



**CITY OF THE COLONY  
CITY COUNCIL MEETING AGENDA  
TUESDAY, JUNE 7, 2016  
6:30 PM**

**TO ALL INTERESTED PERSONS:**

Notice is hereby given of a **REGULAR SESSION** of the **CITY COUNCIL** of the City of The Colony, Texas to be held at **6:30 PM** on **Tuesday, June 7, 2016** at **CITY HALL, 6800 MAIN STREET, THE COLONY, TEXAS**, at which time the following items will be addressed:

***1.0 ROUTINE ANNOUNCEMENTS, RECOGNITIONS AND PROCLAMATIONS***

1. Call to Order
  - 1.1. Invocation
  - 1.2. Pledge of Allegiance to the United States Flag
  - 1.3. Salute to the Texas Flag
  - 1.4. City to use seized federal forfeiture funds to pay city's portion for a county law enforcement memorial (Police, Coulon)
  - 1.5. Announce The Colony Designation as Playful City USA for 2016 (PARD, Swain)
  - 1.6. Items of Community Interest
    - 1.6.1. Presentation from the Library Director regarding current and upcoming programs, events, and service improvements (Library, Sveinsson)

***2.0 WORK SESSION***

The Work Session is for the purpose of exchanging information regarding public business or policy. No action is taken on Work Session items. Citizen input will not be heard during this portion of the agenda.

- 2.1. Presentation from SPAN on The Colony's ridership for the 2015/16 Budget Year and the 2016/17 Budget Year (General Admin, Perez)
- 2.2. Discuss route and street closure for 5K Run from Hawaiian Falls (Engineering, Scruggs)
- 2.3. Council to provide direction to staff regarding future agenda items (Council)

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<sup>1</sup> These items are strictly public service announcements. Expressions of thanks, congratulations or condolences; information regarding holiday schedules; honorary recognition of city officials, employees or other citizens; reminders about upcoming events sponsored by the City or other entity that are scheduled to be attended by a city official or city employee. No action will be taken and no direction will be given regarding these items.

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**3.0 CITIZEN INPUT**

This portion of the meeting is to allow up to five (5) minutes per speaker with a maximum of thirty (30) minutes for items not posted on the current agenda. The council may not discuss these items, but may respond with factual data or policy information, or place the item on a future agenda. Those wishing to speak shall submit a Request Form to the City Secretary.

**4.0 CONSENT AGENDA**

The Consent Agenda contains items which are routine in nature and will be acted upon in one motion. Items may be removed from this agenda for separate discussion by a Council member.

- 4.1. Consider approving city council meeting minutes for May 17, 2016 (Interim City Secretary, Stewart)
- 4.2. Consider approving council expenditures for the month of April 2016 (Council)
- 4.3. Consider approving an ordinance amending the Fiscal Year 2015-2016 Budget for the purchase of Police and Detention Officer Tasers (Police, Coulon)
- 4.4. Consider approving an ordinance amending the Fiscal Year 2015-2016 Municipal Budget for the purpose of Metering Wastewater in Austin Ranch (Engineering, Scruggs)

**5.0 REGULAR AGENDA ITEMS**

- 5.1. Discuss and consider approving an ordinance amending Appendix A, Section 10D-700, of the Code of Ordinances, entitled "TEMPORARY USE DEFINITIONS"; by amending the definition of "SPECIAL EVENTS"; and amending Appendix A, Section 10D-2800 of the Code of Ordinances, entitled "SPECIAL EVENTS," by amending Subsection (A), entitled "EXAMPLES", by redefining examples of Special Events (General Admin, Shallenburger)
- 5.2. Discuss and consider an ordinance approving a Site Plan Amendment allowing alternate building material on proposed La Quinta Limited Service Hotel located at 3750 Market Street (Development Services, Joyce)
- 5.3. Discuss and consider an ordinance approving a Site Plan Amendment to reduce the length of perimeter screening wall for the proposed Service King, an automobile body shop, located at 5270 Memorial Drive, west of Budget Suites, north of the existing Firestone Tire and Vehicle Service Center in the Business Park (BP) Zoning District (Development Services, Joyce)
- 5.4. Discuss and consider an ordinance approving a Development Plan to allow Village at The Pointe, a residential town home development on 12.5 acre land located near the southwest corner of Memorial Drive and S. Colony Blvd. approximately 300 feet west of the intersection, within the Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district (Development Services, Joyce)

- 5.5. Discuss and consider approving a resolution authorizing the City Manager to execute an Engineering Contract Amendment No. 3 for additional services on FM 423 Utility Relocations (Engineering, Scruggs)
- 5.6. Discuss and consider cancelling or rescheduling the June 21, 2016 city council meeting and provide direction to staff (Council)

**6.0 EXECUTIVE SESSION**

- 6.1.
  - A. Council shall convene into a closed executive session pursuant to Section 551.087 of the Texas Government Code regarding commercial or financial information the city has received from a business prospect(s), and to deliberate the offer of a financial or other incentive to a business prospect(s).
  - B. Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the city attorney regarding pending or contemplated litigation – Atlantic Colony Venture I, LLC and Atlantic Colony Venture II, LLC v. City of The Colony, Texas, et al., Cause No. 16-02219-442.
  - C. Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the city attorney regarding pending or contemplated litigation – Appeal of Brazos Electric Power Cooperative, Inc. and Denton County Electric Cooperative, Inc. D/B/A CoServ Electric from an Ordinance of The Colony, Texas, and, in the Alternative, Application for a Declaratory Order, SOAH Docket No. 473-16-1119, PUC Docket 45175.
  - D. Council shall convene into a closed executive session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Secretary.
- 6.2.
  - A. Any action as a result of executive session regarding commercial or financial information the city has received from a business prospect(s), and to deliberate the offer of a financial or other incentive to a business prospect(s).
  - B. Any action as a result of executive session regarding the pending or contemplated litigation - Atlantic Venture, LLC and Atlantic Colony Venture II, LLC v. City of The Colony, Texas, et al.
  - C. Any action as a result of executive session regarding the pending or contemplated litigation Appeal of Brazos Electric Power Cooperative, Inc. and Denton County Electric Cooperative, Inc. D/B/A CoServ Electric matter.
  - D. Any action as a result of executive session regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Secretary.

Pursuant to the Texas Open Meeting Act, Government Code Chapter 551 one or more of the above items may be considered in executive session closed to the public, including but not limited to consultation with attorney pursuant to Texas Government Code Section 551.071 and Section 551.074 arising out of the attorney's ethical duty to advise the city concerning legal issues arising from an agenda item. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session.

**ADJOURNMENT**

Persons with disabilities who plan to attend this meeting who may need auxiliary aids such as interpreters for persons who are deaf or hearing impaired, readers or, large print are requested to contact the City Secretary's Office, at 972-624-3105 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

**CERTIFICATION**

I hereby certify that above notice of meeting was posted outside the front door of City Hall by 5:00 p.m. on the 2<sup>nd</sup> day of June, 2016.



Tina Stewart, TRMC, Interim City Secretary



**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** City to use seized federal forfeiture funds to pay city's portion for a county law enforcement memorial (Police, Coulon)

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**Background:**

**Purpose:**

Denton County Police Departments, Denton County Sheriff and the Denton County Commissioner's Court are splitting the cost to establish a Denton County Law Enforcement Memorial to honor the county's past and future officers killed in the line of duty. The Colony's share is \$2,500. The \$2,500 will come from a seizure fund that allows this type of expense.

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**

Letter from Judge Horn.



## MARY HORN

Denton County Judge

May 5, 2016

Dear Mayors and Police Chiefs,

As many of you are aware, Denton County and the Denton County Policy Chiefs Association have worked together over the past few years to plan a suitable location for a law enforcement memorial. With the further buildout of the Denton County Administrative Complex at Loop 288 in Denton, Texas, we have prepared space on the Memorial Island in anticipation of placing the Denton County Law Enforcement Memorial next to the Denton County Fireman's Memorial.

Chief Kerbow's enclosed letter further explains the costs involved in creating such a memorial. The County Commissioners Court joins Chief Kerbow and the Police Chiefs Association in hoping that all of the cities that will be named on the memorial will contribute towards the costs. To more fairly divide these costs roughly based on proportionate population across the county, we would like to suggest that the cities and departments contribute the following amounts:

\$100 (cities with county population of .25% or less):	Bartonville, Cross Roads, Krugerville, Northlake, Ponder, Prosper
\$200 (cities with .50% - .26%):	Argyle, Aubrey, Double Oak, Justin
\$250 (cities with .75% - .51%):	Hickory Creek, Krum, Pilot Point
\$500 (cities with 1% - .76%):	Lake Dallas, Roanoke, Sanger, Trophy Club
\$1500 (cities with approximately 2%):	Corinth and Highland Village
\$2500 (cities with approximately 5%):	Frisco, Little Elm, and The Colony
\$4500 (cities with approximately 10%):	Carrollton and Flower Mound
\$6000 (cities with over 10% but less than 15%):	Lewisville
\$7500 (cities with over 15%):	Denton

Denton County will contribute the remaining amount needed to meet the \$45,000 quote, as the Denton County Sheriff's Office has agreed to pledge at least \$8000 from its Federal seizure funds.

Payments should be made payable to the "Denton County Police Chiefs Association" account held at DATCU Credit Union; please mail payments to DATCU, attn.: Acct.#646614, PO Box 827, Denton, TX, 76202.

Thank you for your pledge to meet this expense as we recognize the service the law enforcement agencies provide across Denton County.

Sincerely,

A handwritten signature in cursive script that reads "Mary Horn". The signature is written in black ink and is positioned above the typed name.

Mary Horn  
Denton County Judge

cc: Russ Kerbow, Chief Lewisville Police Department  
Denton County Commissioners Court

Enclosure

May 5, 2016

Dear Mayors and Police Chiefs,

While the numbers are not huge, several law enforcement officers in Denton County have given the ultimate sacrifice in the line of duty. I am leading an effort countywide to raise money for a law enforcement memorial for Denton County's law enforcement agencies. Denton County leaders have set aside a site at the Admin Complex – Health Services building located at 535 S. Loop 288, Denton, Texas for this memorial. The vision is to erect a law enforcement memorial similar to one that already exists on the south side of the Admin Complex overlooking the small lake for the countywide fire memorial. The creator of the fire department's memorial has quoted a price of approximately \$45,000 for creating the memorial and setting it in place. The memorial will have the names of all law enforcement agencies in Denton County at the time we commission the work along with the names of those who have already been lost in the line of duty. Our goal is to have this in place by the end of 2017.



What can you do to help, great question. I know it is budget preparation time for everyone and I am urging you to consider a couple of possibilities for helping to raise the money. Donation to a law enforcement memorial is an approved use of Federal seizure funds according to attorneys in the US Department of Justice. This can be easy for you if your department has enough asset forfeiture funds to consider a gift to this cause. If not, consider holding an event of some sort this next year to donate to the cause. This can be a 5K run, golf tournament or any of a number of creative ways to raise money for this worthy cause. Another option is for you consider a donation from next year's budget. The burden to make this memorial need not be overwhelming for any of us if we all pitch in to do our part.

The Denton Area Teacher's Credit Union (DATCU) and the "Denton County Police Chiefs Association" have agreed to administer the funds collected in order to make this memorial a reality. I would be happy to answer any specific questions you might have about the memorial and our efforts to honor those who made the ultimate sacrifice in Denton County.

Sincerely,

A handwritten signature in black ink that reads "Russell Kerbow". The signature is written in a cursive, flowing style.

Russell Kerbow  
Chief of Police  
Lewisville Police Department



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**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Announce The Colony Designation as Playful City USA for 2016 (PARD, Swain)

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**Background:**

**Purpose:**

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**

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**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Presentation from the Library Director regarding current and upcoming programs, events, and service improvements (Library, Sveinsson)

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**Background:**

**Purpose:**

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**



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**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Presentation from SPAN on The Colony's ridership for the 2015/16 Budget Year and the 2016/17 Budget Year (General Admin, Perez)

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**Background:**

**Purpose:**

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**

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**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Discuss route and street closure for 5K Run from Hawaiian Falls (Engineering, Scruggs)

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**Background:**

**Purpose:**

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**



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**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Council to provide direction to staff regarding future agenda items (Council)

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**Background:**

**Purpose:**

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**



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**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Consider approving city council meeting minutes for May 17, 2016 (Interim City Secretary, Stewart)

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**Background:**

**Purpose:**

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**  
Minutes

**MINUTES OF COUNCIL REGULAR SESSION  
HELD ON  
MAY 17, 2016**

**The Regular Session of the City Council of the City of The Colony, Texas, was called to order at 6:30 p.m. on the 17<sup>th</sup> day of May, 2016, at City Hall, 6800 Main Street, The Colony, Texas, with the following roll call:**

<b>Joe McCourry</b>	<b>Mayor</b>	<b>Present</b>
<b>Kirk Mikulec</b>	<b>Mayor Pro-Tem</b>	<b>Present</b>
<b>Richard Boyer</b>	<b>Councilmember</b>	<b>Present</b>
<b>Brian R. Wade</b>	<b>Councilmember</b>	<b>Present</b>
<b>David Terre</b>	<b>Councilmember</b>	<b>Present</b>
<b>Perry Schrag</b>	<b>Councilmember</b>	<b>Present (6:32 p.m.)</b>
<b>Joel Marks</b>	<b>Councilmember</b>	<b>Present</b>

**And with six council members present a quorum was established and the following items were addressed:**

***1.0 ROUTINE ANNOUNCEMENTS, RECOGNITIONS AND PROCLAMATIONS***

- 1. Call to Order – 6:30 p.m.**
- 1.1. Invocation – Horizon’s Church**
- 1.2. Pledge of Allegiance to the United States Flag**
- 1.3. Salute to the Texas Flag**

*Councilmember Schrag arrived at 6:32 p.m.*

- 1.4. Recognize Girl Scout Troop 4723 for recent Tree Planting Project (General Admin, Perez)**  
*Joe Perez recognized Girl Scout Troop 4723 for their recent Tree Planting Project. Mayor presented a Certificate of Recognition to camp leader Judy Smith and the participants for their support and contribution to the City of The Colony Tree City USA Designation.*
- 1.5. Recognize The Colony High School Students for participation in the April 2016 Leadership Program Day (General Admin, Perez)**  
*Joe Perez recognized The Colony High School Students for their participation in the April 2016 Leadership Program Day held at City Hall.*

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<sup>1</sup> These items are strictly public service announcements. Expressions of thanks, congratulations or condolences; information regarding holiday schedules; honorary recognition of city officials, employees or other citizens; reminders about upcoming events sponsored by the City or other entity that are scheduled to be attended by a city official or city employee. No action will be taken and no direction will be given regarding these items.

**1.6. Recognize The Colony Firefighter's Trent Caldwell, Justyn Fraize, and Jeff Luse for their participation in the Georgia Smoke Diver Program (Fire, Thompson)**

*Mayor presented a Certificate of Appreciation to The Colony Firefighter's Trent Caldwell, Justyn Fraize and Jeff Luse for their participation in the Georgia Smoke Diver Program.*

**1.7. Items of Community Interest**

**1.7.1. Receive presentation from Parks and Recreation regarding upcoming events and activities (PARD, Stansell)**

*Lindsey Stansell provided upcoming events and activities to the council.*

*Councilmember Terre announced early voting has begun and asked everyone to get out and exercise their right to vote.*

*Councilmember Schrag acknowledged early voting this week and announced the low turnout of voters. He reiterated the need to get the word out to citizens to vote.*

**2.0 WORK SESSION**

**The Work Session is for the purpose of exchanging information regarding public business or policy. No action is taken on Work Session items. Citizen input will not be heard during this portion of the agenda.**

**2.1. Discussion with Michelle French with the Denton County Tax Assessors Office (Assistant City Manager, Miller)**

*Michelle French provided updates regarding the Denton County Tax Assessors Office to Council. She stated Denton County Tax Assessors Office will not reallocate their staff from The Colony office. They will continue services at The Colony's location to assist citizens in area. Ms. French briefed Council on current and forthcoming challenges and options to assist citizens when renewing their registration. She provided the following alternatives as a proposal to Municipalities for online services:*

- *Adding Sub-contractors within the Municipalities to handle registrations only*
- *Adding online registration services to Library computers*
- *Adding the Denton County Tax Assessors Office link to the city's website*

*Council provided discussion on the matter. Mayor did advise Mrs. French that the City is unable to commit city staff/services for subcontracting at this time. However, Mayor is in favor of Denton County Tax Assessors office adding computers in the Library as well as adding the Department of Motor Vehicle's link to the city's website. Both Councilmember Mikulec and Terre spoke in agreement of the proposal.*

**2.2. Discuss and provide direction to staff regarding camping fees and policies at Stewart Creek Park (PARD, Nelson)**

*Director of Parks and Recreation Pam Nelson presented the camping fees and policies at Stewart Creek Park to Council. She stated the park generates \$15,000 to \$20,000 yearly on tent camping. The City enforces the Core of Engineers 14-day stay limit in a 30 day period. Ms. Nelson said the rate structure overall is low compared to other lakes in the area. She briefed Council on camping issues related to those campers using tents verses RV's, and provided the following options to consider:*

- 1. Raise RV camping fees*
- 2. Keep RV site and improve*
- 3. Implement non-resident camping fee*
- 4. Implement a more restrictive limit on length of stay*
- 5. Amend ordinance to provide definition of type of "vehicle/camping unit" allowed for overnight use*

**Council convened into Executive Session to discuss Item 2.2 at 7:15 p.m. and reconvened at 7:29 p.m.**

*Councilmember Mikulec requested options number 1, 3, 4 and 5 be considered. Councilmember Boyer purposed to look into how the City can eliminate campers who are extending their stay in the park. Mr. Boyer said to limit the stay to possibly 3 days with a renewal to avoid full time living. The council provided discussions on this item with a recommendation for staff to return with more define limitation and expectations relative to our partnership with the Core of Engineers.*

**2.3. Discuss and provide direction to staff regarding Crown Castle Mini Cell Tower Facilities (Development Services, Joyce)**

*Director of Engineering Gordon Scruggs presented a negotiated license agreement regarding Crown Castle Mini Cell Tower Facilities to Council. He explained the mini cell towers are small cell sites that are placed in the right-of-way and private parking lots. The service will provide increase capacity and serve faster, more reliable data and voice services to customers of Verizon, AT&T, and Sprint. Mr. Scruggs stated Crown Castle has offered to allow the City to use fiber and there be a rental fee accessed for using the right-of-ways.*

*Mandy Derr with Crown Castle presented an overview on the foundation of Crown Castle. He explained there will be ten nodes in The Colony right-of-way and eight nodes in TxDOT right-of-way along the service road of State Highway 121 in the Grandscape area. Mr. Derr said the most cost effective way to implement the process quickly would be to install the standalone nodes near Hawaiian Falls. He stated the wireless carrier would propose a license agreement which is a ten year agreement with 3 five year renewal options. Each node will be operated and maintained by the network. Council provided discussion on this item and made a recommendation to staff to move forward with the proposal.*

*Councilmember Schrag left the meeting at 8:15 p.m. and returned at 8:30 p.m.*

- 2.4. Council to provide direction to staff regarding future agenda items (Council)**  
**Councilmember Boyer requested a future agenda item regarding Denton County overview process on property appraisals.**  
*Councilmember Marks acknowledge City staff on their outstanding response time regarding the traffic lights on the new bridge located at South Colony and Memorial.*

### **3.0 CITIZEN INPUT**

This portion of the meeting is to allow up to five (5) minutes per speaker with a maximum of thirty (30) minutes for items not posted on the current agenda. The council may not discuss these items, but may respond with factual data or policy information, or place the item on a future agenda. Those wishing to speak shall submit a Request Form to the City Secretary.

**NONE**

### **4.0 CONSENT AGENDA**

The Consent Agenda contains items which are routine in nature and will be acted upon in one motion. Items may be removed from this agenda for separate discussion by a Council member.

- 4.1. Consider approving city council meeting minutes for May 3, 2016 (Interim City Secretary, Stewart)**
- 4.2. Consider approving an ordinance of a Negotiated Settlement between Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's 2016 Rate Review (Finance, Cranford)**
- 4.3. Consider approving a resolution authorizing the City Manager to execute an Encroachment / License Agreement for use of City Property by an adjacent property owner generally located at 3 Holden Circle (Engineering, Scruggs)**

*Motion to approve all items from consent- Schrag; second by Marks; motion passed with all ayes.*

### **5.0 REGULAR AGENDA ITEMS**

- 5.1. Conduct a public hearing, discuss and consider an ordinance adopting the Standards of Care Policy for Day Camp Programs (PARD, Swain)**  
*Recreation Manager David Swain introduced Recreation Coordinator Amber Downing with the Parks and Recreation Department. Amber presented the proposed ordinance adopting the Standards of Care Policy for Day Camp Programs to Council.*

*Councilmember Terre recognized David Swain for tenure with the City of The Colony.*

*Motion to approve- Marks; second by Boyer; motion passed with all ayes.*

**5.2. Discuss and consider approving a resolution authorizing the City Manager to execute a contract amendment with CD Builders, Inc. for Phase 5 Residential Street re-construction (Engineering, Scruggs)**

*Gordon Scruggs presented the proposed contract amendment with CD Builders, Inc. for the removal of improvements associated with Ragan Road. He stated Ragan Road may be a part of the rebid project for the Phase 6 Residential Street Reconstruction later this year.*

*Councilmember Marks inquired on the cost of the reconstruction. Mr. Scruggs stated the project would increase slightly. Director of Government Relations Brant Shallenburger explained Ragan Road construction project was a part of the original plan, but would not be completed in a timely manner.*

***Motion to approve- Wade; second by Boyer; motion passed with all ayes.***

Executive Session was convened at 8:33 p.m.

**6.0 EXECUTIVE SESSION**

**6.1. A. Council shall into closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the city attorney regarding pending or contemplated litigation against Budget Suites Hotel located at 5289 S.H. 121, The Colony, Texas.**

**B. Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the city attorney regarding pending or contemplated litigation – Atlantic Colony Venture I, LLC and Atlantic Colony Venture II, LLC v. City of The Colony, Texas, et al., Cause No. 16-02219-442.**

**C. Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the city attorney regarding pending or contemplated litigation – Appeal of Brazos Electric Power Cooperative, Inc. and Denton County Electric Cooperative, Inc. D/B/A CoServ Electric from an Ordinance of The Colony, Texas, and, in the Alternative, Application for a Declaratory Order, SOAH Docket No. 473-16-1119, PUC Docket 45175.**

**D. Council shall convene into a closed executive session pursuant to Section 551.074 of the TEXAS GOVERNMENT CODE to seek legal advice from the city attorney and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Secretary.**

Open Session was reconvened at 9:43 p.m.

**6.2. A. Any action as a result of executive session regarding pending or contemplated litigation against Budget Suites Hotel located at 5289 S.H. 121, The Colony, Texas.**

No Action

**B. Any action as a result of executive session regarding the pending or contemplated litigation - Atlantic Venture, LLC and Atlantic Colony Venture II, LLC v. City of The Colony, Texas, et al.**

No Action

**C. Any action as a result of executive session regarding the pending or contemplated litigation Appeal of Brazos Electric Power Cooperative, Inc. and Denton County Electric Cooperative, Inc. D/B/A CoServ Electric matter.**

No Action

**D. Any action as a result of executive session regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Secretary.**

No Action

***ADJOURNMENT***

And with no further business to discuss the meeting was adjourned at 9:45 p.m.

APPROVED:

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Joe McCourry, Mayor  
City of The Colony

ATTEST:

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Tina Stewart, TRMC  
Interim City Secretary



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**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Consider approving council expenditures for the month of April 2016 (Council)

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**Background:**

**Purpose:**

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**  
CC April Expenditures

# Memo

**To:** Members of the City Council  
**From:** Tina Stewart, Interim City Secretary  
**Date:** June 7, 2016  
**Re:** Council Expenditures for approval

Pursuant to your policy, below are charges from the month of April 2016 for your review and approval. Report is attached.

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Mayor cell phone	119.38
Mayor- data plan for iPad	30.53
Food for council meetings	219.13
SPAN Charges for March and April	18,441.24
Personnel Services	1,341.36
Total	\$20,151.64

DATE TRAN # REFERENCE -----DESCRIPTION----- VENDOR INV/JE #/PO # ---BUDGET--- ----ACTIVITY---- ----BALANCE----

623-6112 SALARIES, PART-TIME

--ACCT TOTALS-- CURRENT BUDGET: 8,400 00 YTD ACTIVITY 4,200 30 ENCUMBERED 0 00 BALANCE 4,200.30

623-6115 SOCIAL SECURITY TAXES

--ACCT TOTALS-- CURRENT BUDGET 672 00 YTD ACTIVITY 321.30 ENCUMBERED 0.00 BALANCE 350 70

623-6126 TRAVEL EXPENSE

4/26 A24735 CHK: 145338 PERRY SCHRAG 108750 PERRY SCHRAG 201604288194 118 00  
 4/26 A24809 CHK: 145360 BRIAN WADE 141010 BRIAN WADE 201604288199 118 00  
 4/30 B67347 Misc 000000 SOUTHWEST - EL PASO JE# 053260 414 96  
 4/30 B67347 Misc 000000 AMERICAN AIRLINES PH JE# 053260 690 40  
 ---APR TOTAL--- 200.00 1,341 36 1,141 36CR

--ACCT TOTALS-- CURRENT BUDGET: 2,400 00 YTD ACTIVITY 1,435.54 ENCUMBERED 0 30 BALANCE 964 46

623-6235 PRINTING SERVICES

--ACCT TOTALS-- CURRENT BUDGET. 100.30 YTD ACTIVITY 12 58 ENCUMBERED 0 00 BALANCE 87.42

623-6244 TELEPHONE SERVICE

4/18 A25058 CHK: 145143 AT&T MOBILITY 114320 AT&T MOBILITY 201605058219 119 38 ✓  
 4/30 B67347 Misc 000000 AT&T DATA PLAN FOR I JE# 053260 30 53 ✓  
 ---APR TOTAL--- 166 67 149.91 16.76

--ACCT TOTALS-- CURRENT BUDGET 2,000 00 YTD ACTIVITY 1,017 61 ENCUMBERED 0 00 BALANCE 982.39

623-6390 MISCELLANEOUS SUPPLIES

4/05 A24740 CHK 145076 THE KROGER COMPANY 111250 THE KROGER COMP 0316216110 45 83 ✓  
 4/19 A24743 CHK 145076 THE KROGER COMPANY 111250 THE KROGER COMP 0316217611 10 50 ✓  
 4/30 B67347 Misc 000000 FLOWERS FOR CITY EMP JE# 053260 49 95 ✓

YEAR Oct-2015 / Sep-2016

FUND 100-GENERAL FUND

DEPT 23 CITY COUNCIL

ACTIVE ACCOUNTS ONLY

SUPPRESS ZEROS

PERIOD TO USE Apr-2016 THRU Sep-2016

ACCOUNTS 623-6000 THRU 623-6999

DATE TRAN # REFERENCE =====DESCRIPTION===== VENDOR INV/JE #/PO # =====BUDGET===== =====ACTIVITY===== =====BALANCE=====

623-6390 MISCELLANEOUS SUPPLIES \* ( CONTINUED ) \*

4/30	B67347	Misc	000000	ZAXBY'S		JE# 053260				112 85 ✓	
						===APR TOTAL===	316 67			219 13	97 54
==ACCT TOTALS==			CURRENT BUDGET	3,890 00	YTD ACTIVITY	2,444 28	ENCUMBERED	0 00	BALANCE <sup>1</sup>	1,355 72	

623-6845 GENERAL GOVERNMENT

4/01	A23989	CHK	145105	SPAN	3251	SPAN	793			9,387 80 ✓	
						===APR TOTAL===		10,364 75		9,387 80	976 95
5/01	A25613			SPAN	3251	SPAN	808			9,053 44 ✓	
						===MAY TOTAL===		10,364 75		9,053 44	1,311 31
==ACCT TOTALS==			CURRENT BUDGET	124,377 00	YTD ACTIVITY	73,119 42	ENCUMBERED.	0 00	BALANCE	51,257 58	

==DEPT TOTALS== CURRENT BUDGET 141,749 00 YTD ACTIVITY 82,550 73 ENCUMBERED 0 00 BALANCE 59,198 27

REPORT TOTALS

CURRENT BUDGET	PERIOD ACTIVITY	YTD ACTIVITY	ENCUMBERED	BALANCE
141,749 00	20,151 64	82,550 73	0 00	59,198 27

5-16-2016 9 31 AM  
 YEAR Oct-2015 / Sep-2016  
 FUND 100-GENERAL FUND  
 DEPT ALL

G / L D E T A I L vs B U D G E T

ACTIVE ACCOUNTS ONLY PERIOD TO USE: Apr-2016 THRU Sep-2016  
 SUPPRESS ZEROS ACCOUNTS: 623-6000 THRU 623-6999

DEPARTMENT TOTALS

DEPARTMENT	ORIGINAL BUDGET	CURRENT BUDGET	PERIOD ACTIVITY	YTD ACTIVITY	BALANCE
23	141,749.00	141,749.00	20,151.64	82,550.73	59,198.27
<b>DEPT TOTALS</b>	<b>141,749.00</b>	<b>141,749.00</b>	<b>20,151.64</b>	<b>82,550.73</b>	<b>59,198.27</b>



CITY OF THE COLONY  
 ATTN: CHRISTIE WILSON  
 6800 MAIN ST  
 THE COLONY, TX 75056-1133

Page: 1 of 3  
 Bill Cycle Date: 03/19/16 - 04/18/16  
 Account: 287242020808  
 Foundation Account: FAN 02296560  
 Invoice: 287242020808X04262016

23-4244

Visit us online at: [www.att.com/business](http://www.att.com/business)

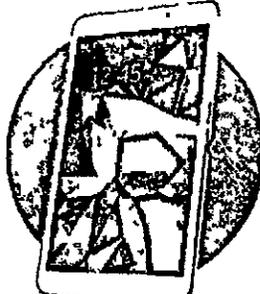
## Wireless Statement

Bill-At-A-Glance	
Previous Balance	\$119.43
Payment - 04/12 - Thank You!	\$119.43CR
Adjustments	\$0.00
Balance	\$0.00
New Charges	\$119.38
<b>Total Amount Due</b>	<b>\$119.38</b>
Amount Due in Full by	May 13, 2016

Service Summary		
Service	Page	Total
<b>Wireless</b>		\$119.38
469 999-3343	\$119.38	2
<b>Total New Charges</b>		<b>\$119.38</b>

**Manage Your Account:**  
 Online: [att.com/myatt](http://att.com/myatt)  
 Mobile App: [att.com/myattapp](http://att.com/myattapp)  
 Support: 800 331-0500 or 611 from your mobile device  
 TTY: 866 241-6567

For Important Information about your bill, please see the **News You Can Use** section (Page 2).



### Break free from Wi-Fi

Add a tablet to your Mobile Share Value\* plan for \$10/mo\*  
 Add a tablet today!  
 Visit [att.com/moreatt](http://att.com/moreatt)  
 Go to an AT&T store  
 Call 855 667 3496

\*Add Tablet to Mobile Share Value\* for \$10/month: Req's plan charge (starts at \$20/mo. for 300MB of shareable data) & \$10/mo. access charge per tablet & an access charge per any other device (\$10 to \$40/mo.). Plan for svc only. Tablet installment or other device purchase charges add'l. Fees, monthly, coverage & other charges & restr's apply. Coverage not avail. everywhere. See [att.com/msv](http://att.com/msv) for rates & details.

### Wireless

**Group 2 Usage Summary - Mar 19 thru Apr 18**  
**FamilyTalk Nation 1400 with Rollover** - Includes \$9.99 Each Additional Line, 1,400 Shared Anytime Minutes with Rollover, Nationwide Long Distance & Roaming, Unlimited Mobile to Mobile calling to/from other AT&T Mobiles, Unlimited Night (9pm-6am) & Weekend calling, Call Forward Feature, Caller ID, Call Wait, Conference Call Feature, Mobile Purchases & Downloads Detail, Basic Voice Mail Feature, (Additional Minutes \$0.40 each).

**Family Messaging Unlimited with Mobile to Any Mobile Calling**  
 - Includes Unlimited domestic text, picture, video and instant messages and unlimited calling to/from any other domestic mobile phone.

	Plan Minutes	M2M Minutes	N&W Minutes
469 999-3343	33	221	1
<b>Total</b>	<b>33</b>	<b>221</b>	<b>1</b>

**Rollover Minutes Summary**

Last Month's Rollover Balance	14,538
Current Month Added to Rollover	+ 1,367
Expired Rollover Minutes *	- 1,377
<b>NEW ROLLOVER MINUTES BALANCE</b>	<b>14,528</b>

\* Unused Rollover Minutes expire after 12 bill periods.

Return bottom portion with your check in the enclosed envelope.  
 Payments may take 7 days to post.

Wireless Services provided by AT&T Mobility, LLC.

Printed on Recyclable Paper



CITY OF THE COLONY  
 ATTN: CHRISTIE WILSON  
 6800 MAIN ST  
 THE COLONY, TX 75056-1133

Page: 2 of 3  
 Bill Cycle Date: 03/19/16 - 04/18/16  
 Account: 287242020808  
 Foundation Account: FAN 02296560  
 Invoice: 287242020808X04262016

Visit us online at: [www.att.com/business](http://www.att.com/business)

**Wireless** - Continued

	Messages
469 999-3343	61
Total	61

**469 999-3343**  
 CITY OF THE COLONY

**DataPro 2GB for iPhone on 4G LTE with Visual Voicemail** - Includes 2 gigabytes of domestic data usage, \$10 each additional 1 gigabyte of data usage. Unlimited data usage on the AT&T Wi-Fi Basic network. Video calling and Visual Voicemail available with compatible devices.

**Monthly Charges - Mar 19 thru Apr 18**

1. FamilyTalk Nation 1400 with Rollover	80.00
2. Family Messaging Unlimited with Mobile to Any Mobile Calling	30.00
3. DataPro 2GB for iPhone on 4G LTE with Visual Voicemail	25.00
4. National Account Discount	27.30CR
<b>Total Monthly Charges</b>	<b>107.70</b>

**Other Charges and Credits**

**Voice Usage Summary**

<b>FamilyTalk Nation 1400 with Rollover</b>	
Total Minutes Used	33
Plan Minutes	1,400
Mobile to Mobile Minutes	Unlimited
Minutes Used	0
Night & Weekend Minutes	Unlimited
Minutes Used	1
Unlimited Mobile to Any Mobile	Unlimited
Minutes Used	221

**Data Usage Summary**

Messaging Unlimited	Unlimited
Used	61

**2GB DATA**

Plan MB	2,048
MB Used	56

1 Gigabyte (GB) = 1024MB, 1 Megabyte (MB) = 1024KB

**Other Charges and Credits - Continued**

**Surcharges and Other Fees**

5. Federal Universal Service Charge	3.52
6. State Cost-Recovery Fee	0.40
7. Texas Universal Service	1.30
<b>Total Surcharges and Other Fees</b>	<b>5.22</b>

**Government Fees and Taxes**

8. 9-1-1 Service Fee	0.50
9. 911 Equalization Surcharge	0.06
10. TX State Sales Tax - Telecom	5.90
<b>Total Government Fees and Taxes</b>	<b>6.46</b>

**Total Other Charges & Credits 11.68**

**Total for 469 999-3343 119.38**

**Total for Wireless accounts 119.38**

**News You Can Use**

**DIRECTORY ASSISTANCE**

Calls to 411 (Directory Assistance) from your mobile device will be entirely automated on or after April 19, 2016. Charges will remain the same and will be assessed only when you are provided listing information. Please visit [www.att.com/411automation](http://www.att.com/411automation) for more information.

**STAY CONNECTED WITH LOVED ONES IN MEXICO**

With AT&T Recharge, it's easy to add a one-time voice, text, or data credit to the prepaid cell phone account of a friend or family member in Mexico and select Latin American and Caribbean countries without a credit card. AT&T postpaid wireless customers only. One purchase per account per month. Purchase price, service charge and taxes billed to your AT&T wireless account. Other restrictions apply. See [www.att.com/legal/terms.attrechargeeula.html](http://www.att.com/legal/terms.attrechargeeula.html) for complete details.

**EARN EXTRA DATA FROM YOUR FAVORITE BRANDS**

Download the free Data Perks app to your smartphone and start earning data for doing things you already do - downloading games and apps, shopping, and more. Compatible smartphone required. Data rates may apply to app download and use. Other restrictions apply. Learn more at [www.att.com/dataperks](http://www.att.com/dataperks).

**TTY LIMITATIONS FOR 911 CALLS**

Due to technical limitations, Wi-Fi Calling and NumberSync cannot be used with TTY devices and will not support 911 calls





MEMO STATEMENT  
THIS IS NOT A BILL

JPMORGAN CHASE BANK NA  
PO BOX 15918  
MAIL SUITE DE1-1404  
WILMINGTON DE 19850

ACCOUNT NUMBER 5567-0800-1007-2490  
STATEMENT DATE 04-05-16  
NET CHARGES \$30.53



1949350 - 004675 - 0001 - 0001 - 2

JOSEPH M MCCOURRY  
M0611 COTC COUNCIL  
6800 MAIN STREET  
THE COLONY TX 75056-1133  
\*\*N0003559

FOR RECONCILIATION PURPOSES ONLY. DO NOT SEND PAYMENT

NAME: JOSEPH M MCCOURRY  
ACCOUNTING CODE:

CYCLE LIMIT: \$3,000

CARDHOLDER ACTIVITY

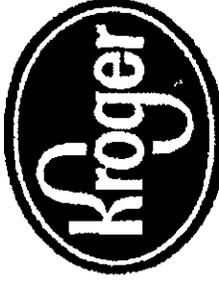
Telecommunication Activity

Post Date	Tran Date	Reference Number	Transaction Description	Amount
03-24	03-23	55480776083002145963314	AT&T DATA 08003310500 GA	30.53
Total Miscellaneous Activity				30.53

23-6244

FOR CUSTOMER SERVICE CALL: 1-800-316-6056 FOR LOST/STOLEN CARDS CALL: 1-800-316-6056 FOR TTY/TDD SERVICE CALL: 1-800-955-8060	ACCOUNT NUMBER	ACCOUNT SUMMARY
	STATEMENT DATE	
SEND BILLING INQUIRIES TO: JPMORGAN CHASE BANK NA COMMERCIAL CARD SOLUTIONS P O. BOX 2015 MAIL SUITE IL1-6225 ELGIN, IL 60121	5567-0800-1007-2490	PURCHASES & OTHER CHARGES 30.53
	04/05/16	CASH ADVANCES .00
		CREDITS .00
		CASH ADVANCE FEE .00
		NET CHARGES \$30.53
		DISPUTE AMOUNT .00

23-6390



Great food.  
Low prices.

6805 N. MAIN  
972-370-0889

KROGER PLUS CUSTOMER \*\*\*\*\*3905  
 FDG IC BROWN 3.50 F  
 SC KROGER SAVINGS 3.49  
 BKRY BROWNIE 3.50 F  
 SC KROGER SAVINGS 3.49  
 BKRY BROWNIE 3.50 F  
 SC KROGER SAVINGS 3.49  
 BKRY BROWNIE 3.50 F  
 TAX 0.00  
 \*\*\*\* BALANCE 10.50

TX 75056  
 PRVT LABEL Purchase  
 \*\*\*\*\*9004 - SWIPED  
 REF#: D91770 TOTAL: 10.50

PRVT LABEL 10.50  
 CHANGE 0.00  
 TOTAL NUMBER OF ITEMS SOLD = 3  
 KROGER SAVINGS \$ 10.47  
 TOTAL COUPONS \$ 10.47  
 TOTAL SAVINGS (49 \$) \$ 10.47

04/19/16 02:05pm 879 83 55 999  
 APRIL FUEL POINTS  
 REDEEM TOGETHS TO SAVE .10 PER GAL.  
 ON ONE PURCHASE OF UP TO 35 GAL.  
 SAVE UP TO \$1 PER GAL AT KROGER OR  
 .10 PER GAL AT SHELL ON 1 FILL-UP.

FUEL POINTS THIS ORDER = 11  
 FUEL POINTS THIS MONTH = 176

THIS MONTHS POINTS EXPIRE 05/31/16.  
 VISIT WWW.KROGER.COM/FUEL FOR DETAILS  
 \*\*\*\*\*

With Our Low Prices, You Saved  
**\$10.47**

Annual Card Savings \$298.69  
 Now Hiring - Apply Today!  
 jobs.kroger.com  
 www.kroger.com

23-6390



Great food.  
Low prices.

6805 N. MAIN  
972-370-0889

1 @ 2/8.00 HRSHY NUGGETS 4.00 B  
 1 @ 2/8.00 HRSHY NUGGETS 4.00 B  
 1 @ 2/8.00 HRSHY MINIS SPC DRPC 4.00 B  
 1 @ 2/8.00 HRSHY MINIS SPC DRPC 4.00 B  
 LFSUR PEPPIN 2.99 B  
 FRITO LAY MIX 6.99 F  
 TROP MIX IS 8.13 F  
 TROP MIX IS 8.45 F  
 1.42 lb @ 0.49 /lb 0.70 F  
 WT BANANAS 1.57  
 TAX 45.83  
 \*\*\*\* BALANCE

TX 75056  
 PRVT LABEL Purchase  
 \*\*\*\*\*9004 - SWIPED  
 REF#: 098690 TOTAL: 45.83

PRVT LABEL 45.83  
 CHANGE 0.00  
 TOTAL NUMBER OF ITEMS SOLD = 9  
 04/05/16 03:45pm 879 82 75 124

JOIN KROGER PLUS & BEGIN SAVING TODAY  
 YOU COULD HAVE SAVED \$1.00 MORE.

THANK YOU FOR SHOPPING KROGER!  
 Now Hiring - Apply Today!  
 jobs.kroger.com  
 www.kroger.com

**Tina Stewart**

---

**From:** Simply Blessed Flowers <info@simplyblessedflowers.com>  
**Sent:** Monday, March 21, 2016 10:05 AM  
**To:** Tina Stewart  
**Subject:** Order Confirmation from Simply Blessed Flowers

Hello, Tina Stewart

Thank you for your order from Simply Blessed Flowers. If you have any questions about your order please contact us using the Contact Us link on our website or call us at 214-618-4994. Your order confirmation is below. Thank you again for your business.

Your Order #100002830

**Billing Information:**

Tina Stewart  
City of The Colony  
United States  
972-624-3105

**Payment Method:**

Credit Card  
  
**Credit Card Type:** MasterCard  
**Credit Card Number:** xxxx-4015

**Delivery Information:**

Lisa Allen and Family  
Highland Village  
625 Highland Meadows Drive  
Lewisville, Texas, 75077  
United States  
972-743-0981

**Delivery Date:**

Delivery Date: March 21, 2016

Item	SKU	Qty	Subtotal
Special Product For POS peace lily basket	takeorder	1	39.95

Subtotal	39.95
Delivery Charge	10.00

Tax	<del>4.12</del>
-----	-----------------

Tax  
exempt

Grand Total	<del>54.07</del>
-------------	------------------

\$ 49.95

23-6390



4842 Main Street  
 The Colony, TX 75056  
 Follow and Like us on Facebook @  
 Zaxbys Dallas/Ft Worth

71 Desmond

Chk 5585 9726243105  
 Mar15'16 11:38AM

**Catering**

1 Fried Chs Bites Marinara Sauce 10 % 10% Disc	3.79  0.38-
1 Fried Chs Bites Marinara Sauce 10 % 10% Disc	3.79  0.38-
1 Tater Chips Ranch Sauce 10 % 10% Disc	3.79  0.38-
1 Tater Chips Ranch Sauce 10 % 10% Disc	3.79  0.38-
1 Tater Chips Ranch Sauce 10 % 10% Disc	3.79  0.38-
1 Cole Slaw 16oz 10 % 10% Disc	2.99  0.30-
1 Cole Slaw 16oz 10 % 10% Disc	2.99  0.30-
1 (40) Finger Box Zax Sauce 10 % 10% Disc	35.99  3.60-
1 Nibbler Platter Zax Sauce 10 % 10% Disc	32.99  3.29-
1 Fried Hse Zalad 4 Fingers Cucumbers Tomatoes Ched/Jack Frien Onions Frost ..... Pace 2 Ranch Dressing 10 % 10% Disc	7.49       0.75-
1 BrowniePlatLarge XXXXXXXXXX4015 M/C	12.99  112.85
Subtotal	104.25
Tax	8.60
Payment	112.85

-----1004 Check Closed-----  
 -----Mar15'16 04:23PM-----

CITY OF THE COLONY

PAYMENT AUTHORIZATION

PAY TO: SPAN INC. FUND: General Gov.  
1800 MALONE ST.  
DENTON, TX 76201

ACCOUNT NUMBER	AMOUNT
100-623-6845	9387.8

JUSTIFICATION:

<u>Trips to The Colony Senior Center</u>	<u>197</u>	
<u>Trips for demand response in The Colony</u>	<u>533</u>	

4/12/16 DATE TOTAL \$ 9,387.80

\_\_\_\_\_  
Manager/Supervisor  
  
\_\_\_\_\_  
Department Head  
\_\_\_\_\_  
Purchasing Agent

NOTE: \$0.01 - \$2,999 Department Manager Approval  
\$3,000 - \$49,999 Department Manager and Director Approval  
\$50,000 and over Purchasing Agent with proper approval  
(I e. City Council, Interlocal Agmt. , etc.)

The invoice must be signed by the Department Director and attached to the Payment Authorization

SPAN, INC.  
 1800 Malone St.  
 Denton TX 76201

INVOICE	INV000793
Type	
Date	3/31/2016
Page	1

**Bill to:**

City of The Colony  
 5151 N Colony Blvd.  
 The Colony TX 75056

**Ship to:**

City of The Colony  
 5151 N. Colony Blvd.  
 The Colony TX 75056

		Customer ID			Payment Terms ID
		COLONY	GROUND		Net 30
Quantity	Description	UNITS		Unit Price	Ext. Price
197	Trips to the Senior Center for March 2016	Each	\$0.00	\$12.88	\$2,633.42
533	Trips for Demand Response in March 2016	Each	\$0.00	\$12.88	\$6,854.38

Subtotal	\$9,387.80
Misc	\$0.00
Tax	\$0.00
Freight	\$0.00
Trade Discount	\$0.00
Total	\$9,387.80

Client #	Funding	Street #	Street Name	Unit #	Residence	Destination	Street #	Street Name	Trip Count	Client Count
1464	COUNTY	5900	LONGO ST		THE COLONY	THE COLONY	5900	LONGO ST	11	
1464	COUNTY	5900	LONGO ST		THE COLONY	LEWISVILLE	103	KATHRYN DR	11	
1751	COUNTY	4508	LAKECREST DR		THE COLONY	THE COLONY	4508	LAKECREST DR	3	
1751	COUNTY	4508	LAKECREST DR		THE COLONY	THE COLONY	4508	LAKECREST DR	1	
1751	COUNTY	4508	LAKECREST DR		THE COLONY	THE COLONY	4508	LAKECREST DR	3	
1751	COUNTY	4508	LAKECREST DR		THE COLONY	LEWISVILLE	2680	DENTON TAP	1	
1751	COUNTY	4508	LAKECREST DR		THE COLONY	LEWISVILLE	2680	DENTON TAP	3	
1751	COUNTY	4508	LAKECREST DR		THE COLONY	LEWISVILLE	2680	DENTON TAP	3	
11594	COUNTY	5124	STRICKLAND		THE COLONY	CARROLLTON	1467	LEMAY ST	22	
11594	COUNTY	5124	STRICKLAND		THE COLONY	THE COLONY	5124	STRICKLAND	22	
11671	COUNTY	4936	HACKNEY LN		THE COLONY	THE COLONY	4936	HACKNEY LN	18	
11671	COUNTY	4936	HACKNEY LN		THE COLONY	THE COLONY	4691	ST HWY 121	19	
12475	COUNTY	6046	MC AFE DR		THE COLONY	THE COLONY	6046	MC AFE DR	1	
12475	COUNTY	6046	MC AFE DR		THE COLONY	LEWISVILLE	614	S EDMONDS LN	1	
13632	COUNTY	5613	GREEN HOLLOW LN		THE COLONY	LEWISVILLE	103	KATHRYN DR	6	
13632	COUNTY	5613	GREEN HOLLOW LN		THE COLONY	LEWISVILLE	328	W MAIN ST	6	
14063	COUNTY	4605	W LAKE HIGHLANDS RD		THE COLONY	LEWISVILLE	1960	ARCHER AVE	30	
14063	COUNTY	4605	W LAKE HIGHLANDS RD		THE COLONY	THE COLONY	4605	W LAKE HIGHLANDS RD	10	
14350	COUNTY	4601	CARR ST		THE COLONY	THE COLONY	4601	CARR ST	8	
16213	COUNTY	5552	ROCK CANYON		THE COLONY	THE COLONY	5552	ROCK CANYON	1	
16213	COUNTY	5552	ROCK CANYON		THE COLONY	THE COLONY	5552	ROCK CANYON	2	
16213	COUNTY	5552	ROCK CANYON		THE COLONY	CARROLLTON	4333	N JOSEY LN	1	
16213	COUNTY	5552	ROCK CANYON		THE COLONY	THE COLONY	6805	F-M RD 423	1	
16213	COUNTY	5552	ROCK CANYON		THE COLONY	THE COLONY	4400	MAIN ST	1	
16213	COUNTY	5552	ROCK CANYON		THE COLONY	THE COLONY	4400	MAIN ST	1	
17801	COUNTY	5548	ROCKWOOD DR		THE COLONY	THE COLONY	5548	ROCKWOOD DR	11	
17801	COUNTY	5548	ROCKWOOD DR		THE COLONY	LEWISVILLE	103	KATHRYN DR	11	
19384	COUNTY	5229	KNOX DR		THE COLONY	THE COLONY	5229	KNOX DR	22	
19384	COUNTY	5229	KNOX DR		THE COLONY	LEWISVILLE	1960	ARCHER AVE	21	
19541	COUNTY	6245	MORNING STAR DR	337	THE COLONY	CARROLLTON	4333	N JOSEY LN	1	
19541	COUNTY	6245	MORNING STAR DR	337	THE COLONY	THE COLONY	6245	MORNING STAR DR	3	
19541	COUNTY	6245	MORNING STAR DR	337	THE COLONY	CARROLLTON	1948	E HEBRON PKWY	1	
19541	COUNTY	6245	MORNING STAR DR	337	THE COLONY	CARROLLTON	4343	N JOSEY LN	1	
20022	COUNTY	3916	OAKMONT		THE COLONY	THE COLONY	4675	ST HWY 121	14	
20467	COUNTY	5001	N COLONY BLVD		THE COLONY	LEWISVILLE	1960	ARCHER AVE	22	
20467	COUNTY	5001	N COLONY BLVD		THE COLONY	THE COLONY	5001	N COLONY BLVD	21	
21088	COUNTY	6245	MORNING STAR DR	419	THE COLONY	THE COLONY	5297	HWY 121	1	
21088	COUNTY	6245	MORNING STAR DR	419	THE COLONY	THE COLONY	6245	MORNING STAR DR	2	
21088	COUNTY	6245	MORNING STAR DR	419	THE COLONY	CARROLLTON	1745	E HEBRON PKWY	1	
21088	COUNTY	6245	MORNING STAR DR	419	THE COLONY	THE COLONY	6245	MORNING STAR DR	1	
21275	COUNTY	6004	MAYES DR		THE COLONY	THE COLONY	3805	MAIN ST	11	
21275	COUNTY	6004	MAYES DR		THE COLONY	THE COLONY	6004	MAYES DR	11	

21275	COUNTY	6004	MAVES DR		THE COLONY	THE COLONY	6004	MAVES DR		6	1
22347	COUNTY	5617	TURNER ST		THE COLONY	LEWISVILLE	500	N VALLEY PKWY		1	0
22347	COUNTY	5617	TURNER ST		THE COLONY	THE COLONY	5617	TURNER ST		2	0
22347	COUNTY	5617	TURNER ST		THE COLONY	CARROLLTON	4525	N JOSEY LN		1	3
24423	COUNTY	6529	TERRACE DR		THE COLONY	THE COLONY	5133	RAGAN DR		1	0
24423	COUNTY	6529	TERRACE DR		THE COLONY	THE COLONY	6529	TERRACE DR		1	1
26596	COUNTY	5333	YOUNG DR		THE COLONY	THE COLONY	5333	YOUNG DR		1	0
26596	COUNTY	5333	YOUNG DR		THE COLONY	THE COLONY	4691	ST HWY 121		1	1
26669	COUNTY	5289	STATE HWY 121	3041	THE COLONY	THE COLONY	5289	STATE HWY 121		1	0
26669	COUNTY	5289	STATE HWY 121	3041	THE COLONY	LEWISVILLE	614	S EDMONDS LN		2	1
26685	COUNTY	2500	WINDHAVEN PKY	248	THE COLONY	THE COLONY	2500	WINDHAVEN PKY		1	0
26685	COUNTY	2500	WINDHAVEN PKY	248	THE COLONY	THE COLONY	4760	STATE 121		1	1
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	4691	ST HWY 121		1	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	5000	N MAIN ST		1	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	5000	N MAIN ST		1	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	5000	MAIN ST		1	0
26688	COUNTY	5000	WALKER DR		THE COLONY	CARROLLTON	4323	N JOSEY LN		1	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	5000	MAIN ST		1	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	5000	WALKER DR		4	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	5000	WALKER DR		2	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	5000	WALKER DR		3	0
26688	COUNTY	5000	WALKER DR		THE COLONY	LEWISVILLE	4620	STATE HWY 121		2	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	6700	MAIN ST		1	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	4691	ST HWY 121		1	1
26765	COUNTY	3732	RED OAK TRL		THE COLONY	FRISCO	11999	DALLAS PKY		4	1
26780	COUNTY	4526	NERVIN ST		THE COLONY	THE COLONY	4526	NERVIN ST		6	1
27010	COUNTY	6245	MORNING STAR DR	310	THE COLONY	THE COLONY	6245	MORNING STAR DR		13	0
27010	COUNTY	6245	MORNING STAR DR	310	THE COLONY	LEWISVILLE	2700	VILLAGE PKY		13	1
27044	COUNTY	6245	MORNING STAR DR	441	THE COLONY	THE COLONY	6600	PAIGE RD		1	0
27044	COUNTY	6245	MORNING STAR DR	441	THE COLONY	THE COLONY	6245	MORNING STAR DR		1	1
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	4691	ST HWY 121		3	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	5201	S COLONY BLVD		6	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	5301	SAGERS BLVD		3	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	4703	STATE HWY 121		4	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	5301	SAGERS BLVD		4	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	5201	S COLONY BLVD		1	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	5313	S COLONY BLVD		2	1
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	LEWISVILLE	1600	WATERS RIDGE DR		3	0
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	THE COLONY	4711	HWY 121		1	0
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	THE COLONY	6245	MORNINGSTAR DR		1	0
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	THE COLONY	4691	ST HWY 121		1	0
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	THE COLONY	6245	MORNING STAR DR		3	0
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	THE COLONY	6245	MORNING STAR DR		1	0
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	THE COLONY	6245	MORNINGSTAR DR		1	0

27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	DENTON	3322	COLORADO BLVD	1	1	1
27428	COUNTY	5901	LEGEND LN		THE COLONY	FLOWER MOUND	6101	MORRIS RD	11	0	0
27428	COUNTY	5901	LEGEND LN		THE COLONY	THE COLONY	5901	LEGEND LN	16	0	0
27428	COUNTY	5901	LEGEND LN		THE COLONY	LEWISVILLE	1960	ARCHER AVE	3	1	1
27433	COUNTY	5289	STATE HWY 121	1097	THE COLONY	THE COLONY	5289	STATE HWY 121	1	1	0
27433	COUNTY	5289	STATE HWY 121	1097	THE COLONY	FLOWER MOUND	2321	OLYMPIA DR	1	1	1
27443	COUNTY	5616	PERRIN ST		THE COLONY	Carrollton	4325	N Josey Ln	1	1	1
27502	COUNTY	6109	APACHE DR		THE COLONY	THE COLONY	6109	APACHE DR	1	0	0
27502	COUNTY	6109	APACHE DR		THE COLONY	LEWISVILLE	420	OAK BEND DR	1	0	0
27502	COUNTY	6109	APACHE DR		THE COLONY	LEWISVILLE	151	W CHURCH ST	2	1	1
27504	COUNTY	4618	LARNER ST		THE COLONY	CARROLLTON	2008	E HEBRON PKY	1	0	0
27504	COUNTY	4618	LARNER ST		THE COLONY	CARROLLTON	4352	N JOSEY LN	1	0	0
27504	COUNTY	4618	LARNER ST		THE COLONY	THE COLONY	4618	LARNER ST	2	1	1
27508	COUNTY	5724	BAKER DR		THE COLONY	THE COLONY	5724	BAKER DR	3	0	0
27508	COUNTY	5724	BAKER DR		THE COLONY	LEWISVILLE	151	W CHURCH ST	3	0	0
27508	COUNTY	5724	BAKER DR		THE COLONY	THE COLONY	5724	BAKER DR	12	0	0
27508	COUNTY	5724	BAKER DR		THE COLONY	LEWISVILLE	151	W CHURCH ST	13	1	1
27508	COUNTY	5108	BRANDENBURG LN		THE COLONY	LEWISVILLE	995	E VALLEY RIDGE BLVD	1	0	0
27508	COUNTY	5108	BRANDENBURG LN		THE COLONY	THE COLONY	5108	BRANDENBURG LN	5	0	0
27688	COUNTY	5108	BRANDENBURG LN		THE COLONY	LEWISVILLE	995	S VALLEY RIDGE BLVD	4	1	1
27748	COUNTY	5048	THOMPSON DR		THE COLONY	THE COLONY	5048	THOMPSON DR	1	0	0
27748	COUNTY	5048	THOMPSON DR		THE COLONY	THE COLONY	5151	N COLONY BLVD	5	0	0
27748	COUNTY	5048	THOMPSON DR		THE COLONY	THE COLONY	5048	THOMPSON DR	6	1	1
27944	COUNTY	7045	NORTHPOINTE DR		THE COLONY	CARROLLTON	4240	INTERNATIONAL PKWY	8	0	0

Client #	Funding	Street #	Street Name	Unit #	Residence	Destination	Street #	Street Name	Trip Count	Client Count
12112	TCS	5661	N COLONY BLVD		THE COLONY	THE COLONY	5151	N COLONY BLVD	9	0
12112	TCS	5661	N COLONY BLVD		THE COLONY	THE COLONY	5661	N COLONY BLVD	9	1
22551	TCS	2056	WANDERLUST DR		LEWISVILLE	THE COLONY	5620	S COLONY BLVD	2	0
22551	TCS	2056	WANDERLUST DR		LEWISVILLE	THE COLONY	5151	N COLONY BLVD	1	0
22551	TCS	2056	WANDERLUST DR		LEWISVILLE	THE COLONY	5620	S COLONY BLVD	1	0
22551	TCS	2056	WANDERLUST DR		LEWISVILLE	THE COLONY	5151	N COLONY BLVD	2	1
25214	TCS	6408	LANDMARK TRL		THE COLONY	THE COLONY	6408	LANDMARK TRL	14	0
25214	TCS	6408	LANDMARK TRL		THE COLONY	THE COLONY	5151	N COLONY BLVD	13	1
25620	TCS	5548	ADAMS DR		THE COLONY	THE COLONY	5548	ADAMS DR	19	0
25620	TCS	5548	ADAMS DR		THE COLONY	THE COLONY	5548	ADAMS DR	1	0
25620	TCS	5548	ADAMS DR		THE COLONY	THE COLONY	5151	N COLONY BLVD	19	1
25728	TCS	5020	BRANDENBURG LN		THE COLONY	THE COLONY	5020	BRANDENBURG LN	1	0
25728	TCS	5020	BRANDENBURG LN		THE COLONY	THE COLONY	5151	N COLONY BLVD	1	1
26067	TCS	4320	CAPE COD DR		THE COLONY	THE COLONY	4320	CAPE COD DR	3	0
26067	TCS	4320	CAPE COD DR		THE COLONY	THE COLONY	4320	CAPE COD DR	6	0
26067	TCS	4320	CAPE COD DR		THE COLONY	THE COLONY	5151	N COLONY BLVD	8	0
26067	TCS	4320	CAPE COD DR		THE COLONY	THE COLONY	5151	N COLONY BLVD	4	1
26158	TCS	5768	CRESTWOOD LN		THE COLONY	THE COLONY	5151	N COLONY BLVD	2	0
26158	TCS	5768	CRESTWOOD LN		THE COLONY	THE COLONY	5151	N COLONY BLVD	5	0
26158	TCS	5768	CRESTWOOD LN		THE COLONY	THE COLONY	5768	CRESTWOOD LN	6	0
26158	TCS	5768	CRESTWOOD LN		THE COLONY	THE COLONY	5768	CRESTWOOD LN	2	1
26188	TCS	5537	MOUNTAIN VALLEY DR		THE COLONY	THE COLONY	5537	MOUNTAIN VALLEY DR	2	0
26188	TCS	5537	MOUNTAIN VALLEY DR		THE COLONY	THE COLONY	5537	MOUNTAIN VALLEY DR	7	1
27250	TCS	5065	AZTEC DR		THE COLONY	THE COLONY	5151	N COLONY BLVD	13	0
27250	TCS	5065	AZTEC DR		THE COLONY	THE COLONY	5065	AZTEC DR	12	1
27609	TCS	7005	DAVIDSON ST	11	THE COLONY	THE COLONY	5151	N COLONY BLVD	6	0
27609	TCS	7005	DAVIDSON ST	11	THE COLONY	THE COLONY	7005	DAVIDSON ST	12	0
27609	TCS	7005	DAVIDSON ST	11	THE COLONY	THE COLONY	5151	N COLONY BLVD	4	0
27609	TCS	7005	DAVIDSON ST	11	THE COLONY	THE COLONY	7005	DAVIDSON ST	8	1
27748	TCS	5048	THOMPSON DR		THE COLONY	THE COLONY	5048	THOMPSON DR	4	0
27748	TCS	5048	THOMPSON DR		THE COLONY	THE COLONY	5151	N COLONY BLVD	1	1
27748	TCS	5048	THOMPSON DR		THE COLONY	THE COLONY			197	10



SPAN, INC.  
 1800 Malone St.  
 Denton TX 76201

<b>INVOICE</b>	INV000808
<b>Type</b>	
<b>Date</b>	4/30/2016
<b>Page</b>	1

**Bill to:**

City of The Colony  
 5151 N Colony Blvd  
 The Colony TX 75056

**Ship to:**

City of The Colony  
 5151 N. Colony Blvd.  
 The Colony TX 75056

		Customer ID			Payment Terms ID
		COLONY	GROUND		Net 30
Quantity	Description	UNITS		Unit Price	Ext. Price
211	Trips to the Senior Center in April 2016	Each	\$0.00	\$12.86	\$2,713.46
493	Trips for Demand Response in April 2016	Each	\$0.00	\$12.86	\$6,339.98
<b>Subtotal</b>					\$9,053.44
<b>Misc</b>					\$0.00
<b>Tax</b>					\$0.00
<b>Freight</b>					\$0.00
<b>Trade Discount</b>					\$0.00
<b>Total</b>					\$9,053.44

Client #	Funding	Street #	Street Name	Unit #	Residence	Destination	Street #	Street Name	Trip Count	Client Count
1464	COUNTY	5900	LONGO ST		THE COLONY	LEWISVILLE	103	KATHRYN DR	16	0
1464	COUNTY	5900	LONGO ST		THE COLONY	THE COLONY	5900	LONGO ST	15	1
1751	COUNTY	4508	LAKECREST DR		THE COLONY	LEWISVILLE	2680	DENTON TAP	13	0
1751	COUNTY	4508	LAKECREST DR		THE COLONY	THE COLONY	4508	LAKECREST DR	13	0
12475	COUNTY	6046	MC AFEE DR		THE COLONY	LEWISVILLE	500	W MAIN ST	1	0
12475	COUNTY	6046	MC AFEE DR		THE COLONY	THE COLONY	6046	MC AFEE DR	1	1
13632	COUNTY	5613	GREEN HOLLOW LN		THE COLONY	LEWISVILLE	103	KATHRYN DR	8	0
13632	COUNTY	5613	GREEN HOLLOW LN		THE COLONY	LEWISVILLE	328	W MAIN ST	7	1
14063	COUNTY	4605	W LAKE HIGHLANDS RD		THE COLONY	LEWISVILLE	1511	FM-407	2	0
14063	COUNTY	4605	W LAKE HIGHLANDS RD		THE COLONY	THE COLONY	1960	ARCHER AVE	6	0
14350	COUNTY	4601	CARR ST		THE COLONY	THE COLONY	4601	CARR ST	7	1
17801	COUNTY	5548	ROCKWOOD DR		THE COLONY	LEWISVILLE	103	KATHRYN DR	10	1
17801	COUNTY	5548	ROCKWOOD DR		THE COLONY	THE COLONY	5548	ROCKWOOD DR	16	0
19384	COUNTY	5229	KNOX DR		THE COLONY	THE COLONY	5229	KNOX DR	16	1
19384	COUNTY	5229	KNOX DR		THE COLONY	LEWISVILLE	1511	FM-407	19	0
19384	COUNTY	5229	KNOX DR		THE COLONY	LEWISVILLE	1511	FM-407	4	0
19541	COUNTY	6245	MORNING STAR DR	337	THE COLONY	CARROLLTON	1960	ARCHER AVE	16	1
19541	COUNTY	6245	MORNING STAR DR	337	THE COLONY	THE COLONY	4333	N JOSEY LN	1	0
20022	COUNTY	3916	OAKMONT		THE COLONY	THE COLONY	6245	MORNING STAR DR	1	1
20467	COUNTY	5001	N COLONY BLVD		THE COLONY	LEWISVILLE	4675	ST HWY 121	11	1
20467	COUNTY	5001	N COLONY BLVD		THE COLONY	LEWISVILLE	1511	FM-407	4	0
20467	COUNTY	5001	N COLONY BLVD		THE COLONY	LEWISVILLE	1960	ARCHER AVE	16	0
20956	COUNTY	5220	COLE DR		THE COLONY	THE COLONY	5001	N COLONY BLVD	20	3
21275	COUNTY	6004	MAYES DR		THE COLONY	ARGYLE	9554	DAVID FORT RD	1	1
21275	COUNTY	6004	MAYES DR		THE COLONY	THE COLONY	3805	MAIN ST	13	0
23956	COUNTY	6245	MORNINGSTAR	427	THE COLONY	LEWISVILLE	6004	MAYES DR	20	1
24423	COUNTY	6529	TERRACE DR		THE COLONY	THE COLONY	617	E MAIN ST	1	1
24423	COUNTY	6529	TERRACE DR		THE COLONY	THE COLONY	6529	TERRACE DR	2	0
24423	COUNTY	6529	TERRACE DR		THE COLONY	THE COLONY	6529	TERRACE DR	2	0
24423	COUNTY	6529	TERRACE DR		THE COLONY	THE COLONY	6529	TERRACE DR	2	1
26205	COUNTY	4913	WAGNER DR		THE COLONY	FRISCO	5575	WARREN PKWY	1	0
26205	COUNTY	4913	WAGNER DR		THE COLONY	THE COLONY	4913	WAGNER DR	2	1
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	4691	ST HWY 121	1	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	5000	WALKER DR	2	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	6700	MAIN ST	2	0
26688	COUNTY	5000	WALKER DR		THE COLONY	CARROLLTON	4323	N JOSEY LN	1	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	5000	MAIN ST	1	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	5000	WALKER DR	2	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	4691	ST HWY 121	1	0
26688	COUNTY	5000	WALKER DR		THE COLONY	THE COLONY	5000	WALKER DR	1	1
26693	COUNTY	6245	MORNING STAR DR	213	THE COLONY	PLANO	6300	W PARKER	1	0
26693	COUNTY	6245	MORNING STAR DR	213	THE COLONY	PLANO	6300	W PARKER RD	1	0
26693	COUNTY	6245	MORNING STAR DR	213	THE COLONY	THE COLONY	6245	MORNING STAR DR	3	1
26780	COUNTY	4526	NERVIN ST		THE COLONY	THE COLONY	4526	NERVIN ST	1	0
26780	COUNTY	4526	NERVIN ST		THE COLONY	THE COLONY	4526	NERVIN ST	10	1
27010	COUNTY	6245	MORNING STAR DR	310	THE COLONY	LEWISVILLE	2700	VILLAGE PKY	13	0
27010	COUNTY	6245	MORNING STAR DR	310	THE COLONY	THE COLONY	6245	MORNING STAR DR	13	0
27010	COUNTY	6245	MORNING STAR DR	310	THE COLONY	CARROLLTON	4925	N JOSEY LN	1	0
27010	COUNTY	6245	MORNING STAR DR	310	THE COLONY	LEWISVILLE	560	W MAIN	1	0
27010	COUNTY	6245	MORNING STAR DR	310	THE COLONY	THE COLONY	6245	MORNING STAR DR	2	1
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	4691	ST HWY 121	1	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	4703	STATE HWY 121	4	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	4897	STATE HWY 121	1	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	5201	S COLONY BLVD	6	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	5301	SAGERS BLVD	5	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	4897	STATE HWY 121	1	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	5301	SAGERS BLVD	1	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	4703	STATE HWY 121	1	0
27078	COUNTY	5301	SAGERS BLVD		THE COLONY	THE COLONY	5301	SAGERS BLVD	1	0
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	DENTON	1225	WILSON ST	1	1
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	DENTON	1314	TEASLEY LN	1	0
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	THE COLONY	6245	MORNINGSTAR DR	1	0
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	FRISCO	5550	FM 423	1	0
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	THE COLONY	4691	ST HWY 121	1	0
27213	COUNTY	6245	MORNINGSTAR DR	418	THE COLONY	THE COLONY	6245	MORNINGSTAR DR	2	1
27443	COUNTY	5616	PERRIN ST		THE COLONY	THE COLONY	6805	F-M RD 423	4	0
27443	COUNTY	5616	PERRIN ST		THE COLONY	Carrollton	4323	N Josey Ln	1	0
27443	COUNTY	5616	PERRIN ST		THE COLONY	CARROLLTON	4323	N JOSEY LN	1	0
27443	COUNTY	5616	PERRIN ST		THE COLONY	THE COLONY	5616	PERRIN ST	1	1
27508	COUNTY	5724	BAKER DR		THE COLONY	LEWISVILLE	151	W CHURCH ST	9	0

27508	COUNTY	5724	BAKER DR		THE COLONY	THE COLONY	5724	BAKER DR	20	1
27630	COUNTY	5612	POWERS ST		THE COLONY	LEWISVILLE	614	EDMONDS LN	1	0
27630	COUNTY	5612	POWERS ST		THE COLONY	THE COLONY	5612	POWERS ST	1	1
27631	COUNTY	5612	POWERS ST		THE COLONY	LEWISVILLE	624	EDMONDS LN	1	0
27631	COUNTY	5612	POWERS ST		THE COLONY	THE COLONY	5612	POWERS ST	1	0
27688	COUNTY	5108	BRANDENBURG LN		THE COLONY	LEWISVILLE	995	E VALLEY RIDGE BLVD	3	0
27688	COUNTY	5108	BRANDENBURG LN		THE COLONY	THE COLONY	5108	BRANDENBURG LN	2	1
27944	COUNTY	7045	NORTHPOINTE DR		THE COLONY	CARROLLTON	4240	INTERNATIONAL PKWY	8	0
27944	COUNTY	7045	NORTHPOINTE DR		THE COLONY	THE COLONY	7045	NORTHPOINTE DR	5	1
28011	COUNTY	5084	AZTEC DR		THE COLONY	THE COLONY	5000	MAIN ST	1	1
11594	COUNTY	5124	STRICKLAND		THE COLONY	CARROLLTON	1467	LEMAY ST	20	0
11594	COUNTY	5124	STRICKLAND		THE COLONY	THE COLONY	5124	STRICKLAND	20	1
11671	COUNTY	4936	HACKNEY LN		THE COLONY	THE COLONY	4691	ST HWY 121	16	0
11671	COUNTY	4936	HACKNEY LN		THE COLONY	THE COLONY	4936	HACKNEY LN	16	1
16213	COUNTY	5552	ROCK CANYON		THE COLONY	LEWISVILLE	1850	LAKE POINTE DR	1	0
16213	COUNTY	5552	ROCK CANYON		THE COLONY	THE COLONY	4815	STATE HIGHWAY 121	2	0
16213	COUNTY	5552	ROCK CANYON		THE COLONY	THE COLONY	5552	ROCK CANYON	2	0
16213	COUNTY	5552	ROCK CANYON		THE COLONY	THE COLONY	4400	MAIN ST	1	0
16213	COUNTY	5552	ROCK CANYON		THE COLONY	THE COLONY	4691	ST HWY 121	2	0
16213	COUNTY	5552	ROCK CANYON		THE COLONY	THE COLONY	5552	ROCK CANYON	2	1
									493	32
Client #	Funding	Street #	Street Name	Unit	Residence	Destination	Street #	Street Name	Yrly Count	Client Count
12112	TCS	5661	N COLONY BLVD		THE COLONY	THE COLONY	5151	N COLONY BLVD	1	0
12112	TCS	5661	N COLONY BLVD		THE COLONY	THE COLONY	5661	N COLONY BLVD	1	1
25214	TCS	6408	LANDMARK TRL		THE COLONY	THE COLONY	5151	N COLONY BLVD	15	0
25214	TCS	6408	LANDMARK TRL		THE COLONY	THE COLONY	6408	LANDMARK TRL	18	1
25620	TCS	5548	ADAMS DR		THE COLONY	THE COLONY	5151	N COLONY BLVD	16	0
25620	TCS	5548	ADAMS DR		THE COLONY	THE COLONY	5548	ADAMS DR	17	0
25620	TCS	5548	ADAMS DR		THE COLONY	THE COLONY	5151	N COLONY BLVD	4	0
25620	TCS	5548	ADAMS DR		THE COLONY	THE COLONY	5548	ADAMS DR	4	1
25728	TCS	5020	BRANDENBURG LN		THE COLONY	THE COLONY	5151	N COLONY BLVD	1	1
26067	TCS	4320	CAPE COD DR		THE COLONY	THE COLONY	4320	CAPE COD DR	9	0
26067	TCS	4320	CAPE COD DR		THE COLONY	THE COLONY	5151	N COLONY BLVD	12	1
26158	TCS	5768	CRESTWOOD LN		THE COLONY	THE COLONY	5151	N COLONY BLVD	15	0
26158	TCS	5768	CRESTWOOD LN		THE COLONY	THE COLONY	5768	CRESTWOOD LN	15	1
26188	TCS	5537	MOUNTAIN VALLEY DR		THE COLONY	THE COLONY	5537	MOUNTAIN VALLEY DR	8	0
26188	TCS	5537	MOUNTAIN VALLEY DR		THE COLONY	THE COLONY	5537	MOUNTAIN VALLEY DR	10	1
27250	TCS	5065	AZTEC DR		THE COLONY	THE COLONY	5065	AZTEC DR	15	0
27250	TCS	5065	AZTEC DR		THE COLONY	THE COLONY	5151	N COLONY BLVD	11	0
27250	TCS	5065	AZTEC DR		THE COLONY	THE COLONY	5065	AZTEC DR	1	0
27250	TCS	5065	AZTEC DR		THE COLONY	THE COLONY	5151	N COLONY BLVD	1	1
27609	TCS	7005	DAVIDSON ST	11	THE COLONY	THE COLONY	5151	N COLONY BLVD	8	0
27609	TCS	7005	DAVIDSON ST	11	THE COLONY	THE COLONY	7005	DAVIDSON ST	19	1
27748	TCS	5048	THOMPSON DR		THE COLONY	THE COLONY	5048	THOMPSON DR	7	0
27748	TCS	5048	THOMPSON DR		THE COLONY	THE COLONY	5048	THOMPSON DR	5	1
									211	20

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**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Consider approving an ordinance amending the Fiscal Year 2015-2016 Budget for the purchase of Police and Detention Officer Tasers (Police, Coulon)

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**Background:**

**Purpose:**

This will provide our Police and Detention Officer with Tasers, and will replace the few expired Tasers that are still working that we are using now.

This provides Tasers and all cartridges, training cartridges and batteries for the next 5 years. It also includes extended warranty for that period and free loaner units. This expenditure will cover everything the department needs for Tasers for the next five years in the amount of \$137,403.58.

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**

Taser quote  
Ordinance

# TASER International

Protect Life. Protect Truth.

17800 N 85th St.  
 Scottsdale, Arizona 85255  
 United States  
 Phone: (800) 978-2737  
 Fax:



**David Coulon**  
 (972) 625-1887  
 dcoulon@thecolonytx.gov

## Quotation

**Quote:** Q-69219-1  
**Date:** 5/11/2016 2:47 PM  
**Quote Expiration:** 6/11/2016  
**Contract Start Date\*:** 5/11/2016  
**Contract Term:** 5 years

**AX Account Number:**  
 117147

**Bill To:**  
 The Colony Police Dept. - TX  
 5151 N. COLONY BLVD.  
 The Colony, TX 75056  
 US

**Ship To:**  
 David Coulon  
 The Colony Police Dept. - TX  
 5151 N. COLONY BLVD.  
 The Colony, TX 75056  
 US

SALESPERSON	PHONE	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Sam Phillips	480-463-2132	sPhillips@taser.com	Fedex - Ground	Net 30

\*Note this will vary based on the shipment date of the product.

Program Start + Year 1(Due Net 30)

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
60	85047	TASER ASSURANCE PLAN CEW, X2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
60	85049	TASER ASSURANCE PLAN CEW ANNUAL PAYMENT, X2	USD 218.54	USD 13,112.40	USD 9,000.00	USD 4,112.40
60	22002	HANDLE, BLACK, CLASS III, X2	USD 1,066.00	USD 63,960.00	USD 0.00	USD 63,960.00
60	22501	HOLSTER, BLACKHAWK, RIGHT, X2, 44HT01BK-R-B	USD 68.15	USD 4,089.00	USD 0.00	USD 4,089.00
60	22011	APPM, BATTERY PACK, AUTO SHUT OFF, X2/X26P	USD 68.15	USD 4,089.00	USD 0.00	USD 4,089.00
240	22151	CARTRIDGE, PERFORMANCE, SMART, 25'	USD 32.60	USD 7,824.00	USD 0.00	USD 7,824.00
3	22013	KIT, DATAPORT DOWNLOAD, USB, X2/ X26P	USD 170.52	USD 511.56	USD 511.56	USD 0.00

<b>Program Start + Year 1(Due Net 30) Total Before Discounts:</b>	USD 93,585.96
<b>Program Start + Year 1(Due Net 30) Discount:</b>	USD 9,511.56
<b>Program Start + Year 1(Due Net 30) Net Amount Due:</b>	USD 84,074.40

Spares (No Cost)

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
2	22002	HANDLE, BLACK, CLASS III, X2	USD 1,066.00	USD 2,132.00	USD 2,132.00	USD 0.00
2	22011	APPM, BATTERY PACK, AUTO SHUT OFF, X2/X26P	USD 68.15	USD 136.30	USD 136.30	USD 0.00
2	85047	TASER ASSURANCE PLAN CEW, X2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
<b>Spares (No Cost) Total Before Discounts:</b>						USD 2,268.30
<b>Spares (No Cost) Discount:</b>						USD 2,268.30
<b>Spares (No Cost) Net Amount Due:</b>						USD 0.00

Year 2 (Due in 2017)

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
60	85049	TASER ASSURANCE PLAN CEW ANNUAL PAYMENT, X2	USD 218.54	USD 13,112.40	USD 0.00	USD 13,112.40
<b>Year 2 (Due in 2017) Total Before Discounts:</b>						USD 13,112.40
<b>Year 2 (Due in 2017) Net Amount Due:</b>						USD 13,112.40

Year 3 (Due in 2018)

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
60	85049	TASER ASSURANCE PLAN CEW ANNUAL PAYMENT, X2	USD 218.54	USD 13,112.40	USD 0.00	USD 13,112.40
<b>Year 3 (Due in 2018) Total Before Discounts:</b>						USD 13,112.40
<b>Year 3 (Due in 2018) Net Amount Due:</b>						USD 13,112.40

Year 4 (Due in 2019)

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
60	85049	TASER ASSURANCE PLAN CEW ANNUAL PAYMENT, X2	USD 218.54	USD 13,112.40	USD 0.00	USD 13,112.40
<b>Year 4 (Due in 2019) Total Before Discounts:</b>						USD 13,112.40
<b>Year 4 (Due in 2019) Net Amount Due:</b>						USD 13,112.40

Year 5 (Due in 2020)

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
60	85049	TASER ASSURANCE PLAN CEW ANNUAL PAYMENT, X2	USD 218.54	USD 13,112.40	USD 0.00	USD 13,112.40
<b>Year 5 (Due in 2020) Total Before Discounts:</b>						USD 13,112.40
<b>Year 5 (Due in 2020) Net Amount Due:</b>						USD 13,112.40

<b>Subtotal</b>	USD 136,524.00
<b>Estimated Shipping &amp; Handling Cost</b>	USD 879.58
<b>Grand Total</b>	USD 137,403.58

**TASER International, Inc.'s Sales Terms and Conditions  
for Direct Sales to End User Purchasers**

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and TASER's Master Services and Purchasing Agreement posted at [www.taser.com/legal](http://www.taser.com/legal). You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to TASER that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

<b>Signature:</b>	_____	<b>Date:</b>	_____
<b>Name (Print):</b>	_____	<b>Title:</b>	_____
<b>PO# (if needed):</b>	_____		

Quote: Q-69219-1

Please sign and email to Sam Phillips at [sphillips@taser.com](mailto:sphillips@taser.com) or fax to

THANK YOU FOR YOUR BUSINESS!

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**CITY OF THE COLONY, TEXAS  
ORDINANCE NO. 2016-\_\_\_\_\_**

**AMENDING THE FISCAL YEAR 2015-2016 BUDGET**

**AN ORDINANCE AMENDING ORDINANCE 2015-2165, ADOPTING THE FISCAL YEAR 2015-2016 BUDGET FOR CITY OF THE COLONY, TEXAS BY REALIGNING BUDGETS AS SET FORTH HEREIN; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR THE ADOPTION OF THIS ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET FOR THE CITY OF THE COLONY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; AND NAMING AN EFFECTIVE DATE.**

**WHEREAS**, the City of The Colony is conducting business pursuant to a budget for fiscal year 2015-2016, heretofore previously adopted by Ordinance No. 2015-2165 on the 15th day of September, 2015; and

**WHEREAS**, Section 102.010 of the Texas Local Government Code authorizes the governing body of a municipality to make changes in the budget for municipal purposes; and

**WHEREAS**, the City of The Colony finds it in the best interest of the City to increase the 2015-16 General Fund budget by \$137,500 for tasers and related training.

**WHEREAS**, the City Council has reviewed the budget and has determined that a valid municipal purpose is served by such budget increases and reallocation of funds.

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

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing premises are incorporated into the body of this Ordinance as if copied herein in their entirety.

**SECTION 2.  
AMENDMENT AND ADOPTION**

That the City's budget for the fiscal year ending September 30, 2016 heretofore previously adopted by Ordinance 2015-2165 duly enacted by the City Council of the City of The Colony on the 15th day of September, 2015, be and is hereby amended as set forth herein, which amendment is hereby, in all respects, finally approved and adopted as so changed; and the same shall be hereby filed with the City Secretary of the City of The Colony.

**SECTION 3.**  
**BUDGET INCREASES**

That the 2015-16 General Fund budget is to be increased by an amount not to exceed \$137,500.

**SECTION 4.**  
**CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of Ordinances of the City of The Colony, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

**SECTION 5.**  
**SEVERABILITY CLAUSE**

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

**SECTION 6.**  
**SAVINGS CLAUSE**

All rights and remedies of the City of The Colony are expressly saved as to any and all violations of the provisions of any Ordinances affecting budgets, budget approval or adoption, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7.**  
**EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its date of passage.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED, this the 7th day of June, 2016.**

---

Joe McCourry, Mayor  
City of The Colony, Texas

ATTEST:

---

Tina Stewart, TRMC, Interim City Secretary

APPROVED AS TO FORM:

---

Jeff Moore, City Attorney  
City of The Colony, Texas

**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 6/7/2016

**SUMMARY OF REQUEST:** Consider approving an ordinance amending the Fiscal Year 2015-2016 Municipal Budget for the purpose of Metering Wastewater for Austin Ranch (Engineering, Scruggs)

**Background:**

In the 2008 amendment to the Developer's Agreement with Billingsley Company (BC), it was agreed that the City and BC would share and jointly construct the Austin Ranch lift station and force main. The City agreed to pay for 0.5 mgd capacity for the Lonzar tract. (City did this in exchange for easements on Lonzar tract in a separate agreement with Lonzar.) BC wanted to pay for existing capacity (0.5 mgd) and a limited additional future capacity (1.56 mgd) for Austin Ranch. It states in the amendment that the developer understands that the proposed system only provides capacity for a portion of Austin Ranch and additional capacity will be required at BC's sole expense.

The current force main segment from the lift station only goes to a manhole on Plano Pkwy near Edward Don south of SH 121. From this point it gravity drains in a trunk sewer that also serves the 121 corridor, including Grandscape, Top Golf, Rooms to Go, and Cascades. With the development of Austin Ranch and the SH 121 corridor, it is becoming necessary to complete the force main to the treatment plant.

BC with the next construction phase needs to extend the force main to SH 121 and upgrade the existing lift station and force main to meet future flows. The City will need to extend the force main from SH 121 to the treatment plant.

The cost to conduct the wastewater flow metering is \$46,000. This metering will better define the timing for the extension of the force main to the treatment plant. Staff recommends a budget amendment with funding from the Utility Fund Balance for the metering.

**Purpose:**

To conduct flow metering of wastewater for Austin Ranch.

**Issues:**

N/A

**Alternatives:**

N/A

**Recommendations:**

Staff recommends approval of a budget amendment for wastewater flow metering for Austin Ranch.

*Suggested motion:* I move to recommend approval a Budget Amendment for wastewater flow metering for Austin Ranch.

**FINANCIAL SUMMARY:** (Leave blank if N/A)

Are budgeted funds available:  Yes  No Amount budgeted/available: \$46,000

Fund(s) (Name and number): Utility Fund Fund Balance

Source of Funds: Utility Fund Fund Balance

Cost of recommended bid/contract award: \$46,000.00

Total estimated project cost:

\$ 46,000.00 Engineering & Metering

Already authorized  Yes  No

\$ 0.00 Construction (N/A)

\$ 0.00 Other costs (N/A)

\$ 46,000.00 Total estimated costs

Future Costs (if any): \_\_\_\_\_ Revenue Generated: \$ \_\_\_\_\_

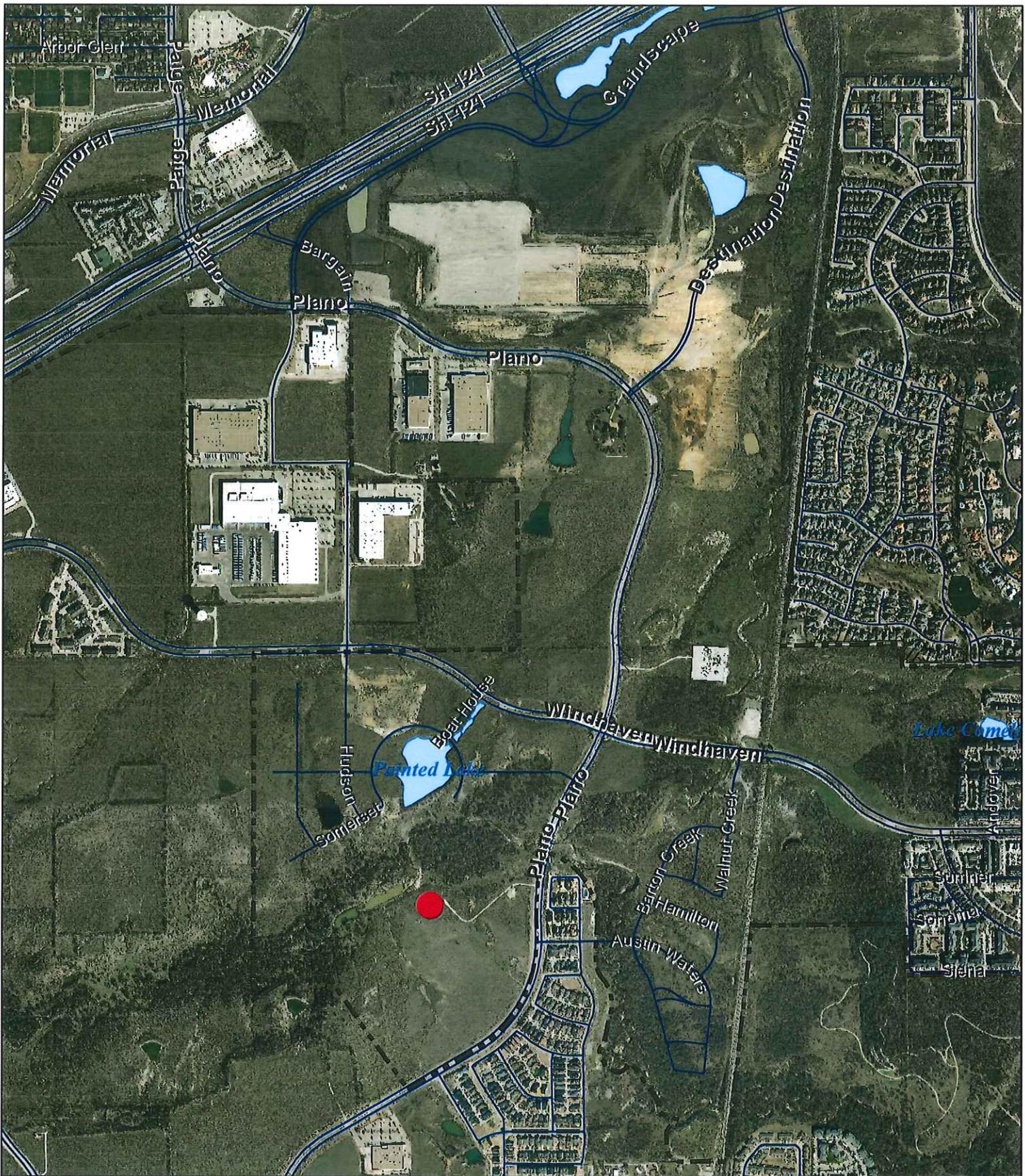
**FISCAL IMPACT STATEMENT** (Leave blank if N/A)

**If this is a non-budgeted item, identify probable gain, loss, or cost for each of the next 3 years. Identify whether any cost will be incurred thereafter. N/A**

**Attachments:**

Location Map

Ordinance



# Location Map



**CITY OF THE COLONY, TEXAS  
ORDINANCE NO. 2016-\_\_\_\_\_**

**AMENDING THE FISCAL YEAR 2015-2016 BUDGET**

**AN ORDINANCE AMENDING ORDINANCE 2015-2165, ADOPTING THE FISCAL YEAR 2015-2016 BUDGET FOR CITY OF THE COLONY, TEXAS BY REALIGNING BUDGETS AS SET FORTH HEREIN; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR THE ADOPTION OF THIS ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET FOR THE CITY OF THE COLONY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; AND NAMING AN EFFECTIVE DATE.**

**WHEREAS**, the City of The Colony is conducting business pursuant to a budget for fiscal year 2015-2016, heretofore previously adopted by Ordinance No. 2015-2165 on the 15th day of September, 2015; and

**WHEREAS**, Section 102.010 of the Texas Local Government Code authorizes the governing body of a municipality to make changes in the budget for municipal purposes; and

**WHEREAS**, the City of The Colony finds it in the best interest of the City to increase the 2015-16 Utility Fund budget by \$46,000 for a waster metering in Austin Ranch.

**WHEREAS**, the City Council has reviewed the budget and has determined that a valid municipal purpose is served by such budget increases and reallocation of funds.

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

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing premises are incorporated into the body of this Ordinance as if copied herein in their entirety.

**SECTION 2.  
AMENDMENT AND ADOPTION**

That the City's budget for the fiscal year ending September 30, 2016 heretofore previously adopted by Ordinance 2015-2165 duly enacted by the City Council of the City of The Colony on the 15th day of September, 2015, be and is hereby amended as set forth herein, which amendment is hereby, in all respects, finally approved and adopted as so changed; and the same shall be hereby filed with the City Secretary of the City of The Colony.

**SECTION 3.**  
**BUDGET INCREASES**

That the 2015-16 Utility Fund budget is to be increased by an amount not to exceed \$46,000.

**SECTION 4.**  
**CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of Ordinances of the City of The Colony, Texas except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

**SECTION 5.**  
**SEVERABILITY CLAUSE**

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

**SECTION 6.**  
**SAVINGS CLAUSE**

All rights and remedies of the City of The Colony are expressly saved as to any and all violations of the provisions of any Ordinances affecting budgets, budget approval or adoption, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7.**  
**EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its date of passage.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED, this the 7th day of June, 2016.**

---

Joe McCourry, Mayor  
City of The Colony, Texas

ATTEST:

---

Tina Stewart, TRMC, Interim City Secretary

APPROVED AS TO FORM:

---

Jeff Moore, City Attorney  
City of The Colony, Texas

**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Discuss and consider approving an ordinance amending Appendix A, Section 10D-700, of the Code of Ordinances, entitled "TEMPORARY USE DEFINITIONS"; by amending the definition of "SPECIAL EVENTS"; and amending Appendix A, Section 10D-2800 of the Code of Ordinances, entitled "SPECIAL EVENTS," by amending Subsection (A), entitled "EXAMPLES", by redefining examples of Special Events (General Admin, Shallenburger)

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**Background:**

**Purpose:**

Clarify definition of a Special Event to clearly state when approval is needed for an event within the City.

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**

Ordinance with redlines  
Ordinance

**CITY OF THE COLONY, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, AMENDING APPENDIX A, SECTION 10D-700, OF THE CODE OF ORDINANCES OF THE CITY OF THE COLONY, TEXAS, ENTITLED "TEMPORARY USE DEFINITIONS," BY AMENDING THE DEFINITION OF "SPECIAL EVENT"; AND AMENDING APPENDIX A, SECTION 10D-2800 OF THE CODE OF ORDINANCES OF THE CITY OF THE COLONY, TEXAS, ENTITLED "SPECIAL EVENTS," BY AMENDING SUBSECTION (A), ENTITLED "EXAMPLES", BY REDEFINING EXAMPLES OF SPECIAL EVENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH AND EVERY OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 211.006(a) of the Texas Local Government Code requires the City of The Colony, Texas, to publish notice of a public hearing concerning a zoning amendment before the 15th day before the date of the public hearing; and

**WHEREAS**, Appendix A, Section 24-101(d) of the Code of Ordinances of the City of The Colony, Texas, provides the following "[a] public hearing shall be held by city council before adopting any proposed amendment, supplement or change. Notice of such hearing shall be given per the publication policy of the city, stating the time and place of such hearing, and shall be published a minimum of 15 days prior to the date of the public hearing;" and

**WHEREAS**, the Planning and Zoning Commission and the City Council of the City of The Colony, Texas, in compliance with the laws of the State of Texas, and the Code of Ordinances of the City of The Colony, Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of The Colony, Texas, is of the opinion and finds that said changes should be granted, and that the Code of Ordinances should be amended.

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

**SECTION 1.** That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2.** That Appendix A, Section 10D-700, of the Comprehensive Zoning Ordinance of the City of The Colony, Texas, entitled "Temporary use definitions," is hereby amended, which shall read as follows:

**“10D-700. Temporary use definitions.**

*Apron.* The paved area between any store and its first row of parking or drive aisle located adjacent to the entrance. Also considered to be "under the eaves" regardless of whether actual eaves are present.

*Canopy.* Any temporary structure, enclosure or shelter constructed of fabric or other pliable material that may be partially supported by a building, wall or roof, and additionally by any manner except by air or by the contents it protects and is open without sidewalls or drops on 75 percent or more of the perimeter. In addition, any canopy structure that is 400 square feet or greater in size is defined as a tent for the purposes of the Fire Code.

*City-based organization.* Any group maintaining an organizational structure within the city.

*Mobile food truck.* An enclosed, commercially manufactured, motorized mobile unit in which ready to eat food is cooked, wrapped, packaged, processed or portioned for service, sale or distribution and designed for the transportation, storage and preparation of foods.

*Not-for-profit organization.* Any organization that is recognized by the Internal Revenue Service (IRS) as having a not-for-profit status.

*Seasonal.* Shall mean the typical time period generally understood to be appropriate for a certain type of goods and/or services. For example, Christmas tree sales season would typically be the six weeks prior to the Christmas holiday while the sale of firewood would typically be the six-month period when the weather falls to a temperature in which fireplaces might be put to use.

~~*Special event shall mean an event to be held within the city that is of limited duration and is likely to attract visitors. Special events are further defined as temporary activities that are abnormal to the specific site when needs of traffic, parking, restrooms, noise level, crowds, zoning, etc., exceed the original design and intent of the site. This article does not apply to activities normally occurring on property appropriately zoned to allow the activity.*~~

*Special Event.* An infrequent advertised and/or open to the public event outside of normal activities which is likely to attract visitors, and is an opportunity for leisure, social or cultural experiences by attendees. Such special events may include, but are not limited to, any public amusement or event that will take place on a public right-of-way, exhibitions, automobile shows, tournaments, running events, festivals, carnivals, air shows, group garage sales, outdoor shows/concerts, craft fairs, block parties, parades and religious events. Special events are further defined as temporary activities that are abnormal to the specific site when needs of traffic, parking, restrooms, noise level, crowds, zoning, etc., exceed the original design and intent of the site. This article does not apply to activities normally occurring on property appropriately zoned to allow the activity.

*Temporary business.* A business transacted or conducted in the city that is upon private property which has no definite arrangement for legal right of occupancy and is used for the purpose of conducting business for a limited period of time.

*Tent.* A temporary structure, enclosure or shelter constructed of fabric or other pliable material supported by any manner except by air or the contents it protects. A tent is typically open on the sides, but may have drop-down sides constructed of fabric or pliable material as well.”

**SECTION 3.** That Appendix A, Section 10D-2800(a), of the Comprehensive Zoning Ordinance of the City of The Colony, Texas, entitled “Special Events,” is hereby amended, which shall read as follows:

<p><u>(a) Examples</u></p>	<p><u><i>Special Event.</i> An infrequent advertised and/or open to the public event outside of normal activities which is likely to attract visitors, and is an opportunity for leisure, social or cultural experiences by attendees. Such special events may include, but are not limited to, any public amusement or event that will take place on a public right-of-way, exhibitions, automobile shows, tournaments, running events, festivals, carnivals, air shows, group garage sales, outdoor shows/concerts, craft fairs, block parties, parades and religious events. Special events are further defined as temporary activities that are abnormal to the specific site when needs of traffic, parking, restrooms, noise level, crowds, zoning, etc., exceed the original design and intent of the site. This article does not apply to activities normally occurring on property appropriately zoned to allow the activity.</u></p>
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**SECTION 4.** If any section, article paragraph, sentence, clause, phrase or word in this Ordinance, or application thereto any persons or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 5.** That all provisions of the ordinances of the City of The Colony, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby amended, repealed, and all other provisions of the ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 6.** Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of The Colony, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense. Every day a violation occurs shall constitute a separate offense.

**SECTION 7.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2016.**

\_\_\_\_\_  
Joe McCourry, Mayor

**ATTEST:**

\_\_\_\_\_  
Tina Stewart, Interim City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jeff Moore, City Attorney

**CITY OF THE COLONY, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, AMENDING APPENDIX A, SECTION 10D-700, OF THE CODE OF ORDINANCES OF THE CITY OF THE COLONY, TEXAS, ENTITLED "TEMPORARY USE DEFINITIONS," BY AMENDING THE DEFINITION OF "SPECIAL EVENT"; AND AMENDING APPENDIX A, SECTION 10D-2800 OF THE CODE OF ORDINANCES OF THE CITY OF THE COLONY, TEXAS, ENTITLED "SPECIAL EVENTS," BY AMENDING SUBSECTION (A), ENTITLED "EXAMPLES", BY REDEFINING EXAMPLES OF SPECIAL EVENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH AND EVERY OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 211.006(a) of the Texas Local Government Code requires the City of The Colony, Texas, to publish notice of a public hearing concerning a zoning amendment before the 15th day before the date of the public hearing; and

**WHEREAS**, Appendix A, Section 24-101(d) of the Code of Ordinances of the City of The Colony, Texas, provides the following "[a] public hearing shall be held by city council before adopting any proposed amendment, supplement or change. Notice of such hearing shall be given per the publication policy of the city, stating the time and place of such hearing, and shall be published a minimum of 15 days prior to the date of the public hearing;" and

**WHEREAS**, the Planning and Zoning Commission and the City Council of the City of The Colony, Texas, in compliance with the laws of the State of Texas, and the Code of Ordinances of the City of The Colony, Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of The Colony, Texas, is of the opinion and finds that said changes should be granted, and that the Code of Ordinances should be amended.

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

**SECTION 1.** That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2.** That Appendix A, Section 10D-700, of the Comprehensive Zoning Ordinance of the City of The Colony, Texas, entitled "Temporary use definitions," is hereby amended, which shall read as follows:

**“10D-700. Temporary use definitions.**

*Apron.* The paved area between any store and its first row of parking or drive aisle located adjacent to the entrance. Also considered to be "under the eaves" regardless of whether actual eaves are present.

*Canopy.* Any temporary structure, enclosure or shelter constructed of fabric or other pliable material that may be partially supported by a building, wall or roof, and additionally by any manner except by air or by the contents it protects and is open without sidewalls or drops on 75 percent or more of the perimeter. In addition, any canopy structure that is 400 square feet or greater in size is defined as a tent for the purposes of the Fire Code.

*City-based organization.* Any group maintaining an organizational structure within the city.

*Mobile food truck.* An enclosed, commercially manufactured, motorized mobile unit in which ready to eat food is cooked, wrapped, packaged, processed or portioned for service, sale or distribution and designed for the transportation, storage and preparation of foods.

*Not-for-profit organization.* Any organization that is recognized by the Internal Revenue Service (IRS) as having a not-for-profit status.

*Seasonal.* Shall mean the typical time period generally understood to be appropriate for a certain type of goods and/or services. For example, Christmas tree sales season would typically be the six weeks prior to the Christmas holiday while the sale of firewood would typically be the six-month period when the weather falls to a temperature in which fireplaces might be put to use.

*Special Event.* An infrequent advertised and/or open to the public event outside of normal activities which is likely to attract visitors, and is an opportunity for leisure, social or cultural experiences by attendees. Such special events may include, but are not limited to, any public amusement or event that will take place on a public right-of-way, exhibitions, automobile shows, tournaments, running events, festivals, carnivals, air shows, group garage sales, outdoor shows/concerts, craft fairs, block parties, parades and religious events. Special events are further defined as temporary activities that are abnormal to the specific site when needs of traffic, parking, restrooms, noise level, crowds, zoning, etc., exceed the original design and intent of the site. This article does not apply to activities normally occurring on property appropriately zoned to allow the activity.

*Temporary business.* A business transacted or conducted in the city that is upon private property which has no definite arrangement for legal right of occupancy and is used for the purpose of conducting business for a limited period of time.

*Tent.* A temporary structure, enclosure or shelter constructed of fabric or other pliable material supported by any manner except by air or the contents it protects. A tent is typically open on the sides, but may have drop-down sides constructed of fabric or pliable material as well.”

**SECTION 3.** That Appendix A, Section 10D-2800(a), of the Comprehensive Zoning Ordinance of the City of The Colony, Texas, entitled "Special Events," is hereby amended, which shall read as follows:

(a) Examples	<i>Special Event.</i> An infrequent advertised and/or open to the public event outside of normal activities which is likely to attract visitors, and is an opportunity for leisure, social or cultural experiences by attendees. Such special events may include, but are not limited to, any public amusement or event that will take place on a public right-of-way, exhibitions, automobile shows, tournaments, running events, festivals, carnivals, air shows, group garage sales, outdoor shows/concerts, craft fairs, block parties, parades and religious events. Special events are further defined as temporary activities that are abnormal to the specific site when needs of traffic, parking, restrooms, noise level, crowds, zoning, etc., exceed the original design and intent of the site. This article does not apply to activities normally occurring on property appropriately zoned to allow the activity.
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**SECTION 4.** If any section, article paragraph, sentence, clause, phrase or word in this Ordinance, or application thereto any persons or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 5.** That all provisions of the ordinances of the City of The Colony, Texas, in conflict with the provisions of this Ordinance be, and the same are hereby amended, repealed, and all other provisions of the ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 6.** Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of The Colony, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense. Every day a violation occurs shall constitute a separate offense.

**SECTION 7.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, THIS 7<sup>th</sup> day of June, 2016.**

---

Joe McCourry, Mayor

**ATTEST:**

---

Tina Stewart, Interim City Secretary

**APPROVED AS TO FORM:**

---

Jeff Moore, City Attorney



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**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Discuss and consider an ordinance approving a Site Plan Amendment allowing alternate building material on proposed La Quinta Limited Service Hotel located at 3750 Market Street (Development Services, Joyce)

---

**Background:**

**Purpose:**

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**

Council Staff Report  
Location Map  
Proposed New Elevations  
Proposed Ordinance  
Minutes of May 10, 2016 P&Z Meeting

## CITY COUNCIL REPORT

**AGENDA DATE:** June 7, 2016

**DEPARTMENT:** Engineering/Development Services Department

---

**SUBJECT** *SP16-0003, La Quinta Alternate Building Material – Site Plan Amendment*

Discuss and consider a request for Site Plan amendment allowing alternate building material on proposed La Quinta limited service hotel located at 3750 Market Street.

**OWNER/ENGINEER**

Owner/Developer: Profound Investments LLC Irving, Texas

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

May 10, 2016 – The Planning and Zoning Commission voted (5-0) to recommend approval of the Site Plan amendment allowing alternate building material on proposed La Quinta limited service hotel located at 3750 Market Street.

**DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW**

The Development Review Committee (DRC) finds the alternate material meets the requirements of Gateway Overlay District Ordinance and recommends approval.

**OPTIONS**

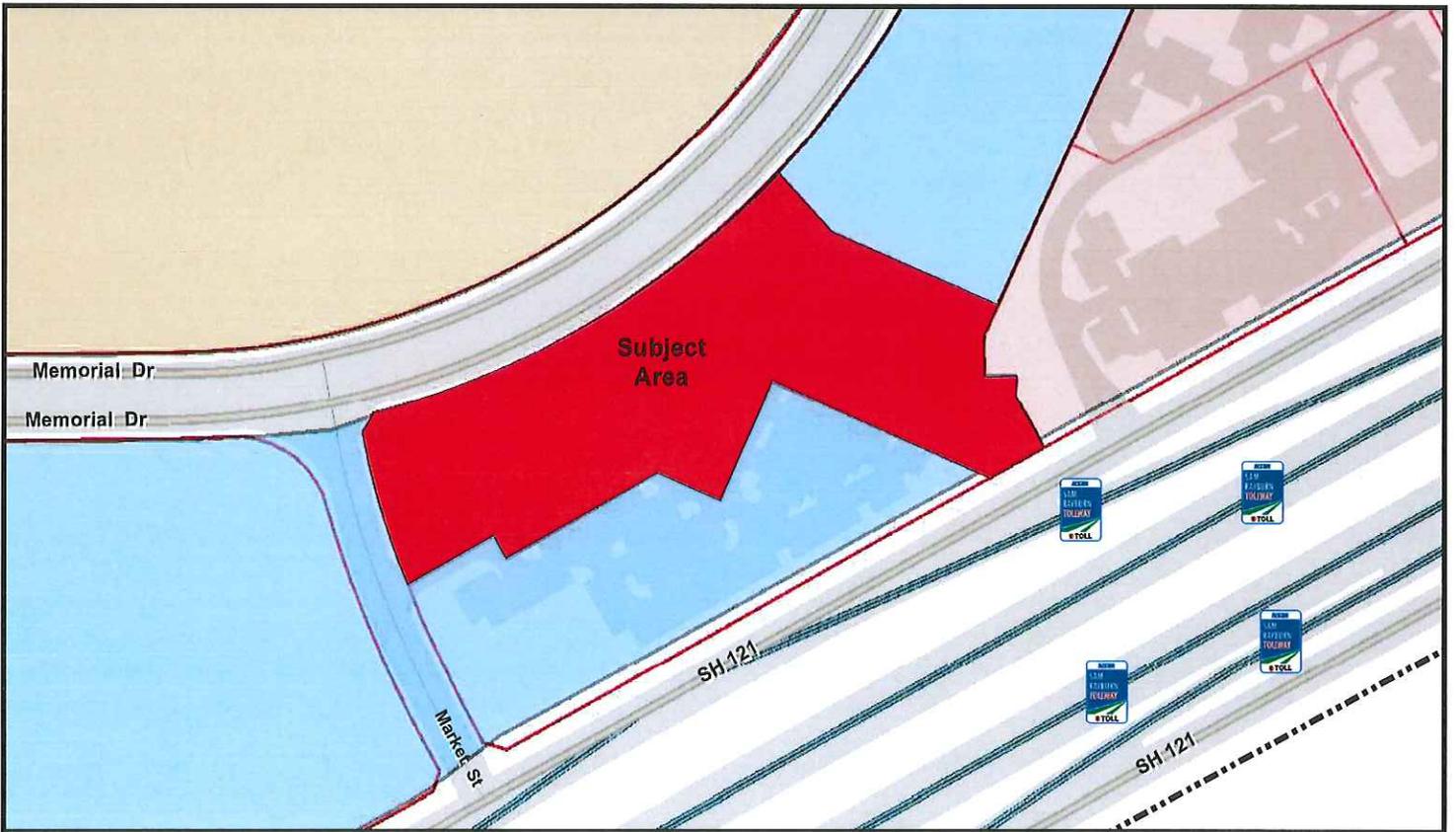
1. Approve as submitted.
2. Approve with conditions.
3. Postpone consideration.
4. Table item.

**PROPOSED DEVELOPMENT**

The applicant is proposing to construct a four story, 80-room La Quinta Inn to be located on a 3.65 acre tract of land on the southeast corner of Memorial Drive and Market Street. The Specific Use Permit (SUP) for limited service hotel for La Quinta was approved by Council on August 19, 2014. Site plan for this project was approved on December 2, 2014 and final plat was approved by Planning and Zoning Commission on November 12, 2014. The applicant had proposed 75% stucco and rest brick/stone construction on building exterior. To comply with current La Quinta corporate prototype, the applicant would like to use tiles and stucco for 75% of exterior material and maintain 25% brick. As a result this site plan amendment is being processed.

**ATTACHMENTS**

1. Location Map
2. Proposed new elevation
3. Proposed Ordinance
4. Minutes of May 10, 2016 Planning and Zoning Commission meeting



**Project No. SP16-0003 - Project Name: La Quinta Alternate Bldg Material**

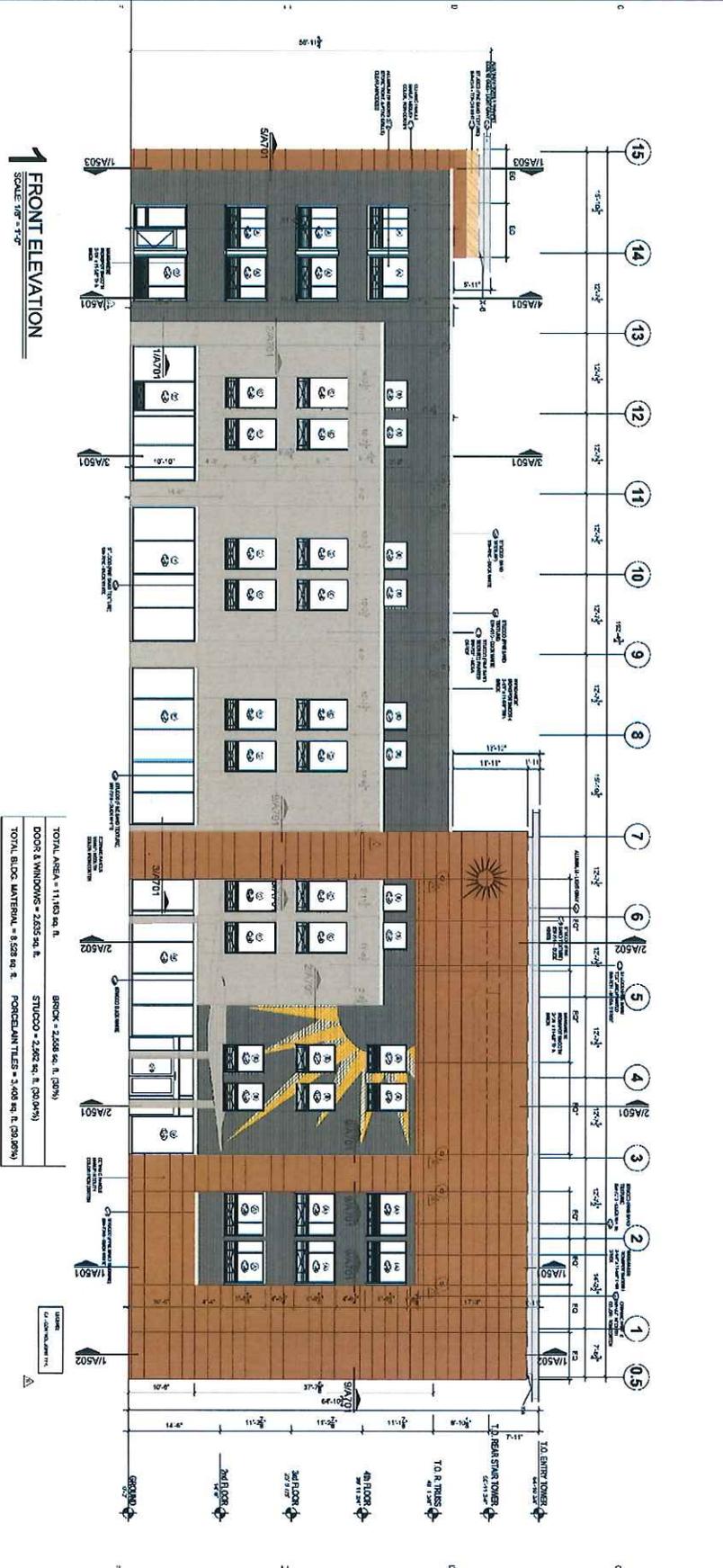


- |               |                          |                  |                      |                        |
|---------------|--------------------------|------------------|----------------------|------------------------|
| La Quinta     | Business Park/Industrial | Heavy Commercial | Mobile Home          | Planned Development    |
| Agricultural  | Duplex Dwelling          | Industrial       | Neighborhood Service | Shopping Center        |
| Business Park | General Retail           | Light Commercial | Office District 1    | Single Family Dwelling |

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.



COLOR SCHEDULE	
(C-1)	CERAMIC PANELS MANUE - NEOLITH COLOR: IRON CORTEX CONTACT: PERI POLAND 922.247.1821
(C-2)	STUCCO (COARSE SAND TEXTURE) PAINTED SW-7826 - THUNDER GRAY
(C-3)	STUCCO (FINE SAND TEXTURE) PAINTED SW-7101 - MEGA GREENE
(C-4)	STUCCO (FINE SAND TEXTURE) SW-7101 - MEGA GREENE
(C-5)	STUCCO (FINE SAND TEXTURE) SW-4574 - TORCHLIGHT
(C-6)	DOOR & FRAME PAINT (AS NOTED) SW-7826 - THUNDER GRAY
(C-7)	ALUMINUM (TOWER PARAPET EXTENSIONS) PACCLAD - SILVER
(C-8)	ALUMINUM (WINDOWS, STOREFRONT, & TRAC GRILLS) CLEAR ANODIZED
(C-9)	ALUMINUM (FLUSH PANELS (PORTE-COCHERE)) PACCLAD - STONE WHITE FINISH
(C-10)	TOWER COPING, PORTE-COCHERE METAL FABRICATOR MFG: METAL-ERA CONTACT: DANA SPRUEGEN (714) 262-850 (949)



**1 FRONT ELEVATION**  
SCALE 1/8" = 1'-0"

TOTAL AREA = 11,183 sq. ft.	BRICK = 2,588 sq. ft. (23%)
DOORS & WINDOWS = 2,655 sq. ft.	STUCCO = 2,242 sq. ft. (20.04%)
TOTAL BLOC MATERIALS = 8,528 sq. ft.	PORCELAIN TILES = 3,408 sq. ft. (31.87%)

**LaQuinta INN & SUITES**  
HWY 121 & Market Street,  
THE COLONY. TEXAS  
FOR  
**MR. JARIWALA**  
THE COLONY. TEXAS



**PRP ARQ**  
ARCHITECTURE  
1101 WEST COLUMBIAN AVENUE, SUITE 100  
DALLAS, TEXAS 75201  
PHONE: 972.982.7174  
WWW.PRPARQ.COM

**FRONT ELEVATION**

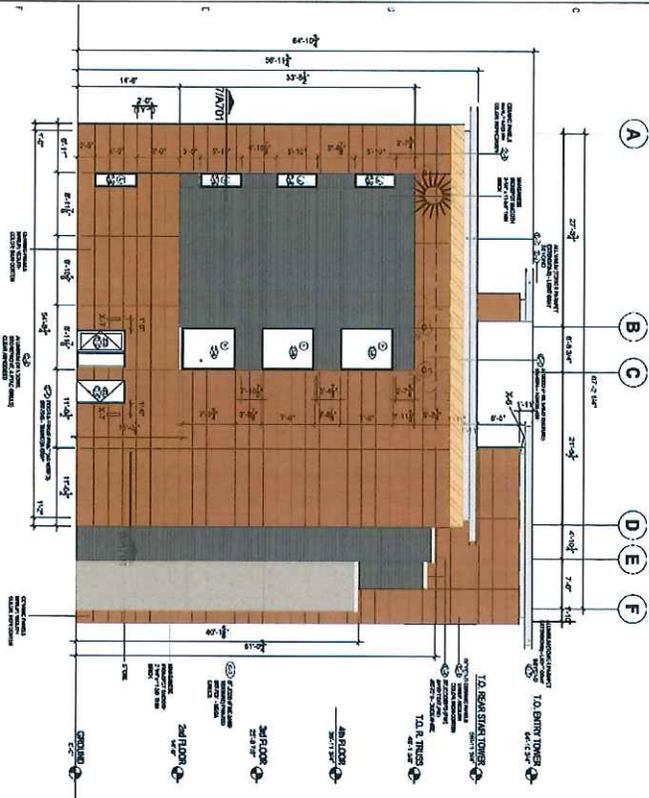
DATE: 11-20-2014  
DRAWN BY: J. JARIWALA  
CHECKED BY: J. JARIWALA  
SCALE: 1/8" = 1'-0"

**A301**

2014-11-20

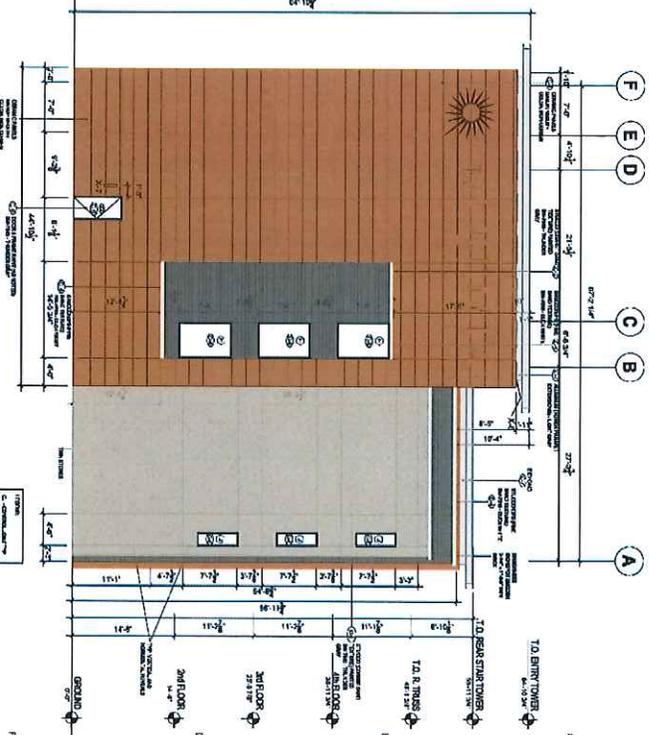
### COLOR SCHEDULE

(C-1)	— CERAMIC PANELS COLOR: IRON COBALT CONTACT: PETER HOLLAND HOLLAND MARBLE 872.247.1821	(C-6)	— DOOR & FRAME PAINT (AS NOTED) SW-7015 - THUNDER GRAY
(C-2)	— STUCCO (COARSE SAND TEXTURE) PAINTED SW-7016 - THUNDER GRAY	(C-7)	— ALUMINUM (TOWER PARAPET EXTENSIONS) PCC-340 - SILVER
(C-3)	— STUCCO (FINE SAND TEXTURE) PAINTED SW-7017 - MESA GREIGE	(C-8)	— ALUMINUM (WINDOWS, STOREFRONT, & PLAC GRILLS) CLEAR ANODIZED
(C-4)	— STUCCO (FINE SAND TEXTURE) SW-7018 - DUCK WHITE	(C-9)	— ALUMINUM FLUSH PANELS (PORTE-COCHERE) PCC-340 - STONE WHITE FINISH
(C-5)	— STUCCO (FINE SAND TEXTURE) SW-7019 - CORKSLIGHT		— TOWER COPING, PORTE-COCHERE METAL FABRICATOR MFG: METAL-ERA CONTACT: DANA SPURGEON (713) 222.8333 (M)



**2 LEFT END ELEVATION**  
SCALE: 1/8" = 1'-0"

TOTAL AREA = 4,375 sq. ft.	BRICK = 1,043 sq. ft. (51.1%)
DOOR & WINDOWS = 240 sq. ft.	STUCCO = 732 sq. ft. (17.2%)
TOTAL BLDG. MATERIAL = 4,135 sq. ft.	PORCELAIN TILES = 2,300 sq. ft. (57.2%)



**1 RIGHT END ELEVATION**  
SCALE: 1/8" = 1'-0"

TOTAL AREA = 4,377 sq. ft.	BRICK = 462 sq. ft. (10%)
DOOR & WINDOWS = 172 sq. ft.	STUCCO = 1,735 sq. ft. (39.4%)
TOTAL BLDG. MATERIAL = 4,569 sq. ft.	PORCELAIN TILES = 2,300 sq. ft. (51.0%)

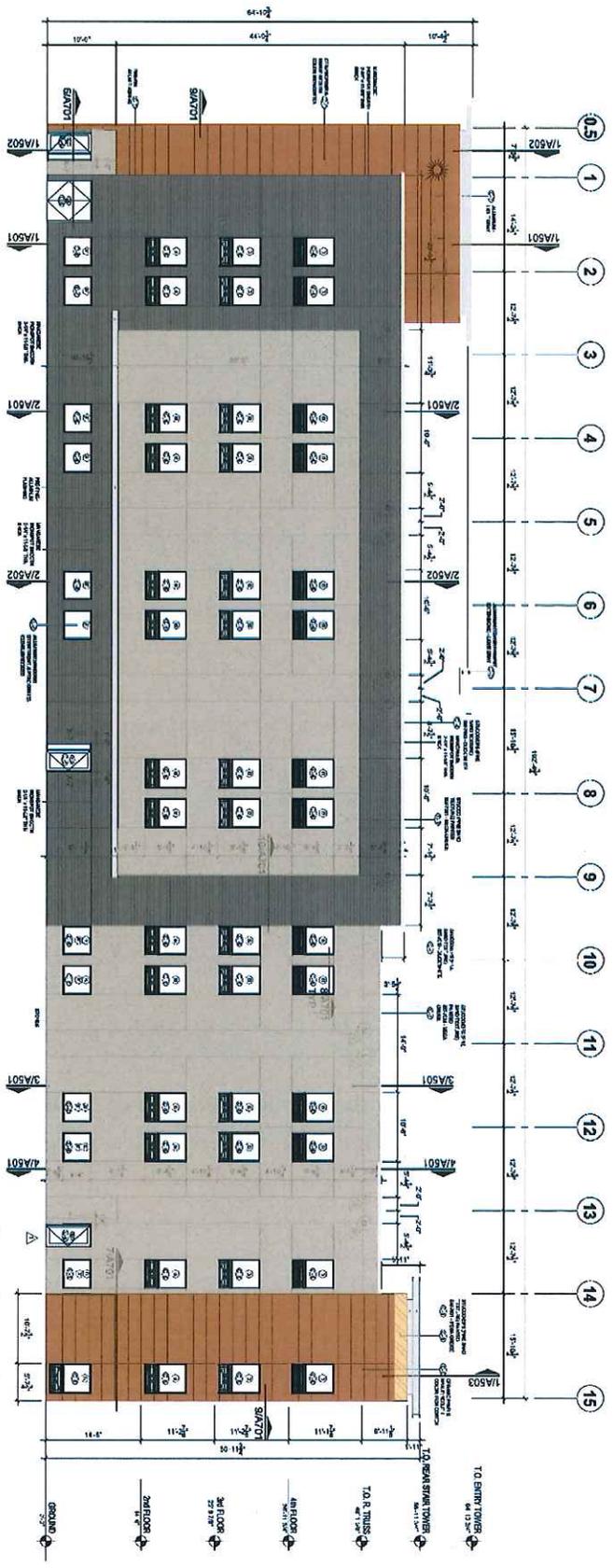
**LaQuinta INN & SUITES**  
HWY 121 & Market Street,  
THE COLONY, TEXAS  
FOR  
MR. JARIWALA  
THE COLONY, TEXAS

PRP ARQ  
2000 Market Street  
Ft. Worth, Texas 76102  
Tel: 817.902.1191  
Fax: 817.902.1191  
www.prparchitect.com

**EXTERIOR ELEVATIONS**

**A302**

COLOR SCHEDULE	
(C1)	— CERAMIC PANELS MATERIAL: REAR TOWER CONTRACT: BEIER HOLLAND HOLLAND MARBLE 972.247.7621
(C2)	— STUCCO (COARSE SAND TEXTURE) PAINTED SW-7945 - THUNDER GRAY
(C3)	— STUCCO (FINE SAND TEXTURE) PAINTED SW-7948 - MEGA GREIGE
(C4)	— STUCCO (FINE SAND TEXTURE) SW-7916 - DICK WHITE
(C5)	— STUCCO (FINE SAND TEXTURE) SW-8214 - TORCHLIGHT
(C6)	— DOOR & FRAME PAINT (AS NOTED) SW-7945 - THUNDER GRAY
(C7)	— ALUMINUM (TOWER PARAPET EXTENSIONS) PA-COLO - SILVER
(C8)	— ALUMINUM (WINDOW SILL, STOREROOM, & PTAC GRILLS) CLEAR ANODIZED
(C9)	— ALUMINUM FLUSH PANELS (PORTE-COCHERE) PA-COLO - STONE WHITE FINISH
(C10)	— TOWER COPING, PORTE-COCHERE METAL FABRICATOR MFG: METAL-ERA CONTRACT: DANA SPURGEON (972) 520-0949



**REAR ELEVATION**  
SCALE: 1/8" = 1'-0"

TOTAL AREA = 11,282 sq. ft.	BRICK = 2,688 sq. ft. (27.48%)
DOOR & WINDOWS = 1,576 sq. ft.	STUCCO = 5,542 sq. ft. (58.14%)
TOTAL BRICK MATERIAL = 9,706 sq. ft.	PORCELAIN TILES = 1,296 sq. ft. (14.36%)


  
 PRP ARQ  
 ARCHITECTURAL RENDERING AND VISUALIZATION  
 1425 EAST BURNETT AVENUE, SUITE 100  
 DALLAS, TEXAS 75214  
 TEL: 972.907.7949  
 WWW.PRPARQ.COM


  
**LAQUINTA**  
 INNS & SUITES

**LaQuinta INN & SUITES**  
 HWY 121 & Market Street,  
 THE COLONY, TEXAS  
 FOR  
**MR. JARIWALA**  
 THE COLONY, TEXAS

**REAR ELEVATION**  
 DATE: 12/15/2014  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT: [Name]

**A303**

**CITY OF THE COLONY, TEXAS**

**ORDINANCE NO. 2016-  
SITE PLAN AMENDMENT  
LA QUINTA LIMITED SERVICE HOTEL**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, APPROVING A SITE PLAN AMENDMENT, ALLOWING ALTERNATE BUILDING MATERIAL ON PROPOSED LA QUINTA LIMITED SERVICE HOTEL LOCATED AT 3750 MARKET STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the City Council of the City of The Colony, Texas, in compliance with the laws of the State of Texas, and the Code of Ordinances of the City of The Colony, Texas, and the City Council of the City of The Colony, Texas, is of the opinion and finds that Site Plan amendment application No. SP16-0003 to allow alternate building material on proposed La Quinta limited service hotel located at 3750 Market Street is approved.

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

**SECTION 1.** That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2.** That the City Council of the City of The Colony, Texas, does hereby approve the Site Plan amendment.

**SECTION 3.** That it is hereby declared to be the intention of the City Council of the City of The Colony, Texas, that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.** That any provision of any prior ordinance of the City whether codified or uncodified, which are in conflict with any provision of this Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**SECTION 5.** That this Ordinance shall become effective immediately upon its passage.

**DULY PASSED by the City Council of the City of The Colony, Texas, this the 7<sup>th</sup> day of June, 2016.**

---

Joe McCourry, Mayor

**ATTEST:**

---

Tina Stewart, Interim City Secretary

**APPROVED AS TO FORM:**

---

Jeff Moore, City Attorney



**MINUTES  
CITY OF THE COLONY  
PLANNING AND ZONING COMMISSION  
MAY 10, 2016**

After determining that a quorum was present, the Planning and Zoning Commission of the City of The Colony, Texas convened into Regular Session which was held on Tuesday, May 10, 2016 at 6:30 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items were addressed:

**Board Members Present:** Karen Hames, Chairman, Detrick DeBurr, Vice Chairman, Brian Buffington, Cesar Molina Jr., and Shannon Hebb.

**Board Members Absent:** Shawn Rockenbaugh and Janece Pool

**Staff Present:** Gordon Scruggs, P.E. Director of Engineering and Development Services, Surupa Sen, AICP, Senior Planner, and Ed Voss, City Attorney.

<b>1.0</b>	<b>CALL REGULAR SESSION TO ORDER</b>
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Chairman Hames called the meeting to order at 6:30 p.m.

<b>1.1</b>	<b>CITIZEN INPUT</b>
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No citizens came forward during Citizen Input.

<b>2.0</b>	<b>CONSENT AGENDA</b>
<b>2.1</b>	Consider approval of the minutes of the April 12, 2016 Regular Session.
<b>2.2</b>	<b><i>RP16-0002, Replat of Lot 4R and Final Plat of Lots 5, 6, Block A, East Oak Wood Village</i></b> Consider approval of a replat of Lot 4R and final plat of Lots 5, 6 Block A, East Oak Wood Village, being 5.684 acres of land out of the B.B.B. and C.R.R. Survey, Abstract No. 173, an addition to the City of The Colony, Denton County, Texas located on SH 121, east of Top Golf and west of Firestone, within Business Park (BP) zoning district.

Chairman Hames read the Consent Agenda items into the record.

**Commissioner Hebb moved to approve Items 2.1 and 2.2, Commissioner Molina seconded the motion. Motion carried (5-0).**

<b>4.0</b>	<b>DISCUSSION ITEMS</b>
<b>4.1</b>	<b><i>SP16-0003, La Quinta Alternate Building Material – Site Plan Amendment</i></b> Discuss and consider making a recommendation to City Council on a request for Site Plan amendment allowing alternate building material on proposed La Quinta limited service hotel located at 3750 Market Street.

Chairman Hames read the discussion item 4.1 into record.

Ms. Sen presented the staff report.

**Commissioner Molina moved to approve Item 4.1 Commissioner Hebb seconded the motion. Motion carried (5-0).**

**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Discuss and consider an ordinance approving a Site Plan Amendment to reduce the length of perimeter screening wall for the proposed Service King, an automobile body shop, located at 5270 Memorial Drive, west of Budget Suites, north of the existing Firestone Tire and Vehicle Service Center in the Business Park (BP) Zoning District (Development Services, Joyce)

---

**Background:**

**Purpose:**

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**

Council Staff Report  
Location Map  
Proposed Amended Site Plan  
Proposed Ordinance  
Minutes of May 10, 2016 P&Z Meeting

## CITY COUNCIL REPORT

**AGENDA DATE:** June 7, 2016

**DEPARTMENT:** Engineering/Development Services Department

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**SUBJECT *SP16-0005 Service King Screen Wall Reduction - Site Plan Amendment***

Discuss and consider a request for a Site Plan amendment to reduce the length of perimeter screening wall for the proposed Service King, an automobile body shop, located at 5270 Memorial Drive, west of Budget Suites, north of the existing Firestone Tire and Vehicle Service Center in the Business Park (BP) zoning district.

**OWNER/ENGINEER**

Owner/Developer:	Kris Ramji	Irving, Texas
Engineer/Surveyor:	ClayMoore Engineering	Bedford, Texas

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

May 10, 2016 – The Planning and Zoning Commission voted (5-0) to recommend approval of the Site Plan amendment to reduce the length of perimeter screening wall for the proposed Service King, an automobile body shop, located at 5270 Memorial Drive, west of Budget Suites, north of the existing Firestone Tire and Vehicle Service Center in the Business Park (BP) zoning district.

**DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW**

The Development Review Committee (DRC) finds the Site Plan meets the requirements of the Appendix A, Zoning Ordinance, the Gateway Overlay District and other applicable ordinances of the Code of Ordinances and recommends approval.

**OPTIONS**

1. Approve as submitted.
2. Approve with conditions.
3. Postpone consideration.
4. Table item.

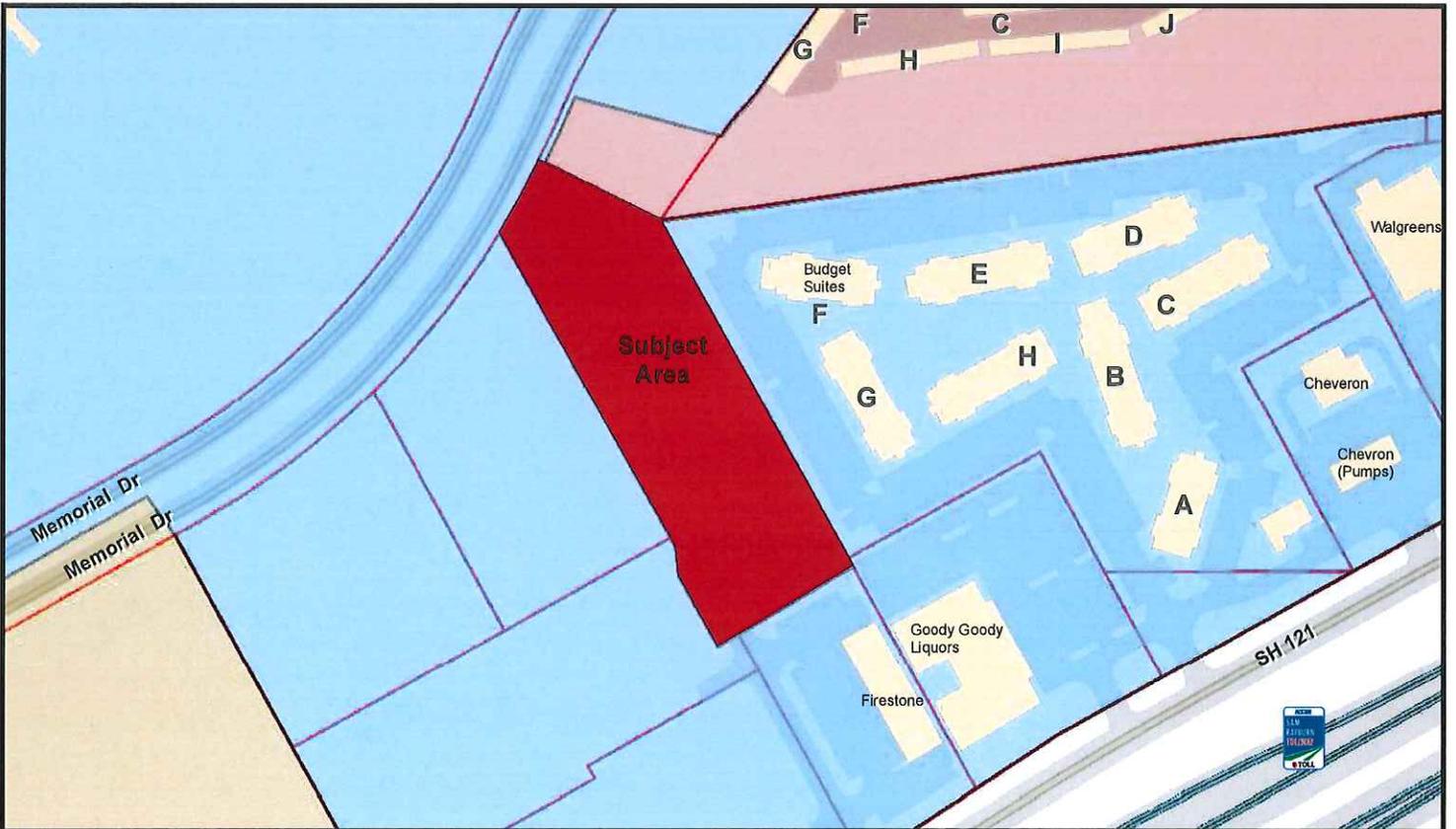
**PROPOSED DEVELOPMENT**

The applicant is proposing to build a 22,461 square foot automobile body shop, Service King, on approximately 2.45-acres, located on 5270 Memorial Drive. The site plan for this project was approved by City Council on August 18, 2015. The site plan had shown a masonry screening wall surrounding the property. Due to resulting lack of visibility, the applicant is requesting to not build a portion of the screening wall towards the front of the building. This will allow customers driving in from SH 121, to have a view of the front of the store. As a result this site plan amendment is being processed.

**ATTACHMENTS**

1. Staff Analysis
2. Location Map
3. Proposed amended Site Plan
4. Proposed Ordinance

5. Minutes of May 10, 2016 Planning and Zoning Commission meeting



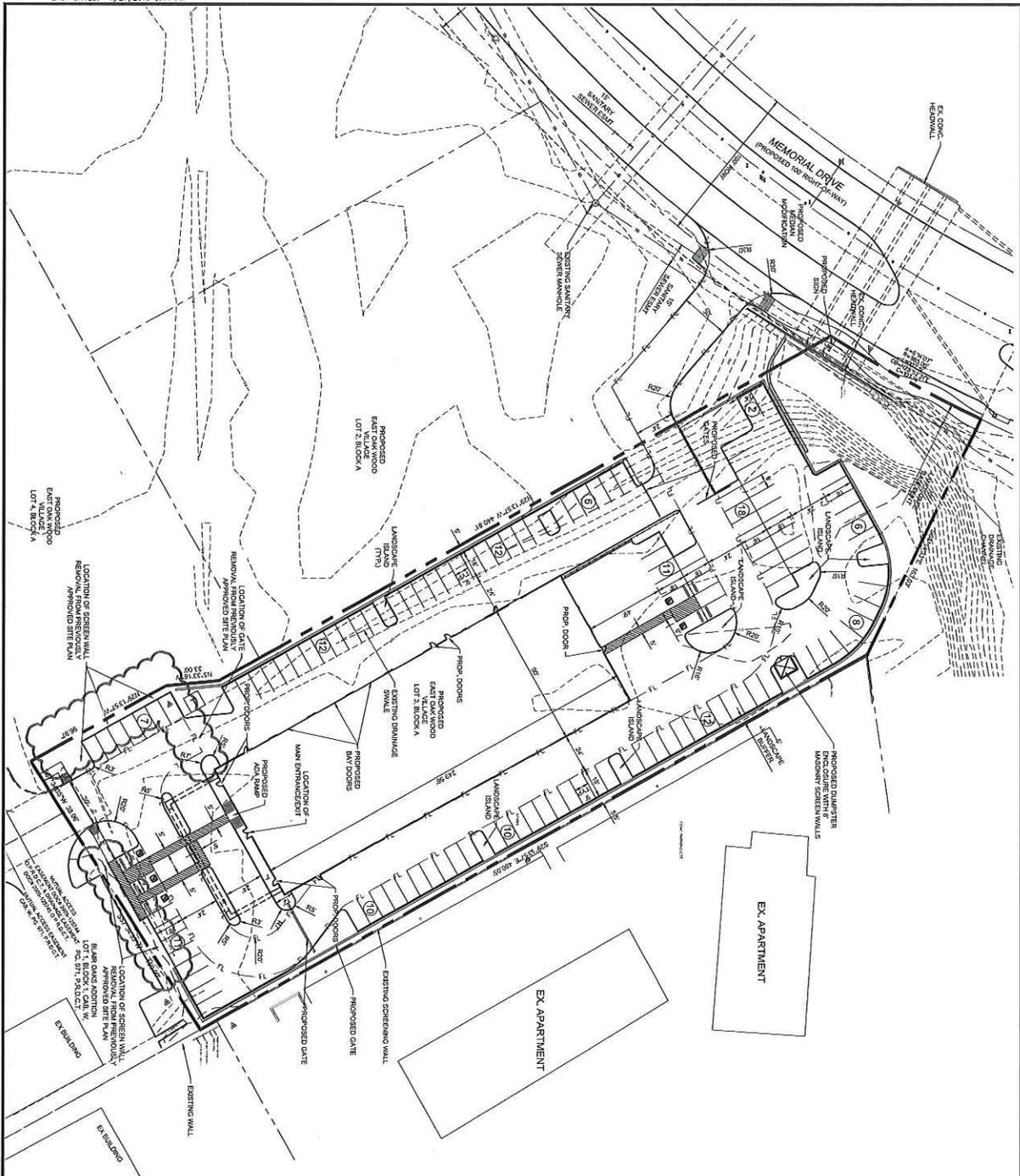
**Project No. SP16-0005 - Project Name: Service King - Site Plan Amendment**



Service King	Business Park/Industrial	Heavy Commercial	Mobile Home	Planned Development
Agricultural	Duplex Dwelling	Industrial	Neighborhood Service	Shopping Center
Business Park	General Retail	Light Commercial	Office District 1	Single Family Dwelling

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.





**APPLICANT:**  
 CLAYMOORE ENGINEERING, INC.  
 1000 WEST 10TH STREET  
 SUITE 400  
 DALLAS, TEXAS 75208  
 PHONE: 972.222.0000  
 FAX: 972.222.0000  
 WWW.CLAYMOOREENGINEERING.COM  
 EMAIL: MATTHEW@CLAYMOOREENGINEERING.COM

**PREPARED BY:**  
 CLAYMOORE ENGINEERING, INC.  
 1000 WEST 10TH STREET  
 SUITE 400  
 DALLAS, TEXAS 75208  
 PHONE: 972.222.0000  
 FAX: 972.222.0000  
 WWW.CLAYMOOREENGINEERING.COM  
 EMAIL: MATTHEW@CLAYMOOREENGINEERING.COM

**DESIGN BY:**  
 CLAYMOORE ENGINEERING, INC.  
 1000 WEST 10TH STREET  
 SUITE 400  
 DALLAS, TEXAS 75208  
 PHONE: 972.222.0000  
 FAX: 972.222.0000  
 WWW.CLAYMOOREENGINEERING.COM  
 EMAIL: MATTHEW@CLAYMOOREENGINEERING.COM

**DATE:** 4/27/2016

**SITE DATA TABLE**

LOT AREA	2,46 AC (108,711 SF)
BUILDING FOOTPRINT	89,183 SF
FLOOR AREA (TOTAL FLOOR AREA)	178,366 SF
PERVIOUS AREA	2,437 SF
IMPERVIOUS AREA	63,200 SF

**PARKING TABLE**

VEHICLE REPAIR	1
VEHICLES PER SERVICE BAY + 1 PER EMPLOYEE	133 SPACES (4,401 SF)
TOTAL PARKING PROVIDED	134 SPACES (4,401 SF)
TOTAL PARKING REQUIRED	132 SPACES (4,401 SF)

**NOTES:**  
 1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.  
 2. REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS AND EXACT DOOR LOCATIONS.  
 3. AIRS SPRINGS AND STEPS WILL BE PROVIDED FOR THE PROPOSED WALKWAYS.



**GRAPHIC SCALE**

0 15 30 45 60  
 1 inch = 30 ft.

**REVISIONS**

NO.	DATE	REVISION

**PERMITTING:**  
 CITY OF DALLAS  
 CLAYMOORE ENGINEERING, INC.  
 1000 WEST 10TH STREET  
 SUITE 400  
 DALLAS, TEXAS 75208  
 PHONE: 972.222.0000  
 FAX: 972.222.0000  
 WWW.CLAYMOOREENGINEERING.COM  
 EMAIL: MATTHEW@CLAYMOOREENGINEERING.COM

**CLAYMOORE ENGINEERING**  
 1000 WEST 10TH STREET  
 SUITE 400  
 DALLAS, TEXAS 75208  
 PHONE: 972.222.0000  
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 WWW.CLAYMOOREENGINEERING.COM

**SERVICE KING**  
**MEMORIAL DRIVE**  
**THE COLONY, TEXAS**

**CITY OF THE COLONY, TEXAS**

**ORDINANCE NO. 2016-  
SITE PLAN AMENDMENT  
SERVICE KING**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, APPROVING A SITE PLAN AMENDMENT, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A, TO REDUCE THE LENGTH OF PERIMETER SCREENING WALL FOR THE PROPOSED SERVICE KING, AN AUTOMOBILE BODY SHOP, LOCATED AT 5270 MEMORIAL DRIVE, WEST OF BUDGET SUITES, NORTH OF THE EXISTING FIRESTONE TIRE AND VEHICLE SERVICE CENTER IN THE BUSINESS PARK (BP) ZONING DISTRICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the City Council of the City of The Colony, Texas, in compliance with the laws of the State of Texas, and the Code of Ordinances of the City of The Colony, Texas, and the City Council of the City of The Colony, Texas, is of the opinion and finds that Site Plan Amendment application No. SP16-0005 to reduce the length of perimeter screening wall for the proposed Service King, an automobile body shop, located at 5270 Memorial Drive, west of Budget Suites, north of the existing Firestone Tire and Vehicle Service Center in the Business Park (BP) zoning district is approved.

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

**SECTION 1.** That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2.** That the City Council of the City of The Colony, Texas, does hereby approve the amended Site Plan, a copy of which is attached hereto as *Exhibit A* of this Ordinance.

**SECTION 3.** That it is hereby declared to be the intention of the City Council of the City of The Colony, Texas, that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.** That any provision of any prior ordinance of the City whether codified or uncodified, which are in conflict with any provision of this Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**SECTION 5.** That this Ordinance shall become effective immediately upon its passage.

**DULY PASSED** by the City Council of the City of The Colony, Texas, this the 7<sup>th</sup> day of June, 2016.

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Joe McCourry, Mayor

**ATTEST:**

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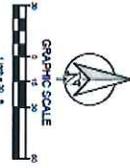
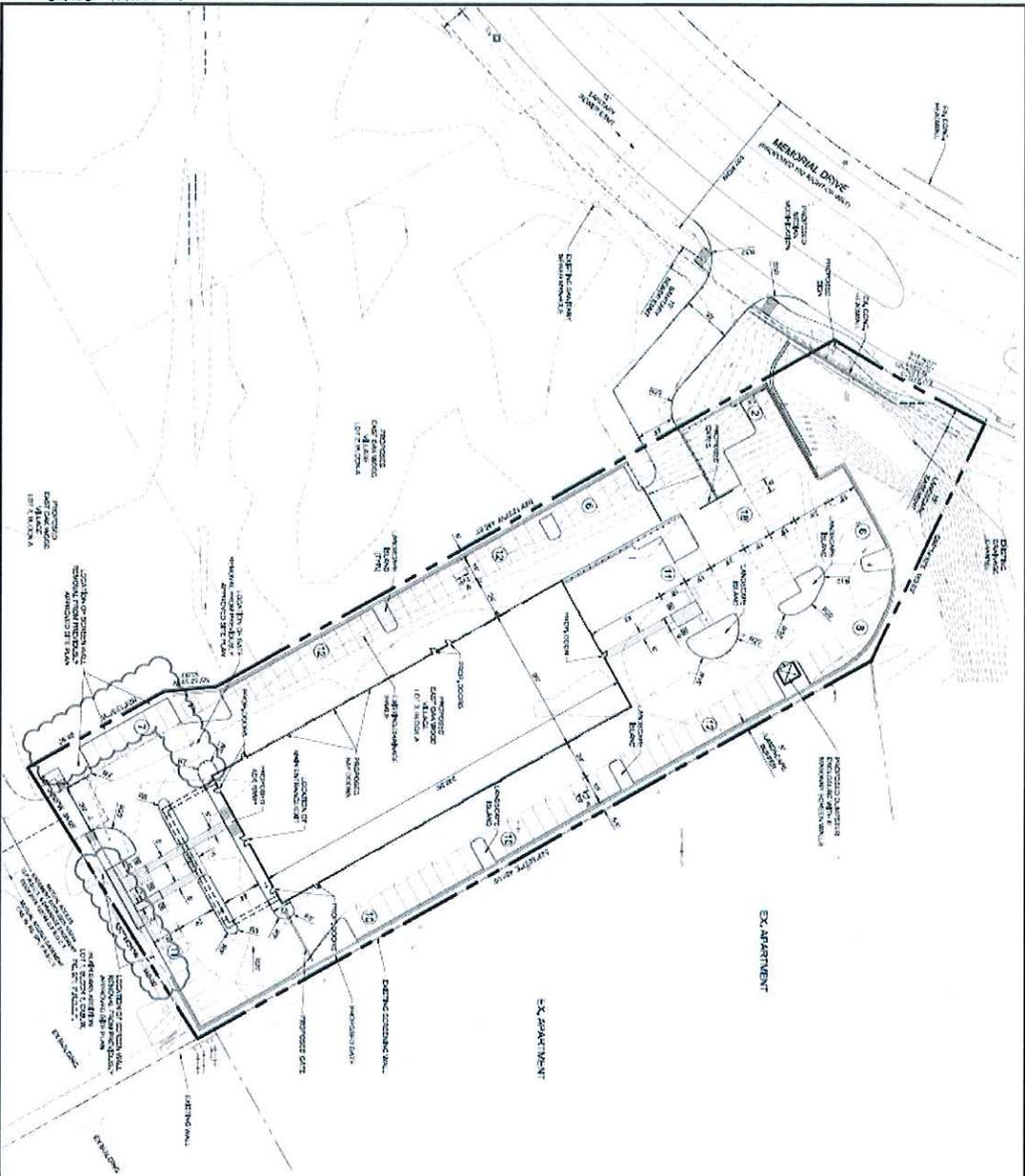
Tina Stewart, Interim City Secretary

**APPROVED AS TO FORM:**

---

Jeff Moore, City Attorney

# Exhibit A Amended Site Plan



- NOTES:**
1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
  2. REFER TO ALL CITY ORDINANCES, LOCAL ORDINANCES, AND STATE STATUTES FOR ALL APPLICABLE REGULATIONS.
  3. A FURTHER EXAMINATION OF THE SITE PLAN IS REQUIRED FOR THE PROPOSED BUILDING.

SITE DATA TABLE	
DATE OF PLAN	12/22/2017
PROJECT NO.	SP-1
CLIENT	MEMORIAL DRIVE DEVELOPMENT, L.P.
DESIGNED BY	CLAY MOORE ENGINEERING
PROJECT ADDRESS	21001 SP
PROJECT CITY	THE COLONY, TEXAS
PROJECT COUNTY	COCKEY COUNTY
PROJECT STATE	TEXAS
PROJECT ZIP	75228
PROJECT PHONE	972-234-1111
PROJECT FAX	972-234-1112
PROJECT EMAIL	CLAY@CLAYMOORE.COM
PROJECT WEBSITE	WWW.CLAYMOORE.COM

**CONTRACTOR:** MEMORIAL DRIVE DEVELOPMENT, L.P.  
**OWNER:** MEMORIAL DRIVE DEVELOPMENT, L.P.  
**DESIGNER:** CLAY MOORE ENGINEERING, INC.  
**DATE:** 12/22/2017  
**PROJECT NO.:** SP-1  
**PROJECT ADDRESS:** 21001 SP, THE COLONY, TEXAS 75228  
**PROJECT CITY:** THE COLONY, TEXAS  
**PROJECT COUNTY:** COCKEY COUNTY, TEXAS  
**PROJECT STATE:** TEXAS  
**PROJECT ZIP:** 75228  
**PROJECT PHONE:** 972-234-1111  
**PROJECT FAX:** 972-234-1112  
**PROJECT EMAIL:** CLAY@CLAYMOORE.COM  
**PROJECT WEBSITE:** WWW.CLAYMOORE.COM

<b>SITE PLAN</b> (SP16-0005)	<b>SERVICE KING</b> <b>MEMORIAL DRIVE</b> <b>THE COLONY, TEXAS</b>	<b>CLAY MOORE</b> <b>ENGINEERING</b>	<b>PROJECT NO.</b> SP-1 <b>PROJECT NO.</b> SP-16-005
---------------------------------	--	---	---

**MINUTES  
CITY OF THE COLONY  
PLANNING AND ZONING COMMISSION  
MAY 10, 2016**

After determining that a quorum was present, the Planning and Zoning Commission of the City of The Colony, Texas convened into Regular Session which was held on Tuesday, May 10, 2016 at 6:30 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items were addressed:

**Board Members Present:** Karen Hames, Chairman, Detrick DeBurr, Vice Chairman, Brian Buffington, Cesar Molina Jr., and Shannon Hebb.

**Board Members Absent:** Shawn Rockenbaugh and Janece Pool

**Staff Present:** Gordon Scruggs, P.E. Director of Engineering and Development Services, Surupa Sen, AICP, Senior Planner, and Ed Voss, City Attorney.

<b>1.0</b>	<b>CALL REGULAR SESSION TO ORDER</b>
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Chairman Hames called the meeting to order at 6:30 p.m.

<b>1.1</b>	<b>CITIZEN INPUT</b>
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No citizens came forward during Citizen Input.

<b>2.0</b>	<b>CONSENT AGENDA</b>
<b>2.1</b>	Consider approval of the minutes of the April 12, 2016 Regular Session.
<b>2.2</b>	<b><i>RP16-0002, Replat of Lot 4R and Final Plat of Lots 5, 6, Block A, East Oak Wood Village</i></b> Consider approval of a replat of Lot 4R and final plat of Lots 5, 6 Block A, East Oak Wood Village, being 5.684 acres of land out of the B.B.B. and C.R.R. Survey, Abstract No. 173, an addition to the City of The Colony, Denton County, Texas located on SH 121, east of Top Golf and west of Firestone, within Business Park (BP) zoning district.

Chairman Hames read the Consent Agenda items into the record.

**Commissioner Hebb moved to approve Items 2.1 and 2.2, Commissioner Molina seconded the motion. Motion carried (5-0).**

<b>4.0</b>	<b>DISCUSSION ITEMS</b>
<b>4.1</b>	<b><i>SP16-0003, La Quinta Alternate Building Material – Site Plan Amendment</i></b> Discuss and consider making a recommendation to City Council on a request for Site Plan amendment allowing alternate building material on proposed La Quinta limited service hotel located at 3750 Market Street.

Chairman Hames read the discussion item 4.1 into record.

Ms. Sen presented the staff report.

**Commissioner Molina moved to approve Item 4.1 Commissioner Hebb seconded the motion. Motion carried (5-0).**

4.2	<b><i>SP16-0002, Victory at The Colony Site Plan</i></b> Discuss and consider making a recommendation to City Council on a request for Site Plan to allow Victory at The Colony, a retail/restaurant complex with three buildings of total 48,150 sf area on 5.684 acre parcel of land located on SH 121, east of Top Golf and west of Firestone, within Business Park (BP) zoning district.
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Chairman Hames read the discussion item 4.2 into record.

Ms. Sen presented the staff report.

Commissioner Molina asked as they are proposing 32 less than required parking, if this project is successful, what contingency plan is there to address the lack of parking.

Ms. Sen stated that the proposed site is connected to neighboring properties through mutual access easements, so in case there is additional parking needed they can share parking with adjacent properties.

Commissioner Molina asked if there are any shared parking agreements in place to allow that.

Ms. Sen informed that there aren't any such agreements in place right now.

Commissioner Hebb stated that there is a sidewalk proposed along the mutual access drive on Service King property that connects this site to the Firestone and Service King sites. But the sidewalk has not been continued with the Victory at The Colony project. As a result the connectivity for pedestrians is hampered.

Mr. Scruggs mentioned that staff will review and discuss the sidewalk issue with the developers of Victory at The Colony project.

Commissioner Buffington asked if there will be access from Memorial Drive to this project.

Ms. Sen replied that there are mutual access drives going through the proposed new Hyatt hotel towards north of this site connecting to Memorial Drive.

Mr. Scruggs added that there will two median cuts on Memorial Drive between Top Golf and Service King and both will have shared access connecting to this building.

**Commissioner Hebb moved to approve Item 4.2 with the stipulation that Engineering will work with the applicant on adding sidewalk as discussed, Commissioner Buffington seconded the motion. Motion carried (5-0).**

4.3	<b><i>SP16-0005 Service King Screen Wall Reduction - Site Plan Amendment</i></b> Discuss and consider making a recommendation to City Council on a request for Site Plan amendment to reduce the length of perimeter screening wall for proposed Service King, an automobile body shop, located on 5270 Memorial Drive, west of Budget Suites, north of existing Firestone Tire and Vehicle Service Center located in the Business Park (BP) zoning district.
-----	--

Chairman Hames read the discussion item 4.3 into record.

Ms. Sen presented the staff report.

**Commissioner Molina moved to approve Item 4.3 with the stipulation that staff work with the applicant to add sidewalk connecting to SH 121, Commissioner Hebb seconded the motion. Motion carried (5-0).**

There being no further business to come before the Commission, Chairman Hames adjourned the Regular Session of the Planning and Zoning Commission at 6: 49 p.m.

---

Karen Hames, Chairman

---

Surupa Sen, AICP, Senior Planner

**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Discuss and consider an ordinance approving a Development Plan to allow Village at The Pointe, a residential town home development on 12.5 acre land located near the southwest corner of Memorial Drive and S Colony BLVD. approximately 300 feet west of the intersection, within the Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district (Development Services, Joyce)

---

**Background:**

**Purpose:**

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**

Council Staff Report  
Location Map  
Proposed Development Plan  
Proposed Landscape Plan  
Proposed Elevation 1  
Proposed Elevation 2  
Proposed Ordinance  
Minutes of May 24, 2016 P&Z Meeting

## CITY COUNCIL REPORT

**AGENDA DATE:** June 7, 2016

**DEPARTMENT:** Engineering/Development Services Department

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**SUBJECT** *SP16-0006, Village at The Pointe Development Plan*

Discuss and consider a request for a Development Plan to allow Village at The Pointe, a residential town home development on 12.5 acre land located near the southwest corner of Memorial Drive and S Colony BLVD. approximately 300 feet west of the intersection, within the Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district.

**OWNER/ENGINEER**

Owner/Developer:	Meritage Homes of Texas LLC	Dallas, Texas
Engineer/Surveyor:	Kimley-Horn Associates	Frisco, Texas

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

May 24, 2016 – The Planning and Zoning Commission voted (7-0) to recommend approval of the Development Plan to allow Village at The Pointe, a residential town home development on 12.5 acre land located near the southwest corner of Memorial Drive and S Colony BLVD. approximately 300 feet west of the intersection, within the Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district.

**DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW**

The Development Review Committee (DRC) finds the Development Plan meets the requirements of the Zoning Ordinance and PD 16 as outlined in the Staff Report and recommends approval.

**OPTIONS**

1. Approve as submitted.
2. Approve with conditions.
3. Postpone consideration.
4. Table item.

**ATTACHMENTS**

1. Staff Analysis
2. Location Map
3. Proposed Development Plan
4. Proposed Landscape Plan
5. Proposed Elevation
6. Proposed Ordinance
7. Minutes of May 24, 2016 Planning and Zoning Commission meeting

## ATTACHMENT 1

### Staff Analysis

#### Summary of Request

77 residential townhome lots with 2 open space/HOA lots are being proposed. The lots will contain for sale townhomes with front access garages. The proposed gross density is 6.1 units per acre. All the lots have 20' front building setback. Each townhome unit will have 2 car attached garage. 28 additional parking spaces have been proposed with 2 accessible parking spaces on site. The development will have 6' tall thin brick masonry screening wall or ornamental metal fence surrounding the development.

#### Existing Condition of Property

The subject property is undeveloped.

#### Platting Status

The property is being preliminary platted. Final plat has to be approved before construction may begin.

#### Adjacent Zoning/Land Use

North - Planned Development 14 (PD 14) – Single family subdivision across Memorial Drive  
South - Planned Development 16 (PD 16) – proposed retail/commercial complex with Floor and Décor as the anchor store  
East- Planned Development 16 (PD 16) – Corner store and vacant land  
West- Planned Development 16 (PD 16) – Vacant land

#### Land Use Analysis

The Colony City Council approved a Planned Development amendment (PD amendment) to allow townhomes as a land use within this particular tract of the Cascades PD on February 16, 2016.

#### Infrastructure Improvements

Memorial Drive expansion is planned in near future. The developer will escrow required amount to build the left turn lane for this development in conjunction with Memorial Drive expansion.

#### Circulation and Parking

Table 13-100 Off Street Parking Schedule requires 2.0 parking spaces per townhome dwelling unit. The townhomes proposed will have 2 car attached garages with front access. Additional 28 guest parking spaces have been planned along with 2 accessible parking spaces.

#### Exterior Building Material

The townhouses will be built with a combination of brick and stone as exterior material and comply with Gateway Overlay District requirements.

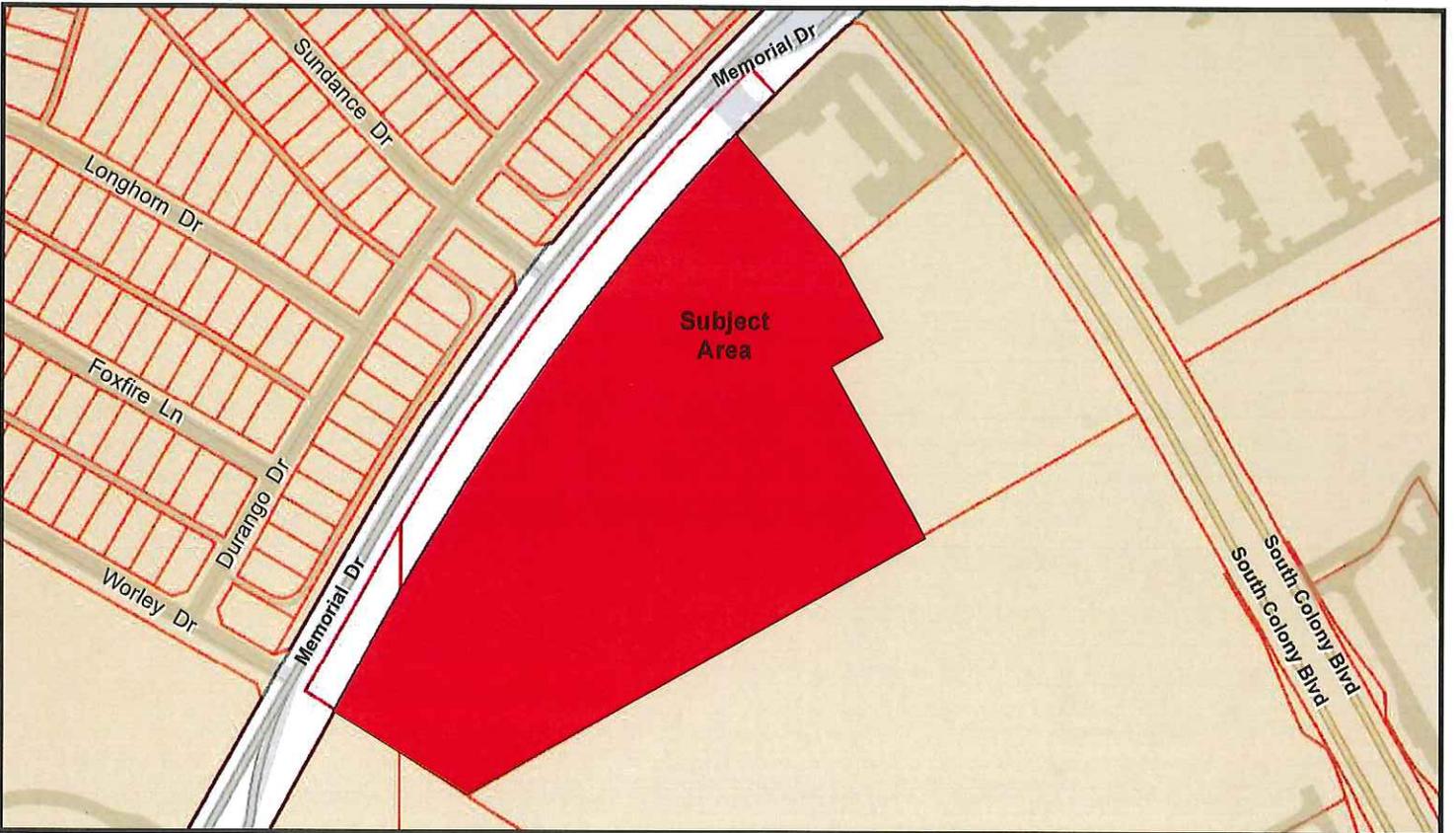
#### Landscaping and Irrigation

The site is proposed to be landscaped with Live Oak, Bur Oak, Cedar Elm, Bald Cypress, Nalley R Stevens Holly and various decorative seasonal flower plants. 20' wide landscape buffer has been proposed along Memorial Drive with 29 shade trees @ of 1 per 40 linear feet. 2.445 acres of

land is landscaped open space to be maintained by HOA. 10' wide meandering sidewalk is proposed along Memorial Drive.

Development Review Committee Review

The Development Review Committee finds that the Development Plan meets all applicable requirements of the Zoning Ordinance and PD 16, therefore recommends approval.



**Project No. SP16-0006 - Project Name: Village at The Pointe Site Plan**



Village at The Pointe	Business Park/Industrial	Heavy Commercial	Mobile Home	Planned Development
Agricultural	Duplex Dwelling	Industrial	Neighborhood Service	Shopping Center
Business Park	General Retail	Light Commercial	Office District 1	Single Family Dwelling

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.





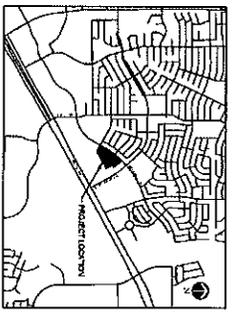
**GENERAL CONSTRUCTION NOTES**

1. ALL CONSTRUCTION, INCLUDING THE CONSTRUCTION OF THE CITY'S CURBSIDE, SIDEWALKS, DRIVEWAYS, AND DRIVEWAYS WITHIN THE PUBLIC RIGHT-OF-WAY, SHALL BE IN ACCORDANCE WITH THE CITY'S CONSTRUCTION MANUAL AND THE CITY'S CONSTRUCTION MANUAL, INCLUDING ALL OTHER STANDARDS, SPECIFICATIONS, AND CITY STANDARDS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY AND CITY ENGINEER.
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# SITE PLAN SUBMITTAL FOR SCREENING AND BUFFERING

~VILLAGE AT THE POINTE~  
CITY OF THE COLONY  
DENTON COUNTY, TEXAS

SUBMITTAL DATE May 11, 2016



SHEET INDEX	
11	OVERALL LAYOUT PLAN
12-18	LANDSCAPE PLANS
19	HANDSCAPE DETAILS
110	LANDSCAPE DETAILS

**OWNER / DEVELOPER:**  
HERITAGE HOMES OF TEXAS LLC  
8840 CYPRESS WATERS BLVD.  
UNIT #100  
DALLAS, TEXAS 75019  
PH. (972)580-6329  
CONTACT: BOBBY SAMUEL

**CIVIL ENGINEER:**  
KIMLEY-HORN AND ASSOCIATES  
5750 GENESIS COURT  
UNIT #200  
FRISCO, TEXAS 75034  
PH. (972) 335-3580  
CONTACT: BRYAN MOODY

**LANDSCAPE ARCHITECT:**  
CODY JOHNSON STUDIO, LLC  
12217 CHATTANOOGA DR.  
FRISCO, TEXAS 75035  
PH. (903) 570-0162  
CONTACT: CODY JOHNSON, RLA, ASLA, LI

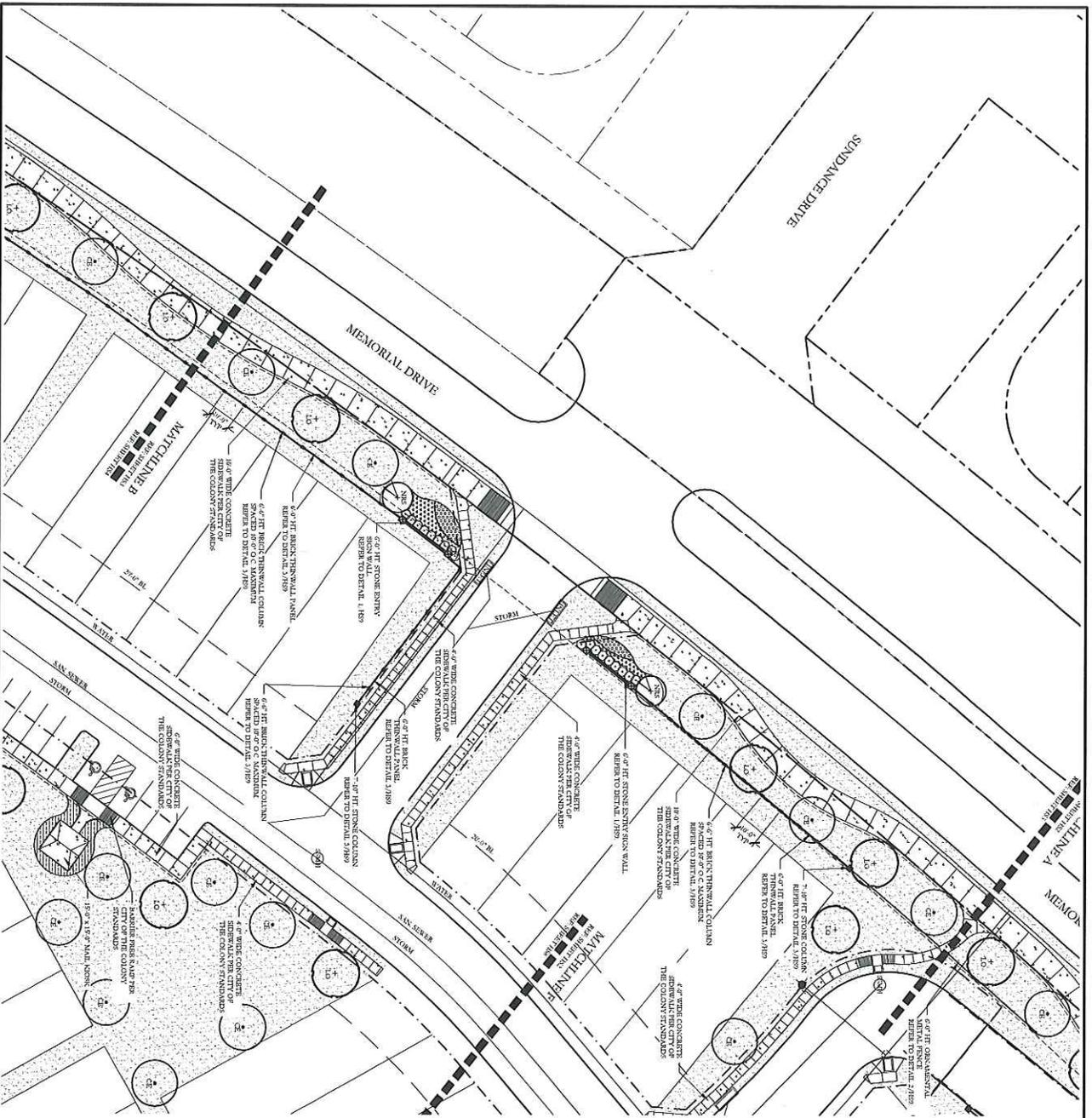
**GENERAL LANDSCAPE NOTES:**

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY AND CITY ENGINEER.
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PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
+	LO	LIVE OAK	QUERCUS VIRGINIANA	3" CALIBER	AS SHOWN
○	NO	RED OAK	QUERCUS NIGRA	3" CALIBER	AS SHOWN
○	CE	CELANO BARK	QUERCUS GRACILOLA	3" CALIBER	AS SHOWN
○	NE	PALE STYRAX	TRACHYSTEMA	3" CALIBER	AS SHOWN
○	NH	NIGHTY 8 SHRUBS	LEUCONOTUS	2" CALIBER	AS SHOWN
○	NS	SHRUB BIRCH	BETULA	1" CALIBER	AS SHOWN
○	AN	ANNUAL SOLAR	TO BE SELECTED BY OWNER	4" POT	1' TO 2'
○	W	WEEPING LOVE GRASS	POA ANSERINA	1" CALIBER	AS SHOWN
○	CG	COMMON BENT GRASS	PASTORIS	1" CALIBER	AS SHOWN

**GENERAL NOTES**

- LANDSCAPE CONTRACTOR SHALL VERIFY ALL PLANTING AND SPACING REQUIREMENTS TO BE SAVED WITH COMMON BENT GRASS SEED AND TERNOLINE BENT GRASS SEED.
- ALL COMMON BENT GRASS AND TERNOLINE BENT GRASS SHALL BE PLANT IN PLANTS WITH THE CONSTRUCTION OF EACH TOWNHOME PARCEL.

**SCREENING AND BUFFERING**

Landscape Plan

Village at the Pointe

City of the Colony, Denton County, Texas

Scale: 1" = 20'-0"

APR 11, 2016

**CODY JOHNSON**  
S · T · U · D · I · O

1217 CHATTANOOGA DR. FRISCO, TEXAS 75035  
PH: (972) 576-0142  
EMAIL: CODY@CODYJOHNSONSTUDIO.COM

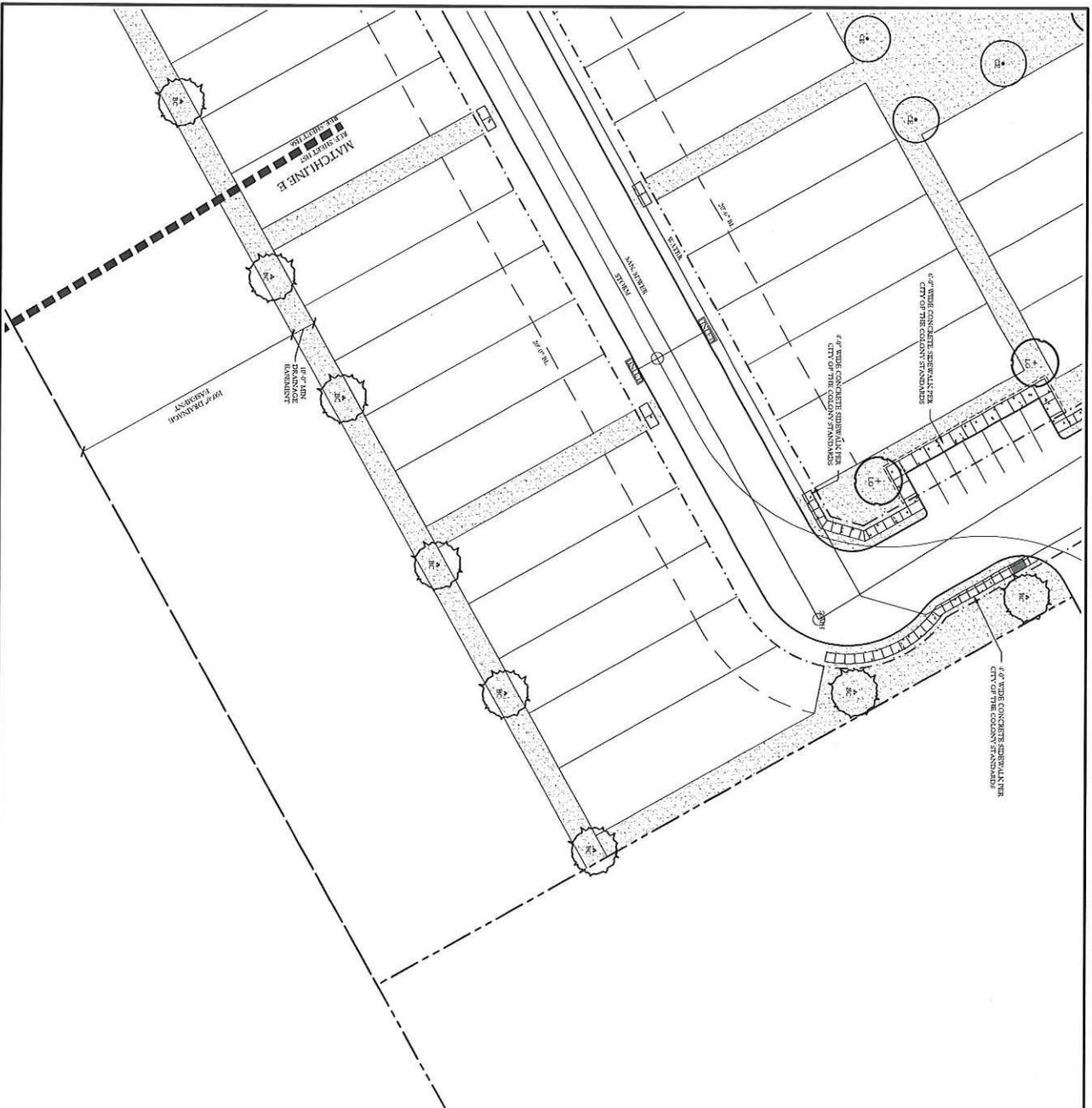
CS PROJECT NO.  
**MTH1007**

SHEET NO.  
**13 of 10**









PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
+	LD	LIVE OAK	QUERCUS VIRGINIANA	3" CALIBER	AS SHOWN
○	RO	RED OAK	QUERCUS LAEVOGARBNA	3" CALIBER	AS SHOWN
○	CE	CELANO BELL	LEUCIS CLARIBOLIA	3" CALIBER	AS SHOWN
○	MC	MILD CYPRESS	TAXODIUM DISTICHUM	3" CALIBER	AS SHOWN
○	NS	NORFOLK SPYERS HOLLY	ILEX VINCINER STYVENS	2" CALIBER	AS SHOWN
○	DR	DRYER BURNING BELL	ELAEAGNUS ARBorea	3" CALIBER	AS SHOWN
○	AL	ALICE BIRD LINDBER	PARROTIA HORIZONTALIS	3" CALIBER	AS SHOWN
○	AN	ANNUAL COLOR	TO BE SELECTED BY OWNER	4" POT	4" O.C.
○	WL	WEAVING LOVE OAKS	BEAUCHAMPEA GUYANA	SQUARE FEET	HYDRONATURAL
○	CO	COMMON REDTILED GLASS	CHONDOX DACTYLON	SQUARE FEET	SOLID SOD

**GENERAL NOTES**

1. LANDSCAPE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF THE COLONY STANDARD SPECIFICATIONS TO BE PROVIDED WITH COMMON REDTILED GLASS AND WEAVING LOVE OAKS. THE CONSTRUCTION OF EACH TOWNHOME PAVEMENT SHALL BE IN ACCORDANCE WITH THE CONSTRUCTION OF EACH TOWNHOME PAVEMENT.

CS PROJECT NO. MTH007

SHEET NO. L7 of 10

**SCREENING AND BUFFERING**

Landscape Plan

Village at the Pointe

City of the Colony, Denton County, Texas



Scale: 1" = 20'-0"

0 10 20



NOV 11, 2016



**CODY JOHNSON**

B · U · D · I · O

12317 CHATTANOOGA DR. FRESNO, TEXAS 75335

PH: (940) 529-0142

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**CITY OF THE COLONY, TEXAS**

**ORDINANCE NO. 2016-            
DEVELOPMENT PLAN  
VILLAGE AT THE POINTE**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, APPROVING A DEVELOPMENT PLAN, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A, TO ALLOW VILLAGE AT THE POINTE, A RESIDENTIAL TOWN HOME DEVELOPMENT ON 12.5 ACRE LAND LOCATED NEAR THE SOUTHWEST CORNER OF MEMORIAL DRIVE AND S COLONY BLVD. APPROXIMATELY 300 FEET WEST OF THE INTERSECTION, WITHIN THE PLANNED DEVELOPMENT 16 (PD 16) AKA THE CASCADES PLANNED DEVELOPMENT ZONING DISTRICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Planning and Zoning Commission and the City Council of the City of The Colony, Texas, in compliance with the laws of the State of Texas, and the Code of Ordinances of the City of The Colony, Texas, and the City Council of the City of The Colony, Texas, is of the opinion and finds that Development Plan application No. SP16-0006 to allow Village at The Pointe, a residential town home development on 12.5 acre land located near the southwest corner of Memorial Drive and S Colony BLVD. approximately 300 feet west of the intersection, within the Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district is approved.

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

**SECTION 1.** That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2.** That the City Council of the City of The Colony, Texas, does hereby approve the Development Plan, a copy of which is attached hereto as *Exhibit A* of this Ordinance.

**SECTION 3.** That it is hereby declared to be the intention of the City Council of the City of The Colony, Texas, that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.** That any provision of any prior ordinance of the City whether codified or uncodified, which are in conflict with any provision of this Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full

force and effect.

**SECTION 5.** That this Ordinance shall become effective immediately upon its passage.

**DULY PASSED** by the City Council of the City of The Colony, Texas, this the 7<sup>th</sup> day of June, 2016.

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Joe McCourry, Mayor

**ATTEST:**

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Tina Stewart, Interim City Secretary

**APPROVED AS TO FORM:**

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Jeff Moore, City Attorney



**MINUTES  
CITY OF THE COLONY  
PLANNING AND ZONING COMMISSION  
MAY 24, 2016**

After determining that a quorum was present, the Planning and Zoning Commission of the City of The Colony, Texas convened into Regular Session which was held on Tuesday, May 24, 2016 at 6:30 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items were addressed:

**Board Members Present:** Karen Hames, Chairman, Detrick DeBurr, Vice Chairman, Brian Buffington, Cesar Molina Jr., Shawn Rockenbaugh, Janece Pool, and Shannon Hebb.

**Board Members Absent:** None

**City Council Liaison:** David Terre, City Council Place 4

**Staff Present:** Gordon Scruggs, P.E. Director of Engineering and Development Services, Surupa Sen, AICP, Senior Planner, Brian McNulty, Engineering Technician, and Ed Voss, City Attorney.

<b>1.0</b>	<b>CALL REGULAR SESSION TO ORDER</b>
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Chairman Hames called the meeting to order at 6:30 p.m.

<b>1.1</b>	<b>CITIZEN INPUT</b>
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Brant Shallenburger, Director of Government Relations addressed the Commission regarding recent city email server update. He informed Commission on how to access the new city email system and whom they might contact if they are having problems with the new system.

<b>2.0</b>	<b>CONSENT AGENDA</b>
<b>2.1</b>	Consider approval of the minutes of the May 10, 2016 Regular Session.
<b>2.2</b>	<b><i>PP16-0002, Preliminary Plat for Village at The Pointe</i></b> Consider approval of a preliminary plat for Lots 1-63, 64X, Block A, Lots 1-14, 15X, Block B, Village at The Pointe, being 12.50 -acres of land out of the B.B.B. and C.R.R. Survey, Abstract No. 173, 174, an addition to the City of The Colony, Denton County, Texas located near the southwest corner of Memorial Drive and S Colony BLVD. approximately 300 feet west of the intersection, within the Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district.

Chairman Hames read the Consent Agenda items into the record.

**Commissioner Pool moved to approve Items 2.1 and 2.2, Commissioner Hebb seconded the motion. Motion carried (7-0).**

<b>3.0</b>	<b>PUBLIC HEARING ITEMS</b>
<b>3.1</b>	<b><i>SUP16-0002, Woodspring Suites Limited Service Hotel</i></b> Conduct a public hearing, discuss and consider making a recommendation to City Council on an application for a Specific Use Permit (SUP) to allow a limited service hotel, Woodspring Suites, to be located on a 3.22 acre tract of land along west side of S Colony BLVD, approximately 500' south of Memorial Drive within Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district.

Chairman Hames read the public hearing item 3.1 into record.

Ms. Sen presented the staff report.

Applicant, Mr. Ian McClure addressed the Commission and explained that the Woodspring Suites, in spite of being an extended stay hotel, is not anything like a Budget Suites that the City is having problems with. The room rates per night for Woodspring Suites will be on average \$100.00 – \$124.00 which is comparable to other hotels in the area. Mr. McClure also added that he is the preferred developer for Marriott and Hilton group of hotels and owns and operates multiple hotels with no complaints on any of the hotels.

Commissioner Buffington asked why Mr. McClure chose this particular lot for the proposed hotel development.

Mr. McClure stated with the arrival of Toyota and other major employers to this area of the DFW metroplex there is demand for hotel rooms and all the brands in the SH 121 and Dallas North Tollway vicinity are doing extremely well. This particular site is perfect in the sense that it is not located on the highway but within close proximity and close to all the new constructions happening in the area.

Commissioner Buffington mentioned that there is a single family development planned next to the proposed hotel site which might be impacted by the hotel.

Mr. McClure said that he has communicated with the property owner and developer for the single family project and they do not have any concern over the hotel being next to the single family development.

Commissioner Rockenbaugh enquired about the per night room rate for the proposed hotel and why the existing Woodspring hotels researched by staff shows lower room rates.

Mr. McClure stated that the hotels researched are not owned by him and the proposed Woodspring Suites would command a higher rate, around \$100.00 – \$124.00 as that is the predominant rate for this market.

Commissioner Molina stated that the clientele for this hotel is said to be the corporate clients arriving with major employers like Toyota or State Farm, what would happen once their transition to this area is complete.

Mr. McClure stated that with Toyota, even after their transition is complete they will be staff from support services like audit, IT etc. who will utilize the hotel service and will stay in town for one, two or three nights. With all the new commercial activities in the area, hotel development is growing and there will not be a shortage of clientele to serve.

Commissioner Molina asked what assurances can Mr. McClure provide that with increasing competition the hotel room rate will not go down or the maintenance of the property deteriorates resulting in Budget Suite type environment.

Mr. McClure answered that he has more than 15 years of track history, building, owning and managing different brands of hotel so the regular upkeep of the property and maintaining a quality hotel that can earn \$100.00 – \$124.00 room rates should not be a problem.

Chairman Hames opened and closed the public hearing at 6:50 p.m. with no one wishing to speak on the item.

**Commissioner Buffington moved to deny Item 3.1 Commissioner Molina seconded the motion. Motion carried (7-0).**

<b>3.2</b>	<b><i>SUP16-0002, Woodspring Suites Limited Service Hotel EIFS Exterior Material</i></b> Conduct a public hearing, discuss and consider making a recommendation to City Council on an application for a Specific Use Permit (SUP) to allow EIFS exterior construction on a proposed limited service hotel, Woodspring Suites, to be located on a 3.22 acre tract of land along west side of S Colony BLVD, approximately 500' south of Memorial Drive within Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district.
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Chairman Hames read the public hearing item 3.2 into record.

Ms. Sen presented the staff report.

Chairman Hames opened and closed the public hearing at 6:55 p.m. with no one wishing to speak on the item.

Commissioner DeBurr stated that in his opinion it might be the right product but wrong location and there are compatibility issues with this hotel.

**Commissioner DeBurr moved to deny Item 3.2 Commissioner Rockenbaugh seconded the motion. Motion carried (7-0).**

<b>4.0</b>	<b>DISCUSSION ITEMS</b>
<b>4.1</b>	<b><i>SP16-0006, Village at The Pointe Development Plan</i></b> Discuss and consider making a recommendation to the City Council on a request for a Development Plan to allow Village at The Pointe, a residential town home development on 12.5 acre land located near the southwest corner of Memorial Drive and S Colony BLVD. approximately 300 feet west of the intersection, within the Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district.

Chairman Hames read the discussion item 4.1 into record.

Ms. Sen presented the staff report.

Commissioner Rockenbaugh asked for the schedule of Memorial Road expansion.

Mr. Scruggs mentioned that the project contract has been approved by Council and staff hopes that construction can start in July.

Commissioner Rockenbaugh asked that the Memorial Road expansion would start before this townhome project begins construction.

Mr. Scruggs responded affirmative.

Commissioner Molina asked about the mutual access from the Valero Corner store to this development which would result in mixing commercial traffic with this residential development.

Ms. Sen agreed that staff has discussed this with the applicant that there is a potential for people from Valero gas station to cut through the neighborhood as that is the only left turn on Memorial Drive available for the users of the Valero Corner store.

Applicant, Bobby Samuel from Meritage Homes responded that the mutual access has to be kept open as a requirement of purchase for the town home property.

Commissioner Molina stated that in future the City will receive complaints from the residents if there is too much traffic from the Valero cutting through the neighborhood. He asked if it becomes problem could the City put one-way only sign on that segment to prevent traffic from entering the neighborhood.

Mr. Scruggs mentioned that staff has looked at the traffic numbers. Primary concern will be speeding, but these roadway segments being too short, speeding might not occur and if occurs the City can put three way stop signs. So if necessary the City can put stop sign or one-way signs in that area.

Commissioner Hebb asked that the cul-de-sacs are only 40' radius, is that sufficient for the Fire Department access.

Ms. Sen responded that the Fire Marshall has reviewed the plans and the minimum requirement is 30' radius.

Commissioner Hebb asked what the foot candle will be for street lights within this development.

Mr. Samuel could not respond to the question.

Mr. Scruggs mentioned that the development has to comply with City requirements for type of light and spacing and that will be reviewed and approved during the construction drawings approval.

Commissioner Molina asked if the water line on Memorial has to be complete before this subdivision is built as that will be providing water to this project.

Mr. Scruggs agreed that the 16" line on Memorial will be serving this project and connects to the water tower in Legends.

Commissioner Hebb asked if there will be a crosswalk from this development on Memorial Drive.

Mr. Scruggs responded that ultimately the Memorial Drive will be a six lane divided roadway and the City would prefer crosswalk at the intersection.

Commissioner Hebb asked if a signal will be installed for this project.

Mr. Scruggs responded that signal is not warranted at this location and it is too close to the existing signalized intersection at S Colony Blvd and Memorial Drive.

**Commissioner Molina moved to approve Item 4.1 Commissioner Hebb seconded the motion. Motion carried (7-0).**

**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 6/7/2016

**SUMMARY OF REQUEST:** Authorize an Engineering Contract Amendment for Additional Services on FM 423 Utility Relocations (Engineering, Scruggs)

**Background:**

The Colony entered in to the Memorandum of Understanding (MOU) for funding from Denton County and the North Central Texas Council of Governments (NCTCOG) with the agreement that SH 121 would be tolled. The City contracted with TxDOT for \$9,000,000 in Regional Toll Revenues (RTR) funding on September 7, 2010 and Denton County on July 20, 2010 for \$3,000,000. An Advanced Funding Agreement with TxDOT was approved on February 7, 2012 for \$8,028,536 for construction of the utility relocations by TxDOT's roadway contractor. Utility relocation began in September 2014 and staff engaged Halff Associates to respond to requests for information from the contractor.

The contract amendment is for an additional \$127,360 increasing the total contract amount to \$202,260. This amendment will authorize Halff Associates to continue to respond to information requests from TxDOT's construction contractor (Webber) due to private utility conflicts and to provide on-site inspection. Staff recommends approval of this contract amendment. Below is a summary of the overall utility relocation costs.

Utility Relocations	
TxDOT AFA	
Utility Relocations	\$7,527,548
Utility Relocation Mobilization	\$503,583
TxDOT Engr Fee (4%)	\$301,102
Est. Eligible Reimbursement	(\$278,385)
Credit for Betterment Engr Cost	(\$25,322)
Subtotal:	\$8,028,526
City Relocation Construction	\$328,998
Easements	\$1,076,436
TC Inspection Fee Relocations (4%)	\$321,246
Utility Relocation Design	\$757,913
Construction Materials Testing	\$346,086
Construction Services (Halff)	\$202,260
TOTAL:	\$11,061,465

This project is 100% funded by Denton County and Regional Toll Revenues from the tolling of H 121.

**Purpose:**

To authorize an Engineering Contract Amendment for Additional Services on FM 423 Utility Relocations.

**Issues:**

N/A

**Alternatives:**

N/A

**Recommendations:**

Staff recommends authorization of the Engineering Contract Amendment for Additional Services on FM 423 Utility Relocations.

*Suggested motion:* I move to recommend authorization of an Engineering Contract Amendment for Additional Services on FM 423 Utility Relocations.

**FINANCIAL SUMMARY:** (Leave blank if N/A)

Are budgeted funds available:  Yes  No Amount budgeted/available: \$127,360

Fund(s) (Name and number): 821 & 822

Source of Funds: Denton County \$3,000,000 for FM 423 Improvements and Denton County NCTCOG RTR per TxDOT contract \$9,000,000

Cost of recommended bid/contract award: \$127,360

Total estimated project cost:

\$ <u>757,913</u> Engineering Design	Already authorized <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
\$ <u>74,900</u> Construction Services	Already authorized <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
\$ <u>127,360</u> Construction Services Amendment	Already authorized <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
\$ <u>8,028,536</u> TxDOT AFA	Already authorized <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
\$ <u>328,998</u> City Relocation Construction	Already authorized <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
\$ <u>1,076,436</u> Easements	Already authorized <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
\$ <u>321,246</u> TC Inspection Fees	Already authorized <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
\$ <u>346,086</u> Construction Materials Testing	Already authorized <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
\$ <u>11,061,465</u> Total estimated costs	

Future Costs (if any): \$ \_\_\_\_\_

Revenue Generated: \$ \_\_\_\_\_

**FISCAL IMPACT STATEMENT** (Leave blank if N/A)

**If this is a non-budgeted item, identify probable gain, loss, or cost for each of the next 3 years. Identify whether any cost will be incurred thereafter. After completion of construction, City will maintain facilities. Minimal costs for maintenance first three years.**

**Attachments:**

- Location Map
- Contract Amendment 3
- Resolution



STATE OF TEXAS        )

COUNTY OF DENTON    )

**CONTRACT AMENDMENT NO. 3  
OF  
CONSULTANT'S CONTRACT**

THIS agreement is by and between the City of The Colony, Texas, a Texas home rule municipality, and Half Associates, Inc., hereinafter known as Consultant, a civil engineering firm, with principal offices located in Fort Worth, Texas.

WHEREAS, the City and Consultant have entered into an agreement such that the Consultant is to provide the following services: FM 423 Utility Relocation Plan Modifications for TxDOT Re-Letting.

WHEREAS, the above referenced agreement provides that if there is a change in scope or focus of the activities in the contract, or if it is necessary for the Consultant to do additional work such that there is a significant additional cost or expense to the City, it is necessary for the City to approve such work and/or for the parties to change the contract; and

WHEREAS, the parties recognize that it is necessary for Consultant to modify the scope of work under the contract, such work which is set out in the attached Exhibit "A," which is attached hereto and incorporated herein as if set out in full herein; and

NOW, THEREFORE, for and in consideration of the mutual acts and covenants set out herein, the parties agree as follows:

1. Consultant, in addition to the work to be performed in the Contract dated December 11, 2013, shall perform the task(s) described in the attached Exhibit "A," basically described as Additional Services.
2. The amount to be paid to Consultant under such contract shall be increased by the sum of \$127,360, to reflect the work described in Exhibit "A."
3. This shall constitute an Authorization for a Scope of Work modification and fee increase as set out in the agreement between the parties, and an amendment to such contract. All of the terms and conditions of the original contract shall remain in full force and effect, as amended hereto, unless set out otherwise herein.

Signed and effective on this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF THE COLONY, TEXAS**

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

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

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

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

**HALFF ASSOCIATES, INC., CONSULTANT**

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

Printed Name: Dennis W. Haar, P.E.

Title: Project Manager

## **Exhibit "A"**

### **ADDITIONAL SERVICES**

#### **FM 423 Utility Relocation Plan Modifications for TxDOT Re-Letting**

The additional work is as follows:

##### **Task III: Construction and Closeout Services**

Franchise utility locations in the FM 423 corridor are in conflict with proposed city water and wastewater facilities despite these franchise utilities being relocated to clear the proposed TxDOT road, drainage, and city utilities shown in TxDOT project CSJ # 1567-02-032. Halff Associates, Inc. is providing construction coordination and design revisions to resolve the utility conflicts and install the city's utilities without delaying the FM 423 construction. Halff is providing information request responses and plan modifications as needed to locate the city's utilities away from franchise conflicts exceeding the normal construction administration scope included in the original contract. In addition Halff is reviewing the TxDOT pay applications to check the payment is in line with the contract and the work performed. Halff anticipated the water and wastewater construction to be substantially complete by the end of June 2015; however, this construction is ongoing. Halff requested additional fee to the contract to continue these services through November 2015; however, the TxDOT contractor has yet to finish the utility installation. The new expected utility construction completion is August 31, 2016. Halff requests an additional \$40,000 be added to Task III to cover the service from November 2015 through August 2016.

Halff will continue to bill this task as a time and materials task.

##### **Task IV: Full Time Construction Representation**

Halff Associates will provide a full time construction representative on the FM 423 site to monitor construction progress on the City water and wastewater line installations. The representative will report contractor activities to the City. The representative will be responsible for observing work progress and documenting contractor activities.

The representative will begin work April 25, 2016 and will be on site through August 31, 2016. The representative will be on site Monday through Friday during this period except for observed holidays.

The construction representation services will be billed at an hourly rate of \$120/hour for a forty hour work week. Any time over 40 hours in a given week will be billed at the overtime rate of 1.5 times the above hourly rate.

The Contract fee summary shall be modified as follows:

Fee Summary:

Task #	Task Title	Original Fee	Change Order 1	Change Order 2	Change Order 3	Proposed Fee
I	Franchise Utility Review	\$5,000.00	(\$2,502.97)	\$0.00	\$0.00	\$2,497.03
II	Civil Engineering Services	\$17,900.00	\$0.00	\$0.00	\$0.00	\$17,900.00
III	Construction and Closeout Services	\$22,000.00	\$22,502.97	\$10,000.00	\$40,000.00	\$94,502.97
IV	Full Time Construction Representation	\$0.00	\$0.00	\$0.00	\$87,360.00	\$87,360.00
<b>TOTAL</b>		<b>\$44,900.00</b>	<b>\$20,000.00</b>	<b>\$10,000.00</b>	<b>\$127,360.00</b>	<b>\$202,260.00</b>

All work will be billed to FM 423 Utility Relocation Plan Modifications for TxDOT Re-Letting – Purchase Order No. 14-02608. The total fee for FM 423 Utility Relocation Plan Modifications for TxDOT Re-Letting will increase from \$74,900.00 to \$202,260.00.

**CITY OF THE COLONY, TEXAS  
RESOLUTION NO. 2016-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, APPROVING AN ENGINEERING CONTRACT AMENDMENT NO. 3 BY AND BETWEEN THE CITY OF THE COLONY AND HALFF ASSOCIATES, INC. FOR ADDITIONAL SERVICES ON FM 423 UTILITY RELOCATIONS; WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the City and Consultant have entered into a Contract Amendment No. 3 for additional services on FM 423 utility relocations; and

WHEREAS, the City has determined that it is in the best interest of the City to amend the contract with Halff Associates, Inc. which is attached hereto and incorporated herein by reference as Exhibit "A," under the terms and conditions provided therein; and

WHEREAS, with this Contract the City of The Colony is agreeing to pay the increased sum of \$127,360 to reflect the work described in Exhibit "A".

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS THAT:**

**Section 1.** The Engineering Services Contract, which is attached hereto and incorporated herein as Exhibit "A", having been reviewed by the City Council of the City of The Colony, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved.

**Section 2.** The City Manager is hereby authorized to execute the Contract on behalf of the City of The Colony, Texas.

**Section 3.** This Resolution shall take effect immediately from and after its adoption and it is so resolved.

**PASSED, APPROVED and EFFECTIVE this 7<sup>th</sup> day of June, 2016.**

**ATTEST:**

\_\_\_\_\_  
Joe McCourry, Mayor  
City of The Colony, Texas

\_\_\_\_\_  
Tina Stewart, Interim City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jeff Moore, City Attorney

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**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF REQUEST:** Discuss and consider cancelling or rescheduling the June 21, 2016 city council meeting and provide direction to staff (Council)

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**Background:**

**Purpose:**

**Issues:**

**Alternatives:**

**Recommendations:**

**Attachments:**

**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF  
REQUEST:**

A. Council shall convene into a closed executive session pursuant to Section 551.087 of the Texas Government Code regarding commercial or financial information the city has received from a business prospect(s), and to deliberate the offer of a financial or other incentive to a business prospect(s) -

B. Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the city attorney regarding pending or contemplated litigation – Atlantic Colony Venture I, LLC and Atlantic Colony Venture II, LLC v. City of The Colony, Texas, et al., Cause No. 16-02219-442.

C. Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to seek legal advice from the city attorney regarding pending or contemplated litigation – Appeal of Brazos Electric Power Cooperative, Inc. and Denton County Electric Cooperative, Inc. D/B/A CoServ Electric from an Ordinance of The Colony, Texas, and, in the Alternative, Application for a Declaratory Order, SOAH Docket No. 473-16-1119, PUC Docket 45175.

D. Council shall convene into a closed executive session pursuant to Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Secretary.

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**TO:** Mayor, City Council, and City Manager

**DATE SUBMITTED:** June 1, 2016

**MEETING DATE:** 06/07/2016

**SUMMARY OF  
REQUEST:**

A. Any action as a result of executive session regarding commercial or financial information the city has received from a business prospect(s), and to deliberate the offer of a financial or other incentive to a business prospect(s)

B. Any action as a result of executive session regarding the pending or contemplated litigation - Atlantic Venture, LLC and Atlantic Colony Venture II, LLC v. City of The Colony, Texas, et al.

C. Any action as a result of executive session regarding the pending or contemplated litigation Appeal of Brazos Electric Power Cooperative, Inc. and Denton County Electric Cooperative, Inc. D/B/A CoServ Electric matter.

D. Any action as a result of executive session regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Secretary.

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