holly Colley Holiday (\$36,000), and Red, White, & Sousa (\$36,000) events, as well as \$57,153 for other economic development promotions.

Strategic Initiatives Fund

- Current available balance - \$495,446

The Strategic Initiatives Fund was established to fund programs and projects linked directly to the City's strategic plan, with the City Council's authorization. In particular, economic development incentives were indicated as an appropriate use of these resources. The current available balance may be appropriated at the discretion of the City Council.

FOSTER EXCELLENCE IN CORE SERVICE DELIVERY

At its most basic level, the need for city government is defined by those things that although essential, if not provided by local government, would likely not be available in a community. In the parlance of city government, these are known as core services. With that in mind, the City Council added a new strategic point in 2012—foster excellence in core service delivery. In Colleyville, these include public safety, street and utility infrastructure, community development, parks and trails, and life-long learning and community engagement through the public library.

As a part of the effort to foster excellence in core service delivery, staffing levels in the Community Development and Public Works departments were evaluated to determine whether existing positions were conducive to delivering the work and service levels demanded today. Staffing levels in these areas were reduced during the recession as construction and development activity waned, but recent increases in activity warranted another look at how to handle the greater workloads, while maintaining an efficient and sustainable staffing level. Being mindful that solutions must ensure delivery of sustainable government to the citizens of Colleyville, the



most appropriate response was to repurpose some existing positions to provide services in the areas experiencing the greatest need for staff support. Several reclassifications were done during fiscal year 2013, including creating a development engineer position from the stormwater manager position, creating an administrative support technician from the senior engineering technician position, and a construction inspector position from an equipment operator position. An additional construction inspector position is included in the fiscal year 2014 budget and will be project-funded from the capital projects that the position will be responsible for inspecting. Additionally, funding for the hours worked by the building inspector hired on a contract-basis will be converted to funding for an actual part-time building inspector employee. This conversion of a contract employee to a true City employee will not result in any additional cost and will serve to comply with FLSA standards. Finally, a plans examiner position has been included in the fiscal year 2014 proposed budget. These five position changes result in the addition of two FTEs (full-time equivalent positions) in the fiscal year 2014 budget. The additional construction inspector will not create an overall operating budget increase to the General Fund or Utility Fund because the position will be funded through capital projects budgets. As such, these changes result in additional costs for only one FTE (plans examiner) for fiscal year 2014. Again, every effort has been made to right-size staff to provide responsive, quality services, and avoid adding positions to current staffing levels without considering sustainability. The staffing changes made in fiscal year 2013 and 2014 will make significant strides toward ensuring timely, quality services to the development community and to citizens. Public infrastructure improvements will also benefit from the attention of a more robust construction inspection staff.

In the fiscal year 2014 budget, core service delivery is supported through the following:

General Fund

- Training for building inspection staff - \$6,770
The State of Texas requires rigorous training for building inspectors and building officials to ensure that those professionals are able to identify safety or construction problems. New training requirements relating to irrigation, medical gas, and fire protection are addressed with this additional funding, as well as training on the 2011 National Electrical Code and plan review.
- Reclassifications – no additional cost
Several reclassifications were made during 2013, including reclassifying a stormwater manager to a development engineer, a senior engineering technician to administrative support technician, and an equipment operator to a construction inspector. These changes will improve service levels provided by Community Development and Public Works, as mentioned above.
- New construction inspector position – funded from Capital Project budgets
With the increase in funding for capital projects comes a commensurate requirement for project inspection. With the State Highway 26 projects (utility relocations and reconstruction), numerous development projects, and a more



than threefold increase in funding for street and utility rehabilitation projects, an adequate inspection program is not only critical, but it pays for itself by ensuring quality construction that does not fail. Adequate inspection requires an inspector be on-site observing construction 25-30 percent of the time, on average. One construction inspection position was originally budgeted for fiscal year 2013, but based on anticipated projects, three construction inspectors are needed. The existing position (construction manager), the new project-funded construction inspector, and the construction inspector position created by reclassifying an equipment operator position will provide the three construction inspectors needed to operate an effective program.

- New plans examiner position - \$63,225
The plans examiner position is a much-needed addition to the current community development staff. The current workload far exceeds the capacity of the current staffing level, and an increase in development activity is anticipated for the foreseeable future. This position will perform a variety of tasks involved in reviewing plans for compliance with the City Code of Ordinances, Land Development Code, and Building Code; perform building inspections in a backup capacity; and respond to and direct calls from citizens, contractors, and tenants regarding code compliance and building permits. The performance target for plan reviews is for residential plan reviews to be completed in five days or less and for commercial plan reviews to be completed in ten days or less, 75% of the time. Actual achievement of this goal for fiscal year 2013 is projected to be 40% for residential plan review and 45% for commercial plan review. This type of delay has been consistent since development staffing was reduced.
- Three new firefighter/paramedic positions - \$240,366
This budget includes funding to hire three additional firefighter/paramedic positions. These positions fulfill previous commitments to implement the fire staffing plan, which provides for full operational staffing by October 2014 (fiscal year 2015). The plan calls for the addition of three firefighter/paramedic positions in both fiscal year 2014 and 2015 to achieve full operational staffing. These three positions will add one additional staff member to minimum operational staffing for each shift.
- Police Property Room Clerk - \$46,478
A new position has been included in the Police Department to provide oversight of thousands of pieces of evidence and property handled by the department. Many criminal cases, and prosecution of the offenders involved, rely heavily on the ability to properly control and maintain evidence. A dedicated property room clerk will provide day-to-day operation of the property room and will give the department an accountability system that is not currently in place.
- Collaborative Adaptive Sensing of the Atmosphere (CASA WX) Project - \$3,000
An additional \$3,000 has been included in the fiscal year 2014 budget for the CASA WX project. Cities across the region are working together to install and operate technology to provide real-time, detailed mapping of weather events in

the lower atmosphere that fall below conventional radar coverage including storms, winds, rain, hail, and the flow of airborne hazards.

Utility Fund

- Replacement of hand-held water meter devices - \$12,360
Part of delivering core services to Colleyville residents and businesses includes providing water. The hand-held water meter devices currently in use are six years old and technology in this arena has changed dramatically over the past few years. The current units require frequent repairs that are no longer supported by the software company, making replacement appropriate at this time.

Debt Service

Ambulance replacement - \$44,621

Second-year funding for replacement of the front line ambulance through a lease purchase plan is included through the Debt Service Fund. The total cost of the ambulance was \$209,425, which will be paid over a five-year period.

Colleyville Crime Control and Prevention District (CCCPD)

The CCCPD will fund six officer positions in fiscal year 2014, police vehicle replacement, public safety software maintenance, regional recruiting and hiring, crime report/mapping and analysis software, wireless support for mobile digital computers, mobile video system replacements and software maintenance, as well as continued support of the Teen Court program and funding of Justice Center debt service. In addition, funding for a new radar trailer and continuation of the weapons replacement program for patrol rifles will be funded through the CCCPD in fiscal year 2014.

- One new police officer position- \$36,975
The addition of one new police officer position is included in the fiscal year 2014 budget, to be funded from the Colleyville Crime Control and Prevention District (CCCPD) Budget. This position is to be added mid-year and will support the City Council's commitment to adding one new police position over each of the next four fiscal years.
- Vehicle replacements- \$230,600
Funding for replacement of four marked police vehicles and one unmarked police vehicle is included in the fiscal year 2014 CCCPD budget. The Police Department conducted a comprehensive analysis of department vehicle needs and was able to reduce the overall size of the fleet by six vehicles through more efficient distribution of resources. The new fleet management plan for the police department calls for retaining patrol vehicles for a period of three years and replacement of five vehicles annually, which is consistent with the funding available in the CCCPD budget and provides for long-term sustainability of the police fleet.

PROTECT AND PRESERVE COLLEYVILLE'S NEIGHBORHOODS

A community is about people and one of the most valuable assets in a community is its neighborhoods. Through deliberate and judicious land use decisions by Colleyville's past and present elected officials and policymakers, Colleyville's premier neighborhoods are in fact the focal point of the city. The City Council has made protecting and preserving neighborhoods an important focus of local government.

Protecting and preserving neighborhoods takes many forms. Beyond providing public safety, investment in the reliability of Colleyville's public infrastructure now and in the long-term is critical to our neighborhoods and, therefore, a top priority in the fiscal year 2014 budget. And, while the list of infrastructure projects touches virtually every aspect of life in Colleyville, it was important to address the city's most critical need—maintaining and rebuilding city streets. Road quality has an impact on every Colleyville resident, business, and visitor—affecting property values; business, school, and residential accessibility; and the quality of life of our citizens. Furthermore, in the 2012 citizen survey, residents rated street conditions as a major concern. With a population that has increased by more than 50 percent since the early 1990s, it is imperative that the City maintain a street infrastructure to meet the demands of a growing residential and commercial population.

As mentioned previously, a 5-Year Capital Improvement Plan (CIP) has been prepared to serve as the roadmap for the City's continued focus on infrastructure improvement and renewal. While the plan itself covers five fiscal years, the first year of the five-year plan is what is included in the City's budget each year. Year One of the CIP, which is included in the fiscal year 2014 budget, includes \$26.9 million for street reconstruction, street rehabilitation, construction of State Highway 26 Phase II, intersection improvements, waterline renewals, facility rehabilitation, trails, and concrete repairs. Funding sources for these projects are varied and come from both City sources and other sources. City funding sources primarily include the General Fund street maintenance budget, perimeter street fees, the utility fund, and the CEDC. Other funding sources include TxDOT funded projects and Tax Increment Financing (TIF) funded projects.

Investments in the protection and preservation of neighborhoods in the fiscal year 2014 budget include:

General Fund

- Street maintenance - \$2,400,000

A consistent focus by the City Council has been to continue effective funding levels for street maintenance. Given this, the proposed budget provides a base level of \$1,400,000 for street maintenance/rehabilitation and an additional \$1,000,000 through the draw-down of General Fund fund balance. Many of Colleyville's 158 miles of paved streets were county roads that the City



"inherited," but which were not constructed to current standards. As we move forward, those streets not built to current City standards will be brought up to standard either through a full-depth reclamation process or through complete reconstruction so that they will perform as they should in the long-term. The \$2,400,000 for street maintenance in the General Fund will ultimately be used as a funding source in the comprehensive CIP, to be spread out amongst various projects based on relative priority.

- **Street maintenance - \$500,000 (one-time expenditure)**
Based on data collected in the 2011 pavement maintenance survey and the analysis done by staff, it has been determined that to maintain the city's street system at its current level of service, it would be necessary to spend approximately \$2,700,000 annually on street maintenance. This amount does not include capital projects that result in reconstructed streets. At this time, there is currently \$2,400,000 budgeted annually for street maintenance. An additional \$300,000 is needed annually to fully fund the street maintenance program. The fiscal year 2014 budget includes a one-time commitment of \$500,000 for street maintenance to make progress toward that goal.
- **Pavement Condition Assessment – \$35,000**
Unused funds identified in the fiscal year 2013 budget have been used to fund an updated pavement condition assessment in the current fiscal year. This funding was originally requested in the fiscal year 2014 budget.
- **Sidewalk repair – \$50,000**
The proposed budget maintains funding for the repair and maintenance of sidewalks, helps ensure pedestrian safety, and enhances Colleyville's "walkability" factor. Funding in the amount of \$50,000 is recommended for ongoing maintenance. This is in addition to escrowed construction funds for neighborhood districts, as approved by the City Council in November 2008.
- **Traffic Signal Maintenance Contract – \$46,000**
Additional funding has been included in the fiscal year 2014 budget for maintenance of the two traffic signals owned and operated by the City, as well as maintenance of the 22 school zone flashers and 10 Opticom sensors attached to various signals. By providing an annual maintenance contract for these systems, preventive maintenance will be ensured and repairs will be completed more quickly. Properly maintaining the systems will improve overall operational readiness and reduce the cost of system maintenance in the long-term.

Utility Fund

- The cost of purchasing potable water from the Trinity River Authority (TRA) has increased during the past year due to additional operational costs, decreased usage through effective water conservation by area cities, and an overall percentage increase in Colleyville's percent of debt service due to usage during ongoing drought conditions. TRA faces higher raw water costs, chemical costs, ongoing infrastructure maintenance costs, labor-related costs, and compliance costs with more stringent state and federal water quality regulations, and it is



likely their rates will increase with TRA's new fiscal year beginning in December 2013. In the event TRA increases their cost for treated water and wastewater, consistent with City Council policy, that cost will be passed on proportionally to customers.

- **Water and wastewater renewal program - \$250,000**
As part of the City's focus on long-term infrastructure needs, the fiscal year 2014 budget provides funding for proactive replacement of City water and sewer lines, valves, pumps, lifts, manholes, inlets, and other materials used in the delivery of potable water to and the removal of sewage from Colleyville homes and businesses. This investment is utilized as one of the funding sources of the CIP.
- **VueWorks Conference - \$1,380**
VueWorks work order and asset management system was implemented in fiscal year 2013 and most maintenance activities performed by the Public Works Department are now being tracked. There are several modules available in VueWorks that require additional training to allow the department to fully utilize the program.

Drainage Fund

- **Drainage renewal program - \$40,000**
The fiscal year 2014 budget also provides funds for proactive replacement of the city's drainage and stormwater infrastructure. The amount proposed represents an increase of \$15,000 over the \$25,000 that was budgeted in fiscal year 2013 for infrastructure renewal.
- **Colleyville Clean Sweep - \$12,000**
Staff recommends continuation of the household hazardous waste collection program and the Clean Sweep annual collection with \$12,000 from the Drainage Fund and a conversion of solid waste franchise revenue in the amount of \$15,000, for total program funding of \$27,000. In future years, it is incumbent upon the City to measure the sustainability of these options based on overall usage and cost.

DELIVER SUSTAINABLE GOVERNMENT

An ongoing means of managing costs in the long-term is to aggressively seek ways to maximize economies of scale for cost savings. As in past years, part of the budget approach is to partner with other governmental units to reduce redundancy across city borders, using the guiding principal that such partnerships should meet the benefit, economic, and efficiency thresholds for Colleyville. With the success of current partner agreements, Colleyville has aggressively sought additional partnership opportunities to achieve successful, cost-efficient long-term service delivery.



The proposed budget provides contract services with other governments and agencies in the following areas:

- *Municipal Court:* In fiscal year 2013, Colleyville and Keller broke new ground as the first Texas cities to consolidate their municipal court operations. The combined court operation, located at the Colleyville Justice Center, has been projected to save Colleyville \$57,188 annually.
- *Animal Control:* In fiscal year 2013, Colleyville and Southlake consolidated animal control and shelter services with Keller, a change that resulted in improved animal services in all three communities, reduction of redundancy in operations, better utilization of building and technical resources, increased training time for employees, sufficient staffing for dedicated shelter and adoption personnel, and improved compliance with state and national standards for the humane treatment of animals. An additional \$30,065 is included in the fiscal year 2014 budget for the interlocal agreement to provide for Colleyville's share of the capital cost of an expanded animal shelter facility in Keller.
- *Public Safety:* Continuation of funding for the regional communications and jail services is included in fiscal year 2014 through a multi-year interlocal contract with Keller and Southlake. This funding budgeted for fiscal year 2014 increased by \$14,017, which reflects Colleyville's proportionate cost of the interlocal contract. Additionally in fiscal year 2011, Tarrant County 9-1-1 leased the Colleyville Communications Center as a permanent backup site, which created additional revenue. Tarrant County 9-1-1 also will keep the facility up to date with the latest technology. Funding is provided to meet the contractual obligations for fire response in the Bedford Response Area, a contract that will expire in September 2015.
- *Northeast Fire Department Association (NEFDA):* This association of 14 cities in Northeast Tarrant County provides resources, support, and staffing for emergency events such as a water rescue, HAZ-MAT incident, or an incident involving an explosive device. The cities each contribute financially to maintain and replace equipment or apparatus needed to respond to these situations. The funding budgeted for fiscal year 2014 increased by \$11,377 for capital equipment replacement.
- *Public Safety:* Colleyville will continue participation as a member city in Tarrant County's NETCO radio consortium. In 2012, the NETCO consortium commenced an upgrade to our 800MHz Trunked Radio System to Project 25 (P25) capability. The P25 conversion included all radio equipment (i.e., towers, consoles, portable radios, and handheld devices). NETCO member cities will continue to contribute to the consortium for future maintenance and system enhancement costs.



- *Street Overlay:* To maximize street maintenance activities, the City will continue partnering with Tarrant County for county labor resources for street maintenance. For these projects, the City only provides funding for materials. The county has specialized street overlay capabilities and has shown a strong interest in providing assistance to our maintenance program.
- *Teen Court:* Colleyville partners with Grapevine, Keller, and Southlake to operate the Metroport Teen Court. The program is managed by the City of Southlake. The fiscal year 2014 CCCPD provides funds for our continued participation in this program in the amount of \$33,750, one fourth of the total annual program cost.
- *Elections:* Staff recommends continuation of the contract with the Tarrant County Elections Administration Department to conduct local elections at an annual cost of \$7,000. The efficiency and expertise provided by the county enhances the quality of the electoral process available to our citizenry.
- *Tax Assessment and Collection Services:* The City will continue the agreement with the Grapevine-Colleyville Independent School District (GCISD) for tax collection services, as well as use of recreational facilities to maximize our operating budget.
- *Economic Development:* The City will continue partnering with the North Central Texas Council of Governments (NCTCOG) to host a website offering property information in support of our economic development efforts. Infrastructure information, mapping capabilities, and property information is provided on the site. Contracting services for GIS-related mapping information for aerial photography with the NCTCOG for public works and economic development will also continue.

The proposed budget provides a staffing level of 195.5 full-time equivalents (FTEs), eight more FTEs than in fiscal year 2013. This reflects the addition of one police officer (funded through the CCCPD), three firefighter/paramedics, one plans examiner, one construction inspector (project funded), one property room clerk, one part-time building inspector (conversion from hours contracted), and one part-time assistant librarian (conversion from hours contracted). The 2014 staffing level also reflects the reclassification of other positions as outlined in this document.

- *Implementation of a new classification and compensation system*
Paying fair and competitive wages for the level of work required allows the City to better attract well-qualified candidates. It also greatly contributes to the motivation and retention of current employees by showing they are valued for the work they do. A review of the City's classification and compensation system, last reviewed and updated in fiscal year 2006, was conducted to improve and update market competitiveness and internal equity. The new system is designed for sustainability, manageability, and flexibility. It also establishes a goal of paying successful employees at the 50th percentile of the market in which the City competes for employees. It has a flexible job



classification structure to support cross-training and accommodates alterations in job assignments within the structure. And it reinforces internal equity by defining and grouping jobs based on the complexity of work, leadership expectations, and decision-making required within a fair and competitive salary structure.

- **Market adjustments - \$237,722**
Employees currently earning below the new minimum salary of their position's pay range are proposed to receive a market adjustment, not to exceed 10 percent, in fiscal year 2014. If an employee is currently earning more than 10 percent below the new minimum salary, he/she will receive the adjustment over the next two to three fiscal years so that an individual's pay increase does not exceed 10 percent in any given year. The additional funding for market adjustments includes benefits and is the amount necessary for all funds. Year two and year three implementation costs for moving all employees to the minimum of the new range are currently projected to be \$72,063 and \$2,766, respectively. As these figures represent a snapshot in time, these figures are subject to change as the market changes in the future.
- **Performance-based merit increases- \$177,278**
Employees hired prior to October 1, 2013, will be eligible for a mid-year performance-based merit increase in fiscal year 2014 based on good and high performance. The percentage increases will vary based on performance and will not exceed five percent. Employees receiving a market adjustment of five percent or more are not eligible for the performance-based merit increase. The additional funding for performance-based merit increases includes benefits and is the amount necessary for all funds.
- **Comprehensive performance management program**
Performance management is a critical element of managing and rewarding the workforce to ensure goals are consistently met in an effective and efficient manner. A new performance management system will be implemented in fiscal year 2014 to better assess operational efficiency and create greater accountability. Performance-based merit increases in mid-fiscal year 2014 will be predicated on employee performance under the comprehensive performance management program. The new system will include more meaningful tools and a streamlined process to document employee goals, expectations, and performance to reinforce alignment of City services with citizen expectations as it pertains to the organization's standards today.
- **Employee insurance benefits**
Employee insurance benefits include medical, dental, life, accidental death and dismemberment, long-term disability, and COBRA, insurance, as well as flexible spending account and health reimbursement arrangement administration. The City continues to exhibit a substantial commitment to employee benefits by funding employee medical insurance at a base of 80 percent and up to 100 percent with wellness participation. Dependent insurance is at a base of 56.075 percent and up to 76.075 with wellness program participation. This tiered

structure for health insurance subsidies has proven to be an innovative approach to addressing increasing healthcare costs, while providing a benefit for employees that allows the City to maintain a competitive benefit position among its peer cities. The wellness initiative is designed to improve employee health and is trending favorably in the long-term due to reduced utilization of the medical plan.

Despite a 4.5 percent increase in medical premiums this fiscal year, employees will not see an increase in the employee-paid portion of premiums as the City was able to absorb this increase as a result of overall cost savings in insurance benefits and the addition of a fourth subsidy tier for medical insurance.

The Patient Protection and Affordable Care Act (PPACA) is expected to further increase medical premiums by approximately 4 percent to reflect the effects of the Health Insurer Fees and Reinsurance Fees. Final regulations and guidance regarding these fees, which are expected to be assessed beginning January 1, 2014 by the federal government, have not been fully established. The cost of these fees will be paid by the employees who are covered under the medical plan.

- **Texas Municipal Retirement System (TMRS)**
The City is committed to ensuring the retirement benefit offered to employees is both affordable and sustainable. The City's current plan design includes funding for participation in the TMRS program at a contribution rate of 7.00 percent (annualized 7.045 percent), down 2.56 percent from the current annualized rate of 7.23 percent. For the current actuarial period, the City has no unfunded liability.
- **Personnel Policies and Procedures Manual**
In fiscal year 2014, with input from an appointed employee committee, staff will complete the comprehensive update of the Personnel Policies and Procedures Manual. This includes reviewing and updating current policies and developing new ones. Training will take place to inform all employees of the changes.

With limited personnel resources, the City of Colleyville is heavily reliant on technology to optimize time and available personnel in the efficient delivery of City services. Staff focuses efforts based on a five-year information services strategic plan adopted by the City Council in 2011. A recently implemented Information Services Management (ISM) Governance Committee has also established criteria for evaluating technology investments and ranked each new technology request according to those criteria. This ranking strongly influenced decisions regarding which items to include in the fiscal year 2014 budget. Funding to maintain or enhance the City's technology infrastructure in fiscal year 2014 includes:

- **Phase II of audio-video equipment replacement in City Hall– \$174,000 (one-time expenditure)**
This funding is for Phase II of AV replacement at City Hall. It includes replacing equipment such as digital controls, overhead camera, projection screens, sound



equipment, and additional monitors in the Council Chambers, the Executive Conference Room, and the Training Room.

- Laserfiche integration project - \$29,000 (one-time expenditure)
The Laserfiche Integration Project will provide for integration with both the CRW (development) and CRIMES Software. Integration will allow for documents generated from these software programs to be directly stored in Laserfiche, as well as additional workflow capabilities that will help to automate currently paper intensive processes.
- Digitizing documents to Laserfiche - \$49,850 (one-time expenditure)
In fiscal year 2014, staff would contract with two clerical personnel for approximately six months to begin digitizing documents currently located in storage. After the six-month time period, staff can develop an annual program determined by the amount of work accomplished in the initial six-month timeframe. This project begins working toward the goal of transitioning all City documents into a digital form.
- Replacement of GIS Licensing with Enterprise Licensing - \$15,100
By providing an enterprise license for GIS, each department and internal working group would realize benefits from accessing a common platform for operational data by leveraging maps to support work and analyses. Multiple users would be able to simultaneously edit GIS datasets, making it possible to integrate with other information systems in real time. An enterprise system also provides additional capability for external communication to customers and citizens.
- Replacement of desktop computers - \$15,000
Funding has been included for replacement of 42 desktop computers with “thin clients” for employees. This is a part of the City’s regular computer replacement schedule, which calls for replacement of desktop computers every four years. All desktop computers are anticipated to be replaced with “thin clients” by fiscal year 2017.
- Replacement of laptop computers - \$55,000 (one-time expenditure)
Laptops are scheduled to be replaced every four years. Funding has been included in the fiscal year 2014 budget to replace those laptops that are due for replacement in the next 12 months.
- Replacement of ToughBook computers - \$11,000 (one-time expenditure)
Funding is included in fiscal year 2014 budget for replacement of ToughBooks with iPads. With iPads available for significantly less cost than a ToughBook, staff will be provided an iPad to conduct necessary City business and complete reports in the field.
- Off-site back-up system project– \$44,000 (one-time expenditure)
All back-up systems for the City will be replaced in fiscal year 2014. The current back-up systems were purchased prior to 2004 and are not consistent with

current technology. The new system will provide live, online back-ups at City Hall, the Justice Center, and off-site at the Keller City Hall as opposed to a tape library located only at City Hall and the Justice Center.

- Additional cameras at City buildings - \$35,400 (one-time expenditure)
To enhance current security levels, cameras will be installed at key locations in City Hall and the Senior Center, such as the breezeway between City Hall and the Library, parking areas, and ports of entry.
- Replacement of wireless system - \$21,000 (one-time expenditure)
The wireless system used in all City buildings is currently six years old and requires replacement. There are currently two main wireless networks available in city buildings, one for public access and one for staff access. The system hardware that supports these networks will be replaced with current technology.
- Additional software maintenance and support costs - \$34,464
The information services program contains funding for maintenance and support of software used in all City departments. As previously stated, staff relies heavily on technology to support a lean workforce, while maintaining a high level of service. The costs related to software, typically in the form of maintenance agreements or support contracts, increase annually. The more significant increases contributing to the \$34,464 in total additional cost are \$9,395 for support of the new Munis financial software, \$3,499 for the VMWARE support contract, \$3,139 for Nexus Viewer maintenance, and \$8,950 for HP Blade support.
- Laserfiche Enterprise Rio License - \$4,795
Laserfiche was upgraded in fiscal year 2013. Going forward, there will be an annual maintenance support fee, which has been included in the fiscal year 2014 budget.
- Training for GIS personnel - \$6,725
Additional training has been included in the fiscal year 2014 budget to maintain the capability of the City's GIS program. As software platforms and technology platforms change, it is imperative that staff remains abreast of these issues.
- Networkfleet GPS monitoring service - \$10,200
While not directly a part of the information services program budget, this technology enhancement for City vehicles enhances management of the fleet. The web-based tracking and monitoring system was tested as a pilot program in fiscal year 2013 and has aided in reducing fuel expenses, maintenance costs, and emissions. The system provides GPS location data used for crew location information or even stolen vehicle recovery. The annual cost represents \$25 per month, per vehicle, and is distributed as a \$4,200 cost to the General Fund, \$4,500 to the utility fund, and \$1,500 to the Drainage Fund.

- **Field Connectivity for Public Works Staff - \$4,800**
Funding for three tablet devices and aircards has been included for use by both wastewater and utility support employees in the fiscal year 2014 Utility Fund budget. This will allow staff to access VueWorks, the web-based public works asset management software, from the field and increase overall staff efficiency.
- **Venue Mapper software for Colleyville Center - \$1,400**
Software used for designing event floor plans is outdated and does not allow for real-time design updates when clients call in with changes. The Social Tables Venue Mapper software will reduce staff time required to design the diagrams for events and improve customer service in terms of turnaround times for approval of room layout.
- **Event booking software for Colleyville Center - \$6,500**
The current event booking software used by the Colleyville Center is dated and does not allow for real-time calendar updates or the mobility that a web-based program would provide. New software will provide a simplified booking process, streamline paperwork, and allow for remote access from any device with internet access.

Technology Items Funded from Fiscal Year 2013 Available Funds:

- **Camera Replacements- \$40,400 (one-time expenditure)**
The security cameras at the library and the public works building have reached the end of their useful life and are in need of replacement. Unspent funds in the fiscal year 2013 budget have been identified to fund these replacements.
- **AV replacement at the Justice Center and EOC - \$65,000 (one-time expenditure)**
Unused funds in the Police Department fiscal year 2013 budget have been committed for replacement of audio-visual equipment in the Justice Center and Emergency Operations Center (EOC).
- **Interview Room Camera and Equipment Replacement - \$40,000 (one-time expenditure)**
Updated cameras and equipment will be installed in the police interview rooms to implement the best practices recommended by the Tarrant County District Attorney's Office. Utilizing the latest technology will enhance the City's partnership with the District Attorney's office.

Consistent funding of capital equipment replacement directly aligns with the sustainable government objective. Transferring a calculated amount annually into the Capital Equipment Replacement Fund allows the City to set aside money to replace vehicles and equipment at the end of their useful life, without concerns about variations in annual expenditures if a number of items need to be replaced in a particular year. Capital equipment includes vehicles, heavy equipment, servers, and other technology-related hardware.

- Replacement of vehicles and capital equipment (General Fund) - \$242,000
The fiscal year 2014 budget includes a transfer from the General Fund to the Capital Equipment Replacement Fund, for which \$31,000 is designated for replacement of servers, and \$211,000 is designated for the replacement of vehicles and equipment utilized by programs accounted for in the General Fund.
- Replacement of vehicles and capital equipment (Utility Fund) - \$81,100
This funding has been budgeted for replacement of vehicles and capital equipment that are utilized by programs accounted for in the Utility Fund.

Maintaining the City's investment in buildings and facilities is also an important component in delivering sustainable government. The fiscal year 2014 budget provides additional funding of \$32,313 in the facility maintenance program for contractual services on a recurring basis. It also allocates funds set aside in the Building Capital Projects Fund by City Council from the fiscal year 2012 year-end budget amendment to several top priority maintenance and repair items, as well as utilizing balances from other identified capital maintenance funds.

- Contract for disposal of fluorescent light bulbs - \$10,000
This funding will be used to fund an annual contract to provide for pick up and proper disposal of fluorescent light bulbs, ballasts, and any other hazardous materials that are used in City facilities. The contractor would provide the required documentation certifying the type and quantity of the materials that were disposed of to satisfy new EPA regulations to prohibit disposal of these materials in landfills. As these EPA requirements are new, this funding is for a service not currently provided.
- Maintenance of parking lot gates at the Justice Center - \$3,000
The proposed budget includes additional funding for an annual maintenance contract for the parking lot gates at the Justice Center. The gates are activated many times per day, causing significant wear and tear. Utilizing a maintenance contract to service and maintain the gates is a cost-effective and efficient way to manage the maintenance of the gates, as opposed to calling a vendor each time repairs are needed.
- Increases to current contracts administered by Building Services - \$19,313
As is typical with prices for most goods and services, the cost increases from year to year to accommodate inflation and/or increased cost of materials or labor. The Building Services program currently administers a number of contracts that will experience a price increase in fiscal year 2014, including boiler inspections and maintenance, pest control, HVAC maintenance, floor and carpet cleaning, janitorial service, window cleaning, and fire inspections. The additional funding included in the fiscal year 2014 budget serves to maintain the current service level.

- Redundant HVAC unit for the Justice Center Data Center - \$25,000 (one-time expenditure)
Purchasing a redundant HVAC unit for the Justice Center Data Center allows back-up cooling capabilities if the primary unit fails or is out of service. It is imperative that servers and other hardware in the data center function in a room with cool temperatures if the equipment is to operate properly and if the financial investment made in the equipment is to be protected.
- City Hall/library emergency lighting - \$10,582 (one-time expenditure)
The emergency lighting in City Hall and the library has reached its projected useful life of 10 years and the ballasts are beginning to fail. To provide a safe environment, the emergency lighting will be replaced.
- City Hall/library boiler pumps and motors - \$13,560 (one-time expenditure)
The pumps and motors for the boiler have reached the limit of their design life, which is 10 years, and need to be replaced before they fail and cause City Hall or the library to be without heat.
- Justice Center fire alarm system - \$12,396 (one-time expenditure)
A recent study was conducted to evaluate life, safety, and building deficiencies in the Justice Center. This request will bring the fire alarm system into Uniform Building Code and National Fire Protection Association compliance.
- Justice Center VAV boxes - \$4,721 (one-time expenditure)
The variable air volume (VAV) boxes at the Justice Center are failing and require replacement. These boxes are a component of the HVAC system.
- Seal exterior building openings at the Justice Center - \$6,000 (one-time expenditure)
Sealing the exterior building openings at the Justice Center will keep small animals out of the attic space. Normal wear and tear and settlement requires buildings to be sealed on an as-needed basis to prevent small animals from chewing electrical and data wiring and eating insulation, causing damage to a critical operational facility.
- Redundant HVAC unit for the City Hall data center - \$7,580 (one-time expenditure)
Purchasing a redundant HVAC unit for the City Hall data center allows for back-up cooling capabilities if the primary unit fails or is out of service. It is imperative that the servers and other hardware in the data center function in a room with cool temperatures if the equipment is to operate properly and if the financial investment made in the equipment is to be protected.
- City Hall and library fire alarm system - \$33,488 (one-time expenditure)
A recent study was conducted to evaluate life, safety, and building deficiencies in City Hall. This request will bring the fire alarm system into Uniform Building Code and National Fire Protection Association compliance.

- City Hall and library concrete steps and handrail - \$33,832 (one-time expenditure)
The concrete steps in front of City Hall and the Library are failing and need to be replaced as they constitute a tripping hazard. In addition, the handrails have been broken and repaired several times and require replacement.
- City Hall exhaust fan - \$7,500 (one-time expenditure)
The exhaust fan on the third floor in City Hall (near the kitchen) requires replacement. The current exhaust fan does not provide for an adequate amount of air changes and creates more noise than is acceptable.
- Dumpster enclosures - \$8,000 (one-time expenditure)
In order to be in compliance with the current code, funding has been included to improve the screening around the dumpsters behind City Hall.

BRAND COLLEYVILLE WITH A UNIQUE IDENTITY

Colleyville is an affluent community populated by an engaged, educated citizenry. Quality of life and the quality of service delivery provided in Colleyville are important aspects of life in our community. The public amenities and services provided by the City are part of what makes Colleyville unique, and an important element in the quality of life enjoyed by our citizens. These include: availability of materials and programs at the library, first-rate parks and trails, recreational and athletic programs, social activities and events, and opportunities for public engagement and input.

In order to meet the quality-of-life expectations of Colleyville citizens, the fiscal year 2014 budget provides additional funding for the following:

General Fund

- Additional funding for a technical services librarian - \$14,815
Additional funding has been added to convert the hours worked by one of the technical services librarians on a contractual basis to a true part-time City employee. This position had previously been funded on a contractual basis through the state-funded Loan Star Library Grant, but this funding has been reduced and ultimately eliminated over the last few years.
- Training for library staff - \$4,598
The proposed budget provides additional funding for attendance at several conferences and training opportunities for the library director and library staff. These training opportunities allow staff to keep current in the latest development in library services and to identify opportunities to either increase efficiencies or improve services to library patrons.



- **Maintenance of railroad rights-of-way - \$35,000**
In order to construct the Cottonbelt Trail in the right-of-way belonging to Dallas Area Rapid Transit (DART) and operated by the Fort Worth and Western Railroad (FWWRR), the City was required to execute a licensing agreement that required it to maintain the railroad right-of-way, including mowing, tree trimming, debris removal from the Big Bear Creek bridge, and other specified maintenance tasks. In order to work in the railroad right-of-way, it is necessary to hire a “flagger” at the rate of \$800 per day. This funding allows staff to hire a vendor approved by the FWWRR to perform the required maintenance work.
- **Grounds maintenance mowing contract - \$3,360**
Additional funding for the grounds maintenance mowing contract provides for maintenance of grounds adjacent to City monument signs. There are seven locations with monument signs; this funding adds the remaining four locations to those maintained by the City’s contractor and includes mowing, trimming, and edging of the property.
- **Tree falling and removal at Nature Center - \$10,000 (one-time expenditure)**
Funding is included in the fiscal year 2014 budget for removal of certain trees at the Nature Center that have been identified as either threats to citizen traffic areas or to private property.
- **Ground maintenance horticulture maintenance contract cost increase - \$5,392**
The current contract with the grounds maintenance mowing contractor includes an option to request additional funding not to exceed the standard Consumer Price Index (CPI) for the DFW Metropolitan area for the past 12 months. Additional funding addresses the anticipated request by the contractor to recover rising fuel and fertilizer costs.
- **Street lighting cost increase - \$18,720**
Part of Colleyville’s unique identity includes adequate street lights. The cost of electricity for street lights has increased and the budgeted amount has not been adjusted in several years. The additional funding provides the amount necessary to continue providing street lighting at the current service level.
- **Motion picture licensing for senior center - \$305**
Funding for motion picture licensing has been included in the fiscal year 2014 budget in order to provide an enhanced level of service to include the ability to show movies to patrons of the Senior Center.

CEDC and Voluntary Park Fund

- **Colleyville Center Site Master Plan - \$25,000**
The Colleyville Center Site Master Plan will provide the development road map for the seven acres of land currently surrounding the Colleyville Center. The architectural renderings will establish both land and space utilization on Riverwalk Drive, incorporating plans for gardens, fountains and functional outdoor meeting and patio space. The overarching intent for a plan is to



accommodate larger, revenue driving business and community events at the Center with development scope and funding to be determined by the City Council.

- Design of renovations to the Senior Center - \$125,000
The design of renovations to the Senior Center is included in the CEDC proposed budget to implement recommendations from a study currently in progress. The study considers future use, programs, and renovations of the Senior Center, and is a fiscal year 2013 CEDC funded project.
- Trail system investments - \$545,000
The proposed 2014 CEDC budget includes the carry forward of funding for incomplete projects- completion of Pleasant Run Trail right-of-way acquisition and construction (Bogart to Mission). Funding is also included for improvements at the Cotton Belt – LD Lockett Park Trailhead.
- City Park landscape and amenities - \$175,000
Funding has been included in the fiscal year 2014 CEDC budget for updates at City Park. The park opened in 1998 and is in need of improvements that provide for more efficient irrigation, lower water use landscaping, and updates of dugout and spectator areas.
- Laser grading of baseball and softball fields at City Park - \$30,000
Over time, ball field clay and conditioner is displaced from field skinned areas by players, daily maintenance, and weather to the adjacent turf areas. Additional funding has been included in the fiscal year 2014 budget from the Voluntary Park Fund to provide field leveling, or laser grading, on a three year rotation.

ITEMS NOT FUNDED IN FISCAL YEAR 2014

As is typical in local government, funding needs often exceed the revenues available. Decisions must be made in terms of what items to fund and include in the budget. The items described below were not included in the fiscal year 2014 budget, either due to a lack of available funding or because these items represented a lower overall priority when compared to other items. Every request for additional funding was evaluated and ranked by the staff Leadership Team, which played a large role in determining those items that were chosen for inclusion in the fiscal year 2014 budget. When ranking each funding request, the Leadership Team referred to a set of criteria, which included considering how and to what extent the request furthers the goals laid out by City Council in the Strategic Plan, any risks faced by not funding a request, whether the request addresses an area identified in the City's performance measures as needing improvement, staff's ability to execute and implement the request if funded, why the funding request is being considered (i.e. what prompted this request), and overall impact of funding the request compared to the financial investment required.

- **Street Reconstruction - \$2,400,000**
Colleyville has 43.5 miles of unimproved (no curbs and open ditches for drainage) asphalt streets. The majority of these streets are arterial or collector streets carrying the majority of the city's traffic. The cost to reconstruct these roads to current standards is approximately \$75 million in 2013 dollars. Based on the previously proposed target of eliminating all unimproved roads in Colleyville during the next 25 years, an additional \$3 million is need each year to fund reconstruction. Because some of these streets are eligible for TIF funding, an additional \$2.4 million is needed annually from other funding sources, such as the General Fund.
- **ESRI training for the building official - \$3,775**
Funding has been requested for the building official to attend ESRI-GIS I & II Training. The training would enhance the building official's ability to research information, such as a property's zoning type, lot size, property ownership, utility locations, etc., that require the use of a GIS-type program.
- **Graduate Intern - \$11,040**
A graduate-level intern would provide professional support to all City departments, including providing analysis, completing studies, supporting departments to achieve citywide goals, and assisting with special projects. As current staff members manage already full workloads and lack the capacity to take on work related to new projects or initiatives, the addition of an intern would provide needed higher-level professional support at a lower cost than that of an additional full-time employee. A graduate internship program would also provide the ability to attract additional professionals to the city and identify individuals that could be excellent future employees.
- **Agency agreement funding for Save Haven - \$1,000**
Safe Haven, a non-profit organization providing shelter, case management, counseling, legal services, and support groups to victims of domestic violence, has requested an additional \$1,000 from the City, for total funding of \$2,000 annually. Colleyville currently supports Safe Haven at the \$1,000 level. No additional justification regarding utilization of these services by Colleyville residents has been provided by the organization.
- **Outgoing BCC member recognition/meeting items - \$2,600**
Additional funding for recognition of members of City boards, commissions, or committees was requested for an annual reception or other recognition for the service provided by these individuals.
- **Human resources coordinator - \$75,000**
In order to provide adequate support regarding recruiting, hiring, organizational development, performance management, and training, the addition of a human resources coordinator is requested. This position would be responsible for providing advanced support of human resources functions, including targeted recruiting and hiring, training and development, special projects and research,

various committee representation, volunteer and intern program implementation and administration, and safety program/risk administration. Without this additional position, the HR Department will continue to be challenged to provide these necessary services.

- CRW website Upgrade - \$5,000

An upgraded website interface is available through CRW that would provide a more modern visual display and would also be accessible from iPad devices. The upgrade was not recommended for inclusion in the fiscal year 2014 budget as the enhancements are more cosmetic in nature and the primary beneficiaries of the more user-friendly interface would be staff as opposed to external customers. When compared to other funding requests, this request ranked lower in priority.

- CRW software upgrade - \$45,000

A new version of the current CRW software is available, which would transition the current software to a web-based program that would not require software to be installed on City computers. The program could be accessed from anywhere with internet capabilities, ultimately allowing access from the field.

- Colleyville Center technology upgrades - \$187,907

To provide the most up-to-date technology for customers renting space at the Colleyville Center, additional funding was requested to offer enhanced capabilities, with the intention of attracting more business customers. A number of existing technology components were replaced in 2010; items in this request were for a service level above and beyond that which is currently provided. Technology improvements would include an enhanced audio and visual system in the stage and large hall area, enhanced receiver, speakers and controls for the small meeting room, speakers in the outdoor patio areas, video conferencing capabilities, and a portable interactive smartboard.

- Installation of fiber for the City - \$395,000

The City currently leases fiber to provide connectivity between buildings. By installing City-owned fiber, the cost for the current lease could be eliminated. It is anticipated that, based on the current amount of fiber used by the City and the fact that the amount used increases substantially each year, costs for the leased fiber will also continue to increase. Installation of City-owned fiber could be broken into phases. Phase 1 would connect City Hall and the Justice Center, at a cost of \$237,000. Implementation of Phase 1 would reduce leased fiber costs (approximately \$55,000 per year) by \$16,800. Additional phases would connect the central fire station and the public works building with the Justice Center, at a cost of approximately \$79,000 for each.

- Citywide digital signage platform - \$105,000

The addition of a citywide digital signage platform would enhance communication to citizens at key buildings including the library, City Hall, Justice Center, the Colleyville Center, the Senior Center, fire stations, and the public works building. This will also enhance communications to employees by placing



screens in employee areas of City buildings. A total of 25 digital signs are included in the proposal. The digital signs could provide information such as the programs offered that day at the library or Senior Center, or other items that would be helpful to communicate.

GENERAL FUND

In developing the proposed budget, the objective was to achieve a balance between revenues and expenditures, and prioritized operational needs with long-term community investment strategies.

Revenues

Major revenue considerations in the proposed General Fund budget include:

- An increased operation and maintenance (General Fund) portion of the tax rate due to declining bonded indebtedness. There is no overall increase in the total tax rate.
- An increase in ad valorem revenue due to a 3.1% increase in property values
- Increased sales tax revenue
- An increase in inter-fund transfers, both from a higher transfer from the Utility Fund and from a transfer from capital project budgets for the new construction inspector

Property Tax

The main source of income for the City is property taxes, accounting for 55 percent of our total revenue. The biggest budgetary issue in preparing an annual budget is the setting of the property tax rate. Once the roll is received in late July, the tax rate is determined by the debt rate needed to pay for the City's bonded indebtedness and funds needed for maintenance and operation funding in the General Fund.

The Tarrant Appraisal District has certified Colleyville's property valuations for 2013 at \$3,909,272,694 (\$3,847,268,162 in certified value and \$62,004,532 in pending appeals and incomplete valuations), and includes \$98,382,931 in new construction. This represents an increase of \$117,565,834 (3.10%) over the current year's taxable valuation of \$3,791,706,860, per the September 1, 2012 certified values. The value of existing property on the tax roll is \$3,810,889,763, representing an increase of \$19,182,903 (0.51%) over the current year's taxable valuation. The total taxable value includes TIF zone property, which has a combined taxable value of \$254,552,139 (TIF Zone #1 adopted in 1998- \$254,036,083 and TIF Zone #1A adopted in 2012- \$515,308) and includes \$5,721,554 in new construction. The final TIF value is subject to change, as \$4,875,712 in valuation is still under appeal. This represents an increase of \$3,343,649 (1.33%) over the current year TIF valuation of \$251,208,490.



In 2003, the City Council increased the over-65 property tax exemption to \$65,000 and approved the senior property tax freeze in 2004. The loss in property tax revenue from the over-65 property tax exemption for 2014 is projected to be \$400,645, combined with the loss of revenue for the senior tax freeze of \$151,399. Currently, 18.62 percent of all residential property tax accounts are frozen.

As submitted, the proposed budget maintains a property tax rate of \$0.3559 per \$100 value to support a property tax levy of \$12,855,752, excluding the TIF property and frozen value. The tax rate is comprised of an operation and maintenance rate of \$0.32442, and an interest and sinking rate of \$0.03148. The latter component provides funding for retirement of the annual debt obligations. In a review of peer cities, Colleyville has the second lowest tax rate in northeast Tarrant County. That is not expected to change with adoption of the proposed budget.

The proposed property tax rate of \$0.3559 is slightly less than the effective tax rate of \$0.357392. The effective tax rate is the rate at which the City would raise the same amount of revenue raised in the last fiscal year. If the City of Colleyville were to adopt a 2014 tax rate equal to the effective tax rate of \$0.357392 per \$100 of value, total taxes on existing property would increase compared to 2013 taxes by \$566,548.

As shown in the following table, the proposed 2014 property tax rate will increase the typical homeowner's tax bill compared to this year's tax billing by \$29.01.

Budget Year	Average Residential Property Value	Property Tax Rate	Average Property Tax Payment
2010	\$398,957	\$0.3559	\$1,419.89
2011	\$397,472	\$0.3559	\$1,414.60
2012	\$396,817	\$0.3559	\$1,412.28
2013	\$397,889	\$0.3559	\$1,416.09
2014	\$406,040	\$0.3559	\$1,445.10

Sales Tax

The second major financial consideration guiding development of the budget is the growth of sales tax revenues. The City collects a total two percent sales tax: one percent for General Fund and the remaining one percent allocated for two half-cent special purpose districts. The sales tax revenue category also includes mixed beverage tax. As there has been a slight upturn in the local economy and the opening of Whole Foods Market is anticipated in mid-fiscal year 2014, a 5.8 percent increase in sales tax over the fiscal year 2013 adopted budget is projected.

Licenses and Permits

Building related revenue remains relatively consistent with the fiscal year 2013 budget. The fiscal year 2014 budget includes a 1.8 percent increase over the fiscal year 2013 adopted budget. Activity has returned to pre-recession levels beginning



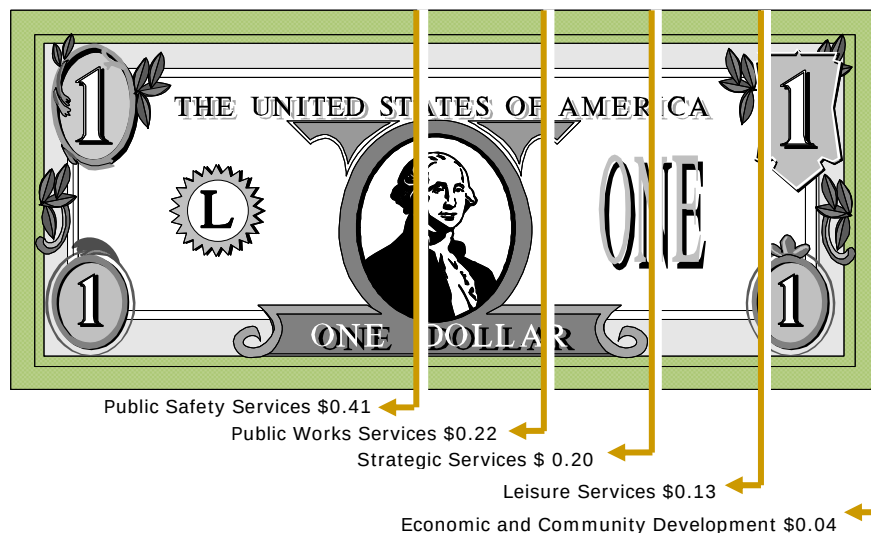
in fiscal year 2012. Based on current interest rates and the number of lots that have been approved or are under construction, staff anticipates that the current rate of construction of new single family residential homes will continue for the near future. There are also commercial developments and redevelopments anticipated for fiscal year 2014.

Intergovernmental Revenue

Intergovernmental revenue includes the annual payment from the City of Keller as a result of the municipal court consolidation in the amount of \$217,967. Keller is paying 45.9% of the total municipal court cost based upon their percentage of total citations issued by both cities. There is also a small reimbursement of administrative fees and building costs included in the payment.

Expenditures

The following illustration shows how the City spends each tax dollar for the upcoming fiscal year. The total proposed General Fund budget for fiscal year 2014 is \$21,533,967.



UTILITY FUND

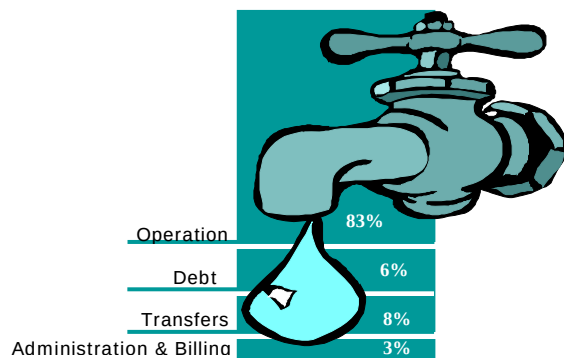
The Utility Fund is a proprietary fund structured and operated as a stand-alone business or enterprise. For budgeting purposes, the fund segregates the operating expenses and debt service in an accounting fashion similar to the General Fund. In accordance with Generally Accepted Accounting Principles (GAAP), this fund uses a full accrual basis of accounting that combines the accounting of long-term assets and liabilities with operating expenses and revenues. As a stand-alone Enterprise Fund, the Utility Fund pays its share of overhead costs as a reimbursement to the General Fund. The fund also makes a franchise fee payment to the General Fund.

Revenues

Under the current rate structure, water sales account for 75 percent of this amount and sewer revenues account for 23 percent. Interest, tap fees, and miscellaneous revenues make up the remainder. The current rates are based on the City paying TRA \$2.53 per 1,000 gallons for water and \$1.82 for wastewater, an increase of \$0.11 for wastewater from 2012 rates. Meeting bond covenant requirements, the existing rate structure provides for a 1.2 times coverage factor.

Expenditures

Utility Fund expenditures total \$13,176,572 for the proposed budget. The largest component, 64 percent of the fund, covers the contractual obligation for water and wastewater to the Trinity River Authority (TRA). In an effort to continue a comprehensive program to repair and rehabilitate the utility system, the budget includes funding in the amount of \$250,000 for infrastructure renewal, which is funded through a draw-down of the available cash in the Utility Fund retained earnings. The expenditure increase in the budget from fiscal year 2013 is due primarily to the increase in the cost of treated water and wastewater by TRA, setting aside \$81,100 for the future replacement of vehicles and equipment, and an increase in the amount transferred to the General Fund. The following illustrates the distribution of expenses for the Utility Fund.



DEBT SERVICE FUND

The City budgets for debt service in two separate funds - utility and tax supported debt services. The total fiscal year 2014 debt obligation for tax supported debt is \$1,684,797, a decrease from the fiscal year 2013 total of \$2,296,446. There is a planned drawdown of debt service fund balance in the amount of \$152,666 for the second year repayment of the lease purchase agreement for the towers, consoles, portable radios, and handhelds related to the upgrade of the 800MHz Trunked Radio System to Project 25 (P25) capability, which was entered into in fiscal year 2012. There is declining debt service in the remaining outstanding debt obligations and a refunding of outstanding callable debt occurred in fiscal year 2011. The projected ending fiscal year 2014 fund balance will be in excess of the 90-day reserve needed.

The Utility Fund's times coverage ratio of 1.20 is effectively met in the current tiered rate structure. The total utility-supported 2014 bonded debt obligation is \$819,137. Also included is the repayment to the Colleyville Tomorrow Fund for the internal financing the acquisition of a vactor truck in the amount of \$44,286. The acquisition was approved in fiscal year 2012 and the Utility Fund will be repaying the Colleyville Tomorrow Fund this amount annually for the next six years, which would be the term of the lease if financed externally.

Furthermore, the city's bond ratings are evidence of Colleyville's financial strength. In 2009, the City received an upgrade in its general obligation bond rating from AA+ to AAA from Standard and Poor's. Strong tax base growth coupled with a low tax rate, strong financial performance, and substantial cash balances are the primary reasons for the bond rating.

In fiscal year 2012, the city's rating went through its biannual bond rating review with Fitch Ratings for outstanding general obligation, and water and sewer debt. The AAA rating was reaffirmed by Fitch Ratings. The key ratings drivers for the AAA rating for the general obligation debt were a healthy financial profile, solid tax base, manageable debt burden, and a diverse economy. For water and sewer debt, the key ratings drivers for the AAA rating were conservative financial management, rate flexibility, low debt, and limited capital needs.

The waterworks and sewer system revenue bonds and the drainage system revenue bonds also received a rating upgrade in 2009. Standard and Poor's upgraded the water and sewer utility revenue bonds from AA- to AA+ and drainage utility revenue bonds from AA to AAA. Fitch ICBA also upgraded the drainage system revenue bonds from A+ to AA. Reasons for the upgrades include strong financial operations, growth in service area, adequate water and sewer treatment capacity to meet future demands, and moderate debt ratio with manageable future borrowing plans. These credit ratings for outstanding debt mean the City's bonds are considered to be of superior investment quality, resulting in lower interest payments for the City.

STORMWATER DRAINAGE UTILITY FUND

In 1993, the City Council adopted a monthly fee assessed on residential and commercial utility billing accounts for stormwater management. The Stormwater Drainage Utility Fund supports the operation and maintenance of the city's drainage system and addresses federally mandated requirements for stormwater systems.

This fund is designated to maintain streets, sewers, and drainage ditches to manage runoff from commercial and residential development, including related personnel and operating costs.

The fund is projected to receive revenues of \$944,519 in fiscal year 2014, primarily from the collection of the monthly fee. Annual debt payments for the outstanding bonds comprise \$255,568. In fiscal year 2014, \$40,000 has been allocated for



infrastructure renewal and the remaining funds of \$558,919 fully support six staff positions, partially fund two other staff positions for which costs are split between multiple funds, and drainage projects throughout the city. The drainage bonds require a coverage ratio of 1.25 times annual debt service, approximately \$319,460 annually. Also included is the repayment to the Colleyville Tomorrow Fund for the internal financing of the acquisition of a Gradall excavator in the amount of \$19,032. The acquisition was approved in fiscal year 2012 and the Stormwater Drainage Utility Fund will repay the Colleyville Tomorrow Fund this amount annually during the next five years, which would be the term of the lease if financed externally.

SPECIAL REVENUE FUNDS

The City Council continues to be innovative in evaluating financing options for various City programs. Programs implemented to date include:

Colleyville Tax Increment Financing (TIF) District

The Tax Increment Reinvestment Zone (TIRZ) District, also known as the TIF, was created in 1998. The primary goal of the district is to encourage quality commercial development in the city. The district boundaries predominately occupy property located along State Highway 26, comprising 633 acres of land area. The base value for the district was \$75,821,735 in 1998. Incremental values subsequent to January 1998 are taxed at the City's adopted property tax rate. However, the ad valorem revenues are utilized within the district rather than being allocated to the City's overall budget. Overlapping taxing entities, including Tarrant County College District and the Grapevine-Colleyville Independent School District participate at varying levels in the district by assigning their ad valorem tax dollars. Tarrant County and the Tarrant County Hospital District are no longer participating in contributing to the TIF as their level commitment has already been met. In November 2012, the TIF was amended to expand boundaries to include mostly additional vacant, underutilized land and some commercial property. The additional area added is called TIF #1A, as compared to the original area which is called TIF #1.

The incremental value for fiscal year 2014 (tax year 2013) is \$254,036,831 for TIF #1 and \$515,308 for TIF #1A. TIF #1 experienced an increase of \$2,828,341 from the valuation for fiscal year 2013 (tax year 2012). In 1998, initial planning projections stated the anticipated incremental property valuation for the District would be \$188,284,200 in fiscal year 2014. The actual fiscal year 2014 incremental value is a 35 percent increase over the original 1998 projection for fiscal year 2014. Colleyville's TIF District is one of the highest performing in the state.

The debt service payment for the coming year is \$683,700 for bonds issued for district projects. Additionally, expenditures are anticipated for payments to the Village at Colleyville and Town Center at Colleyville for developer asset repurchase agreements as a result of TIF Board and City Council incentivized approved projects. The proposed CIP budget recommends using TIF funds to pay for Glade Road improvements.



Colleyville Crime Control and Prevention District (CCCPD)

The primary goal of the district is to fund public safety facilities. The district was created by voter approval in 1999, with oversight of funds assigned to the board of directors, composed of the City Council. State law provides that a district's life is limited to five years, unless voters continue the district by approval of a referendum. In September 2003, Colleyville voters approved continuation of the district for an additional 20 years.

Expected revenue from the 0.5 percent special purpose sales tax, use of funds generated from prior years' coverage ratio and related interest income for the proposed budget is \$1,461,712. The budget provides funding for the annual debt on the Colleyville Justice Center, compensation for six police officers, vehicle replacement, and various minor capital items, with total expenditures of \$1,311,714 for fiscal year 2014.

Colleyville Economic Development Corporation (CEDC)

Authority for the corporation is provided by state statute as a 4B corporation. The 0.5 percent sales and use tax approved by the voters in August 1996 has been an important resource in our Capital Improvement Program for community-related facilities. Expected revenue from the special purpose sales tax, use of funds generated from prior years' coverage ratio, and related interest income for the proposed budget is \$2,247,560. The CEDC Board will meet in August to approve the proposed budget. Funding provided by this special sales tax has been allocated to community-enhancement initiatives consistent with the authorization of the corporation, including park facilities, the Colleyville Public Library, and Colleyville Center. Consistent with state law, some funds will likely be allocated by the board of directors for promotional efforts for special events and marketing.

Court Technology Fund

The Court Technology Fund receives revenues from the collection of the Municipal Court technology fee imposed on convictions on cases adjudicated in the Court. Available funds are spent on technology repairs, replacements, and upgrades for the Court. In fiscal year 2014 the Court Technology Fund will pay for software utilized by the Court.

Court Security Fund

The Court Security Fund receives revenues from the collection of the Municipal Court building security fee imposed on convictions on cases adjudicated in the Court. Available funds are spent on security-related expenses for the Court. In fiscal year 2014, this includes funding for bailiff services at various trial settings.

Strategic Initiatives Fund

Resources available in the Strategic Initiatives Fund are to be used with the City Council's authorization for programs and projects linked directly to the City's strategic plan. This fund does not have a dedicated revenue source; any income received is from transfers in from other funds. In fiscal year 2013, \$200,000 was transferred to the Strategic Initiatives Fund from the General Fund. The current



available balance in the Strategic Initiatives Fund is \$495,446 and is intended to be used primarily on economic development incentives. Funds may be allocated at the discretion of the City Council.

Voluntary Library Fund

When voluntary contributions are made to the Library by citizens, those contributions are placed in the Voluntary Library Fund. Contributions are used primarily to support library activities. In fiscal year 2014 the Voluntary Library Fund will pay for library materials, collection development, processing supplies, and library programs.

FUTURE OUTLOOK

As is apparent in the content of this proposed budget, the City's focus now and in the future is to provide adequate funding for the established services that provide value to our citizens and serve to enforce the City Council's strategic goals, particularly protecting neighborhoods, providing core services, and generating economic activity.

As the City's largest source of revenue to fund programs and services, revenue from property taxes fund the majority of the City's services. As a revenue source, property tax could be adversely affected in future years if state legislative efforts are successful in decreasing the current 10-percent cap on residential appraisal growth. Growth caps of 3 percent and 5 percent for local government property appraisals have been discussed in recent legislative sessions. Therefore, diversification of the tax base is essential and the most immediate means for remedy is through strong economic development efforts.

In 2013, economic development efforts resulted in attracting high-profile commercial development—particularly the announcement of a Whole Foods Market set to open in 2014. Historical data related to Whole Foods Markets in other areas shows that this store tends to attract other high-profile retailers—essentially serving as a “gateway” to more commercial development.

While the City will work to capitalize on this opportunity, this brings about some unique challenges. Colleyville is landlocked and is almost entirely developed. This means fewer opportunities for true growth and essentially obligates the City to maximize economic opportunities with the limited availability of commercial land and zoning. The city is primarily zoned and developed as residential, with only a small percentage of the land zoned for commercial activity. Prudent and judicious consideration must be made regarding its future use. It is incumbent upon us all to guardedly review all proposals for conversion of this limited commercial space for non-commercial uses or less productive commercial use.

Colleyville is maturing as a city, which also means an aging infrastructure. One of the highest priorities for the City in this and future years will be to ensure the city's public infrastructure remains sound so the investment our citizens have made in



Colleyville is protected. With a population that has increased by more than 50 percent since the early 1990s, it is imperative that the City plan for infrastructure so that it meets the demands of our residential and commercial population now and in the decades ahead.

To effectively and efficiently meet the needs of our citizens, innovation and continual improvements by the organization are essential. The City's ability to provide excellent public service for our citizens is due to the dedication, skills, and talents of our elected officials and volunteer board members, and our outstanding employees. Employee devotion and commitment to this community are demonstrated each day. The compensation components detailed in this proposed budget make significant strides in protecting the City's investment in the resource that is our employees—setting a path that will move the City forward with employees that can adapt and thrive in a changing environment.

The economy in the Dallas/Fort Worth area has been relatively robust through the economic downturn of the past few years, especially as compared to much of the rest of the nation. During this period, the Colleyville City Council exhibited prudent fiscal foresight and overall restraint in the face of compelling, yet competing demands for limited resources. Because of the current tax structure and the components of costs for local governments, facing long-term fiscal challenges is a reality for most cities in Texas, including Colleyville.

In a continued effort to be proactive and anticipate future needs, the City routinely evaluates trends and identifies specific challenges expected during the next 10 years. Each segment of the organization routinely conducts a thorough examination of future needs as they relate to the City's strategic plan, citizen expectations, and the vision for Colleyville. And then develops strategies to change, revise, and evolve in ways that provide better services in a more effective, efficient manner—and often involves establishing strategic partnerships with other cities to reduce redundancy and improve services. The City of Colleyville helped begin this trend a few years ago and has become a leader in partnering with other municipalities for shared city services.

CONCLUSION

The City has been consistently recognized throughout the years for its judicious management of financial resources to support an array of services and programs. With a dedicated workforce and a steady and diverse revenue base, the City of Colleyville continues to be in a position to deliver municipal programs and services that bring value to our residents and make Colleyville a desirable location for residents, businesses, and visitors.

In an environment of limited resources, it is imperative that every budget expenditure be measured by the value it provides to citizens and the cost of that value in relationship to other services, and in consideration of whether the City can



sustain provision of any expenditure in future years without jeopardizing necessary services. This budget dedicates resources to continue protection of our neighborhoods; continue work toward optimal staffing of our public safety operations; establish a fair, competitive compensation structure for the City's workforce; leverage technology to improve efficiency and service delivery; and continue the commitment to street and sidewalk repair work. These services will pay dividends in protecting property values and enhancing the unique quality of life enjoyed by Colleyville residents.

As always, staff will continue to be diligent in its review of City finances in order to assist the City Council in making decisions that will ensure the fiscal viability of its government. Additionally, staff will continue to evaluate and improve business practices in an effort to find efficiencies, while also looking at regional synergies and collaborations to reduce ongoing costs.

The proposed budget is presented for your consideration with the commitment and confidence that it effectively funds the varying needs of the community. It provides a strong financial plan, while ensuring a superior level of municipal services to our citizens. We feel confident the projections and estimates are conservative, yet reasonable and accurately reflect anticipated revenues and municipal needs. We look forward to working with you to achieve all the goals set forth in this proposed budget.

Preparing the proposed budget was a tremendous undertaking. It is important to acknowledge the efforts of the dedicated staff that worked resolutely to formulate fiscally responsible proposals. Together, the City will continue to plan prudently by following the strong financial management principles espoused by the City Council and to implement sound, long-term fiscal solutions that will carry the city into the future. While many of the changes included in this service plan were difficult decisions, they will help assure the long-term financial viability of the City and will help protect our core services and infrastructure.

Appreciation goes to the Mayor and City Council for their community leadership and solid financial acumen. I also want to thank the staff Budget Team, including Terry Leake, assistant city manager/chief financial officer; Karen Hines, finance manager; Michelle Reyes, human resources director; and Adrienne Lothery, strategic services manager, for their efforts in building our service plan for 2014.

My special thanks to all City employees who have worked so hard to provide quality services to our citizens and who are committed to the success of our great city.

In summary we pledge our time and talents to achieve continued excellence for the citizens we serve and it is our honor to do so.

Jennifer Fadden

Jennifer Fadden
City Manager



VISION

Colleyville is a model city with attention to being an efficient and attractive neighborhood-oriented community, sensitive to our history, resources and residents.

STRATEGIC POINTS

Make a long-term commitment to economic development and promote a more diversified tax base

- Protect and preserve commercial development along Colleyville Blvd. in order to maximize the highest and best use of the City's primary commercial corridor.
- Mitigate the economic impact of roadway reconstruction.
- Work with property owners and representatives to master plan the remaining large, undeveloped tracts of commercial property.
- Promote a destination / visitor's economy.
- Pursue opportunities to advance small business development and create business incubators in order to nurture the commercial tax base.
- Market Colleyville as a medical specialist, procedure and laboratory center.
- Encourage commercial development along Precinct Line Road.
- Promote the retention and support of local businesses.

Foster excellence in core service delivery

- Ensure adequate resources for the community's public safety priorities.
- Provide adequate reinvestment to ensure high quality infrastructure.
- Provide premier parks, open spaces and neighborhood connectivity.
- Promote life-long learning and community engagement through the Colleyville Public Library.
- Maintain a reputation for high quality and unique customer service.

Protect and preserve Colleyville's neighborhoods

- Preserve Colleyville's unique, rural neighborhoods and high property values.
- Mitigate the impact of aging infrastructure.
- Utilize partnerships to enhance safety and security and community amenities.
- Continue mobility enhancements that complement neighborhoods.

Deliver sustainable government

- Weigh and evaluate citizen expectations in relation to city build out and available revenues.
- Seek innovative technology solutions where appropriate.
- Identify alternatives to increasing costs of service delivery.
- Deliver fiscally responsible government.
- Attract and retain high quality employees.

Brand Colleyville with a unique identity

- Celebrate and promote Colleyville's willingness to be unique / set apart from other cities.
- Capitalize on Colleyville's small town feel in the middle of the metroplex.
- Continue to provide a unique public assembly facility that stimulates economic activity and promotes community interaction.
- Celebrate Colleyville's unique destinations.



ORDINANCE O-13-1882

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS, APPROVING AND ADOPTING THE ANNUAL BUDGET FOR THE CITY OF COLLEYVILLE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014, A COPY OF SAME BEING ON FILE IN THE OFFICE OF THE CITY SECRETARY, TO BECOME EFFECTIVE ON OCTOBER 1, 2013

WHEREAS, in compliance with Article 689a-14, Vernon's Texas Civil Statutes, the city manager did file with the city secretary, a copy of the budget of the proposed expenditures for the fiscal year beginning October 1, 2013, and ending September 30, 2014, such filing being more than thirty (30) days prior to the date on which the City Council makes its tax levy for said fiscal year; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meeting Act; and

WHEREAS, the City Council determines that the passage of this ordinance is in the best interests of the health, safety, and welfare of the public.

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

- Sec. 1. THAT all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.
- Sec. 2. THAT the budget of the proposed expenditures for the fiscal year beginning October 1, 2013, and ending September 30, 2014, which was prepared by the city manager, a copy of which is on file in the Office of the City Secretary, is hereby made a part of this ordinance by reference and is hereby approved and adopted by the City Council of the City of Colleyville, Texas, as the official budget for the fiscal year beginning October 1, 2013, and ending September 30, 2014.
- Sec. 3. THAT appropriation amounts for the Fiscal Year 2014 Budget for the different funds of the City of Colleyville are hereby fixed as follows:

General Fund	\$21,533,967
Utility Fund (Water & Wastewater)	\$13,176,572
Debt Service Fund	\$ 1,685,797
Drainage Utility Fund	\$ 873,519

Sec. 4. THAT the expenditure budget for the Fiscal Year 2014 Capital Improvement Program (CIP) of the City of Colleyville is hereby approved as follows:

Fiscal Year 2014 CIP	\$27,118,446
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Sec. 5. THAT the city manager is hereby authorized to execute all contracts and documents for which funding is appropriated in the aforementioned budgets.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of September 2013.

The second reading and public hearing being conducted on the 17th day of September 2013.

PASSED, APPROVED, and ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS, THIS THE _____ DAY OF _____ 2013, BY THE FOLLOWING VOTE:

David Kelly	_____
Chuck Mogged	_____
Jody Short	_____
Mike Taylor	_____

Carol Wollin	_____
Stan Hall	_____
Tom Hart	_____

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 6c
Type Ordinance
Department City Manager

Agenda Date 09/03/2013

Number Ordinance O-13-1883

Title

Adoption of the Ad Valorem Tax Rate for Fiscal Year 2014 (FY 2014)

Explanation

First Reading and Public Hearing

Chapter 26, Texas Property Tax Code, requires taxing units to comply with "Truth-in-Taxation" laws in setting tax rates and perform an effective tax rate calculation. The calculated Fiscal Year 2014 (FY 2014) effective tax rate is \$.357392. As the proposed rate of \$.3559 is lower than the effective tax rate of \$.357392, legislation requires that a city only need to publish the "Notice of Effective Tax Rate" to be in compliance with Chapter 26 of the Texas Property Tax Code. The "Notice of Effective Tax Rate" for FY 2014 was published on Thursday, August 15, 2013 in the *Fort Worth Star-Telegram*. In order that the citizens of Colleyville be informed of the proposed FY 2014 tax rate, City Council adopted Resolution R-13-3659 reflecting their intention to adopt a tax rate of \$.3559 per hundred dollars of valuation at a public hearing held on August 20, 2013.

Additionally, the FY 2014 proposed tax rate of \$.3559 per hundred dollars of valuation is unchanged from FY 2013 to FY 2014, and this is the seventh year that the tax rate is \$.3559. The average residential value for FY 2013 was \$397,889, and the average residential value for FY 2014 is \$406,040. The increase in average residential property value between FY 2013 and FY 2014 was primarily driven by higher values for new residential construction, as in many cases, the value of new homes constructed during the assessment period was greater than \$400,000. This equates to an annual property tax increase of \$29.01, or an adjustment of \$.08 per day to support City services. If the taxable valuation for a residence did not increase from FY 2013, there is no corresponding increase in taxes, as there is no proposed tax increase in FY 2014.

As a point of reference, the effective tax rate calculation sets the interest and sinking rate (Debt Service Fund rate) at \$.03148. The remainder of the tax rate of \$.32442 will be allocated to operations and maintenance (General Fund rate). The ordinance adopting the FY 2014 tax rate reflects these rates as required by the effective tax rate calculation.

Financial Impact

Adoption of the tax rate and its subsequent levy will provide a portion of the funding for the Fiscal Year 2014 General Fund budget.

Recommendation

Approve

Attachments

1. Ordinance O-13-1883

ORDINANCE O-13-1883

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS, LEVYING TAXES FOR THE OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF COLLEYVILLE, TEXAS, FOR THE FISCAL YEAR 2014; ESTABLISHING THE AD VALOREM TAX RATE OF THIRTY-FIVE AND FIFTY-NINE HUNDREDTHS CENTS (\$.3559) PER ONE HUNDRED DOLLARS PROPERTY ASSESSMENT; PROVIDING FOR APPORTIONMENT OF TAXES FOR INTEREST AND SINKING FUND FOR CERTAIN BOND INDEBTEDNESS AND FOR GENERAL OPERATING NEEDS, PROVIDING PENALTIES AND INTEREST FOR THE DELINQUENT TAXES, AND TO BECOME EFFECTIVE ON OCTOBER 1, 2013

WHEREAS, a budget has been adopted by the City Council of the City of Colleyville, Texas, covering the proposed expenditures of the municipal government of the City of Colleyville for the fiscal year beginning October 1, 2013 and ending September 30, 2014; and

WHEREAS, said budget reflects the needs for revenue to meet the expenses proposed therein; and

WHEREAS, the City is required to accumulate an Interest and Sinking Fund for certain outstanding bond indebtedness; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including, but not limited to, the Open Meetings Act; and

WHEREAS, the City Council determines that the passage of this ordinance is in the best interests of the health, safety, and welfare of the public.

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

Sec. 1. THAT there is hereby levied an ad valorem tax that shall be collected for the use and support of the municipal government of the City of Colleyville. It shall provide the legally required Interest and Sinking Fund for certain outstanding bond indebtedness during the 2014 fiscal year. Such tax shall be levied upon all property, real, personal, or mixed within the corporate limits of Colleyville, Texas, which is subject to

taxation. The rate of tax shall be thirty-five and fifty-nine hundredths cents (\$.3559) on each one hundred dollars (\$100.00) property assessment. Said tax levied for and apportioned to the following specific purposes:

A. For the General Fund, a tax rate of \$.32442 is levied.

B. For the Interest and Sinking Fund, a tax rate of \$.03148 is levied.

Sec. 2. THAT taxes levied by this ordinance shall be due and payable on the first day of October 2013, and shall become delinquent on the first day of February 2014, if unpaid. Upon taxes becoming delinquent, interest and penalty will be added as required in Section 33.01 of the Texas Property Tax Code, and shall commence on the first day of February 2014. The City of Colleyville is hereby authorized to adopt any and all legal remedies provided by the Texas Property Tax Code for the purpose of collecting delinquent taxes.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of September 2013.

The second reading and public hearing being conducted on the 17th day of September 2013.

PASSED, APPROVED, and ADOPTED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS, THIS THE _____ DAY OF _____ 2013, BY THE FOLLOWING VOTE:

David Kelly _____
Chuck Mogged _____
Jody Short _____
Mike Taylor _____

Carol Wollin _____
Stan Hall _____
Tom Hart _____

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 6d
Type Ordinance
Department City Manager

Agenda Date 09/03/2013

Number Ordinance O-13-1884

Title

Adoption of the Colleyville Economic Development Corporation Fiscal Year 2014 (FY 2014) Budget

Explanation

First Reading and Public Hearing

Per the Colleyville Economic Development Corporation (CEDC) Corporate Bylaws, the Board of Directors must adopt an annual budget for the CEDC. This budget must also be approved and adopted by the City Council. The CEDC Board unanimously adopted the FY 2014 budget proposed in Ordinance O-13-1884 at the annual Board meeting held August 27, 2013. This budget replicates the FY 2014 expenditures in the Economic Development Capital Improvement Program FY 2014 - 2018 adopted by the Board on August 27, 2013.

The sales tax portion of the revenue estimate (\$1,437,500) is one-half of the sales tax revenue estimate in the City's proposed FY 2014 budget. Total proposed expenditures include the following:

Capital:	
• Interfund loan - Colleyville Center renovations	\$165,332
• City Park Update – Landscape and amenities	\$175,000
• Colleyville Center – Replacement original stage curtain	\$ 25,000
• Colleyville Center – Refinish stage	\$ 4,000
• Colleyville Center – Repairs to original sloped metal roof	\$ 48,000
• Colleyville Center – Site Master Plan	\$ 25,000
• Pleasant Run Trail right-of-way acquisition (Mission to Bogart) FY 2013 carry forward	\$168,000
• Pleasant Run Trail construction (Mission to Bogart) FY 2013 carry forward	\$277,000
• Improvements at Cotton Belt – L.D. Lockett Park Trailhead	\$100,000
• Senior Center – Renovation - Design	\$125,000

Operating:	
• Administrative	\$ 2,000
• Debt service on the 2005 sales tax refunding bonds	\$644,630

• Water/wastewater McPherson Park	\$ 17,750
• Personnel - Senior Center	\$ 64,975
• Personnel - Library	\$ 76,448
• Operations – Library	\$ 4,421
Promotional:	
• Old Tyme BBQ event	\$ 15,000
• Holly Colley Holiday event	\$ 36,000
• Red, White & Sousa event	\$ 36,000
• Economic Development promotional	\$ 57,153

The budget also utilizes \$883,033 in available cash balance, with the projected ending Fiscal Year 2013 Fund Balance being \$2,013,612.

Financial Impact

Adoption will provide appropriations for the FY 2014 CEDC budget.

Recommendation

Approve

Attachments

1. Proposed FY 2014 CEDC Budget summary
2. Ordinance O-13-1884



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 6d
Type Ordinance
Department City Manager

Agenda Date 09/03/2013

Number Ordinance O-13-1884

Title

Adoption of the Colleyville Economic Development Corporation Fiscal Year 2014 (FY 2014) Budget

Explanation

First Reading and Public Hearing

Per the Colleyville Economic Development Corporation (CEDC) Corporate Bylaws, the Board of Directors must adopt an annual budget for the CEDC. This budget must also be approved and adopted by the City Council. The CEDC Board unanimously adopted the FY 2014 budget proposed in Ordinance O-13-1884 at the annual Board meeting held August 27, 2013. This budget replicates the FY 2014 expenditures in the Economic Development Capital Improvement Program FY 2014 - 2018 adopted by the Board on August 27, 2013.

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Capital:	
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• City Park Update – Landscape and amenities	\$175,000
• Colleyville Center – Replacement original stage curtain	\$ 25,000
• Colleyville Center – Refinish stage	\$ 4,000
• Colleyville Center – Repairs to original sloped metal roof	\$ 48,000
• Colleyville Center – Site Master Plan	\$ 25,000
• Pleasant Run Trail right-of-way acquisition (Mission to Bogart) FY 2013 carry forward	\$168,000
• Pleasant Run Trail construction (Mission to Bogart) FY 2013 carry forward	\$277,000
• Improvements at Cotton Belt – L.D. Lockett Park Trailhead	\$100,000
• Senior Center – Renovation - Design	\$125,000

Operating:	
• Administrative	\$ 2,000
• Debt service on the 2005 sales tax refunding bonds	\$644,630
• Water/wastewater McPherson Park	\$ 17,750
• Personnel - Senior Center	\$ 64,975
• Personnel - Library	\$ 76,448
• Operations – Library	\$ 4,421
Promotional:	
• Old Tyme BBQ event	\$ 15,000
• Holly Colley Holiday event	\$ 36,000
• Red, White & Sousa event	\$ 36,000
• Economic Development promotional	\$ 57,153

The budget also utilizes \$883,033 in available cash balance, with the projected ending Fiscal Year 2013 Fund Balance being \$2,013,612.

Financial Impact

Adoption will provide appropriations for the FY 2014 CEDC budget.

Recommendation

Approve

Attachments

1. Proposed FY 2014 CEDC Budget summary
2. Ordinance O-13-1884

**COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION
FY 2014 BUDGET SUMMARY**

	FY 2013 ANTICIPATED	FY 2014 PROPOSED
BEGINNING FUND BALANCE	\$ 1,974,664	\$ 2,013,612
REVENUES:		
SALES TAX REVENUES	\$ 1,335,000	\$ 1,437,500
INTEREST INCOME	\$ 3,895	\$ 4,028
USE OF AVAILABLE CASH	\$ 1,062,844	\$ 883,033
TOTAL REVENUES	\$ 2,401,739	\$ 2,324,561
LESS EXPENSES:		
<i>OPERATING:</i>		
ADMINISTRATIVE EXPENSES	\$ 2,000	\$ 2,000
PROMOTIONAL:		
OLD TYME BBQ EVENT	\$ 15,000	\$ 15,000
HOLLY COLLEY HOLIDAY EVENT	\$ 40,000	\$ 36,000
RED, WHITE & SOUSA EVENT	\$ 30,000	\$ 36,000
ECONOMIC DEVELOPMENT PROMOTIONAL	\$ 48,889	\$ 57,153
PERSONNEL- SENIOR CENTER SUPERVISOR	\$ 65,025	\$ 64,975
PERSONNEL- LIBRARY	\$ 71,095	\$ 76,448
OPERATIONS - LIBRARY	\$ 4,292	\$ 4,421
WATER-MC PHERSON PARK	\$ 1,615	\$ 17,750
DEBT SERVICE - 2005 SALES TAX REFUNDING BONDS	\$ 648,365	\$ 644,630
INTERFUND LOAN REPAYMENT - COLLEYVILLE CENTER RENOVATION	\$ 165,331	\$ 165,332
<i>CAPITAL PROJECTS:</i>		
CITY PARK - LANDSCAPE AND AMENITIES	\$ -	\$ 175,000
COLLEYVILLE CENTER - REPLACEMENT TABLES	\$ 9,580	\$ -
COLLEYVILLE CENTER - REPLACEMENT CHAIRS	\$ 38,400	\$ -
COLLEYVILLE CENTER - REPLACEMENT MAIN AIR CONDITIONER UNIT	\$ 30,000	\$ -
COLLEYVILLE CENTER - REPLACEMENT FLAT ROOF	\$ 49,732	\$ -
COLLEYVILLE CENTER - ORIGINAL STAGE CURTAIN	\$ -	\$ 25,000
COLLEYVILLE CENTER - REFINISH STAGE	\$ -	\$ 4,000
COLLEYVILLE CENTER - REPAIRS TO ORIGINAL SLOPED METAL ROOF	\$ -	\$ 48,000
COLLEYVILLE CENTER - REFINISH STAGE	\$ -	\$ 25,000
TRAIL CONSTRUCTION - COTTON BELT II SPUR AT WEBB HOUSE	\$ -	\$ -
TRAIL CONSTRUCTION - PLEASANT RUN (BOGART TO MISSION) DESIGN	\$ 41,340	\$ -
TRAIL CONSTRUCTION - PLEASANT RUN (BOGART TO MISSION) ROW ACQUISITION	\$ -	\$ 168,000
TRAIL CONSTRUCTION - PLEASANT RUN (BOGART TO MISSION) CONSTRUCTION	\$ -	\$ 277,000
TRAIL IMPROVEMENTS AT COTTON BELT - L.D. LOCKETT PARK TRAILHEAD	\$ -	\$ 100,000
SENIOR CENTER - REBRANDING STUDY	\$ 35,000	\$ -
SENIOR CENTER - RENOVATIONS	\$ -	\$ -
SENIOR CENTER - RENOVATION DESIGN	\$ -	\$ 125,000
SENIOR CENTER - TABLE AND CHAIR REPLACEMENTS	\$ 4,283	\$ -
TOTAL EXPENSES	\$ 1,299,947	\$ 2,066,709
EXCESS REVENUES OVER EXPENSES	\$ 1,101,792	\$ 257,852
ENDING FUND BALANCE	\$ 2,013,612	\$ 1,388,431

NOTE: A COVERAGE RATIO OF 1.4 IS REQUIRED TO MEET THE SALES TAX BOND COVENANTS
FOR FY 2014, REVENUES MUST EXCEED EXPENDITURES BY AT LEAST \$257,852.

ORDINANCE O-13-1884

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS, APPROVING AND ADOPTING THE ANNUAL BUDGET FOR THE COLLEYVILLE ECONOMIC DEVELOPMENT CORPORATION, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; A COPY OF SAME BEING ON FILE IN THE OFFICE OF THE CITY SECRETARY

WHEREAS, the Bylaws of the Colleyville Economic Development Corporation require the Board of Directors of the Corporation to adopt a budget of proposed revenues and expenditures and the budget must be formally approved by the City Council; and

WHEREAS, on August 27, 2013, the Board of Directors of the Colleyville Economic Development Corporation approved the following budget for expected revenues and expenditures; and

WHEREAS, the Colleyville Economic Development Corporation Board of Directors and the City Council have determined that the projects, included in the annual budget for the fiscal year beginning October 1, 2013 through September 30, 2014, further the objectives of the purpose of the Colleyville Economic Development Corporation, as established by the electorate of the City and the provisions of state statute.

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

- Sec. 1. THAT the budget of the proposed revenues and expenditures for the fiscal year beginning October 1, 2013, and ending September 30, 2014, for the Colleyville Economic Development Corporation, a copy of which is on file in the Office of the City Secretary, is hereby made a part of this ordinance by reference and is hereby approved and adopted by the City Council of the City of Colleyville, Texas, as the official budget for the fiscal year beginning October 1, 2013, and ending September 30, 2014.

Sec. 2. THAT the revenue and expenditure amounts for the Fiscal Year 2014 budget for the Colleyville Economic Development Corporation are hereby fixed as follows:

Revenues	\$2,324,561
Expenditures	\$2,066,709

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of September 2013.

The second reading and public hearing being conducted on the 17th day of September 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C.G. Boyle
City Attorney



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 6e

Agenda Date 09/03/2013

Number Ordinance O-13-1885

Type Ordinance

Department City Manager

Title

Request for approval to amend Part II, Chapter 2- Administration, Article II- Finance, Division 1, Sec. 2-26 of the Colleyville, Texas, Code of Ordinances, which sets fees and charges for City services

Explanation

First Reading and Public Hearing

As a part of the annual budget process, staff reviews the fees charged by the City and proposes new fees, revisions of current fees, or deletions of fees. The following fee changes are proposed by staff and were discussed at the City Council Worksession on July 23, 2013:

Colleyville Center Fees and Charges

In reviewing the Colleyville Center ancillary services and how to better serve clients, staff researched the addition of garden chairs to increase ceremony rentals and revenue generated by the Balustrada/Garden area. On May 20, 2013, the Colleyville Center Advisory Committee approved the packaging of garden chairs with ceremony rental and an increase in weekend rental rates to recover costs incurred servicing and maintaining the facility during weekend events. The recommended changes, as approved by the Colleyville Center Advisory Committee, are as follows:

New Combined Fee for Balustrada and Chair Rental: \$300

Weekend Standard Rental Rates:

	Current Rate	Proposed Rate
Friday & Sunday	\$1,600	\$1,800
Saturday	\$1,800	\$2,200

Development Fees and Charges

Based on a recent analysis of fees charged by other cities (survey attached) and considering the current costs incurred by the City for staff time and administration, several development fee changes are proposed in order to more fully recover costs. The average fee charged by benchmarked cities, the City of Colleyville's current fee,

and the proposed new fee amount are listed below.

<i>Development Fee</i>	<i>City Avg.</i>	<i>Current</i>	<i>Proposed</i>
PUD Amendment	\$428	\$250	\$450
Amending Plat	\$224	\$150	\$250
ZBA Variance and Appeal Application	\$165	\$125	\$175
Sign Board Appeal	\$228	\$125	\$175
Fence Permit	\$68.38	\$25	\$75
Wall Sign	\$71.32	\$45	\$75
Development Sign	\$70.10	\$35	\$75
New Residence Plan Review	N/A	\$250	\$350
Swimming Pool Plan Review	N/A	\$25	\$50
Grading and Earthwork	\$83.67	\$55	\$75
Residential Addition and Remodel Plan Review	\$114	\$100	\$150

Engineering Fees and Charges

Staff is recommending the addition of a \$50 per hour fee for all inspections performed outside of regular business hours for the construction of public infrastructure projects. The current fee amount is \$25 per hour. The proposed fee increase is intended to more accurately recover personnel costs incurred by the City. The overtime inspection fee was originally authorized in Ordinance O-91-832 and will be incorporated into Sec. 2-26 of the Code of Ordinances, which contains fees and charges for City services.

Staff also recommends eliminating the section of the miscellaneous fee ordinance in Chapter 2, Section 2-26 (d) relating to the printing of maps and large documents for consistency purposes. Upon approval, staff would defer to the fees charged for public information requests, in accordance with the Texas State Library and Archives Commission.

Financial Impact

Approval of the recommended fee changes and additions would, ultimately, increase the amount of revenue received by the City. However, as the majority of the changes would result in a relatively small incremental revenue increase, no corresponding increase is proposed for revenue budgeted in fiscal year 2014. The proposed fee changes are intended to more fully recover the cost of providing services.

Recommendation

Approve

Attachments

1. Development Fee Survey
2. Ordinance O-91-832
3. Ordinance O-13-1885

Colleyville Miscellaneous Permit Fee Survey 2013

Permit Type	North Richland Hills	Euless	Bedford	Hurst	Keller	Grapevine	Southlake	City Average	Colleyville (Current)	Colleyville (Proposed)
PUD Amendment	\$564	\$500 + \$10/acre	\$205+ \$205 (For each additional acre over 1)	\$600 (>10 acre) \$700 (<10 acre)	N/A	\$500 + \$25/acre	\$200	\$428	\$250	\$450
Amending Plat	\$248	\$275	\$100 + \$25/lot	\$250 + \$25/acre	\$200 + \$10/lot	\$200	\$300 + \$20/lot (res) \$300 + \$20/acre (comm)	\$224	\$150	\$250
ZBA/SBA	ZBA - \$186(res), \$220 (commercial) SBA - \$621	\$75	\$100	\$200	\$200	\$100	\$300	\$165 -ZBA \$228 - SBA	\$125	\$175 (for Both)
Fence permit	\$21.00 (wood) \$21.00 (iron)	*Based on Valuation Min \$30.00 + \$3.05/\$100	*Based on Valuation Min \$30.00 + \$4.00/\$100	*Residential Min \$75.00 Commercial on Valuation Min \$23.50 + \$3.05/\$100	*Based on Valuation Min \$23.50 + \$3.05/\$100	*Based on Valuation Min \$21.00 first \$500 Min \$21.00 + \$2.75/\$100	\$75.00	\$68.38	\$25.00	\$75.00
Wall sign	Base on sqft min \$57 max-\$2.00/sqft	*Based on Valuation Min \$30.00 + \$3.05/\$100	**Based on sqft Min \$50.00+	*Based on Valuation Min 23.50 first \$500 then Min 26.55 + \$3.05/\$100	*Based on Valuation Min \$23.50 + \$3.05/\$100	*Based on Valuation Min \$21.00 first \$500 Min \$21.00 + \$2.75/\$100	\$85.00	\$71.32	\$45.00	\$75.00
Development sign	Base on sqft min \$57 max-\$2.00/sqft	*Based on Valuation Min \$30.00 + \$3.05/\$100	**Based on sqft Min \$50.00+	*Based on Valuation Min 23.50 first \$500 then Min 26.55 + \$3.05/\$100	*Based on Valuation Min \$23.50 + \$3.05/\$100	*Based on Valuation Min \$21.00 first \$500 Min \$21.00 + \$2.75/\$100	\$25.00	\$70.10	\$35.00	\$75.00
New residence plan review	65% of permit fee added	No fee, Included in Permit	65% of Permit Fee Credit to Permit fee	No fee, Included in Permit	40% of permit fee added	No fee, Included in Permit	No fee, Included in Permit	N/A	Flat Fee \$250.00	Flat Fee \$350.00
Residential addition and remodel--Plan review	No fee, Included in Permit	No fee, Included in Permit	65% of Permit fee Credit to Permit fee	No fee, Included in Permit	40% of permit fee added	No fee, Included in Permit	No fee, Included in Permit	Based on 3 cities \$114.00	Flat Fee \$100.00	\$150.00

Colleyville Miscellaneous Permit Fee Survey 2013

\$10,000 and greater										
Footnote #1										
Swimming pool plan review fee	No fee, Included in Permit	**Comm. Only: Valuation	No fee, Included in Permit	No fee, Included in Permit	No fee, Included in Permit	No fee, Included in Permit	No fee, Included in Permit	N/A	\$25.00	\$50.00
Grading and earthwork permit	\$93.00	Determined by Eng. Dept.	*\$38.00 min +sqft	Determined by Public Works	\$25/lot \$100/acre	10% of permit fee	\$100.00	\$83.67	\$55.00	\$75.00

* **City of North Richland Hill:** permit fees based on dollar valuation (e.g. minimum: Sum; \$28.00 + \$3.26 for each additional \$100.00 or fraction thereof). For a complete permit fee list refer to the table in the Appendix-A "Fee Schedule".

* **City of Euless:** permit fees based on dollar valuation (e.g. minimum: Sum; \$30.00 + \$3.06 for each additional \$100.00 or fraction thereof). For a complete permit fee list refer to the table in the Table 30-13(d) "Fee Schedule".

* **City of Bedford:** permit fees based on dollar valuation (e.g. minimum: Sum; \$30.00 + \$4.00 for each additional \$100.00 or fraction thereof). For a complete permit fee list refer to the table in the Table 30-13(d) "Fee Schedule".

* **City of Hurst:** permit fees based on dollar valuation (e.g. minimum: \$23.50 for the first \$500.00 then Sum; \$26.55 + \$3.05 for each additional \$100.00 or fraction thereof). For a complete permit fee list refer to the table in "Fee Schedule" City of Hurst.

* **City of Keller:** permit fees based on dollar valuation (e.g. minimum: Sum; \$23.50 + \$3.50 for each additional \$100.00 or fraction thereof). For a complete permit fee list refer to the table in the Table 4-120 "Fee Schedule".

* **City of Grapevine:** permit fees based on dollar valuation (e.g. minimum: \$21.00 for the first \$500.00 then Sum; \$21.00 + \$2.75 for each additional \$100.00 or fraction thereof, to and including \$2000.00). For a complete permit fee list refer to the Exhibit A; table1-An in "Building Permit Fees" City of Grapevine.

* **Foot Note #1, City Averages:** In order to establish a common denominator between permits evaluated on a valuation cost verses permit costs based on a flat fee, the city averages category of residential remodels has been based on two classes

1. \$10,001.00 (greater than)
2. \$9,999.00 (less than)

* **Foot Note #2, City Averages:** In order to establish a common denominator between permits evaluated on a valuation cost verses permit costs based on a flat fee, the city averages category of residential and commercial new construction has been based on a \$500,001.00 structure or in the case based on dollar amount per square foot a 5,000 square foot structure was used for the example.

Colleyville Miscellaneous Permit Fee Survey 2013

Posted
6-14-91
4:30 P.M.
by

AN ORDINANCE AMENDING THE COLLEYVILLE CODE BY PROVIDING A FEE FOR REVIEW AND INSPECTION OF GRADING, STREET CONSTRUCTION AND DRAINAGE IMPROVEMENTS, PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, in order to protect and promote public health and safety, it is necessary that a lot grading plan and construction and street and drainage plans and construction be reviewed in inspected by the City; and

WHEREAS, the City Council finds that the reasonable cost of reviewing and inspecting lot grading is One Hundred Twenty-five Dollars (\$125.00) per lot and finds that the cost for review and inspection of streets and drainage plans and construction is three percent (3%) of the cost of construction for inspection and two percent (2%) of the cost of construction for plan review;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS AS FOLLOWS:

Sec. 1: THAT Section 1 of Chapter 3 of the Colleyville Code be amended by adding to part E thereof, the following:

"Grading Review and Inspection Fees:

In addition to the foregoing building permit fees, an additional charge for a Grading Review and Inspection Fee of One Hundred Twenty-five Dollars (\$125.00) per lot shall be paid upon application for a building permit.

Sec. 2: THAT Section 8 of Chapter 9 of the Colleyville Code be amended by adding thereto a part L, providing as follows:

"L. Street Plan Review and Inspection Fees:

Prior to the acceptance by the City of the public improvements within a subdivision, the subdivider shall pay to the City a sum equal to five percent (5%) of the actual cost of the street improvements within the subdivision as a fee for the review by the City of the street plan and inspection of street construction. Two percent (2%) of said fee shall be allocated for plan review and three percent (3%) shall be allocated for inspection.

1
2
3
4 Sec.3: THAT Section 8 of Chapter 9 of the Colleyville Code be amended by adding thereto a part M, providing as follows:

5 "M. Inspection Overtime Reimbursement:

6 Any work prior to 7:30 A.M. or after 4:30 P.M. on
7 Monday through Friday and between 8:00 A.M. and 5:00 P.M.
8 on Saturday and Holidays may only be undertaken if the
9 contractor signs the necessary forms committing to
10 reimburse the City of Colleyville for overtime costs of
11 Twenty-five Dollars (\$25.00) per hour. Work performed
12 between 8:00 A.M. and 5:00 P.M. on Saturdays and Holidays
13 will require a commitment to reimburse the City of
14 Colleyville a guaranteed minimum of four (4) hours. By
15 signing the forms, the contractor commits to reimburse
16 the City on a monthly basis upon receipt of a monthly
17 invoice from the City.

18
19
20
21
22 Sec. 4 THAT Section 12 of Chapter 9 of the Colleyville Code be amended by adding thereto a part H, providing as follows:

23 "H. Drainage Improvements and Inspection Fees:

24 Prior to the acceptance by the City of the
25 public improvements within a subdivision, the subdivider
26 shall pay to the City a sum equal to five percent (5%) of
the actual cost of the drainage improvements within the
subdivision as a fee for the review by the City of the
drainage improvements and inspection of drainage
improvements. Two percent (2%) of said fee shall be
allocated for plan review and three percent (3%) shall be
allocated for inspection.

18 Sec. 5 THAT any person, firm or corporation violating any
19 provision of this ordinance shall be deemed guilty of a
20 misdemeanor and upon final conviction thereof fined in an
21 amount not to exceed Five Hundred Dollars (\$500.00).
22 Each day any such violation continues or is allowed to
23 exist shall constitute a separate violation and be
24 punishable hereunder.

25
26 Sec. 6: THAT the City Secretary is hereby authorized and directed
to cause publication of the descriptive caption and
penalty clause hereof as an alternative method of
publication provided by law.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the
18th day of June, 1991.

The second reading and public hearing being conducted on the
2nd day of July, 1991.

The third reading and public hearing being conducted on the
16th day of July, 1991.

ATTEST:

CITY OF COLLEYVILLE


Lavada Johnson
City Secretary


Chris Hawkins
Mayor

APPROVED AS TO FORM AND LEGALITY:


Ross T. Foster, City Attorney

jh/ord/091832
Updated 07/17/91

ORDINANCE O-13-1885

AN ORDINANCE AMENDING PART II, CHAPTER 2-ADMINISTRATION, ARTICLE II- FINANCE, DIVISION 1, SEC. 2-26 OF THE COLLEYVILLE, TEXAS, CODE OF ORDINANCES, WHICH SETS FEES AND CHARGES FOR CITY SERVICES, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Colleyville charges fees for miscellaneous services and materials as authorized by Ordinance O-92-880 and it is desirous to update those fees; and

WHEREAS, the fees being updated herewith include the inspection overtime reimbursement fees initially adopted via Ordinance O-91-832; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meeting Act; and

WHEREAS, the City Council determines that the passage of this ordinance is in the best interests of the health, safety, and welfare of the public.

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

Sec. 1. THAT all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Sec. 2. THAT from and after the effective date of this ordinance, Chapter 2 Section 2-26 (b) of the City of Colleyville Code of Ordinances shall be revised with the following:

Amending Plat \$250.00

Amendment to existing PUD to add, delete, or change a special condition to an existing PUD ordinance \$450.00

ZBA variance and appeal application \$175.00

Sign board appeal \$175.00

Sec. 3. THAT from and after the effective date of this ordinance, Chapter 2 Section 2-26 (d) of the City of Colleyville Code of Ordinances shall be revised with the following deletions:

Floodplain map \$3.00
Storm drainage master plan \$35.00

Maps:

11" x 17"	\$4.00
20" x 20"	\$7.00
36" x 36"	\$15.00
62" x 62"	\$40.00

Sec. 4. THAT from and after the effective date of this ordinance, Chapter 2 Section 2-26 (d) of the City of Colleyville Code of Ordinances shall be revised with the following addition:

A \$50 per hour fee will apply for all inspections performed outside of regular business hours for the construction of public infrastructure projects.

Sec. 5. THAT from and after the effective date of this ordinance, Chapter 2 Section 2-26 (g) of the City of Colleyville Code of Ordinances shall be revised with the following:

Fence permit \$75.00

Wall sign \$75.00

Development sign \$75.00

New residence plan review \$350.00

Residential addition and remodel plan review \$150.00

Swimming pool plan review fee \$50.00

Grading and earthwork permit \$75.00

Sec. 6. THAT from and after the effective date of this ordinance, Chapter 2 Section 2-26 (j), Colleyville Center rental rates: Standard Room Fee Schedule With Resident/Local Business Discount, of the City of Colleyville Code of Ordinances shall be revised with the following revisions as shown on Exhibit "A".

Entire Building Rental - Standard Weekend Fee:
\$1,800 up to 8 hours Fri. or Sun. or any wedding package
\$2,200 Sat. Prime after 1:00 p.m.
Addtl. Hour - \$250.00

Balustrada/Garden Plaza Rental:
\$300.00/\$150.00 (First 2 hours/each additional)

Sec. 7. THAT the effective date of this ordinance shall be October 1, 2013.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of September 2013.

The second reading and public hearing being conducted on the 17th day of September 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A"

Colleyville Center Rental Rates:

STANDARD ROOM FEE SCHEDULE WITH RESIDENT/ LOCAL BUSINESS DISCOUNT

Colleyville Center Rooms	Standard Weekday Fee Mon – Thurs 8:00 a.m. – 11:00 p.m. Friday 8:00 a.m. – 1:00 p.m. FIRST 2 HOURS / EACH ADDITIONAL	Standard Weekend Fee Friday and Saturday 1:00 p.m. – 12:00 a.m. Sunday 8 a.m. - 11:00 p.m. FIRST 2 HOURS / EACH ADDITIONAL	Colleyville Resident or Local Business Owner Discount ALL FEES DISCOUNTED FROM STANDARD FEE
North Conference	\$50/\$15	\$125/\$30*	20% DISCOUNT
South Conference	\$50/\$15	\$125/\$30*	20% DISCOUNT
Combined North/South Conference	\$85/\$20	\$205/\$40*	20% DISCOUNT
North Hall	\$180/\$35	\$400/\$55*	20% DISCOUNT
South Hall	\$180/\$35	\$400/\$55*	20% DISCOUNT
Combined North/South 4-hour min. required	\$350/\$60	\$545/\$90*	20% DISCOUNT
Entire Building Rental	\$1,200 up to 8 hours Addtl. hour - \$250	\$1,800 up to 8 hours Fri. or Sun. or any wedding package \$2,200 Sat Prime after 1:00 p.m. Addtl. hour - \$250	20% DISCOUNT
Balustrada/ Garden Plaza Rental	First 2 hours/each additional \$300.00/\$150.00		

Pricing based on first two hours / each additional hour unless otherwise noted for Entire-Building rental

*Weekend fees for individual rooms based on availability 30 days out



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 6f
Type Ordinance
Department City Manager

Agenda Date 09/03/2013

Number Ordinance O-13-1886

Title

Amending Ordinance O-12-1850 relating to the Fiscal Year 2013 budget

Explanation

First Reading and Public Hearing

The proposed ordinance will amend Ordinance O-12-1850 Approving and Adopting the Fiscal Year 2013 budget, to authorize the transfer of the unspent Fiscal Year 2013 (FY 2013) General Fund budget appropriations for street rehabilitation (account 001-3310-6319) and \$40,000 for upgraded audio visual equipment for the police department to the Capital Projects Fund on September 30, 2013. Included in the FY 2013 General Fund street maintenance budget was \$2,400,000 for the rehabilitation of various streets. In order to preserve unspent contingency funds from FY 2013 street rehabilitation projects, the unspent balance of the General Fund Street Department line item 001-3310-6319 will be transferred to the Capital Projects Fund for future street rehabilitation use. Similarly, \$40,000 of unspent FY 2013 funds for upgraded audio visual equipment for the police department must be transferred to the Capital Projects Fund to preserve those funds for future use when a project spans across two fiscal years.

The proposed ordinance will also amend the General Fund budget to provide for the transfer of any additional General Fund revenue received in FY 2013 that exceeds the budgeted amount for expenditures in FY 2013. This difference of revenues over expenditures will be transferred to the Capital Projects Fund for the future capital projects identified in the FY 2014-2018 Capital Improvement Program. The funding for the proposed transfer will be from the projected increase in General Fund revenues, such as sales tax revenues, over the FY 2013 budgeted revenues.

Additionally, if expenditures in a department exceed the adopted budget, the city manager is authorized to transfer all or part of the unencumbered appropriation balance from one department to another, per the Charter of the City of Colleyville, Section 9.04 (D).

The proposed budget amendment would also authorize the transfer of FY 2013 Utility Fund revenues that exceed the amount needed for the debt coverage ratio to a reserved cash account. The reserved funds would be designated for use solely on future capital projects for utility infrastructure.

Financial Impact

The amendment to the FY 2013 General Fund budget for the transfer for future capital projects is offset by the General Fund revenue received in excess of the amount budgeted. Also, the funds to be transferred to the Capital Projects Fund from the unspent balance of the street rehabilitation line item account were appropriated as a part of the FY 2013 General Fund budget and there is no financial impact. Finally, the Utility Fund revenues to be transferred to a reserved cash account for future utility infrastructure projects only uses the revenue above and beyond that needed for the debt coverage ratio.

Recommendation

Approve

Attachments

1. Ordinance O-13-1886

ORDINANCE O-13-1886

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING ORDINANCE O-12-1850 OF THE GENERAL FUND BUDGET FOR THE TRANSFER OF FISCAL YEAR 2013 REVENUES RECEIVED ABOVE FISCAL YEAR 2013 BUDGETED EXPENDITURES FOR FUTURE CAPITAL PROJECTS FROM THE GENERAL FUND TO THE CAPITAL PROJECTS FUND ON SEPTEMBER 30, 2013; AUTHORIZING THE CITY MANAGER TO TRANSFER FISCAL YEAR 2013 REVENUES RECEIVED ABOVE THOSE REQUIRED FOR THE DEBT COVERAGE RATIO IN THE UTILITY FUND TO A RESERVED CASH ACCOUNT FOR FUTURE UTILITY INFRASTRUCTURE PROJECTS ON SEPTEMBER 30, 2013; AND AUTHORIZING THE CITY MANAGER TO TRANSFER UNSPENT FY 2013 GENERAL FUND BUDGET APPROPRIATIONS FOR STREET REHABILITATION AND AUDIO VISUAL EQUIPMENT FOR THE POLICE DEPARTMENT FROM THE GENERAL FUND TO THE CAPITAL PROJECTS FUND ON SEPTEMBER 30, 2013

WHEREAS, the Fiscal Year 2013 (FY 2013) General Fund projected year end revenues are anticipated to exceed budgeted revenues and the City Council desires to provide additional funding for the future capital projects identified in the FY 2014-2018 Capital Improvement Program, it is necessary to amend the FY 2013 budget to include the transfer of any General Fund revenues received in FY 2013 over FY 2013 budgeted expenditures to the Capital Projects Fund; and

WHEREAS, the FY 2013 Utility Fund projected year end revenues are anticipated to exceed the amount required for the debt coverage ratio in the Utility Fund and the City Council desires to provide additional funding for future utility infrastructure capital projects, it is necessary to amend the FY 2013 budget to include the transfer of any Utility Fund revenues received in FY 2013 over the amount required for the debt coverage ratio to a reserved cash account; and

WHEREAS, the City Council desires to preserve unspent FY 2013 General Fund budget appropriations for street rehabilitation projects and upgraded audio visual equipment for the police department; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meetings Act; and

WHEREAS, the City Council determines that the passage of this ordinance is in the best interests of the health, safety, and welfare of the public.

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

- Sec. 1. THAT the city manager is authorized to transfer the difference in FY 2013 General Fund revenues over expenditures from the General Fund to the Capital Projects Fund for future capital projects identified in the FY 2014-2018 Capital Improvement Program on September 30, 2013.
- Sec. 2. THAT the city manager is authorized to transfer the difference in FY 2013 Utility Fund revenues over the amount required for the debt coverage ratio in the Utility Fund to a reserved cash account for future utility infrastructure capital projects on September 30, 2013.
- Sec. 3. THAT the city manager is authorized to transfer unspent FY 2013 General Fund budget appropriations for street rehabilitation (account 001-3310-6319) and \$40,000 for upgraded audio visual equipment for the police department from the General Fund to the Capital Projects Fund for future street rehabilitation and the upgrade of police department audio visual equipment on September 30, 2013.
- Sec. 4. THAT, in the event that expenditures in a department exceed the adopted budget for that department, the city manager is authorized to transfer all or part of the unencumbered appropriation balance from one department to another per the Charter of the City of Colleyville, Section 9.04 (D).
- Sec. 5. THAT the effective date of this ordinance shall be September 30, 2013.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of September 2013.

The second reading and public hearing being conducted on the 17th day of September 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C.G. Boyle
City Attorney



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
www.colleyville.com

Agenda Number 8

Agenda Date 09/03/2013

Type Report

Department City Secretary

Title

Zoning Board of Adjustment Meeting Minutes - May 15, 2013

Sign Board of Appeals Meeting Minutes - July 9, 2013

Planning and Zoning Commission Meeting Minutes - July 22, 2013

Attachments

1. Zoning Board of Adjustment Meeting Minutes - May 15, 2013
2. Sign Board of Appeals Meeting Minutes - July 9, 2013
3. Planning and Zoning Commission Meeting Minutes - July 22, 2013



City of Colleyville Zoning Board of Adjustment Minutes

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Wednesday, May 15, 2013

City Council Chambers

Call to Order

The Zoning Board of Adjustment meeting of the City of Colleyville was called to order by Board member McNosky on May 15, 2013 at 7:00 p.m.

Roll Call

Present: Board members Piers Chance, Jason Elms, Mark Collier, Larry Kainer (Alternate 2), and Dee McNosky

Absent: Board members Mike Leathers, and Judson Orlando (Alternate 1)

Staff Present: Ron Ruthven, Darren Cain, and Taci Wrisley

1. APPROVAL OF MINUTES

Board member Kainer moved to approve the April 9, 2013 meeting minutes as written. Board member Chance seconded.

The motion to approve carried by the following vote:

Aye: 5 – Chance, Elms, Collier, Kainer, and McNosky

2. PUBLIC HEARING AGENDA ITEMS

2a Consideration for a variance to the rear yard setbacks of the Land Development Code on Lot 5, Block 6, of the Bridlewood Estates Addition, located at 405 Bridlewood South, Case VC13-007

Darren Cain presented the case and briefed the Board.

Travis Motley, the applicant, came forward and briefed the Board.

The public hearing was opened at 7:07 p.m.

Leonard Loria, 304 Del Mar Court, came forward and spoke in opposition to this variance with regard to aesthetics and resale value of his property.

Roger De Sarno, 302 Del Mar Court, came forward and spoke in opposition to this variance with regard to the variance not following the City's adopted

ordinances.

Board member Collier questioned staff regarding the setback for MF-Multi Family Zoning. Darren Cain replied 20 feet.

Board member Elms questioned staff regarding what the standard setbacks for these size lots would be. Ron Ruthven replied there would be a 25 foot rear setback.

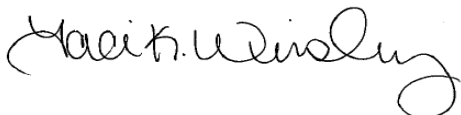
Board member Elms questioned staff regarding the setbacks would be different if the structure was detached. Darren Cain replied because the structure is attached the setbacks are determined by the zoning.

Board member Kainer questioned Mr. Motley regarding whether or not he had contacted the utility companies to request a variance.

3. ADJOURNMENT

The meeting was adjourned at 7:18 p.m.

Minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on August 14, 2013 by a vote of 4-0.



City of Colleyville Sign Board of Appeals Minutes

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Tuesday, July 9, 2013

City Council Chambers

Call to Order

The Sign Board of Appeals meeting of the City of Colleyville was called to order by Board member McNosky on May 15, 2013 at 7:00 p.m.

Roll Call

Present: Board members Jason Elms, Mike Leathers, Mark Collier, Judson Orlando, and Dee McNosky

Absent: Board member Larry Kainer (Alternate 1)

Staff Present: Ron Ruthven, Darren Cain, and Taci Wrisley

1. APPROVAL OF MINUTES

Board member Elms moved to approve the May 15, 2013 meeting minutes as written. Board member Collier seconded.

The motion to approve as written carried by the following vote:

Aye: 5 – Elms, Leathers, Collier, Orlando, and McNosky

2. SWEARING IN OF NEWLY APPOINTED MEMBER

Taci Wrisley swore in newly appointed member, Mike Patino as Alternate 2.

3. PUBLIC HEARING AGENDA ITEMS

3a Request for a variance from the sign regulations regarding a monument sign on Lot 1, Block 1, of the Village Front Door Addition, located at 5204 Colleyville Boulevard, Case SC13-004.

Darren Cain presented the case and briefed the Board.

The public hearing was opened at 7:05 p.m.

William Scott, on behalf of the applicant, came forward and briefed the Board.

Board member McNosky questioned staff regarding whether the sign met the requirements of the visibility triangle. Darren Cain replied the sign does comply with the visibility triangle requirements.

Board member Elms questioned staff regarding the setback requirements. Darren Cain replied the sign is required to be ten feet from the property line – it is currently eight feet.

Board member Elms questioned staff regarding the emergency signal and whether or not it would still be an obstruction if the sign was moved back. Darren Cain replied yes.

Board member Leathers questioned Mr. Scott regarding why the sign was not placed four parking spaces over in the green space. Mr. Scott replied the green spaces were too far from the property line and does not believe they would want to invest money in a location that far back. Board member Leathers added it appears to be the same setback.

Board member Elms questioned staff regarding whether the right-of-way was in place at the time of construction of this building. Ron Ruthven replied yes.

Discussion occurred between staff and the Board regarding neighboring property's monument signs.

There being no one else wishing to speak, the public hearing was closed at 7:19 p.m.

Board member Leathers made a motion to deny case SC13-004. Board member Collier seconded.

The motion to deny carried with the following vote:

Aye: 4 – Elms, Leathers, Collier, and McNosky

Nay: 1 - Orlando

- 3b** Request for a variance from the sign regulations regarding a monument sign on Lot 2A, Block 2, of the Kaybird Addition, located at 4620 Colleyville Boulevard, Case SC13-005.

Darren Cain presented the case and briefed the Board.

The public hearing was opened at 7:20 pm

Discussion occurred between staff and the Board regarding the private drainage easement where the sign would be located.

Board member McNosky questioned staff regarding this case truly being a hardship because if the sign were located elsewhere on the property it would take away from required parking. Ron Ruthven replied correct.

There being no one wishing to speak, the public hearing was closed at 7:22 p.m.

Board member Leathers made a motion to approve case SC13-004. Board member Collier seconded.

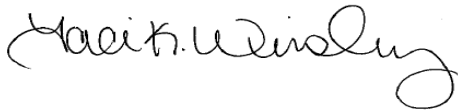
The motion to approve carried with the following vote:

Aye: 5 – Elms, Leathers, Collier, Orlando, and McNosky

4. ADJOURNMENT

The meeting adjourned at 7:23 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on August 14, 2013 by a vote of 4-0.



City of Colleyville Planning and Zoning Commission Minutes

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Monday, July 22, 2013

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on July 22, 2013 at 7:10 p.m.

Roll Call

Present: Commissioners Larry Knox, Dave Dudziak, David Wheelwright, David Phelps, Jim Gotcher, Don Davis, and Jeff Byerly

Staff Present: Ron Ruthven, Taci Wrisley, Dale Crown, Rob McKeown, Marty Wieder, and Matt Butler (City Attorney)

INVOCATION

The invocation was given by Commissioner Davis

1. APPROVAL OF MINUTES

Commissioner Knox moved to approve the June 24, 2013 meeting minutes. Commissioner Davis seconded.

The motion to approve carried with the following vote:

Aye: 7 - Knox, Dudziak, Wheelwright, Gotcher, Davis, Phelps, and Byerly

2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA AS A PUBLIC HEARING ITEM

There were no citizen comments/presentations regarding items not on the agenda as a public hearing item.

3. REGULAR AGENDA ITEMS

- 3a** Approval of a minor plat for 0.877 acres on Tract 2E, Abstract 1692 of the Joseph White Survey, located at 608 Shelton Drive, Case PC13-009.

Ron Ruthven presented the case and briefed the Commission.

The applicant did not come forward to speak.

Commissioner Wheelwright moved to approve case PC13-009. Commissioner Gotcher seconded.

The motion to approve carried with the following vote:

Aye: 7 - Knox, Dudziak, Wheelwright, Gotcher, Davis, Phelps, and Byerly

- 3b** Request for a replat on Lot 1, Blk 1, Baylor Health Care System & Lot 2, Blk 1, Linton Addition located at 5408 & 5500 Colleyville Boulevard, Case PC13-011.

Ron Ruthven presented the case and briefed the Commission.

The applicant did not come forward to speak.

Commissioner Davis moved to approve case PC13-011. Commissioner Gotcher seconded.

The motion to approve carried with the following vote:

Aye: 7 - Knox, Dudziak, Wheelwright, Gotcher, Davis, Phelps, and Byerly

- 3c** Approval of a preliminary plat on 10.07 acres on Lot 1, Block 1, Stajduhar Addition located at 816 W. L. D. Lockett Road, Case PC13-012.

Ron Ruthven presented the case and briefed the Commission.

Keith Hamilton, representing the applicant, came forward for questions.

Commissioner Davis moved to approve case PC13-012. Commissioner Byerly seconded.

The motion to approve carried with the following vote:

Aye: 7 - Knox, Dudziak, Wheelwright, Gotcher, Davis, Phelps, and Byerly

- 3d** Consideration of a waiver request to the sidewalk requirements on Lot 1, Block 1, of the Maciley Addition located at 2800 Glade Road, Case GC13-016.

Ron Ruthven presented the case and briefed the Commission.

John Staab, the applicant, came forward and briefed the Commission.

Commissioner Davis questioned Mr. Staab regarding the request for the waiver and his willingness to escrow. Mr. Staab replied yes, the property owner would like to escrow the sidewalk in lieu of construction.

Commissioner Phelps moved to deny case GC13-016 with the option to build the sidewalk or to pay the escrow amount. Commissioner Davis seconded.

The motion to deny with the option to construct the sidewalk or to pay the escrow amount carried with the following vote:

Aye: 7 - Knox, Dudziak, Wheelwright, Gotcher, Davis, Phelps, and Byerly

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Approval of a preliminary plat for 5.7 acres located on Lots A1, B1 and B1A of The Oaks Addition, located at One and Two Country Way, Case PC13-006.

Ron Ruthven presented the case and briefed the Commission.

Commissioner Phelps questioned staff regarding where the setbacks for the property were measured from, the edge of the pavement or the edge of the right-of-way. Ron Ruthven replied the setbacks are measured from the edge of the right-of-way.

Commissioner Gotcher questioned staff regarding the lots meeting the Land Development Code requirements with the exception of Lots 1, 2, & 3. Ron Ruthven replied correct.

The public hearing was opened at 7:32 p.m.

Bryan Holland, on behalf of the applicant, came forward and briefed the Commission.

Commissioner Gotcher questioned Mr. Holland regarding the location of the drainage outlet and if the drainage outlet was run under a house in the Covington addition. Mr. Holland replied the drainage outlet runs between two houses and is in the backyard of one of them

but is not fenced in with the rest of the yard. He further explained he did not believe it was being maintained by anyone.

Commissioner Dudziak questioned Mr. Holland regarding whether it was possible to continue the drainage along the backside of the development. Mr. Holland replied he believes what they have proposed will solve the drainage issue better than running the drainage along the backside of the properties.

Discussion continued between Commissioner Dudziak and Mr. Holland regarding drainage possibilities.

Commissioner Phelps questioned Mr. Holland regarding the number of proposed lots. Mr. Holland replied they were proposing five lots due to financial reasons with regard to reconstructing an entire street and the infrastructure requirements that are being put upon them.

Discussion continued between Commissioner Phelps and Mr. Holland regarding potential issues of the use of a bar ditch.

Chairman Byerly questioned Mr. Holland regarding the depth of Lot 6 and was it 121 feet deep? Mr. Holland replied 286 feet deep. Chairman Byerly further questioned how many lots he believed would fit on Lot 6, if it were ever to be divided. Mr. Holland replied approximately three more lots.

Chairman Byerly questioned Mr. Holland regarding why this development was not brought forward as a Planned Unit Development-Residential. Mr. Holland replied after working with staff he believes this request accomplishes the same result as a Planned Unit Development-Residential. Chairman Byerly stated a Planned Unit Development-Residential assures the requirements will be met, the chosen route does not.

Discussion continued between Chairman Byerly and Mr. Holland regarding the chosen process.

Mark Bauer, 6009 Colts Neck Court, came forward and spoke in opposition to the request with regards to decrease in value and two-story homes being built that may look into his backyard.

Rob Tomerlin, 2 Country Way, came forward and spoke in support of this request.

Ronald Carroll, 1 Country Way, came forward and spoke in support of

this request.

Mary Carroll, 1 Country Way, did not wish to speak but recorded her support for this request.

There being no one else wishing to speak, the public hearing was closed at 8:01 p.m.

Mr. Holland came forward and addressed comments and concerns.

Commissioner Phelps questioned the Civil Consultant for the applicant, Brett Blankenship, regarding the use of a bar ditch versus an underground drainage system. Mr. Blankenship explained the bar ditch was more cost effective and would be a way to safely direct water downstream; an underground drainage system would create other problems downstream.

Commissioner Davis questioned Mr. Blankenship regarding the thought process for putting the sewer under the street. Mr. Blankenship explained typically utilities run in the space between a curb and a sidewalk, however, in this case they are not using curbs. He further explained if they did run the utilities in the same location as a typical development, there would be manholes in the bar ditch.

Commissioner Davis questioned Mr. Blankenship regarding the depth of the bar ditches. Mr. Blankenship replied from the edge of the pavement, approximately two feet in depth.

Commissioner Davis questioned Mr. Blankenship regarding ownership of the street once it was constructed and what would happen once the street is constructed and there was a sewer line break. Mr. Blankenship replied it would be a public street, city maintained. He further explained if there ever were a sewer line break, the street would need to be torn up to make repairs.

Discussion occurred between Commissioner Davis and Mr. Holland regarding placement of sewer lines.

Commissioner Davis stated he did not know how to get where the applicant wanted to go and what he felt. He further explained he felt this request should be a request for a Planned Unit Development-Residential.

Commissioner Byerly questioned Mr. Holland regarding whether the reason the developer was not proposing curb and gutter streets and sidewalks was because of economic feasibility. Mr. Holland replied

correct.

Commissioner Knox questioned Mr. Holland regarding the addition of stub outs for future lots on Lot 6. Mr. Holland replied he did not feel it would be an issue to add two or three more stub outs.

Discussion occurred between the Commission and Mr. Holland regarding what was enforceable by city staff and the Commission.

Commissioner Gotcher questioned staff regarding the sidewalk waiver that was proposed as part of the applicant's request. Ron Ruthven replied it would be decided on along with the decision made for this request.

Commissioner Phelps questioned staff regarding the applicant's options after the Commission voted. Ron Ruthven explained what options the applicant had and the appeal process.

Commissioner Byerly questioned staff regarding the applicant's option to come back at any time to request a Planned Unit Development-R. Ron Ruthven replied yes, the applicant has the option to request a Planned Unit Development-R because the current case is not a zoning case.

Discussion continued between staff and the Commission regarding procedures.

Commissioner Dudziak made a motion to deny case PC13-006. Commissioner Phelps seconded the motion.

The motion to deny carried with the following vote:

Aye: 5 – Knox, Dudziak, Wheelwright, Phelps, and Byerly

Nay: 2 – Gotcher and Davis

- 4b** Consideration for a zoning change from PUD-C-Planned Unit Development Commercial to PUD-R-Planned Unit Development Residential on 1.94 acres on Lot 1, Block 1 of the San Bar Square Addition located at 105 Cheek-Sparger Road, Case ZC13-008.

Ron Ruthven presented the case and briefed the Commission.

The public hearing was opened at 8:27 p.m.

Mark Howe, the applicant, came forward and briefed the Commission.

Mr. Howe made a correction to the ordinance to read "There will be no second story balconies on Lot 5 through Lot 9."

Commissioner Dudziak questioned Mr. Howe regarding whether or not there be verandas on the second story of any of the proposed homes. Mr. Howe replied there will not be verandas or balconies on the second stories.

Commissioner Dudziak questioned Mr. Howe regarding where the masonry wall would be located. Mr. Howe replied along Cheek-Sparger Road there will be a combination of brick and stone columns and along San Bar Lane there will be brick panels and stone columns. Mr. Howe further explained for the open space they are proposing using wrought iron so that the open space is not closed off and is visible.

Commissioner Gotcher questioned Mr. Howe regarding how close the proposed wall would be to the sidewalk. Mr. Howe replied along San Bar Lane there would be approximately 24 feet between the roadway and the wall. He further explained along Cheek-Sparger Road he was not certain what the distance from the sidewalk to the wall would be.

Commissioner Gotcher questioned staff regarding what the distance from the wall to the sidewalk would possibly be. Ron Ruthven replied according to Public Works standards, the minimum distance the sidewalk could be constructed along the wall is 18 inches.

Commissioner Dudziak questioned Mr. Howe regarding the possibility of adding more open space that the public would be able to use. Mr. Howe replied the proposed open space is not designed to hold water unless there is a rain event. Mr. Howe further explained there will be a park bench and the open space will be useable when it is not raining.

Discussion continued between Commissioner Dudziak and Mr. Howe regarding the open space and the required percentages for open space.

Steve Isbell, development engineer for the developer, came forward and explained the design of the detention pond in the open space.

Discussion continued between Commissioner Dudziak, Mr. Howe, and Mr. Isbell regarding the open space and the required percentages for open space.

Commissioner Gotcher questioned Mr. Howe regarding whether the developer had a "Plan B" if this Commission or City Council did not like the proposed density. Mr. Howe replied he did not believe he would be able to afford to lower the density.

Discussion continued between Commissioner Gotcher, Mr. Howe, and Mr. Isbell regarding density.

Mike Davila, 100 Greenbriar Lane, came forward and expressed his concerns.

Daniel Morrison, 123 Felps Court, came forward and expressed his support for this case.

James Beville, 119 Cheek-Sparger Road, came forward and expressed his support for this case.

Claudia Beville, 119 Cheek-Sparger Road, came forward and expressed her support for this case.

Gary Guthrie, 505 Greenbriar Lane, came forward and spoke in opposition of this case.

Greg Howell, 104 Cheek-Sparger Road, came forward and spoke in opposition of this case.

Cynthia Wallace and Elizabeth Guest did not wish to speak but wished to record their opposition.

There being no one else wishing to speak, the public hearing was closed at 9:12 p.m.

Mr. Howe and Mr. Isbell came forward and addressed comments and concerns.

Keith Hamilton, project engineer for the developer, came forward and explained the drainage for this development.

Chairman Byerly questioned staff regarding Cheek-Sparger Road being a minor collector. Ron Ruthven explained according to the Master Thoroughfare Plan, Cheek-Sparger Road shows to be a minor collector. He further explained that means, in an improved state, Cheek-Sparger Road would be no wider than a two lane road.

Chairman Byerly questioned Mr. Howe regarding lowering the number

of lots to eight, instead of nine; Is this achievable? Mr. Howe replied probably not, however, he was willing to look into it.

Chairman Byerly stated he did not believe he could support the request as proposed. He further explained that if the number of lots was decreased and the percentage of open space increased, he could support the request.

Commissioner Dudziak stated he concurred with Chairman Byerly and would like to see more open space and little more creativity.

Commissioner Knox stated he also felt the density was high.

Commissioner Phelps concurred with the other Commissioners.

Chairman Byerly made a motion to continue case ZC13-008 to the August 12, 2013 meeting. Commissioner Dudziak seconded the motion.

Commissioner Wheelwright concurred with the other Commissioners.

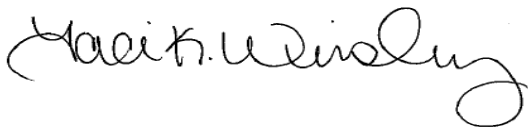
The motion to continue carried with the following vote:

Aye: 7 - Knox, Dudziak, Wheelwright, Gotcher, Davis, Phelps, and Byerly

5. ADJOURNMENT

The meeting adjourned at 9:27 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on August 12, 2013 by a vote of 7-0.

RESOLUTION R-13-3663

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR
CITY COUNCIL MEETING OF
SEPTEMBER 3, 2013**

WHEREAS, City Council has taken action on certain items on the agenda under Business.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

Sec. 1. THAT the agenda decisions approved by City Council action under Business this date and not otherwise adopted by Ordinance and/or separate Resolution as follows are hereby adopted:

a. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____ ABSTENTIONS ON THIS THE 3RD DAY OF SEPTEMBER 2013.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

David Kelly
Mayor