



**AGENDA
CITY OF ALLEN
CITY COUNCIL REGULAR MEETING
MARCH 14, 2017 - 7:00 PM
COUNCIL CHAMBERS
ALLEN CITY HALL
305 CENTURY PARKWAY
ALLEN, TX 75013**

Call to Order and Announce a Quorum is Present.

Pledge of Allegiance.

Public Recognition.

1. Citizen's Comments.

[The City Council invites citizens to speak to the Council on any topic not on the agenda or not already scheduled for Public Hearing. Prior to the meeting, please complete a "Public Meeting Appearance Card" and present it to the City Secretary. The time limit is three minutes per speaker, not to exceed a total of fifteen minutes for all speakers.]

2. Presentation of a Blue Star Flag to a Family of Allen Service Personnel Currently Deployed by the U.S. Armed Forces.

3. Recognition of the Parks and Recreation Department for Awards Received at the Texas Recreation and Park Society (TRAPS) Conference.

4. Presentation of the Texas Municipal Library Directors Association (TMLDA) Achievement of Library Excellence Award.

5. Presentation of the Library Board's Annual Report by Chairperson Devita Widmer.

Consent Agenda.

[Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.]

6. Approve Minutes of the February 28, 2017, Regular City Council Meeting.

7. Adopt a Resolution Establishing the 2017 State Legislative Program for the City of Allen.

8. Adopt a Resolution Authorizing the City Manager to Apply for, Accept, Reject,

Alter, or Terminate a Grant Through the Government Transportation Alternative Set-Aside Program, Administered by the North Central Texas Council of Governments (NCTCOG).

9. Authorize the City Manager to Amend the Contract for the Purchase of Medical Supplies with BoundTree Medical, Henry Schein Matrix Medical, Life Assist, and Midwest Medical Supply to a Total Annual Amount of \$158,500.
10. Authorize the City Manager to Execute a Contract with T-Mobile USA, Inc. for Cellular Equipment and Service for an Average Annual Amount of \$79,800 with Three (3) Optional One-Year Renewals through the State of Texas Department of Information Resources (DIR) Purchasing Program.
11. Authorize the City Manager to Execute an Economic Development Incentive Agreement with CyrusOne, LLC.
12. Receive the Unaudited Financial Report for the Period Ending December 31, 2016.

Regular Agenda.

13. Motion to Accept the Fiscal Year 2015-2016 Comprehensive Annual Financial Report (CAFR).
14. Conduct a Public Hearing and Adopt an Ordinance Establishing Standards of Care Necessary for a Day Care Licensing Exemption for Youth Camp Programs Operated by the Allen Parks and Recreation Department.
15. Conduct a Public Hearing and Adopt an Ordinance for Specific Use Permit No. 153 for a Minor Automotive Repair Use for an Approximately 1,400± Square Foot Portion of a Building Generally Located South of Allen Drive and East of US Highway 75. [North Dallas Auto Tint - Minor Automotive Repair]
16. Conduct a Public Hearing and Adopt an Ordinance for Specific Use Permit No. 154 for Fitness and Health Center Use for an Approximately 2,130± Square Foot Portion of a Building Generally Located South of Stacy Road and West of Curtis Lane. [Circuit 31 Fitness - Fitness and Health Studio]

Other Business.

17. Calendar.
 - March 28 - City Council Meeting Cancelled
 - March 28-29 - Collin County Days in Austin
 - April 3 - TRIAD Meeting
18. Items of Interest. [*Council announcements regarding local civic and charitable events, meetings, fundraisers, and awards.*]

Executive Session. (As needed)

Legal, Section 551.071.

As authorized by Section 551.071(2) of the Texas Government Code, the Workshop Meeting and/or the Regular Agenda may be Convened into Closed Executive Session for the Purpose of Seeking Confidential Legal Advice from the

City Attorney on any Agenda Item Listed Herein.

(Closed to Public as Provided in the Texas Government Code.)

19. Reconvene and Consider Action on Items Discussed During Executive Session.

Adjournment.

This notice was posted at Allen City Hall, 305 Century Parkway, Allen, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, March 10, 2017, at 5:00 p.m.

Shelley B. George, City Secretary

Allen City Hall is wheelchair accessible. Access to the building and special parking are available at the entrance facing Century Parkway. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 214.509.4105.

CITY COUNCIL AGENDA COMMUNICATION
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AGENDA DATE:

March 14, 2017

SUBJECT:

Presentation of a Blue Star Flag to a Family of Allen Service Personnel Currently Deployed by the U.S. Armed Forces.

STAFF RESOURCE:

Shelley B. George, City Secretary

BACKGROUND

The City of Allen wishes to honor our Allen area service personnel currently deployed by the U.S. Armed Forces by presenting a Blue Star Flag to their families. The Blue Star Flag, whose history dates back to World War I, is displayed in the family's window when a loved one is currently serving in the Armed Forces.

Mayor Terrell and the Allen City Councilmembers will present a Blue Star Flag to Mr. and Mrs. Parker, parents of two daughters proudly serving our country: SSGT Amber (Parker) Jones and SSGT Shanelle (Parker) Jimenez. Their daughters are third generation Air Force.

CITY COUNCIL AGENDA COMMUNICATION
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AGENDA DATE:

March 14, 2017

SUBJECT:

Recognition of the Parks and Recreation Department for Awards Received at the Texas Recreation and Park Society (TRAPS) Conference.

STAFF RESOURCE:Tim Dentler, Director of Parks and Recreation
Carrie Cessna, Assistant Director of Parks and Recreation**BACKGROUND**

Annually, the Texas Recreation and Park Society (TRAPS) hosts its statewide conference. At this conference, parks and recreation professionals gather for educational sessions, networking with peers and vendors, and recognition of the exemplary achievements of certain departments, organizations, and professionals at the annual awards banquet.

Travis Cunniff, Recreation Services Manager, was honored with the 2017 Jerry D. Garrett Memorial Young Professional Award by TRAPS. The Young Professional Award annually recognizes one outstanding professional in the entire state in the field of Parks and Recreation who is committed to advancing the industry through leadership, work accomplishments and volunteerism. Travis' active involvement in TRAPS and other related organizations, public speaking and promotion of parks and recreation, and additional outstanding contributions to the profession made him stand out among other nominees earning him the highly respected award.

Heidi Miller, Center Supervisor and Billy Diaz, Youth Program Supervisor graduated from the TRAPS Academy of Leadership Development. The Academy builds a community of professionals committed to effective leadership, while engaging in a culture of life-long learning, creative thinking and achieving the highest level of respect and recognition in the Parks and Recreation profession. Academy and educational events were held over the course of a year including commitment once a month and culminated with graduation at the 2017 TRAPS Institute.

Heidi Miller, Center Supervisor was selected as one of 2 young professionals for the TEX-tern program. The program provides an opportunity to observe and be mentored by TRAPS leadership during a State Institute including attending executive level meetings to gain a better understanding of TRAPS and the parks and recreation field.

CITY COUNCIL AGENDA COMMUNICATION
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AGENDA DATE:	March 14, 2017
SUBJECT:	Presentation of the Texas Municipal Library Directors Association (TMLDA) Achievement of Library Excellence Award.
STAFF RESOURCE:	Jeff Timbs, Library Director

BACKGROUND

The Allen Public Library is one of 43 Texas libraries chosen from 548 public libraries in Texas for the 2016 Achievement of Library Excellence Award. Winners are selected by the Achievement of Excellence in Libraries Award Committee of the Texas Municipal Library Directors Association, an affiliate of the Texas Municipal League.

The Committee selects recipients based upon demonstrated excellence in multiple categories including: summer reading programs, new or enhanced services, marketing and publicity, cultural, topical, and educational programming for adults and families, literacy support, collaborative efforts, and staff development. This is the third consecutive year that the Library has received such peer-reviewed recognition.

The TMLDA award reflects the Library staff's consistent commitment to provide customer service, encourage reading and literacy, support lifelong learning, promote cultural inclusion, and develop information fluency. The award further reflects the continuing support for the Library from Allen citizens for 50 years.

ATTACHMENTS:

2016 TMLDA Award Letter



January 17, 2017

Mr. Peter H. Vargas
City Manager
305 Century Parkway
Allen City Hall
Allen, TX 75013

Dear Mr. Vargas,

Congratulations are in order to the Allen Public Library. You have been awarded the 2016 Achievement of Library Excellence Award from the Texas Municipal Library Directors Association.

Of the 548 public library systems in the State of Texas, only 43 received the 2016 award. The Allen Public Library has demonstrated excellence in all ten areas required to qualify.

Please accept our sincere congratulations to a library that provides quality services and programs for the continued education and personal enrichment of its citizens.

Again, congratulations on this achievement.

Sincerely,

A handwritten signature in blue ink, reading "Libby Holtmann".

Libby Holtmann, Library System
Achievement of Library Excellence Award Committee
Texas Municipal Library Directors Association
An Affiliate Organization of the Texas Municipal League

CITY COUNCIL AGENDA COMMUNICATION
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AGENDA DATE:

March 14, 2017

SUBJECT:

Approve Minutes of the February 28, 2017, Regular
City Council Meeting.

STAFF RESOURCE:

Shelley B. George, City Secretary

ATTACHMENTS:

Minutes

ALLEN CITY COUNCIL

REGULAR MEETING

FEBRUARY 28, 2017

Present:

Stephen Terrell, Mayor

Councilmembers:

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Ross Obermeyer

Joey Herald

Robin L. Sedlacek

Baine Brooks

City Staff:

Peter H. Vargas, City Manager

Shelli Siemer, Assistant City Manager

Eric Ellwanger, Assistant City Manager

Shelley B. George, City Secretary

Teresa Warren, Director, Public and Media Relations Office

Rebecca Vice, Assistant to the City Manager

Pete Smith, City Attorney

Workshop Session

With a quorum of the Councilmembers present, the Workshop Session of the Allen City Council was called to order by Mayor Terrell at 6:32 p.m. on Tuesday, February 28, 2017, in the City Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas.

- 1. Introduction of Dr. Susan Ponder, Chairperson of the Keep Allen Beautiful Board**
- 2. Update Regarding the City's Legislative Agenda**
- 3. Committee Updates from City Council Liaisons.**
- 4. Questions on Current Agenda.**

With no further discussion, the Workshop Session of the Allen City Council was adjourned at 7:01 p.m. on Tuesday, February 28, 2017.

Call to Order and Announce a Quorum is Present

With a quorum of the Councilmembers present, the Regular Meeting of the Allen City Council was called to order by Mayor Terrell at 7:07 p.m. on Tuesday, February 28, 2017, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Public Recognition

Mayor Terrell moved to agenda item #3.

3. Recognition of Former Members of the Various Boards and Commissions.

- Tabassum Ahmad, Keep Allen Beautiful Board, October 2016-February 2017
- Shirley Mangrum, Planning and Zoning Commission, 2007-2017

1. Citizen's Comments.

2. Presentation of the Keep Allen Beautiful Board's Annual Report by Chairperson, Dr. Susan Ponder.

Council recognized the family of former Keep Allen Beautiful Board Chair Mardy Brown for the announcement of the Keep Allen Beautiful Mardy Brown Memorial Scholarship.

Consent Agenda

MOTION: Upon a motion made by Councilmember Obermeyer and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adopt all items on the Consent Agenda as follows:

- 4. Approve Minutes of the February 14, 2017, Regular City Council Meeting.**
- 5. Accept the Resignation of Tabassum Ahmad and Declare a Vacancy in Place No. 4 on the Keep Allen Beautiful Board.**
- 6. Adopt a Resolution in Support of the Introduction and Adoption of Legislation in the Regular Session of the 85th Legislature of Texas that Provides a Fair and Equitable Distribution of the Sporting Goods Sales Tax Revenue for Local and State Parks.**

RESOLUTION NO. 3453-2-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, REQUESTING THE MEMBERS OF THE 85TH LEGISLATIVE SESSION OF THE STATE OF TEXAS TO SUPPORT LEGISLATION THAT PROVIDES A FAIR AND EQUITABLE DISTRIBUTION OF THE SPORTING GOODS SALES TAX REVENUE FOR LOCAL AND STATE PARKS; AND PROVIDING AN EFFECTIVE DATE.

- 7. Adopt a Resolution Authorizing the City Manager to Apply For, Accept, Reject, Alter, or Terminate a Three-Year Grant From the State of Texas, Office of the Governor, Criminal Justice Division to Fund a Third Child Abuse Investigator.**

RESOLUTION NO. 3454-2-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, TO APPLY FOR, ACCEPT, REJECT, ALTER, OR TERMINATE GRANT #33396-01 FROM THE STATE OF TEXAS, OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION PROVIDING FUNDING FOR A CHILD ABUSE INVESTIGATOR POSITION TO BE ASSIGNED TO THE COLLIN COUNTY CHILDREN'S ADVOCACY CENTER, IF AWARDED.

8. **Adopt a Resolution Abandoning a Public Access, Fire Lane, and Utility Easement on Undeveloped Property for the Proposed CHC Allen Professional Building Development.**

RESOLUTION NO. 3455-2-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ABANDONING A PUBLIC ACCESS, FIRE LANE, AND UTILITY EASEMENT; PROVIDING FOR THE FURNISHING OF A CERTIFIED COPY OF THIS RESOLUTION FOR RECORDING IN THE REAL PROPERTY RECORDS OF COLLIN COUNTY, TEXAS, AS A QUITCLAIM DEED; PROVIDING FOR THE INDEMNIFICATION OF THE CITY OF ALLEN, TEXAS, AGAINST DAMAGES ARISING OUT OF THE ABANDONMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS NECESSARY TO COMPLETE ABANDONMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

9. **Adopt a Resolution Delegating Authority to the City Manager to Release and Abandon Certain Easements Previously Conveyed and/or Dedicated to the City by Plat or Separate Instrument Under Certain Conditions.**

RESOLUTION NO. 3456-2-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DELEGATING THE AUTHORITY TO RELEASE AND ABANDON CERTAIN EASEMENTS PREVIOUSLY CONVEYED AND/OR DEDICATED TO THE CITY BY PLAT OR SEPARATE INSTRUMENT UNDER CERTAIN CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

10. **Approve a First Amendment to the Tax Abatement Agreement with One Bethany Development Partners, LP, to Establish February 20, 2017 as the Required Date for Commencement of Construction of an Approximately 125,000 Square Foot Class A Office Building Located North of Watters Creek at Montgomery Farm on Bethany Drive. [Kaizen]**
11. **Authorize the City Manager to Purchase a Milo Range Advanced Training Simulator along with Accessories and Warranty from FAAC, Inc., dba Milo Range Advanced Systems through the General Services Administration (GSA) Cooperative Purchasing Program in the Amount of \$57,131.25.**
12. **Authorize the City Manager to Execute a Contract with Nile Business Trust, dba FleetBoss, for the Purchase and Installation of Global Positioning Satellite Tracking Systems for the City's GPS Fleet Management System for an Amount of \$80,000, with Three Optional One-Year Renewals for Annual Maintenance and Service Costs in an Amount of \$45,000.**
13. **Authorize the City Manager to Execute a Four (4) Year Lease Agreement with Dell Financial Services for Computer Equipment with a Total Principal and Interest Amount of \$145,239.50.**
14. **Authorize the City Manager to Execute a Contract with Mission Critical Partners to Develop a Request for Proposal, Select a Vendor and Negotiate a Contract for the Replacement of the Police Department's Records Management System and the Public Safety Communications Center Computer Aided Dispatching Software System in the Amount of \$94,623.**
15. **Authorize the City Manager to Execute a Contract Amendment with Tyler Technologies for Incode Court Case Management and Document Management Software and Services for an Amount of \$290,844.**

16. Receive the Capital Improvement Program (CIP) Status Reports.
17. Receive the Summary of Property Tax Collections as of January 2017.

The motion carried.

Regular Agenda

18. Adopt a Resolution Amending Resolution No. 3051-12-11(R) by Amending Fees and Charges for Ford Pool.

Although this item was not a public hearing, Mayor invited those wishing to speak on this item to do so at this time.

Tommy Baril, 1015 Rockefeller Lane, Allen, Texas, along with Mike Freiburger, 1007 Morningside Lane, Allen, Texas, spoke in opposition of the item regarding the proposed limitation of family numbers at four.

RESOLUTION NO. 3457-2-17(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING RESOLUTION NO. 3051-12-11(R) BY AMENDING FEES AND CHARGES FOR FORD POOL; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion made by Councilmember Herald and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed, to adopt Resolution No. 3457-2-17(R), as previously captioned, amending Resolution No. 3051.12-11(R) by amending fees and charges for Ford Pool and further amending the section for Season Passes by deleting the cap of four for family members and the fee for each additional family member. The motion carried.

19. CONTINUED ITEM - Conduct a Public Hearing and Adopt an Ordinance Approving Specific Use Permit No. 151 for a Fueling Station Use for 0.999± Acres Generally Located North of Main Street and West of Angel Parkway. [East Allen Retail - Fueling Station] *Item Continued from the January 24, 2017 Regular Meeting.*

MOTION: Upon a motion made by Councilmember Obermeyer and a second by Councilmember Herald, the Council voted seven (7) for and none (0) opposed, to remove this item from the table and continue the public hearing. The motion carried.

Mayor Terrell announced that the Public Hearing was still open and asked anyone wishing to speak for or against this item to do so at this time.

With no one speaking, Mayor Terrell closed the public hearing.

ORDINANCE NO. 3458-2-17: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY GRANTING SPECIFIC USE PERMIT NO. 151 AUTHORIZING 0.999± ACRES SITUATED IN THE WITSAUL FISHER SURVEY, ABSTRACT NO. 323, PRESENTLY ZONED PLANNED DEVELOPMENT NO. 42 FOR SHOPPING CENTER "SC" TO BE DEVELOPED AND USED FOR A FUELING STATION; ADOPTING DEVELOPMENT REGULATIONS, A SITE PLAN, LANDSCAPE PLAN, AND

BUILDING ELEVATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion made by Councilmember Obermeyer and a second by Councilmember Herald, the Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 3458-2-17, as previously captioned, approving Specific Use Permit No. 151 for a Fueling Station use for 0.999± acres generally located north of Main Street and west of Angel Parkway. The motion carried.

Other Business

20. Calendar.

21. Items of Interest.

- Allen Eagles Basketball Regional Semifinal Playoffs vs. Keller are this Friday, March 3 in Fort Worth.
- The Lone Star Conference Championship will be held March 2-5 at the Allen Event Center.
- Council wished Councilmember Herald's son, Andy, a happy birthday.

Executive Session

Executive Session was not held.

Adjournment

MOTION: Upon a motion made by Councilmember Herald and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 7:53 p.m. on Tuesday, February 28, 2017. The motion carried.

These minutes approved on the 14th day of March 2017.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY

CITY COUNCIL AGENDA COMMUNICATION
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AGENDA DATE: March 14, 2017

SUBJECT: Adopt a Resolution Establishing the 2017 State Legislative Program for the City of Allen.

STAFF RESOURCE: Bill Hawley, Fire Chief
Eric Ellwanger, Assistant City Manager

ACTION PROPOSED: Adopt a Resolution Establishing the 2017 State Legislative Program for the City of Allen.

BACKGROUND

The Texas Legislature convenes to consider and pass legislation every other year. Because this legislation can directly impact the city of Allen, our residents, and the services we provide, it is imperative that we provide input to our State Representatives regarding pending legislation.

STAFF RECOMMENDATION

Staff recommends the adoption of the Resolution Establishing the 2017 State Legislative Program for the City of Allen.

MOTION

I make a motion to adopt Resolution No. _____ establishing the 2017 State Legislative Program for the City of Allen.

ATTACHMENTS:

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ADOPTING A STATE LEGISLATIVE PROGRAM; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Eighty-Fifth Session of the Texas Legislature convened in January 2017; and,

WHEREAS, many legislative issues affecting local government will be considered; and,

WHEREAS, the City of Allen wishes to work with our State Senator and Representatives to remain a center of excellence and a community of choice.

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

SECTION 1. The 2017 State Legislative Program for the City of Allen is hereby adopted. The Allen City Council supports the following positions on issues to be addressed in the 85th Biennial Session:

- Revenue and Appraisal Caps - We support the current rollback rate, tax rate ratification process and rollback petition requirements. Capping revenue and/or appraisals impairs a municipality's ability to finance its growth and meet the needs of its citizens.
- Local Control – We support legislation that promotes the authority of home rule cities to govern themselves as a sovereign entity. Local Control allows each municipality to respond to the unique needs and wishes of their citizens.
- Unfunded Mandates – We oppose unfunded mandates. Just as Texas opposes unfunded mandates from the federal government; unfunded mandates from the state to cities are unfair and place a financial burden on local residents.
- Economic Development - We support legislation to continue, maintain and protect economic and community development tools such as the Texas Enterprise Fund (TEF), Section 380 Agreements, Tax Increment Financing (TIF), Chapter 313 (ISD Appraised Value Limitations) and Type A and B. Local taxpayers should retain the right to determine the use of Type A and B funds.
- Transportation - We support the legislative plan to fund the state's transportation needs through the current motor vehicles sales tax and the associated transportation debt.
- Water - We support efforts and legislation to increase Texas' water supply. These efforts include but are not limited to: development of additional reservoirs; extension of pipelines/pumping systems to transport available water from outside the region/state; and, the acceleration of the permitting process for new water sources in Texas. We support legislation that maintains control of water conservation efforts within individual water districts and/or municipalities.
- Elections - We support legislation that maintains the May and November Uniform Election Dates.
- Utilities - We support legislation that maintains a municipality's authority over the rights-of-way and the ability to collect reasonable compensation for their use. We support legislation ensuring that electrical transmission planning is coordinated with local input and completed in advance of local growth and development.

- Hotel Occupancy Tax - We support amendments to the statute allowing a rebate of a portion of the state Hotel Occupancy Tax to cities for use in the development, maintenance and operation of convention centers and other meeting facilities.
- Education - We support legislation authorizing the Texas Higher Education Coordinating Board to allow Collin County Community College to offer baccalaureate degree programs in the field of nursing.

SECTION 2. Representatives from the City of Allen are directed to communicate the items included in the state legislative program to members of the Texas Legislature.

SECTION 3. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 14TH DAY OF MARCH 2017.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY

CITY COUNCIL AGENDA COMMUNICATION
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AGENDA DATE:

March 14, 2017

SUBJECT:

Adopt a Resolution Authorizing the City Manager to Apply for, Accept, Reject, Alter, or Terminate a Grant Through the Government Transportation Alternative Set-Aside Program, Administered by the North Central Texas Council of Governments (NCTCOG).

STAFF RESOURCE:

Chris Flanigan, Director of Engineering

ACTION PROPOSED:

Adopt a Resolution authorizing the City Manager to apply for, accept, reject, alter, or terminate a grant through the Government Transportation Alternative Set-Aside Program, administered by the North Central Texas Council of Governments (NCTCOG).

BACKGROUND

The City of Allen has identified areas in need of accessible ramps and sidewalks and intends to apply for funding through the Federal Government Transportation Alternative Set-Aside Program, administered by the North Central Texas Council of Governments (NCTCOG). Our submitted project will include ramp and sidewalk improvements within the Allen High School, Lowery Freshman Center, and Gene Reed Elementary School walk zones. These areas were selected based on the grant criteria provided by NCTCOG. The grant favors projects that can provide regional linkages, improve safety, reduce barriers, and connect to activity centers. The goal of the project will be to provide safe access to these schools and thereby encourage more pedestrian traffic.

BUDGETARY IMPACT

The project is estimated to cost \$610,099 for the Pebblebrook Drive and Sycamore Creek Sidewalk improvements. Of these amounts, 20% is a required local match and the remaining 80% of the project is reimbursable after the completion of the project. The funding for projects related to this grant, if awarded, will come from un-programmed non-bond funds within the capital improvement program. If awarded, a formal budget for these improvements will be developed once the projects are designed, bid, and ready for award.

STAFF RECOMMENDATION

Staff recommends adopting a resolution authorizing the City Manager to apply for, accept, reject, alter, or terminate a grant through the Government Transportation Alternative Set-Aside Program, administered by the North Central Texas Council of Governments (NCTCOG).

MOTION

I make a motion to adopt Resolution No. _____ (R) authorizing the City Manager to apply for, accept, reject, alter, or terminate a grant through the Government Transportation Alternative Set-Aside Program, administered by the North Central Texas Council of Governments (NCTCOG).

ATTACHMENTS:

Resolution

Location Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, HEREINAFTER REFERRED TO AS “APPLICANT,” DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE REGIONAL TRANSPORTATION COUNCIL ASSOCIATED WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS, HERINAFTER REFERRED TO AS “GRANTOR,” FOR THE PURPOSE OF PARTICIPATING IN THE 2017 CALL FOR PROJECTS THROUGH THE TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM”; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT DESIRES TO SUBMIT A PROJECT; CERTIFYING THAT THE APPLICANT CAN FUND ALL PROJECT COSTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and,

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Grantor concerning the Program; and,

WHEREAS, the Regional Transportation Council, comprised primarily of local elected officials, is the regional transportation policy board associated with the Grantor and the regional forum for cooperative decisions on transportation; and,

WHEREAS, the Regional Transportation Council approved on December 8, 2016, approximately \$23 million for the current Program call for projects; and,

WHEREAS, the Applicant submitted a Program application for the ‘Pebblebrook Drive & Sycamore Creek Road Sidewalks’ to the Grantor on February 24, 2017; and,

WHEREAS, the Regional Transportation Council requires the submittal of a resolution as part of the Program application submission.

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

SECTION 1. The Applicant hereby certifies that it is eligible to receive assistance under the Program.

SECTION 2. The Applicant supports the ‘Pebblebrook Drive & Sycamore Creek Road Sidewalks’ as applied for in the 2017 Transportation Alternative Set-Aside Call for Projects application.

SECTION 3. The Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 4. The Applicant commits to fund or pass through funds from other sources for a minimum local cash or in-kind match of 20% of the total project cost.

SECTION 5. The Applicant confirms that the Applicant, not the Grantor, will be responsible for any cost overruns.

SECTION 6. The Applicant understands and acknowledges that all awarded funding is provided on a reimbursement basis.

SECTION 7. The Applicant will serve as the public sponsor and lead project contact of this project. The Applicant agrees to designate a single point of contact for the project.

SECTION 8. The Applicant hereby authorizes and directs its City Manager to act for the Applicant in dealing with the Grantor for the purpose of the Program.

SECTION 9. The City Manager is hereby authorized to accept, reject, alter, or terminate this grant from the Grantor concerning the project to be known as the 'Pebblebrook Drive & Sycamore Creek Road Sidewalks.'

SECTION 10. This Resolution shall take effect immediately from and after its passage and it is so duly resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 14TH DAY OF MARCH 2017.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY



PROJECT INFORMATION

ATTACHMENT A

PROJECT SITE PLAN

COLLIN COUNTY, TEXAS

CITY OF ALLEN

HUNT-ZOLIARS
Hunt-Zoliars, Inc.
1717 Redwood Avenue, Suite 1400
Dallas, Texas 75203-1206
Phone (214) 271-3311 Fax (214) 271-0297

SCALE
N.T.S.
DATE
FEB 2017

SHEET No.
3

CITY COUNCIL AGENDA COMMUNICATION
--

AGENDA DATE:

March 14, 2017

SUBJECT:

Authorize the City Manager to Amend the Contract for the Purchase of Medical Supplies with BoundTree Medical, Henry Schein Matrix Medical, Life Assist, and Midwest Medical Supply to a Total Annual Amount of \$158,500.

STAFF RESOURCE:

Kurt Hall, Assistant Fire Chief
Debra Morris, Purchasing Manager
Rosanne Lemus, Buyer

PREVIOUS COUNCIL ACTION:

Original contract approved by City Council on March 25, 2014, for an amount not to exceed \$101,000. Amendment No. 1 shall increase amount for the purchase of medical supplies to a total annual amount not to exceed \$158,500.

ACTION PROPOSED:

Authorize the City Manager to Amend the Contract for the Purchase of Medical Supplies with BoundTree Medical, Henry Schein Matrix Medical, Life Assist, and Midwest Medical Supply to a Total Annual Amount of \$158,500.

BACKGROUND

The current contract for the purchase of Medical Supplies (a one-year contract with four one-year renewals) is based on the lowest bid for each line item and was awarded to multiple vendors because the medical supply industry had become so volatile. Since the award of this contract, increases in medical supply pricing and EMS call volume has resulted in our annual budgetary amount to increase accordingly. Fire Department staff has managed these expenditures in a fiscally responsible manner to ensure the lowest possible cost to the city. However, the total amount of expenditures this fiscal year will exceed the total amount that was authorized in 2014. Purchasing rules have necessitated the request for amendment to adjust the total amount of expenditures authorized to match the incremental annual operating budget increases since the contract was awarded.

BUDGETARY IMPACT

The funding for the amendment is budgeted in the Allen Fire Department's Fiscal Year 2017 operating budget.

STAFF RECOMMENDATION

Staff recommends the City Council authorize the City Manager to amend the contract for the purchase of medical supplies with BoundTree Medical, Henry Schein Matrix Medical, Life Assist, and Midwest Medical

Supply to a total annual amount of \$158,500.

MOTION

I make a motion to authorize the City Manager to amend the contract for the purchase of medical supplies with BoundTree Medical, Henry Schein Matrix Medical, Life Assist, and Midwest Medical Supply to a total annual amount of \$158,500.

CITY COUNCIL AGENDA COMMUNICATION
--

AGENDA DATE:

March 14, 2017

SUBJECT:

Authorize the City Manager to Execute a Contract with T-Mobile USA, Inc. for Cellular Equipment and Service for an Average Annual Amount of \$79,800 with Three (3) Optional One-Year Renewals through the State of Texas Department of Information Resources (DIR) Purchasing Program.

STAFF RESOURCE:

Eric Matthews, Information Technology Director

ACTION PROPOSED:

Authorize the City Manager to Execute a Contract with T-Mobile USA, Inc. for Cellular Equipment and Service for an Average Annual Amount of \$79,800 with Three (3) One-Year Renewals through the State of Texas Department of Information Resources (DIR) Purchasing Program.

BACKGROUND

Currently, the City of Allen utilizes approximately 250 lines of cell phone service, which along with equipment and various other service expenditures was costing up to \$10,000 per month.

Recent negotiations have reduced the monthly cost, but the current provider network (Sprint) continually underperforms in Allen as well as most outlying areas. City staff has tested and analyzed phone provider options. T-Mobile currently provides data services for the public safety vehicles and have diligently worked to fine tune their network over the last couple of years. City staff has conducted testing of the T-Mobile network and the feedback has been very positive. Not only has testing been successful, but transitioning to T-Mobile will prove to be very cost effective. Average monthly costs with the new provider (T-Mobile) will be reduced to approximately \$6,650 per month.

This contract is procured through the State of Texas DIR purchasing program and is therefore able to be utilized on a month-to-month basis. If at any point during this contract, the City determines that a better solution is available, the DIR contract allows the flexibility of terminating the agreement at the end of the month.

BUDGETARY IMPACT

Expenses for City cell phone equipment and service are included in the annual Information Technology Departmental operating budget.

STAFF RECOMMENDATION

Staff recommends authorizing the City Manager to execute a contract with T-Mobile USA, Inc. for cellular

equipment and service for an average annual amount of \$79,800 with three (3) optional one-year renewals through the State of Texas Department of Information Resources (DIR) purchasing program.

MOTION

I make a motion to authorize the City Manager to execute a contract with T-Mobile USA, Inc. for cellular equipment and service for an average annual amount of \$79,800 with three (3) optional one-year renewals through the State of Texas Department of Information Resources (DIR) purchasing program.

ATTACHMENTS:

T-Mobile USA, Inc. Quote
DIR-TSO-3416

Texas DIR CONTRACT: DIR-TSO-3416
Wireless Data and Voice

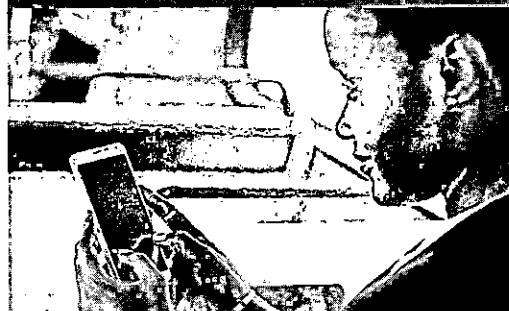
T-Mobile®
FOR GOVERNMENT

City of Allen
Eric Matthews
Director of Technology

February 22, 2017



T-Mobile®
Un-leash the possibilities
for your business



Presenter: Don Katello
Valid until March 17th 2017



FOR GOVERNMENT

Texas DIR CONTRACT: DIR-TSO-3416
Wireless Data and Voice

Phone Equipment

90	Samsung J7 (Reg. \$249.99)	\$49.99	\$4491.10
110	Kyocera XD (Reg. \$288.00)	\$88.00	\$9680.00
90	64GB SD Cards (Reg. \$22)	\$0.00	\$0.00
30	SIM Cards for Unlocked Phones	\$0.00	\$0.00
45	SIM Cards for iPads	\$0.00	\$0.00

Sub total \$14,171.00

Quarterly Incentive Credit **(-\$10,000)**

Net Total \$ 4171.00

- Quote valid until 3/17/17
- Buy back of old devices not included until devices are ready to be turned in. Estimated value today \$4000 - \$5000. Cannot provide firm quote until the old devices are ready to be turned in due to market fluctuation.

Monthly Recurring Charges

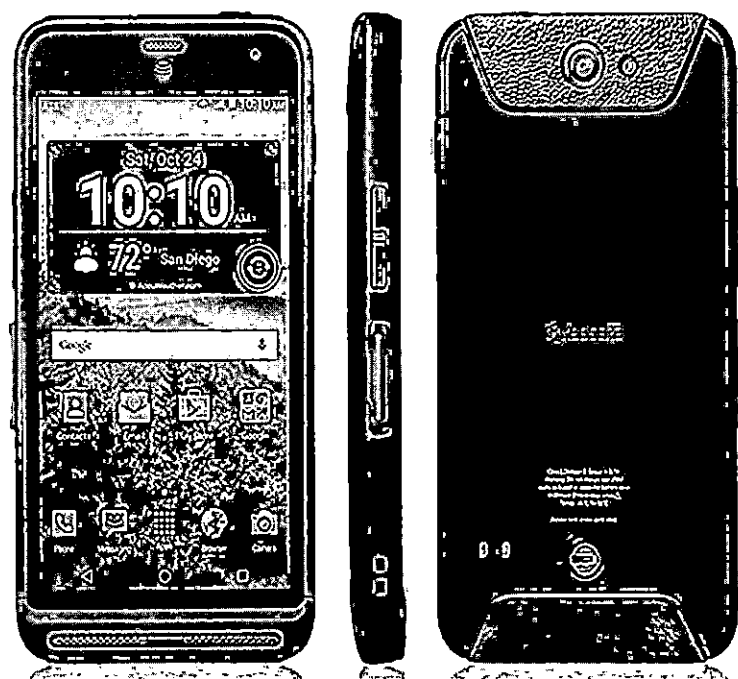
230	Unlimited T-Mobile One Plan	\$25.00	\$5750.00
45	Unlimited Data Plan iPads	\$20.00	<u>\$ 900.00</u>

Monthly Total \$ 6650.00

Annual Total \$79,800.00

- Voice plan includes Unlimited Talk, Text Data & 10GB Hotspot
- Unlimited Data Plan for iPads includes Mobile Hotspot

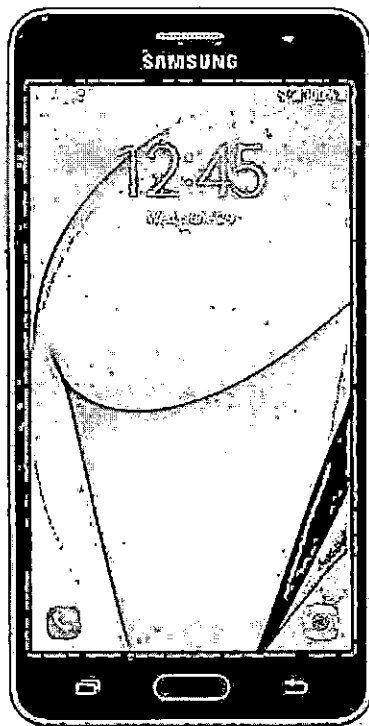
Kyocera Dura XD Specifications



Designed to handle H2O. This smartphone isn't afraid to get wet. Make calls, use email, send texts, or take pictures in the rain: work where wet places don't take your smartphone out of service. DuraForce XD is also dust-proof so you can stay productive and on the move in all kinds of weather in all kinds of places.

- Clear, bright display on 5.7" IPS type HD screen with touch display and superior viewing angles. Great for GPS navigation.
- Water & dust resistance that repels splashes and dunks. IP68 certified dust and water protection, and Military Standard 810G drop and shock protection.
- Great voice and data experience with our Extended Range LTE, VoLTE, HD Voice, Wi-Fi Calling, and more.
- Features Include: Android 5.1 (L), 1.6 GHz Quad-Core Qualcomm processor; 5.7 inch IPS type Display; 2GB RAM / 16GB ROM and up to 64GB MicroSD slot; 8MP Rear and 2MP Front Facing Cameras; 4G LTE Capable (LTE Bands 2, 4, 12, and international bands); VoLTE and HD Voice; 23 hours Usage Time.

Samsung J7 Specifications



Be among the first to get the Samsung Galaxy J7 — big on screen, slim on profile, with a large display for your business and personal needs.

Best yet, it is affordable with the following benefits and features:

- Clear, bright display on 5.5" HD Super AMOLED screen
- Amazing 13MP camera to capture life's moments at your pace.
- Multi-task & enjoy fast 4G LTE speeds on T-Mobile's nationwide network.
- **Features Include:** Android 6.0 (MM), 1.5GHz Octo-Core Qualcomm processor; 5.5 inch HD Super AMOLED Display; 2GB RAM / 16GB ROM and up to 128GB MicroSD card; 13MP Rear and 5MP Front Facing Cameras; 4G LTE Capable (AWS; LTE Bands 2, 4, 12, and international GSM bands); VoLTE and HD Voice; 31-17 hours Usage Time

STATE OF TEXAS
DEPARTMENT OF INFORMATION RESOURCES
CONTRACT FOR PRODUCTS AND RELATED SERVICES
T-MOBILE USA, INC.

1. Introduction

A. Parties

This Contract for products and related services is entered into between the State of Texas, acting by and through the Department of Information Resources (hereinafter "DIR") with its principal place of business at 300 West 15th Street, Suite 1300, Austin, Texas 78701, and T-Mobile USA, Inc. (hereinafter "Vendor"), with its principal place of business at 12920 SE 38th Street, Bellevue, Washington 98006.

B. Compliance with Procurement Laws

This Contract is the result of compliance with applicable procurement laws of the State of Texas. DIR issued a solicitation on the Comptroller of Public Accounts' Electronic State Business Daily, Request for Offer (RFO) DIR-TSO-TMP-234, on December 9, 2015, for Hardware, Software and Services for Wireless Voice, Data, Pagers and Mobile Satellite Voice. Upon execution of this Contract, a notice of award for RFO DIR-TSO-TMP-234 shall be posted by DIR on the Electronic State Business Daily.

C. Order of Precedence

For purchase transactions under this Contract, the order of precedence shall be as follows: this Contract; Appendix A, Standard Terms and Conditions For Products and Related Services Contracts; Appendix B, Vendor's Historically Underutilized Businesses Subcontracting Plan; Appendix C, Pricing Index; Exhibit 1, Vendor's Response to RFO DIR-TSO-TMP-234, including all addenda; and Exhibit 2, RFO DIR-TSO-TMP-234, including all addenda; are incorporated by reference and constitute the entire agreement between DIR and Vendor governing purchase transactions. In the event of a conflict between the documents listed in this paragraph related to purchases, the controlling document shall be this Contract, then Appendix A, then Appendix B, then Appendix C, then Exhibit 1, and finally Exhibit 2. In the event and to the extent any provisions contained in multiple documents address the same or substantially the same subject matter but do not actually conflict, the more recent provisions shall be deemed to have superseded earlier provisions.

2. Term of Contract

The term of this Contract shall be two (2) years commencing on the last date of approval by DIR and Vendor. Prior to expiration of the original term, DIR and Vendor may extend the Contract, upon mutual agreement, for up to two (2) optional one-year terms. Additionally, the parties by mutual agreement may extend the term for up to ninety (90)

additional calendar days.

3. Product and Service Offerings

A. Products

Products available under this Contract are limited to Wireless Voice and Data Products required for services offered in B. below as specified in Appendix C, Pricing Index. Vendor may incorporate changes to their product offering; however, any changes must be within the scope of products awarded based on the posting described in Section 1.B above. Vendor may not add a manufacturer's product line which was not included in the Vendor's response to the solicitation described in Section 1.B above.

B. Services

Services available under this Contract are limited to Wireless Voice and Data Services as specified in Appendix C, Pricing Index. Vendor may incorporate changes to their service offering; however, any changes must be within the scope of services awarded based on the posting described in Section 1.B above.

4. Pricing

Pricing to the DIR Customer shall be as set forth in Appendix A, Section 8, Pricing, Purchase Orders, Invoices and Payment, and as set forth in Appendix C, Pricing Index, and shall include the DIR Administrative Fee.

5. DIR Administrative Fee

A) The administrative fee to be paid by the Vendor to DIR based on the dollar value of all sales to Customers pursuant to this Contract is two percent (2%). Payment will be calculated for all sales, net of returns and credits. For example, the administrative fee for sales totaling \$100,000 shall be \$2,000.

B) All prices quoted to Customers shall include the administrative fee. DIR reserves the right to change this fee upwards or downwards during the term of this Contract, upon written notice to Vendor without further requirement for a formal contract amendment. Any change in the administrative fee shall be incorporated in the price to the Customer.

6. Notification

All notices under this Contract shall be sent to a party at the respective address indicated below.

If sent to the State:

Shannon Kelley, CTPM, CTCM
Manager, Contract and Vendor Management
Department of Information Resources
300 W. 15th St., Suite 1300
Austin, Texas 78701
Phone: (512) 936-2233
Facsimile: (512) 475-4759

Email: shannon.kelley@dir.texas.gov

If sent to the Vendor:

T-Mobile USA, Inc.
Attn: Vice President, Business and Government Sales
12920 SE 38th Street
Bellevue, WA 98006

With a copy to:

T-Mobile USA, Inc.
Attn: Legal Department
12920 SE 38th Street
Bellevue, WA 98006

7. Software License and Service Agreement

A. Shrink/Click-wrap License Agreement

Regardless of any other provision or other license terms which may be issued by Vendor after the effective date of this Contract, and irrespective of whether any such provisions have been proposed prior to or after the issuance of a Purchase Order for products licensed under this Contract, or the fact that such other agreement may be affixed to or accompany software upon delivery (shrink-wrap), the terms and conditions set forth in this Contract shall supersede and govern the license terms between Customers and Vendor. **It is the Customer's responsibility to read the Shrink/Click-wrap License Agreement and determine if the Customer accepts the license terms as amended by this Contract. If the Customer does not agree with the license terms, Customer shall be responsible for negotiating with the reseller to obtain additional changes in the Shrink/Click-wrap License Agreement language from the software publisher.**

8. Authorized Exceptions to Appendix A, Standard Terms and Conditions for Product and Related Services Contracts.

No exceptions have been agreed to by DIR and Vendor.

{remainder of page intentionally left blank}

Vendor Contract No. _____

This Contract is executed to be effective as of the date of last signature.

T-Mobile USA, Inc.

Authorized By: Signature on File

Name: Matt Millen

Title: VP T-Mobile

Date: 4/27/2016

The State of Texas, acting by and through the Department of Information Resources

Authorized By: Signature on File

Name: Wayne Egeler

Title: CTS Director

Date: 5/3/2016

Office of General Counsel: Initials on File

CITY COUNCIL AGENDA COMMUNICATION
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AGENDA DATE:	March 14, 2017
SUBJECT:	Authorize the City Manager to Execute an Economic Development Incentive Agreement with CyrusOne, LLC.
STAFF RESOURCE:	Dan Bowman, Executive Director/CEO Allen Economic Development Corporation
BOARD COMMISSION ACTION:	On January 18, 2017 the Allen Economic Development Corporation Board of Directors recommended approval by the Allen City Council of a 10-year tax abatement to support CyrusOne, LLC in constructing data centers in Allen.
ACTION PROPOSED:	Authorize the City Manager to Execute an Economic Development Incentive Agreement with CyrusOne, LLC.

BACKGROUND

CyrusOne is a publically traded firm that owns and operates one of the largest portfolios of data centers in the world. The company is considering construction of three data center facilities in Allen with an estimated investment of \$1 billion on land located north of the Allen Premium Outlet Mall.

The Allen Economic Development Corporation (AEDC) negotiated an incentive package with the company that includes an AEDC grant to assist with electrical infrastructure, as well as a recommendation for a 380 Incentive Agreement from the City of Allen to provide the equivalent of a 10 year, 40-percent property tax abatement, and up to \$50,000 in reimbursements for water and sewer infrastructure. CyrusOne has indicated that incentives play an important role in their site selection decision.

The proposed Economic Development Incentive Agreement between the City of Allen and CyrusOne, LLC provides a rebate of 40-percent of the property taxes for the real property associated with the three data center facilities planned for construction by CyrusOne. The first and second data center facilities will each contain 210,000-square feet, with the third data center being 140,000-square feet. The three data center facilities will receive the rebate for a 10-year period beginning January 1st of the calendar year following completion of construction of the first data center.

As part of this agreement, the company is required to complete design drawings for the expansion of Commerce Parkway and deliver those drawings to the City. The City would complete construction of the road expansion at some point in the future.

The primary local benefit of a data center is the large capital investment, which is subject to both property tax

and sales tax. AEDC staff requested that CyrusOne provide a highly conservative estimate of their capital investment, which represents 70-percent of the value that CyrusOne intends to achieve. The company would prefer to exceed these expectations.

The economic impact analysis produced by the AEDC indicates that the local taxing entities will receive an average of approximately \$3.9 million in taxes on an annual basis. The average tax revenue generated for the City of Allen is projected at \$2.3 million annually. These averages are calculated over a 10 year period and use a conservative schedule for constructing the three data center facilities.

STAFF RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute an Economic Development Incentive Agreement with CyrusOne, LLC.

MOTION

I make a motion to authorize the City Manager to execute an Economic Development Incentive Agreement with CyrusOne, LLC.

ATTACHMENTS:

Economic Development Incentive Agreement

STATE OF TEXAS §
 § ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT
COUNTY OF COLLIN §

This Economic Development Incentive Agreement (“Agreement”) is made by and between City of Allen, Texas (“City”) and CyrusOne, LLC, a Delaware limited liability company (“Company”) (each a “Party” and collectively the “Parties”), acting by and through their respective authorized representatives.

W I T N E S S E T H:

WHEREAS, Company owns, operates, and develops enterprise-class carrier-neutral 2N redundancy colocation data centers with more than 30 data centers in the United States, Europe and Asia; and

WHEREAS, Company owns or is under contract to purchase approximately 60 acres of land, described in **Exhibit “A”** (“Land”), and intends to develop the Land for the construction and operation thereon, of at least three data centers buildings on the Land with each of the first two (2) Data Centers containing a minimum of 210,000 total square feet of space, and the third data center building containing approximately 140,000 square feet of space (each data center building hereinafter defined as a “Data Center”); and

WHEREAS, Company and Company Affiliates (hereinafter defined) intend to make a Capital Investment (hereinafter defined) of approximately Two Hundred Fifteen Million Dollars (\$215,000,000.00) over the course of a ten (10) year period in the design and construction of the Data Centers, including on-site infrastructure, fixtures installation of Tangible Personal Property, and other improvements necessary for the operation of the Data Centers; and

WHEREAS, Company has advised City that a contributing factor that would induce Company to purchase the Land and construct the Data Centers would be an agreement by City to provide an Infrastructure Grant (hereinafter defined) to Company to defray a portion of the costs of the design, construction, and installation of the Infrastructure (hereinafter defined) and to provide Annual Grants (hereinafter defined); and

WHEREAS, City desires to encourage business relocations and expansions within City that will add property tax base and generate additional sales tax and other revenue for City; and

WHEREAS, City has adopted programs for promoting economic development, and this Agreement and the economic development incentives set forth herein are given and provided by City pursuant to and in accordance with those programs; and

WHEREAS, City is authorized by Article III, Section 52-a of the Texas Constitution and Texas Local Government Code Chapter 380 to provide economic development grants to promote local economic development and to stimulate business and commercial activity in City; and

WHEREAS, City has determined that making economic development grants to Company in accordance with this Agreement is in accordance with City Economic Development Program and will: (i) further the objectives of City; (ii) benefit City and City's inhabitants; and (iii) will promote local economic development and stimulate business and commercial activity in City;

NOW THEREFORE, in consideration of the foregoing, and on the terms and conditions hereinafter set forth, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

Article I Definitions

For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

“Annual Grants” shall mean: (i) with respect to the First Data Center, ten (10) consecutive annual economic development grants to be provided by City to Company, each in an amount equal to forty percent (40%) of the ad valorem taxes assessed by City against the First Data Center and collected by the City for the applicable Grant Year less the amount of ad valorem taxes assessed by City against the Improvements and collected by the City for the Base Year, to be paid as set forth herein; and (ii) with respect to the Second and Third Data Centers, annual economic development grants for the full Grant Years then remaining during the Eligibility Period (e.g. Completion of Construction of the Second Data Center occurs on August 1, 2020, then Annual Grants for Second Data Center would be paid for Grant Years 2021-2028), to be provided by City to Company, each in an amount equal to forty percent (40%) of the ad valorem taxes assessed by City against the respective Data Center and collected by the City for the applicable Grant Year less the amount of ad valorem taxes assessed by City against the Improvements and collected by the City for the Base Year, to be paid as set forth herein. Annual Grants do not include any additional taxes and interest imposed against the Land pursuant to Tax Code Section 23.55 (Rollback Taxes).

“Bankruptcy or Insolvency” shall mean the dissolution or termination of a Party's existence as a going business, insolvency, appointment of receiver for any part of such Party's property and such appointment is not terminated within ninety (90) days after such appointment is initially made, any general assignment for the benefit of creditors, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against such Party and such proceeding is not dismissed within ninety (90) days after the filing thereof.

“Base Year” shall mean Tax Year 2017.

“City” shall mean City of Allen, Texas.

“Commencement Date” shall mean the date a certificate of occupancy is issued by the City for the occupancy of the First Data Center.

“Commencement of Construction” shall mean that: (i) the plans have been prepared and all approvals thereof required by applicable governmental authorities have been obtained for commencement of construction of the respective Data Center or Infrastructure, as the case may be; (ii) all necessary permits for the commencement of construction of the respective Data Center or the Infrastructure, as the case may be, pursuant to the respective plans therefore have been issued by all the applicable governmental authorities; and (iii) clearing and/or grading of the Land for the respective Data Center has commenced, or in the case of the Infrastructure, grading of the off-site area has commenced.

“Company” shall mean CyrusOne LLC, a Delaware limited liability company.

“Company Affiliate” shall mean a wholly owned and/or majority owned affiliate entity related to Company by direct or indirect common or overlapping majority ownership or control.

“Completion of Construction” shall mean that: (i) substantial completion of the respective Data Center or the Infrastructure (excluding punch list items), as the case may be, and (ii) the City has issued a certificate of occupancy for occupancy of the respective Data Center, or in the case of the Infrastructure, the City has conducted a final inspection and accepted the Infrastructure.

“Data Center” shall mean a data center building constructed on the Land more fully described in the submittals filed by Company with City from time to time in order to obtain one or more building permits for construction of the Data Center; provided, however: (i) the first Data Center constructed on the Land shall contain a minimum of 210,000 total square feet of space which includes a minimum of 50,000 square feet of office space (the “First Data Center”); (ii) the second Data Center constructed on the Land shall contain a minimum of 210,000 total square feet of space which includes a minimum of 30,000 square feet of office space (the “Second Data Center”); and (iii) the third Data Center constructed on the Land shall contain a minimum of 140,000 square feet of space (the “Third Data Center”), together with the required parking and landscaping.

“Eligibility Period” shall mean the period beginning with January 1 of the first calendar year following the Commencement Date and continuing through and including December 31st of ten (10) consecutive calendar years thereafter. For illustration purposes only, assume that the Commencement Date is August 1, 2018, then the Eligibility Period would begin January 1, 2019, and continue through and include December 31, 2028.

“Expiration Date” shall mean the date of payment of the last of the Annual Grants for the First Data Center, unless sooner terminated as provided herein.

“Force Majeure” shall mean any contingency or cause beyond the reasonable control of a Party including, without limitation, acts of God or the public enemy, war, terrorist act, or threat thereof, riot, civil commotion, insurrection, government action or

inaction (unless caused by the intentionally wrongful acts or omissions of the Party), fires, earthquake, tornado, hurricane, explosions, floods, strikes, slowdowns or work stoppages.

“Grant Year” shall mean a given Tax Year, except with respect to the Annual Grants, the first Grant Year shall mean the Tax Year beginning January 1 of the calendar year following the Commencement Date.

“Grants” shall collectively mean the Annual Grants and the Infrastructure Grant.

“Impositions” shall mean all taxes, assessments, use and occupancy taxes, charges, excises, license and permit fees, and other charges by public or governmental authority, general and special, ordinary and extraordinary, foreseen and unforeseen, which are or may be assessed, charged, levied, or imposed by any public or governmental authority on Company or any property or any business owned by Company within City.

“Improvements” shall mean the Data Centers constructed on the Land.

“Infrastructure” shall mean the construction of: (i) the line tap and extension of an 8-inch sanitary sewer line bored under Chelsea Boulevard from the west to the boundary of the Land in accordance with plans approved by the City; and (ii) two (2) water lines bored under Allen Commerce Parkway from the south to the boundary of the Land, in accordance with plans approved by the City.

“Infrastructure Eligible Costs” shall mean the third party costs incurred and paid by Company for the construction of the Infrastructure, including up to ten percent (10%) of the construction management costs for the construction of the Infrastructure but not including permit fees and interest.

“Infrastructure Grant” shall mean an economic development grant equal to the Infrastructure Eligible Costs not to exceed Fifty Thousand Dollars (\$50,000.00), to be paid as set forth herein.

“Land” shall mean the real property described in **Exhibit “A”**.

“Payment Request” shall mean (i) with respect to the Annual Grants, a written request from Company to City for payment of the applicable Annual Grant, which request shall be accompanied by copies of the applicable tax statement and/or receipt(s) and/or other evidence reasonably satisfactory to City to establish that the ad valorem taxes assessed by City against the Real Property have been timely paid for such Grant Year; and (ii) with respect to the Infrastructure Grant, copies of bills, receipts and invoices for the costs incurred and paid by Company for the design and construction of the Infrastructure.

“Real Property” shall collectively mean the Land and the Improvements.

“Related Agreements” shall mean any agreement (not including this Agreement) and that certain Economic Development Incentive Agreement by and between the Allen

Economic Development Corporation (“AEDC”) and Company of approximate date herewith, and any agreement by and between AEDC or City, and Company, or any of its affiliated or related entities.

“Required Use” shall mean the continuous ownership of the Land and Improvements, and the continuous operation of the Data Centers.

“Tax Year” shall have the meaning assigned to such term in Section 1.04 of the Texas Tax Code (i.e., the calendar year).

“Taxable Value” shall mean the appraised value as certified by the appraisal district, or its successor, for a given year.

“Zoning” shall mean a planned development zoning district including the applicable concept plan for the development of the Land as a data center campus for the construction and operation of the First, Second and Third Data Centers.

Article II Term

The term of this Agreement shall begin on the last date of execution hereof (the “Effective Date”) and continue until the Expiration Date, unless sooner terminated as provided herein.

Article III Project; Economic Development Grants

3.1 Project.

(a) First Data Center. Company intends to develop the Land for the construction and operation of at least three (3) Data Centers. Company agrees subject to events of Force Majeure to cause Commencement of Construction of the First Data Center on the Land to occur on or before August 31, 2017, and subject to events of Force Majeure to cause Completion of Construction of the First Data Center to occur on or before July 31, 2018. The Company is not obligated to, but may construct the Second and Third Data Center.

(b) Infrastructure. Company agrees subject to events of Force Majeure to cause Commencement of Construction of the Infrastructure to occur on or before August 31, 2017, and subject to events of Force Majeure to cause Completion of Construction of the Infrastructure to occur on or before July 31, 2018.

(c) Design of Road Widening. Company agrees to cause the design of the widening of Commerce Parkway in accordance with plans approved by the City to deliver those design plans signed and sealed by a professional engineer to the City within four (4) months of the City’s request

(which must be delivered in writing, with a return receipt). City may, but is not obligated to, widen Commerce Parkway in accordance with the applicable standards and regulations.

3.2 Annual Grants.

(a) Annual Grants. Subject to the continued satisfaction of all the terms and conditions of this Agreement by Company, and the obligation of Company to repay the Grants pursuant to Article V hereof, City agrees to provide Company with the Annual Grants, to be paid within thirty (30) days after City's receipt of the applicable Payment Request following March 1 of each calendar year (or the immediately following business day if March 1 is not a business day), beginning with March 1 of the calendar year following the first Grant Year and ending March 1 of the calendar year following the end of the Eligibility Period, provided City has timely received City ad valorem taxes assessed against the Real Property in full for the respective Grant Year (i.e., the tax year immediately preceding the year in which an Annual Grant is to be made). It is the intention of the Parties that Company is entitled to ten (10) consecutive Annual Grants for the First Data Center and is entitled to an Annual Grant for each of the Second and Third Data Centers for which Completion of Construction has timely occurred for the Grant Years then remaining during the Eligibility Period, not to exceed ten (10) consecutive Annual Grants. Failure to timely submit a Payment Request for a given Grant Year shall operate as a forfeiture of the Annual Grant for such Grant Year.

(b) Tax Protest. In the event Company or another party timely and properly protests or contests (including any motion to correct the appraisal roll) the Taxable Value and/or the taxation of the Real Property with the applicable Collin County Appraisal District (the "Appraisal District"), the obligation of City to provide the Annual Grant with respect to the respective Data Center, for such Tax Year shall be abated until a final determination has been made of such protest or contest. In the event Company or another party protests and/or contests results in a final determination that changes the appraised value and/or the Taxable Value of the Real Property or the amount of ad valorem taxes assessed and due for the Real Property after an Annual Grant has been paid for such Tax Year, the Annual Grant for such Tax Year shall be adjusted (increased or decreased as the case may be) accordingly on the date of payment of the next Annual Grant or within thirty (30) business days after such determination in the event no further Annual Grants are due under the Agreement.

(c) Refunds and Underpayments of Annual Grants. In the event City or Company reasonably determines that the amount of an Annual Grant paid by City to Company was incorrect, such Party (the "Requesting Party") shall notify the other Party (the "Receiving Party") in writing within sixty (60) days of payment of the applicable Annual Grant. Such notice shall include such records, reports and other information reasonably necessary to support such determination. Receiving Party shall have thirty (30) days after receipt of such notification to dispute the Requesting Party's determination. If Receiving Party disputes the determination of the Requesting Party the Parties shall seek to amicably resolve the matter, subject to the Parties' right to pursue any available rights or remedies in connection therewith. If the adjustment is not disputed, the Company shall, within sixty (60) days after receipt of written notification thereof from City specifying the amount by which such Annual Grant exceeded the correct amount to which Company was entitled, pay such amount to City. If City reasonably determines that the amount

by which such Annual Grant was less than the correct amount to which Company was entitled (together with such records, reports and other information necessary to support such determination), City shall, within sixty (60) days, pay the adjustment to Company.

3.2 Infrastructure Grant. Subject to the continued satisfaction of all the terms and conditions of this Agreement by Company, and the obligation of Company to repay the Grants pursuant to Article V hereof, City agrees to provide Company with the Infrastructure Grant, to be paid within thirty (30) days after City receipt of the applicable Payment Request following the Completion of Construction of the Infrastructure.

3.3 Limitations of Grants. None of the obligations of City under this Agreement shall be pledged or otherwise encumbered in favor of any commercial lender and/or similar financial institution without the prior written consent of City.

3.4 Current Revenue. The Grants made hereunder shall be paid solely from lawfully available funds pursuant to Texas Constitution Article II, Section 52-a, and Texas Local Government Code Chapter 380. Consequently, notwithstanding any other provision of this Agreement, City shall have no obligation or liability to provide any Grants except as allowed by law. Under no circumstances shall the obligations of City hereunder be deemed to create any debt within the meaning of any constitutional or statutory provision. The Grants shall be paid from the general funds of City or from such other funds of City consistent with Article III, Section 52(a) of the Texas Constitution.

Article IV Conditions to Grants

The obligation of City to pay the Grants shall be conditioned upon the compliance and satisfaction by Company of the terms and conditions of this Agreement and each of the conditions set forth in this Article IV.

4.1 Payment Request. Company shall, as a condition precedent to the payment of the applicable Grant, timely provide City with the applicable Payment Request. The failure to timely submit the Payment Request for the respective Grant shall operate as a forfeiture of the Grant for which the Payment Request is submitted.

4.2 Good Standing. Company shall not have an uncured breach or default of this Agreement or a Related Agreement.

4.3 Required Use. During the term of this Agreement following the Commencement Date and continuing thereafter until the Expiration Date, the Land shall not be used for any purpose other than the Required Use, and the operation and occupancy of the Land and Improvements in conformance with the Required Use shall not cease for more than thirty (30) days except in connection with and to the extent of an event of Force Majeure.

4.4 Continuous Ownership. During the term of this Agreement, following the Effective Date and continuing thereafter until the Expiration Date, Company or Company Affiliate shall continuously own the Land and the Data Centers constructed thereon.

4.5 Closing on the Land. Company shall have closed the purchase and sale of the Land on or before July 31, 2017.

4.6 Zoning Approval. Company has obtained the City approval of the Zoning.

Article V

Termination; Repayment

5.1 Termination. This Agreement terminates on the Expiration Date, and may, prior to the Expiration Date, be terminated upon any one or more of the following:

- (a) by mutual written agreement of the Parties;
- (b) upon written notice by either Party, if the other Party defaults or breaches any of the terms or conditions of this Agreement and such default or breach is not cured within thirty (30) days after written notice thereof;
- (c) upon written notice by City, if any Impositions owed to City or the State of Texas by Company shall have become delinquent (provided, however, Company retains the right to timely and properly protest and contest any such taxes or Impositions);
- (d) upon written notice by City, if Company suffers an event of Bankruptcy or Insolvency; or
- (e) upon written notice by either Party if any subsequent Federal or State legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable.

5.2 Repayment. In the event the Agreement is terminated by City pursuant to Section 5.1 (b), (c), (d) or (e), Company shall immediately refund to City an amount equal to the amount of the Grants that have been provided by City to Company prior to the date of such termination, plus interest at the rate of interest periodically announced by the Wall Street Journal as the prime or base commercial lending rate, or if the Wall Street Journal shall ever cease to exist or cease to announce a prime or base lending rate, then at the annual rate of interest from time to time announced by Citibank, N.A. (or by any other New York money center bank selected by City) as its prime or base commercial lending rate, from the Effective Date until paid. The repayment obligation of Company set forth in this section 5.2 hereof shall survive termination.

5.3 Offsets. City may at its option, offset any amounts due and payable under this Agreement against any debt (including taxes) lawfully due to City from Company, regardless of whether the amount due arises pursuant to the terms of this Agreement, a Related Agreement or otherwise, and regardless of whether or not the debt due City has been reduced to judgment by a court.

Article VI Miscellaneous

6.1 Binding Agreement. The terms and conditions of this Agreement are binding upon the successors and permitted assigns of the Parties hereto.

6.2 Limitation on Liability. It is understood and agreed between the Parties that Company and City, in satisfying the conditions of this Agreement, have acted independently, and City assumes no responsibilities or liabilities to third parties in connection with these actions.

6.3 No Joint Venture. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture among the Parties.

6.4 Authorization. Each Party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement. The undersigned officers and/or agents of the Parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the Parties hereto. City Manager shall have the authority to approve any amendments to this Agreement and any instruments related thereto.

6.5 Notice. Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the Party at the address set forth below (or such other address as such Party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered.

If intended for City, to:

Attn: Peter H. Vargas
City Manager
City of Allen, Texas
305 Century Parkway
Allen, Texas 75013

With a copy to:

Peter G. Smith
City Attorney
Nichols, Jackson, Dillard,
Hager & Smith, L.L.P.
1800 Ross Tower
500 North Akard
Dallas, Texas 75201

If intended for Company, to:

Attn: General Counsel
and Attn: Sylvia Kang
Vice President of Site Selection and Acquisitions
CyrusOne LLC
2101 Cedar Springs Road, Suite900
Dallas, Texas 75201

6.6 Entire Agreement. This Agreement is the entire Agreement between the Parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written Agreement between the Parties that in any manner relates to the subject matter of this Agreement.

6.7 Governing Law. The Agreement shall be governed by the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction; and exclusive venue for any action concerning this Agreement shall be in the State District Court of Collin County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

6.8 Amendment. This Agreement may only be amended by the mutual written agreement of the Parties. City Manager, or designee, shall have the authority to enter into any amendments to this Agreement on behalf of City.

6.9 Legal Construction. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

6.10 Exhibits. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

6.11 Successors and Assigns. This Agreement may not be assigned without the prior written consent of City Manager.

6.12 Recitals. The recitals to this Agreement are incorporated herein.

6.13 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

6.14 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the Parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

6.15 Employment of Undocumented Workers. During the term of this Agreement, Company agrees not to knowingly employ any undocumented workers, and if convicted of a violation under 8 U.S.C. Section 1324a (f) Company shall repay the Grants herein and any other funds received by Company from City as of the date of such violation within one hundred twenty (120) days after the date Company is notified by City of such violation, plus interest at the rate of four percent (4%) compounded annually from the date of violation until paid. Company is not

liable for a violation of this Section by a Company Affiliate, or franchisees of Company or by a person or entity with whom Company contracts.

6.16 Conditions Precedent. This Agreement is subject to and conditioned upon the following conditions which are a condition precedent to the effectiveness of this Agreement and obligations of the Parties hereunder: (i) Company closing its purchase of the Land on or before July 31, 2017; and (ii) Company has obtained City approval of the Zoning.

[Signature Page to Follow]

EXECUTED on this _____ day of _____, 2017.

CITY OF ALLEN, TEXAS

By: _____
Peter H. Vargas, City Manager

APPROVED AS TO FORM:

By: _____
Peter G. Smith, City Attorney

EXECUTED on this _____ day of _____, 2017.

CYRUSONE LLC

By: _____
Sylvia Kang, Vice President of
Site Selection and Acquisitions

EXHIBIT "A"

**LEGAL DESCRIPTION
TRACT 1
65.578 ACRES**

Being a 65.578 acre tract of land situated in the City of Allen, Collin County, Texas, being a part of the George Philips Survey, Abstract Number 701 and being a part of the 88.7 acre tract of land conveyed in partial interest to Brookside Partners, LTD by deed of record in Volume 4066, Page 1839 of the Official Public Records, Collin County, Texas, and a part of the 88.7 acre tract of land conveyed in partial interest to Nimbus Partners, L.P. by deed of record in Volume 5823, Page 6149 of said Official Public Records, said 65.578 acre tract being more particularly described as follows:

COMMENCING at a 5/8" iron rod with cap stamped "Westwood PS" set in a public road locally known as Ridgeview Drive at the intersection of the east right-of-way line of Chelsea Boulevard with the south line of the 173.0607 acre tract of land conveyed to Allentowne Mall, LP by deed of record in Document No. 20060403000429310 of said Official Public Records, same being the northwest corner of said 88.7 acre tract;

THENCE North 89 degrees 13 minutes 42 seconds East departing said intersection and continuing with the south line of said 173.0607 acre tract and along said Ridgeview Drive, distance of 940.00 feet to a 5/8" iron rod with cap stamped "Westwood PS" set for the most northerly northwest corner of the herein described tract, the **TRUE POINT-OF-BEGINNING**;

THENCE North 89 degrees 13 minutes 42 seconds East continuing with said south line and along said Ridgeview Drive, a distance of 656.28 feet to a 1/2" iron rod found for the northeast corner of said 88.7 acre tract;

THENCE South 04 degrees 31 minutes 00 seconds West, at 55.04 feet passing a 1/2" iron rod found at the southwest corner of the 0.488 acre tract of land conveyed to the City of Allen by deed of record in Volume 4817, Page 980 of said Official Public Records and the northwest corner of Lot 2R, Block A of the Replat of Ridgeview Memorial Park, an addition to the City of Allen, according to the plat of record in Volume M, Page 460 of the Plat Records, Collin County, Texas and continuing along the west line thereof, a total distance of 1,567.68 feet to a 1/2" capped iron rod found for the southwest corner of said Lot 2R and the northwest corner of Lot 1, Block A of Allen Commerce Center Addition, an addition to the City of Allen, according to the plat of record Volume 2016, Page 772 of said Plat Records;

THENCE South 05 degrees 14 minutes 11 seconds West, a distance of 1,117.65 feet to a 1/2" capped iron rod stamped "Collins 1764" found in the north line of Allen Commerce Parkway for the southeast corner of said 88.7 acre tract;

THENCE South 89 degrees 41 minutes 09 seconds West, along and with the north line of said Allen Commerce Parkway, a distance of 1,331.15 feet to a 1/2" iron rod with cap stamped "DAA" found for the southeast corner of Lot 1R, Block B of the North Allen Substation, an addition to the City of Allen, according to the plat of record Volume 2008, Page 517 of said Plat Records, same being the southwest corner of said 88.7 acre tract;

EXHIBIT "A"

THENCE North 00 degrees 55 minutes 51 seconds West, at 195.23 feet passing a 5/8" iron rod found for the northeast corner of said Lot 1R and continuing along the east right-of-way line of said Chelsea Boulevard, a total distance of 950.00 feet to a 5/8" iron rod with cap stamped "Westwood PS" set for the most westerly northwest corner of the herein described tract;

THENCE North 89 degrees 40 minutes 30 seconds East, departing said east right-of-way line and continuing over and across said 88.7 acre tract, a distance of 296.76 feet to a 5/8" iron rod with cap stamped "Westwood PS" set for an ell corner in the west line of the herein described tract;

THENCE North 19 degrees 54 minutes 06 seconds East, a distance of 527.65 feet to a set 5/8" iron rod with cap stamped "Westwood PS";

THENCE North 19 degrees 42 minutes 38 seconds East, a distance of 1,302.90 feet to the **POINT OF BEGINNING** and containing **2,856,572 square feet** or **65.578 acres of land**.

CITY COUNCIL AGENDA COMMUNICATION
--

AGENDA DATE:	March 14, 2017
SUBJECT:	Receive the Unaudited Financial Report for the Period Ending December 31, 2016.
STAFF RESOURCE:	Eric Cannon, Chief Financial Officer Chris Landrum, Budget Manager Casey Bennett, Financial Analyst

BACKGROUND

Financial reports are prepared each quarter for the General Fund, Water and Sewer Fund and other funds for which annual budgets are prepared. This report includes the first quarter for FY2017. Prior year FY2016 actual amounts have been provided for comparison purposes.

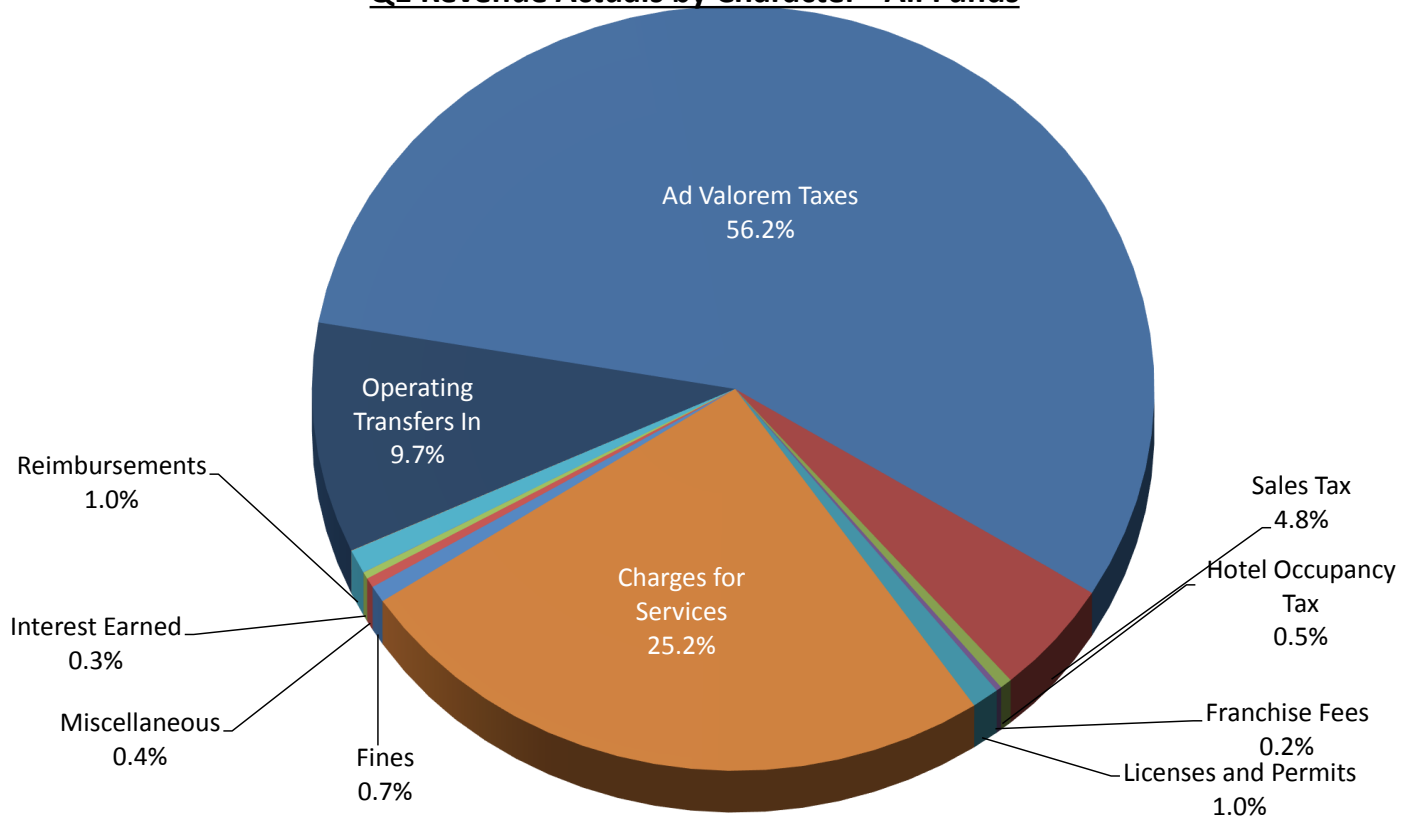
ATTACHMENTS:

Financial Report for Period Ending December 31, 2016
Memo for Financial Report Ending December 31, 2016

CITY OF ALLEN
Quarterly Statement of Revenues & Expenditures Compared to Budget
FOR FISCAL YEAR 2017
1ST QUARTER FINANCIAL REPORT

				Enterprise Funds				
	General Fund	Debt Service	TIF Fund	Water & Sewer	Solid Waste	Drainage Utility	Golf Course	Asset Forfeiture
REVENUES								
Ad Valorem Taxes	25,011,096	7,812,002	-	-	-	-	-	-
Sales Tax	1,374,596	-	26,054	-	-	-	-	-
Hotel Occupancy Tax	-	-	-	-	-	-	-	-
Franchise Fees	123,998	-	-	-	-	-	-	-
Licenses and Permits	613,513	-	-	-	-	-	-	-
Charges for Services	2,909,124	-	-	5,387,194	1,539,319	381,962	624,288	-
Fines	369,624	-	-	-	-	-	-	-
Miscellaneous	168,503	-	-	1,503	-	-	22,347	6,629
Interest Earned	42,994	4,953	3,606	19,028	4,915	1,281	-	413
Contributions	4,491	-	-	-	-	-	-	-
Reimbursements	433,511	-	-	28,420	-	200	1,112	-
Intergovernmental	5,913	-	-	-	-	-	-	-
Operating Transfers In	2,250,353	-	-	760,044	-	-	300,000	-
TOTAL REVENUES	33,307,717	7,816,955	29,660	6,196,188	1,544,234	383,443	947,747	7,042
EXPENDITURES								
Salaries	9,567,602	-	-	762,598	95,417	91,449	241,063	-
Benefits	3,772,966	-	-	365,905	37,519	51,232	109,943	-
Operating Costs	3,962,953	-	-	5,749,514	804,838	37,559	80,040	-
Supplies	302,223	-	-	38,777	6,889	9,346	24,721	9,000
Maintenance	326,114	-	-	74,436	827	11,377	9,695	-
Professional Services	1,668,122	-	-	122,195	465,419	38,722	178,547	-
Debt Service	-	750	-	85,041	-	-	-	-
Other Financing Uses	1,927,385	-	-	5,103,701	356,565	77,337	-	-
Capital	-	-	-	116,983	-	-	-	-
Depreciation	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	21,527,365	750	-	12,419,150	1,767,474	317,023	644,010	9,000

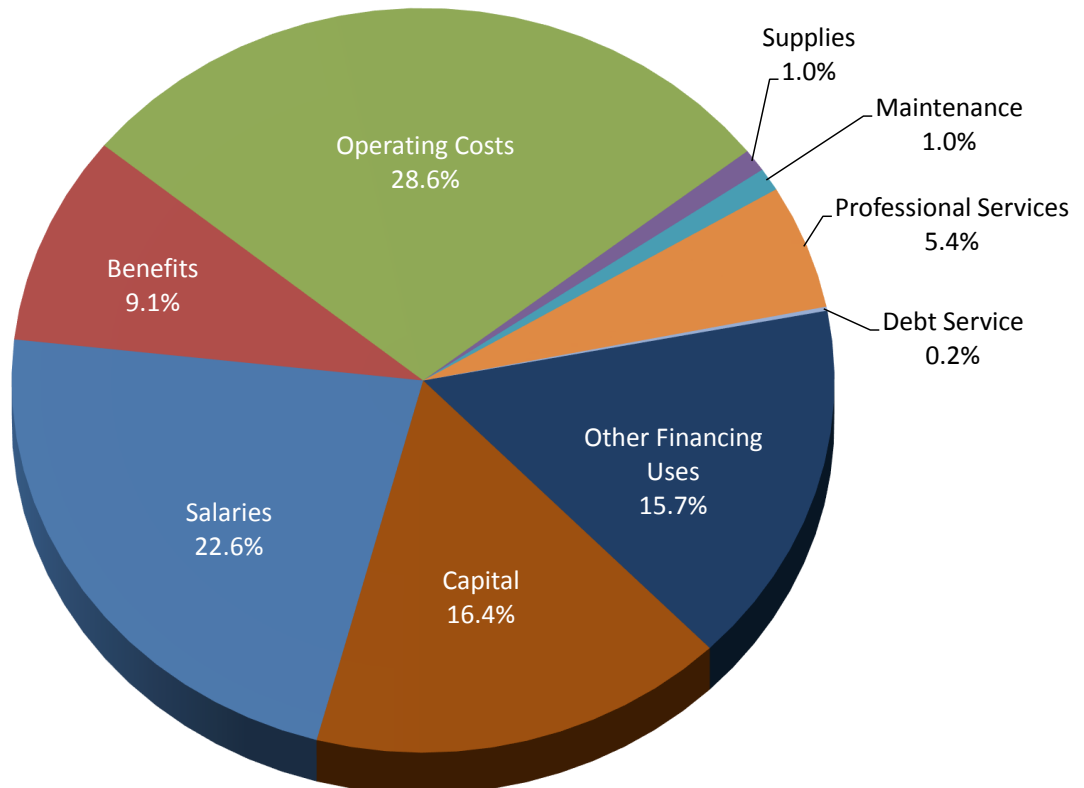
Q1 Revenue Actuals by Character - All Funds



CITY OF ALLEN
Quarterly Statement of Revenues & Expenditures Compared to Budget
FOR FISCAL YEAR 2017
1ST QUARTER FINANCIAL REPORT

Special Revenue			Internal Service Funds			Component Units		YTD FY2017 Actual	Total FY2017 Budget	Percent of Budget
Hotel Occup. Tax	Grant Fund	Special Revenue Fund	Replacement Fund	Facility Maintenance	Risk Management	Economic Development	Community Development			
-	-	-	-	-	-	-	-	32,823,098	58,845,891	55.8%
-	-	-	-	-	-	700,325	700,325	2,801,301	38,732,931	7.2%
272,874	-	-	-	-	-	-	-	272,874	1,763,785	15.5%
-	-	-	-	-	-	-	-	123,998	7,484,342	1.7%
-	-	-	-	-	-	-	-	613,513	2,698,645	22.7%
-	-	-	710,271	-	3,189,462	-	-	14,741,620	75,500,001	19.5%
-	-	37,609	-	-	-	-	-	407,233	2,517,429	16.2%
-	13,221	-	-	-	-	25,000	-	237,203	795,007	29.8%
7,196	329	320	18,540	1,449	8,929	34,415	17,626	165,994	597,260	27.8%
-	-	-	-	-	-	-	-	4,491	1,461,951	0.3%
-	-	-	73,185	-	49,089	-	-	585,516	1,948,551	30.0%
-	-	-	-	-	-	-	-	5,913	284,893	2.1%
-	-	1,421,778	220,000	600,000	120,615	-	-	5,672,790	8,446,569	67.2%
280,070	13,551	1,459,707	1,021,996	601,449	3,368,095	759,740	717,951	58,455,544	201,077,255	29.1%
48,230	22,886	17,689	-	-	60,318	92,896	-	11,000,146	50,159,627	21.9%
19,222	9,762	7,966	-	-	26,896	36,017	-	4,437,428	19,317,989	23.0%
46,707	8,855	-	-	-	2,660,314	518,610	37,500	13,906,891	76,348,166	18.2%
296	-	1,757	82,749	-	55	2,761	-	478,574	2,690,281	17.8%
-	-	-	-	37,657	-	-	24,436	484,543	4,738,397	10.2%
3,503	11,205	-	9,781	24,191	65,109	34,742	8,355	2,629,893	16,326,876	16.1%
-	-	-	-	-	-	-	-	85,791	20,322,138	0.4%
-	-	-	201,443	-	-	-	-	7,666,431	10,982,134	69.8%
-	-	-	823,796	-	-	6,025,349	1,030,281	7,996,408	9,762,520	81.9%
-	-	-	-	-	-	-	-	-	147,216	0.0%
117,958	52,708	27,412	1,117,769	61,849	2,812,692	6,710,374	1,100,571	48,686,104	210,795,344	23.1%

Q1 Expenditure Actuals by Character - All Funds



CITY OF ALLEN
General Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
Revenue Source						
Property Taxes	\$ 44,137,050	\$ 25,011,096	\$ 25,011,096	56.7%	\$ 23,170,480	56.2%
Sales Tax	19,130,032	1,374,596	1,374,596	7.2%	1,321,809	7.1%
Franchise Fees	7,221,523	123,998	123,998	1.7%	71,999	1.0%
Permits & Licenses	2,698,645	613,513	613,513	22.7%	675,323	34.6%
Charges for Services	12,309,661	2,909,124	2,909,124	23.6%	2,954,563	26.2%
Fines	1,774,749	369,624	369,624	20.8%	348,878	18.7%
Miscellaneous	502,119	168,503	168,503	33.6%	102,918	18.1%
Interest Earned	194,400	42,994	42,994	22.1%	51,083	31.5%
Contributions	543,552	4,491	4,491	0.8%	2,754	0.5%
Reimbursements	1,339,551	433,511	433,511	32.4%	221,023	17.6%
Intergovernmental	111,826	5,913	5,913	5.3%	5,913	50.0%
Transfers In	4,586,821	2,250,353	2,250,353	49.1%	265,149	5.8%
TOTAL Revenue	\$ 94,549,929	\$ 33,307,717	\$ 33,307,717	35.2%	\$ 29,191,890	32.6%

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
Function - Department						
<i>General Government</i>						
City Administration	\$ 890,480	\$ 202,345	\$ 202,345	22.7%	\$ 194,102	23.0%
City Secretary	466,640	117,447	117,447	25.2%	90,818	20.8%
Public & Media Relations	656,074	151,318	151,318	23.1%	153,448	19.4%
Information Technology	4,724,332	1,091,823.14	1,091,823	23.1%	969,043	25.4%
Human Resources	894,609	204,838	204,838	22.9%	135,663	16.6%
Internal Services	16,590,343	4,390,568	4,390,568	26.5%	1,676,332	12.8%
Finance	2,218,216	469,415	469,415	21.2%	443,617	21.4%
Municipal Court	736,897	137,876	137,876	18.7%	121,479	15.0%
Building Maintenance	1,117,884	256,352	256,352	22.9%	211,288	19.5%
Service Center	793,071	91,180	91,180	11.5%	81,893	10.2%
<i>Public Safety</i>						
Fire	\$ 15,262,403	\$ 3,402,862	\$ 3,402,862	22.3%	\$ 3,170,403	22.5%
Police	19,756,762	4,647,144	4,647,144	23.5%	4,439,737	24.0%
<i>Public Works</i>						
Community Services Admin	\$ 472,145	\$ 105,590	\$ 105,590	22.4%	\$ 110,497	24.4%
Streets	1,433,552	223,374	223,374	15.6%	193,719	17.4%
Engineering	2,124,675	342,780	342,780	16.1%	413,193	15.8%
<i>Culture & Recreation</i>						
Library	\$ 2,907,869	\$ 622,025	\$ 622,025	21.4%	\$ 557,678	19.9%
Parks & Recreation	12,358,164	2,245,557	2,245,557	18.2%	2,113,490	17.5%
Event Center	9,396,584	2,206,353	2,206,353	23.5%	2,246,121	26.5%
<i>Community Development</i>						
Community Development	\$ 2,672,674	\$ 618,517	\$ 618,517	23.1%	\$ 544,292	21.2%
TOTAL Expenditures	\$ 95,473,374	\$ 21,527,365	\$ 21,527,365	22.5%	\$ 17,866,815	20.5%

Revenues Over (Under) Expenditures \$ 11,780,352 \$ 11,325,075

CITY OF ALLEN
Debt Service Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
Property Taxes	\$ 13,783,108	\$ 7,812,002	\$ 7,812,002	56.7%	\$ 7,056,074	56.1%
Interest Earnings	43,800	4,953	4,953	11.3%	13,119	35.9%
TOTAL Revenues	\$ 13,826,908	\$ 7,816,955	\$ 7,816,955	56.5%	\$ 7,069,194	55.0%

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
Principal	\$ 10,448,930	\$ -	\$ -		\$ -	
Interest & Fees	3,484,335	750	750	0.0%	750	0.0%
TOTAL Expenditures	\$ 13,933,265	\$ 750	\$ 750	0.0%	\$ 750	0.0%

Revenues Over (Under) Expenditures \$ 7,816,205 \$ 7,068,444

CITY OF ALLEN
Hotel Occupancy Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
Hotel Occupancy Tax	\$ 1,763,785	\$ 272,874	\$ 272,874	15.5%	\$ 241,991	13.5%
Interest on Investments	20,400	7,196	7,196	35.3%	5,306	31.2%
TOTAL Revenues	\$ 1,784,185	\$ 280,070	\$ 280,070	15.7%	\$ 247,297	13.7%

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Org - Character</i>						
<i>Hotel Tax Admin</i>						
Hotel Tax Grants*	\$ 393,300	\$ 32,152	\$ 32,152	8.2%	\$ 165,093	42.5%
Advertising	270	-	-		-	
Professional Services	2,000	-	-		-	
<i>Convention/Visitor Bureau</i>						
Salaries	\$ 236,239	\$ 48,230	\$ 48,230	20.4%	\$ 37,994	18.1%
Benefits	97,393	19,222	19,222	19.7%	14,975	19.7%
Operating Costs	406,583	14,555	14,555	3.6%	8,249	2.7%
Supplies	3,945	296	296	7.5%	188	4.8%
Maintenance	500	-	-		-	
Professional Services	209,035	3,503	3,503	1.7%	4,320	1.5%
Other Financing Uses	5,600	-	-		-	
TOTAL Expenditures	\$ 1,354,865	\$ 117,958	\$ 117,958	8.7%	\$ 230,819	17.8%

Revenues Over (Under) Expenditures \$ 162,112 \$ 16,478

HOTEL TAX GRANTS*	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Grant Organizations</i>						
Allen-Fairview Chamber	\$ 1,600	\$ -	\$ -		\$ -	
Allen Arts Alliance	4,000	-	-		-	
Allen Civic Ballet	10,000	-	-		-	
Allen Heritage Guild	2,500	-	-		-	
Allen Philharmonic Orchestra	30,000	-	-		1,510	5.0%
Allen's Community Theatre	2,200	-	-		-	
City of Allen - Parks & Recreation	95,000	25,000	25,000	26.3%	3,500	3.7%
City of Allen - Event Center	235,000	7,152	7,152	3.0%	160,083	68.1%
Connemara Conservancy	3,000	-	-		-	
Friends of the Library	10,000	-	-		-	
TOTAL Grant Amounts	\$ 393,300	\$ 32,152	\$ 32,152	8.2%	\$ 165,093	42.5%

CITY OF ALLEN
Asset Forfeiture Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
State Forfeiture	\$ 35,000	\$ -	\$ -		\$ 20,642	51.6%
Federal Forfeiture	150,000	6,629	6,629	4.4%	20,325	11.6%
Miscellaneous	-	-	-		(10)	
Auction Revenue	5,000	-	-		-	
Interest on Investments	660	413	413	62.6%	225	40.9%
TOTAL Revenues	\$ 190,660	\$ 7,042	\$ 7,042	3.7%	\$ 41,182	19.1%

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
Supplies	\$ 109,000	\$ 9,000	\$ 9,000	8.3%	\$ -	
Professional Services	20,292	-	-		4,988	
TOTAL Expenditures	\$ 129,292	\$ 9,000	\$ 9,000	7.0%	\$ 4,988	4.5%

Revenues Over (Under) Expenditures \$ (1,958) \$ 36,194

CITY OF ALLEN
Tax Increment Financing (TIF) Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Org - Object</i>						
<i>TIF#1 - Montgomery Farms</i>						
Property Taxes	\$ 335,553	\$ -	\$ -		\$ -	
Sales Tax	383,275	26,054	26,054	6.8%	26,106	6.5%
Intergovernmental	126,243	-	-		-	
<i>TIF#2 - Central Business District</i>						
Property Taxes	\$ 590,180	\$ -	\$ -		\$ -	
Sales Tax	46,902	-	-		-	
<i>Non-Operating Revenues</i>						
Interest on Investments	\$ 9,840	\$ 3,606	\$ 3,606	36.6%	\$ 2,749	33.5%
TOTAL Revenues	\$ 1,491,993	\$ 29,660	\$ 29,660	2.0%	\$ 28,855	2.5%

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Org - Object</i>						
<i>TIF#1 - Montgomery Farms</i>						
Economic Grant Expenses	\$ 813,892	\$ -	\$ -		\$ -	
Professional Services	17,000	-	-		-	
<i>TIF#2 - Central Business District</i>						
Professional Services	\$ 17,000	\$ -	\$ -		\$ -	
TOTAL Expenditures	\$ 847,892	\$ -	\$ -		\$ -	

Revenues Over (Under) Expenditures \$ 29,660 \$ 28,855

CITY OF ALLEN
Special Revenue Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual*	Percent of Original Budget
<i>Operating Revenues</i>						
PEG Fees	\$ 262,819	\$ -	\$ -		\$ -	
Juvenile Case Management	61,506	13,203	13,203	21.5%	-	
Court Security	36,927	7,896	7,896	21.4%	-	
Court Technology	49,247	10,532	10,532	21.4%	-	
Red Light Fines	10,000	5,978	5,978	59.8%	-	
<i>Non-Operating Revenues</i>						
Interest Earned	\$ -	\$ 320	\$ 320		\$ -	
Intergovernmental (Radio System)	46,824	-	-		-	
Operating Transfer In	1,374,954	1,421,778	1,421,778	103.4%	-	
TOTAL Revenues	\$ 1,842,277	\$ 1,459,707	\$ 1,459,707	79.2%	\$ -	

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual*	Percent of Original Budget
<i>Restricted Expenditures</i>						
PEG Expenses	\$ 172,100	\$ 1,757	\$ 1,757	1.0%	\$ -	
Juvenile Case Management	58,537	14,215	14,215	24.3%	-	
Court Security	102,828	10,895	10,895	10.6%	-	
Court Technology	33,668	-	-		-	
Red Light	10,000	544	544	5.4%	-	
Radio System	108,115	-	-		-	
TOTAL Expenditures	\$ 485,248	\$ 27,412	\$ 27,412	5.6%	\$ -	

Revenues Over (Under) Expenditures \$ 1,432,295 \$ -

**The Special Revenue Fund was created in FY2017, so there will not be any FY16 actuals.*

CITY OF ALLEN
Grant Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Org - Object</i>						
<i>Grant Revenue</i>						
CDBG	\$ 560,465	\$ 6,729	\$ 6,729	1.2%	\$ -	
Police	192,758	3,594	3,594	1.9%	-	
Library	66,912	2,899	2,899	4.3%	1,929	3.4%
Fire	1,704	-	-		-	
Subtotal	\$ 821,839	\$ 13,221	\$ 13,221	1.6%	\$ 1,929	0.2%
<i>Non-Operating Revenues</i>						
Interest	\$ 1,560	\$ 329	\$ 329	21.1%	\$ 378	29.1%
Operating Transfers	92,157	-	-		-	
Subtotal	\$ 93,717	\$ 329	\$ 329	0.4%	\$ 378	0.4%
TOTAL Revenues	\$ 915,556	\$ 13,551	\$ 13,551	1.5%	\$ 2,307	0.3%

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Org - Object</i>						
<i>Fire Department</i>						
Operating Costs	\$ 1,704	\$ -	\$ -		\$ -	
<i>Police Department</i>						
Salaries	\$ 149,516	\$ 22,886	\$ 22,886	15.3%	\$ 21,401	14.8%
Benefits	36,899	9,762	9,762	26.5%	10,996	31.1%
Operating Costs	31,041	-	-		-	
Capital	65,000	-	-		-	
<i>Library</i>						
Operating Costs	\$ 38,512	\$ 8,259	\$ 8,259	21.4%	\$ 8,432	21.9%
Professional Services	29,900	-	-		-	
<i>Planning</i>						
Professional Services	\$ -	\$ -	\$ -		\$ 35,833	8.3%
<i>CDBG Grants</i>						
Operating Costs	\$ 5,000	\$ 596	\$ 596	11.9%	\$ -	
Professional Services	555,465	11,205	11,205	2.0%	3,200	0.8%
TOTAL Expenditures	\$ 913,037	\$ 52,708	\$ 52,708	5.8%	\$ 79,863	7.2%

Revenues Over (Under) Expenditures \$ (39,157) \$ (77,556)

CITY OF ALLEN
Replacement Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Charges for Services</i>						
General Fund	\$ 2,432,031	\$ 608,013	\$ 608,013	25.0%	\$ 441,945	25.0%
Water & Sewer Fund	294,875	73,719	73,719	25.0%	67,932	25.0%
Solid Waste Fund	20,795	5,199	5,199	25.0%	4,365	25.0%
Drainage Fund	90,561	22,641	22,641	25.0%	14,217	25.0%
Hotel Fund - CVB	2,800	699	699	25.0%	-	
Subtotal	\$ 2,841,062	\$ 710,271	\$ 710,271	25.0%	\$ 528,459	25.0%
<i>Non-Operating Revenues</i>						
Interest	\$ 69,000	\$ 18,540	\$ 18,540	26.9%	\$ 17,651	30.7%
Auction Revenue	80,000	-	-		-	
Reimbursements	-	73,185	73,185		-	
Operating Transfer In	220,000	220,000	220,000	100.0%	-	
Subtotal	\$ 369,000	\$ 311,725	\$ 311,725	84.5%	\$ 17,651	12.5%
TOTAL Revenues	\$ 3,210,062	\$ 1,021,996	\$ 1,021,996	31.8%	\$ 546,110	24.2%

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>By Department</i>						
IT Master Plan	\$ 564,961	\$ 23,030	\$ 23,030	4.1%	\$ 143,466	118.1%
IT Servers & Switches	160,331	69,499	69,499	43.3%	10,905	
Fire	1,246,870	711,018	711,018	57.0%	1,037,228	73.8%
Police	599,294	56,217	56,217	9.4%	-	
Parks & Recreation	145,161	-	-		-	
Community Services	28,000	-	-		-	
Water & Sewer	511,500	-	-		-	
Drainage	57,000	56,561	56,561	99.2%	-	
Transfer Out	201,443	201,443	201,443	100.0%	-	
TOTAL Expenditures	\$ 3,514,560	\$ 1,117,769	\$ 1,117,769	31.8%	\$ 1,191,599	43.1%

Revenues Over (Under) Expenditures \$ (95,773) \$ (645,488)

CITY OF ALLEN
Facility Maintenance Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual*	Percent of Original Budget
Interest	\$ -	\$ 1,449	\$ 1,449		\$ -	
Operating Transfer In	600,000	600,000	600,000	100.0%	-	
TOTAL Revenues	\$ 600,000	\$ 601,449	\$ 601,449	100.2%	\$ -	

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual*	Percent of Original Budget
<i>By Character</i>						
Maintenance	\$ 439,200	\$ 37,657	\$ 37,657	8.6%	\$ -	
Professional Services	-	24,191	24,191		-	
TOTAL Expenditures	\$ 439,200	\$ 61,849	\$ 61,849	14.1%	\$ -	

Revenues Over (Under) Expenditures \$ 539,600 \$ -

**The Facility Maintenance Fund was created in January 2016, so there will not be any actuals until the 2nd Quarter of FY2016.*

CITY OF ALLEN
Risk Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Operating Revenues</i>						
Charges for:						
Medical & Dental	\$ 10,192,878	\$ 2,422,827	\$ 2,422,827	23.8%	\$ 2,373,187	23.3%
Workers Comp.	532,539	115,464	115,464	21.7%	125,615	23.6%
Post Employmt Funding	187,450	-	-		-	
Property/Liability	611,078	651,171	651,171	106.6%	-	
Subtotal	\$ 11,523,945	\$ 3,189,462	\$ 3,189,462	27.7%	\$ 2,498,802	21.6%
<i>Non-Operating Revenues</i>						
Interest	\$ 34,800	\$ 8,929	\$ 8,929	25.7%	\$ 9,043	31.2%
Other Reimbursements	337,500	49,089	49,089	14.5%	47,195	27.0%
Operating Transfer In	482,462	120,615	120,615	25.0%	-	
Subtotal	\$ 854,762	\$ 178,633	\$ 178,633	20.9%	\$ 56,239	8.7%
TOTAL Revenues	\$ 12,378,707	\$ 3,368,095	\$ 3,368,095	27.2%	\$ 2,555,041	20.9%

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
Administration	\$ 484,991	\$ 127,444	\$ 127,444	26.3%	\$ 111,293	25.1%
Medical & Dental Insurance	8,898,387	1,919,006	1,919,006	21.6%	1,688,043	18.6%
Workers Comp Insurance	521,190	182,745	182,745	35.1%	202,217	47.8%
Post Employment Expenses	590,000	24,117	24,117	4.1%	36,496	6.2%
Property & Liability Insurance	796,319	559,380	559,380	70.2%	487,859	79.8%
TOTAL Expenditures	\$ 11,290,887	\$ 2,812,692	\$ 2,812,692	24.9%	\$ 2,525,907	22.6%

Revenues Over (Under) Expenditures \$ 555,403 \$ 29,134

CITY OF ALLEN
Water & Sewer Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Operating Revenues</i>						
Water Sales	\$ 23,000,000	\$ 3,083,507	\$ 3,083,507	13.4%	\$ 3,546,407	16.9%
Sewer Charges	14,444,453	2,123,628	2,123,628	14.7%	2,354,140	16.5%
Connections	130,000	47,025	47,025	36.2%	39,975	30.8%
Service Charges	512,500	133,034	133,034	26.0%	191,284	40.1%
Subtotal	\$ 38,086,953	\$ 5,387,194	\$ 5,387,194	14.1%	\$ 6,131,806	17.1%
<i>Operating Expenditures</i>						
<i>W&S Debt Service</i>						
Debt Service	\$ 1,162,998	\$ 85,041	\$ 85,041	7.3%	\$ 100,038	8.6%
<i>W&S Operations</i>						
Salaries	\$ 3,107,277	\$ 698,660	\$ 698,660	22.5%	\$ 688,793	23.3%
Benefits	1,568,148	335,068	335,068	21.4%	345,794	24.8%
Operating Costs	1,533,048	359,817	359,817	23.5%	313,880	21.2%
NTMWD - Water/Pre-Treatment	24,012,849	5,384,477	5,384,477	22.4%	5,197,993	24.5%
Supplies	111,883	37,876	37,876	33.9%	19,496	22.5%
Maintenance	405,625	74,436	74,436	18.4%	58,649	15.3%
Professional Services	227,058	27,291	27,291	12.0%	22,090	12.0%
<i>Utility Billing/Collections</i>						
Salaries	\$ 298,367	\$ 63,938	\$ 63,938	21.4%	\$ 60,589	20.7%
Benefits	154,556	30,837	30,837	20.0%	28,708	21.3%
Operating Costs	21,200	5,220	5,220	24.6%	27,933	12.7%
Supplies	9,131	901	901	9.9%	551	6.0%
Maintenance	800	-	-		-	
Professional Services	558,986	118,200	118,200	21.1%	84,341	23.4%
Subtotal	\$ 33,171,926	\$ 7,221,761	\$ 7,221,761	21.8%	\$ 6,948,855	23.2%
Operating Income/(Loss) [excluding depreciation]			\$ (1,834,567)		\$ (817,049)	
<i>Non-Operating Revenues</i>						
Interest	\$ 56,880	\$ 19,028	\$ 19,028	33.5%	\$ 14,421	30.4%
Miscellaneous	298,000	29,923	29,923	10.0%	56,947	21.7%
Operating Transfer In	790,175	760,044	760,044	96.2%	750,000	95.4%
Subtotal	\$ 1,145,055	\$ 808,994	\$ 808,994	70.7%	\$ 821,368	75.0%
<i>Non-Operating Expenditures</i>						
Other Financing Uses	\$ 7,583,211	\$ 5,080,406	\$ 5,080,406	67.0%	\$ 395,000	6.7%
Capital	695,500	116,983	116,983	16.8%	236,045	27.5%
Subtotal	\$ 8,278,711	\$ 5,197,389	\$ 5,197,389	62.8%	\$ 631,045	9.4%
TOTAL Net Income/(Loss)			\$ (6,222,962)		\$ (626,726)	

CITY OF ALLEN
Solid Waste Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Operating Revenues</i>						
Garbage Fees	\$ 5,149,384	\$ 1,283,244	\$ 1,283,244	24.9%	\$ 1,380,189	26.8%
Commercial Garbage	1,125,000	197,359	197,359	17.5%	84,524	7.7%
Household Haz Waste	186,000	46,639	46,639	25.1%	50,086	26.4%
Recycling Revenues	73,500	4,414	4,414	6.0%	5,450	7.8%
Composting Revenue	58,000	7,663	7,663	13.2%	2,790	4.8%
Subtotal	\$ 6,591,884	\$ 1,539,319	\$ 1,539,319	23.4%	\$ 1,523,040	23.2%
<i>Operating Expenditures</i>						
Salaries	\$ 407,923	\$ 95,417	\$ 95,417	23.4%	\$ 92,673	22.3%
Benefits	153,799	37,519	37,519	24.4%	34,933	24.3%
Operating Costs	82,078	21,478	21,478	26.2%	15,273	21.3%
Solid Waste Services	2,469,952	783,360	783,360	31.7%	733,485	32.1%
Supplies	37,906	6,889	6,889	18.2%	11,432	30.2%
Maintenance	2,795	827	827	29.6%	494	18.0%
Professional Services	3,207,301	467,288	465,419	14.5%	444,338	14.5%
Subtotal	\$ 6,361,754	\$ 1,412,778	\$ 1,410,909	22.2%	\$ 1,332,629	22.1%
Operating Income/(Loss) [excluding depreciation]			\$ 128,411		\$ 190,411	
<i>Non-Operating Revenues</i>						
Interest	\$ 15,600	\$ 4,915	\$ 4,915	31.5%	\$ 4,930	31.6%
Miscellaneous	47,500	-	-		-	
Subtotal	\$ 63,100	\$ 4,915	\$ 4,915	7.8%	\$ 4,930	7.9%
<i>Non-Operating Expenditures</i>						
Other Financing Uses	\$ 526,886	\$ 356,565	\$ 356,565	67.7%	\$ -	
Subtotal	\$ 526,886	\$ 356,565	\$ 356,565	67.7%	\$ -	
TOTAL Net Income/(Loss)			\$ (223,239)		\$ 195,342	

CITY OF ALLEN
Drainage Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Operating Revenues</i>						
Inspection Fees	\$ 40,000	\$ 11,732	\$ 11,732	29.3%	\$ 23,589	59.0%
Drainage Fees	1,510,000	370,230	370,230	24.5%	376,984	25.5%
Subtotal	\$ 1,550,000	\$ 381,962	\$ 381,962	24.6%	\$ 400,574	26.4%
<i>Operating Expenditures</i>						
Salaries	\$ 382,541	\$ 91,449	\$ 91,449	23.9%	\$ 79,182	19.9%
Benefits	210,618	51,232	51,232	24.3%	45,428	25.0%
Operating Costs	149,437	37,559	37,559	25.1%	18,056	15.7%
Supplies	52,505	9,346	9,346	17.8%	2,233	4.9%
Maintenance	132,460	11,377	11,377	8.6%	54,965	42.3%
Professional Services	303,143	39,638	38,722	12.8%	11,618	4.1%
Subtotal	\$ 1,230,704	\$ 240,602	\$ 239,686	19.5%	\$ 211,482	18.3%
Operating Income/(Loss) [excluding depreciation]			\$ 142,276		\$ 189,092	
<i>Non-Operating Revenues</i>						
Interest	\$ 4,320	\$ 1,281	\$ 1,281	29.7%	\$ 1,129	31.4%
Miscellaneous	1,500	200	200	13.3%	800.00	53.3%
Subtotal	\$ 5,820	\$ 1,481	\$ 1,481	25.4%	\$ 1,929	37.8%
<i>Non-Operating Expenditures</i>						
Other Financing Uses	\$ 332,088	\$ 77,337	\$ 77,337	23.3%	\$ -	
Capital	81,000	-	-		-	
Subtotal	\$ 413,088	\$ 77,337	\$ 77,337	18.7%	\$ -	
TOTAL Net Income/(Loss)			\$ 66,420		\$ 191,021	

CITY OF ALLEN
Golf Course Fund
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Operating Revenues</i>						
Green Fees	\$ 2,270,400	\$ 440,948	\$ 440,948	19.4%	\$ 398,457	17.6%
Class Fees	401,000	83,794	83,794	20.9%	66,060	518.1%
Concession Sales	217,718	54,992	54,992	25.3%	51,157	23.8%
Alcohol/Beer Sales	198,578	41,355	41,355	20.8%	34,686	17.1%
Retail Pro Shop	131,588	22,323	22,323	17.0%	25,736	18.3%
Facility Rental	9,600	3,200	3,200	33.3%	350	3.1%
Subtotal	\$ 3,228,884	\$ 646,612	\$ 646,612	20.0%	\$ 576,447	20.3%
<i>Golf Course Admin</i>						
Salaries	\$ 156,051	\$ 59,665	\$ 59,665	38.2%	\$ 233,182	21.9%
Benefits	61,344	23,642	23,642	38.5%	109,344	21.4%
Operating Costs	57,616	25,847	25,847	44.9%	75,505	17.7%
Supplies	13,495	1,719	1,719	12.7%	20,820	13.3%
Maintenance	64,159	2,979	2,979	4.6%	19,034	35.3%
Professional Service	332,415	111,136	111,136	33.4%	157,104	27.5%
<i>Golf Course-Food & Beverage</i>						
Salaries	\$ 127,711	\$ 28,673	\$ 28,673	22.5%	\$ -	
Benefits	62,939	16,858	16,858	26.8%	-	
Operating Costs	184,785	25,270	25,270	13.7%	8,608	5.0%
Supplies	5,250	49	49	0.9%	-	
Maintenance	4,000	415	415	10.4%	-	
Professional Service	70,720	1,255	1,255	1.8%	100	
<i>Golf Services</i>						
Salaries	\$ 330,988	\$ 67,223	\$ 67,223	20.3%	\$ -	
Benefits	109,244	23,068	23,068	21.1%	-	
Operating Costs	99,293	470	470	0.5%	-	
Supplies	36,100	-	-		-	
Maintenance	5,100	-	-		-	
Professional Service	118,876	1,950	1,950	1.6%	-	
<i>Golf Programs</i>						
Professional Service	\$ 264,953	\$ 63,657	\$ 63,657	24.0%	\$ -	
<i>Golf Course Maintenance</i>						
Salaries	\$ 536,865	\$ 85,502	\$ 85,502	15.9%	\$ -	
Benefits	270,833	46,375	46,375	17.1%	-	
Operating Costs	242,476	28,453	28,453	11.7%	-	
Supplies	139,605	22,953	22,953	16.4%	-	
Maintenance	26,654	6,301	6,301	23.6%	-	
Professional Service	83,560	550	550	0.7%	-	
Subtotal	\$ 3,405,032	\$ 644,010	\$ 644,010	18.9%	\$ 623,696	21.1%
Operating Income/(Loss) [excluding depreciation]			\$ 2,601		\$ (47,249)	
<i>Non-Operating Revenues</i>						
Other Reimbursements	\$ -	\$ 1,112	\$ 1,112		\$ 1,292	32.3%
Miscellaneous	-	24	24		8	
Operating Transfer In	300,000	300,000	300,000	100.0%	-	
Subtotal	\$ 300,000	\$ 301,135	\$ 301,135	100.4%	\$ 1,299	0.6%
<i>Non-Operating Expenditures</i>						
Depreciation	\$ 123,852	\$ -	\$ -		\$ -	
Subtotal	\$ 123,852	\$ -	\$ -		\$ -	
TOTAL Net Income/(Loss)			\$ 303,737		\$ (45,950)	

CITY OF ALLEN
Economic Development Corporation
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
Revenue Source						
Sales Tax	\$ 9,586,361	\$ 700,325	\$ 700,325	7.3%	\$ 673,958	7.2%
Interest on Investments	90,960	34,415	34,415	37.8%	25,342	33.4%
Reimbursements	-	-	-		23	
Sale of Properties	-	25,000	25,000		25,000	
TOTAL Revenues	\$ 9,677,321	\$ 759,740	\$ 759,740	7.9%	\$ 724,322	7.7%

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
Org - Character						
Debt Service	\$ 2,274,229	\$ -	\$ -		\$ -	
<i>EDC Administration</i>						
Salaries	\$ 495,101	\$ 92,896	\$ 92,896	18.8%	\$ 103,944	22.5%
Benefits	179,909	36,017	36,017	20.0%	40,885	21.5%
Operating Costs	677,338	118,710	118,710	17.5%	75,378	13.8%
Economic Grant Expense	11,660,203	399,900	399,900	3.4%	8,615	0.1%
Supplies	28,000	2,761	2,761	9.9%	2,957	12.6%
Professional Services	256,075	34,742	34,742	13.6%	9,909	3.9%
Capital	-	6,025,349	6,025,349		-	
TOTAL Expenditures	\$ 15,570,855	\$ 6,710,374	\$ 6,710,374	43.1%	\$ 241,687	2.4%

Revenues Over (Under) Expenditures \$ (5,950,634) \$ 482,635

CITY OF ALLEN
Community Development Corporation
FY2017 Quarterly Statement of Revenues & Expenditures Compared to Budget
With Comparative Information from Prior Fiscal Year

REVENUE	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
Revenue Source						
Sales Tax	\$ 9,586,361	\$ 700,325	\$ 700,325	7.3%	\$ 673,958	7.2%
Interest on Investments	51,600	17,626	17,626	34.2%	15,672	36.4%
	\$ 9,637,961	\$ 717,951	\$ 717,951	7.4%	\$ 689,630	7.4%

EXPENDITURES	Original FY2017 Budget	1st Quarter FY2017 Actual	YTD Actual as of 12/31/16	Percent of Original Budget	1st Quarter FY2016 Actual	Percent of Original Budget
<i>Org - Character</i>						
<i>CDC Administration</i>						
Operating Costs	\$ 347,785	\$ 37,500	\$ 37,500	10.8%	\$ 12,500	1.7%
Hotel/Conv Ctr Incentive	3,100,000	-	-		-	
Maintenance	930,744	24,436	24,436	2.6%	-	
Professional Services	420,591	4,858	4,858	1.2%	-	
Capital	458,900	88,252	88,252	19.2%	-	
<i>CDC - Debt Service</i>						
Professional Services	\$ 2,400	\$ -	\$ -		\$ -	
Debt Service	2,951,646	-	-		-	
<i>CDC - Capital Improvement Fund</i>						
Construction in Progress	\$ 5,118,850	\$ 945,525	\$ 945,525	18.5%	\$ 461,861	12.8%
Debt Service Reserve	-	-	-		-	
TOTAL Expenditures	\$ 13,330,916	\$ 1,100,571	\$ 1,100,571	8.3%	\$ 474,361	3.9%

Revenues Over (Under) Expenditures \$ (382,620) \$ 215,269



MEMO

TO: Honorable Mayor Stephen Terrell
Allen City Council
Peter H. Vargas, City Manager
Department Heads

FROM: Eric Cannon, Chief Financial Officer
Chris Landrum, Budget Manager
Casey Bennett, Financial Analyst

SUBJECT: FY2017 – 1st Quarter Financial Report

DATE: March 14, 2017

Attached is the report of revenues collected and expenditures spent for the first quarter of Fiscal Year 2017. This activity has taken place between October 1, 2016 and December 31, 2016.

GENERAL FUND

- Multi-family permit revenue is usually high dollar, low-volume permits and are not cyclical.
- The Reimbursements category includes the first payment from AISD for School Resource Officers.
- Transfer In Revenues are up as transfers have been booked from the Water & Sewer Fund based on the Rate Study to support costs in the General Fund.
- Expenditures from the Internal Services division increased by just over \$2.7 Million versus the same period in FY2016, primarily due to the processing of transfers of beginning fund balances to the Special Revenue fund, as well as annual operational transfers to the Facility Maintenance and Golf Course funds.

DEBT SERVICE FUND

- Principal payments are made in the 4th Quarter of the fiscal year. Interest payments are made biannually, and occur the 2nd and 4th Quarters of the fiscal year.

HOTEL OCCUPANCY FUND

- Hotel Occupancy Tax revenues are collected one month behind, thus showing only two of the three months in the 1st Quarter of FY2017. To date, revenues are trending on target for FY2017.
- Hotel Occupancy Tax Grant recipients are paid once requests are submitted, therefore making this category difficult to compare from year to year.

ASSET FORFEITURE FUND

- Revenues are recognized as awarded in both Federal and State forfeitures.

TAX INCREMENT FINANCING (TIF) FUND

- Revenues in TIF#2 must meet the Increment cap prior to collecting Property and Sales Taxes. Revenues are anticipated to be collected in the 3rd and 4th Quarters of FY2017.
- Economic Grant Expenses are typically paid after April 1st of each fiscal year.

SPECIAL REVENUE FUND

- PEG Fees are collected on a quarterly basis, with the first payment to be collected in the 2nd Quarter of FY2017.
- Red Light Fine Revenues are outperforming budget.
- All transfers from the General Fund have been completed as fund balances were established at the beginning of the fiscal year.

GRANT FUND

- Salaries in the Police Department are not pacing as quickly as Benefits as there is a large amount of Overtime that has not been spent yet.

REPLACEMENT FUND

- Reimbursement revenues were collected during the 1st Quarter by the Police Department for three vehicles that were totaled in the 1st Quarter.
- Transfers came from the Water & Sewer Fund for the upgrade of the replacement CUES TV Van, which will be used by the new FOGS crew in April.
- Replacement IT Switches were purchased in the 1st Quarter. Remaining budget is outstanding for the Phone System Upgrade project.
- Fire replacements were delayed from FY2016 by approximately \$400 thousand and completed in the 1st Quarter as there were delays in the manufacturing and purchasing processes for one of the Fire Engines, as well as a Tahoe and F-250.
- Transfers out went to the Special Revenue fund as the Court Technology fund balance was moved into the newly established fund.

FACILITY MAINTENANCE FUND

- Revenues and Expenditures are performing as expected.

RISK MANAGEMENT FUND

- Property and Liability revenue was collected in the first quarter.
- Expenses in the Property & Liability Insurance and Worker's Comp categories are typically paid at the beginning of the fiscal year, lasting for the duration of the year.

WATER & SEWER FUND

- Water Sales for the 1st Quarter of FY2016 are down due to more mild Fall temperatures combined with a heavier rain total during the Summer. Most revenue is collected in the summer months that corresponds with the 3rd and 4th Quarters.
- Sewer Charges link directly to the amount of Water Sales therefore they experience a similar trend regarding their financials.

- The majority of the Transfer In Revenues are capital transfers booked at the beginning of the year with Operating Transfers booked throughout the Fiscal Year.
- Non-Operating Expenditures are high as large capital transfers were booked during the 1st Quarter.

SOLID WASTE FUND

- Commercial Garbage and Composting revenues represent two months of collections, as compared to one month of collections during the same period last fiscal year.
- Other Financing Uses are monthly transfers, with a lump sum transfer for capital projects.

DRAINAGE FUND

- Inspection Fee revenues are collected as new developments are being built throughout the City. These fees primarily correspond with recent developments at Vera Watters Creek Apartments and the Lowery Freshman Center.
- Expenditures are trending as expected.

GOLF COURSE FUND

- Revenues and expenses are performing as expected.

ECONOMIC DEVELOPMENT CORPORATION

- Sales Tax revenues are received two months behind the actual month incurred. Actuals collected only account for purchases made in October 2016.
- Economic Grant Expenses are only paid out for those entities that are meeting the stipulations of their agreements. The total \$11.4 Million represents all possible economic grants.

COMMUNITY DEVELOPMENT CORPORATION

- Sales Tax revenues are received two months behind the actual month incurred. Actuals collected only account for purchases made in October 2016.
- Expenditures are trending as expected.

CITY COUNCIL AGENDA COMMUNICATION
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AGENDA DATE: March 14, 2017

SUBJECT: Motion to Accept the Fiscal Year 2015-2016 Comprehensive Annual Financial Report (CAFR).

STAFF RESOURCE: Eric Cannon, Chief Financial Officer
Tru Nguyen, Senior Accountant II

BOARD COMMISSION ACTION: On March 9, 2017, Sara Dempsey, Partner, from the Weaver and Tidwell Audit Firm met with the Finance/Audit Committee, the City Manager, and Finance staff involved with the audit to discuss the audit findings and the financial reports. The Finance/Audit Committee consists of Councilmembers Robin Sedlacek, Kurt Kizer, and Baine Brooks.

ACTION PROPOSED: Motion to Accept the Fiscal Year 2015-2016 Comprehensive Annual Financial Report (CAFR).

BACKGROUND

An annual independent audit of the City's funds and account groups is required by Section 2.20 of the City of Allen Charter. Upon completion of the audit, the Comprehensive Annual Financial Report (CAFR) covering the 2016 fiscal year ending September 30, 2016, was prepared.

When federal or state funds received by the City are more than the newly established \$750,000 threshold, a separate audit is required to determine the City's compliance with requirements of laws, regulations, contracts and grants applicable to federal and state programs. In FY2015-2016, the City did not exceed the \$750,000 threshold. Therefore, a report on federal and state financial assistance is not required.

The City received an unmodified opinion or "clean audit" from Weaver and Tidwell, L.L.P. (Weaver) that the financial statements present fairly, in all material respects, the financial position of the City.

In addition to the audit report, the audit firm also prepares a Report on Internal Control over Financial Reporting to bring attention to certain matters involving accounting control structure or other operational matters found during the audit. For the ninth consecutive year, there were no reportable items.

The CAFR is now being submitted to the City Council for formal acceptance. A representative of Weaver will be in attendance at the Council meeting to make a presentation to the City Council concerning the audit and CAFR.

The City will again submit the CAFR to the Government Finance Officers Association to determine eligibility for a Certificate of Achievement for Excellence in Financial Reporting.

The CAFR will be posted to the City website and also will be available for review in the Allen Public Library and in the Finance Department of City Hall.

STAFF RECOMMENDATION

Staff recommends acceptance of the 2015-2016 Comprehensive Annual Financial Report.

MOTION

I make a motion to accept the 2015-2016 Comprehensive Annual Financial Report.

CITY COUNCIL AGENDA COMMUNICATION
--

AGENDA DATE:

March 14, 2017

SUBJECT:

Conduct a Public Hearing and Adopt an Ordinance Establishing Standards of Care Necessary for a Day Care Licensing Exemption for Youth Camp Programs Operated by the Allen Parks and Recreation Department.

STAFF RESOURCE:

Tim Dentler, Director of Parks and Recreation
Carrie Cesna, Assistant Director of Parks and Recreation

PREVIOUS COUNCIL ACTION:

On April 26, 2016, City Council conducted a public hearing and adopted an Ordinance establishing the standards of care necessary for a day care licensing exemption from the State of Texas for youth camp programs operated by the Allen Parks and Recreation Department. A public hearing and adoption of an Ordinance establishing these standards of care must be conducted annually to meet the requirements of the State of Texas.

ACTION PROPOSED:

Conduct a Public Hearing and Adopt an Ordinance Establishing Standards of Care Necessary for a Day Care Licensing Exemption for Youth Camp Programs Operated by the Allen Parks and Recreation Department.

BACKGROUND

The Texas Human Resource Code, Section 42.041(b)(14) established requirements to exempt recreational programs operated by municipalities for elementary age (5-13) children from State child care licensing.

In order to receive exempt status for camp programs, a municipality must adopt standards of care by Ordinance after a public hearing is held, then submit a copy of program standards, a notice of the public hearing for the program and a copy of the Ordinance adopting the standards to the State. Standards are provided to parents of each camp program participant.

The Ordinance shall include at a minimum, staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and inform parents that the camp program is not licensed by the state and the program may not be advertised as a child-care facility.

STAFF RECOMMENDATION

Staff recommends adopting an Ordinance establishing standards of care necessary for a day care licensing exemption for youth camp programs operated by the Allen Parks and Recreation Department.

MOTION

I make a motion to adopt Ordinance Number _____ establishing standards of care necessary for a day care licensing exemption for youth camp programs operated by the Allen Parks and Recreation Department.

ATTACHMENTS:

Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ESTABLISHING STANDARDS OF CARE NECESSARY FOR A DAY CARE LICENSING EXEMPTION FOR YOUTH CAMP PROGRAMS OPERATED BY THE CITY OF ALLEN PARKS AND RECREATION DEPARTMENT; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Texas Human Resources Code § 42.041(b)(14) establishes requirements for exempting recreational programs operated by municipalities for elementary age (5-13) children from childcare licensing; and,

WHEREAS, in order to receive exempt status for a youth recreation program, a municipality must adopt standards of care by ordinance after a public hearing for the program; and requirements; and,

WHEREAS, the Allen Parks and Recreation Youth Program Standards of Care will provide basic child care regulations for day camp activities operated by the City of Allen Parks and Recreation Department in accordance with Texas Human Resources Code § 42.041(b)(14); and,

WHEREAS, the City Council after conducting a public hearing on March 14, 2017, and affording full and fair citizen feedback for the Allen Parks and Recreation Youth Programs; and,

WHEREAS, the City Council after conducting a public hearing for the Allen Parks and Recreation Youth Programs was held on March 14, 2017.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The City Council of the City of Allen adopts the Allen Parks and Recreation Youth Program Standards of Care for providing basic child care regulations for day camp activities operated by the City of Allen Parks and Recreation Department, which include staffing ratios, minimum qualifications, minimum facility, health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards.

SECTION 2. A copy of the Allen Parks and Recreation Youth Program Standards of Care, herein adopted, are attached hereto as Exhibit A and incorporated as if set forth in full.

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

SECTION 4. This ordinance shall take effect immediately from and after its passage and publication of the caption in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 14TH DAY OF MARCH 2017.

APPROVED:

Stephen Terrell, Mayor

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, City Attorney
(PGS:4-21-16:TM 76568)

Shelley B. George, TRMC, City Secretary

CITY OF ALLEN CAMP PROGRAMS STANDARDS OF CARE

The Standards of Care are intended to be minimum standards by which the City of Allen Parks & Recreation Department will operate the City's Camp Programs. The following Standards of Care are required by the Texas Human Resources Code, Section 42.041 (b) (14), as approved by the Texas Legislature during the 84th legislative session.

An elementary-age (ages 5-13) recreation program operated by municipality provided the governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs, that such standards are provided to the parents of each program participant, and that the ordinances shall include, at a minimum, staffing ratios, minimum staff qualifications, minimum facility, health and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and further provided that parents be informed that the program is not licensed by the state and the program may not be advertised as a child-care facility.

The following basic childcare regulations are the minimum Standards of Care by which the City of Allen Parks and Recreation Department will operate Camp Programs. Standards of Care are adopted annually as an ordinance by the Allen City Council. The programs operated by the City are recreational in nature and are not child or day care programs. City is exempt from the requirements of the Texas Human Resources Code and is not licensed by the State to offer daycare programs.

GENERAL ADMINISTRATION

1. Organization

- A. The governing body of the Camp Program is the City Council of the City of Allen, Texas.
- B. Implementation of the Camp Programs Standards of Care is the responsibility of the Parks and Recreation Department Director or his or her designee and Department employees.
- C. These Standards of Care will apply to all Camp Programs, including, without limitation, the Summer Camp Program, Spring Break Program and Holiday Camp Program.
- D. Each Program Site will have available for public and staff review a current copy of the Standards of Care.
- E. Parents of participants will be provided a current copy of the Standards of Care during the registration process for a Program. Further, a copy of the Standards of Care shall be placed online on the City's website.
- F. Criminal background checks will be conducted on prospective Program employees. If results of a criminal background check indicate that a prospective Program employee has been arrested, charged with, or convicted of any of the following offenses, the prospective Program employee will not be considered for employment:
 - i. a felony or a misdemeanor classified as an offense against a person or family member;
 - ii. a felony or misdemeanor classified as public indecency;

- iii. any offense for which a person is required to register as a sex offender under Chapter 62, Texas Code of Criminal Procedure;
- iv. a felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance and;
- v. any offense involving moral turpitude.

2. Definitions

For purposes of these Standards of Care, the following words shall have the respective meanings ascribed to them:

- A. *City* means the City of Allen, Texas.
- B. *City Council* means the City Council of the City.
- C. *Department* means the Parks and Recreation Department of the City.
- D. *Director* means the Parks and Recreation Department Director of the City or his or her designee.
- E. *Employee(s)* means people who have been hired to work for the City of Allen and have been assigned responsibility for managing, administering, or implementing some portion of a Program.
- F. *Parent(s)* means one or both parent(s) or adults who have legal custody and authority to enroll their child(ren) in a Program.
- G. *Participants* means a youth whose parent(s) have completed all required registration procedures and determined to be eligible for a Program.
- H. *Camp Programs* means the Summer Camp Program, Spring Break Camp Program and the Holiday Camp Program.
- I. *Center Supervisor or Recreation Program Supervisor* means a full-time Department employee who is a supervisor and has been assigned administrative responsibility for the Programs.
- J. *Program Employee* means a Department part-time or seasonal employee who has been assigned responsibility by the Center Supervisor or Recreation Program Supervisor to implement the City's camp programs.
- K. *Program Manual* means a notebook of policies, procedures, required forms, and organizational and programming information relevant to each Program.
- L. *Program Site* means area and facilities where a Program is held, consisting of the Joe Farmer Recreation Center, 1201 E. Bethany, Allen, Texas, 75002.

3. Inspections/Monitoring/Enforcement

- A. A written inspection report will be prepared by the Recreation Program Supervisor each month to confirm the Standards of Care are being adhered to.
 - i. Each monthly inspection report will be sent by the Recreation Program Supervisor to the Center Supervisor for review and kept on record in accordance with the City's records retention policy
 - ii. The Center Supervisor will review the report and establish deadlines and criteria for compliance with the Standards of Care where failure to comply is determined.
- B. The Recreation Program Supervisor will make visual inspections of the Programs based on the following schedule:

- i. The Summer Camp Program will be inspected a minimum of two times during the Summer Camps' Program schedule.
 - ii. The Spring Break Camp Program will be inspected at least once during the Spring Break Camp Program schedule.
 - iii. The Holiday Camp Program will be inspected at least once during the Holiday Camp Program schedule.
 - iv. Each other Program will be inspected at least once each week during the schedule for the Program.
 - C. Complaints regarding enforcement of the Standards of Care should be directed to the Recreation Program Supervisor. The Recreation Program Supervisor will be responsible to take the necessary steps to address any complaints and to resolve the problem(s), if any. Complaints regarding enforcement of the Standards of Care and their resolution will be recorded in writing by the Recreation Program Supervisor. All complaints regarding enforcement of the Standards of Care where a deficiency is determined will be forwarded to the Center Supervisor, in a timely manner, with the complaint and the resolution noted.
- 4. Enrollment

Before a child can be enrolled in a Program, the parents must sign registration forms that contain the following information about the child:

 - A. name, address, home telephone number;
 - B. name and address of parent(s) and telephone number(s) during Program hours;
 - C. the names and telephone numbers of people to whom the child can be released;
 - D. proof of residency within the City when appropriate; and
 - E. a fully executed liability waiver and release.
- 5. Suspected Abuse
 - A. Program Employees will report suspected child abuse or neglect in accordance with the Texas Family Code. In the case where an employee is involved in an incident with a child that could be construed as child abuse, the incident must be reported immediately to the Center Supervisor. The Center Supervisor will then immediately notify the Recreation Manager, the City Police Department and any other agency as may be appropriate.
 - B. Texas state law requires the employees of the Programs to report any suspected abuse or neglect of a child to the Texas Department of Protective and Regulatory Services or a law enforcement agency. Failure to report suspected abuse is punishable by fines up to \$1,000 and/or confinement up to 180 days. Confidential reports may be made by calling 1.800.252.5400.

STAFFING - RESPONSIBILITIES AND TRAINING

- 1. Center Supervisor
 - A. Qualifications
 - i. The Center Supervisor will be a full-time, professional employee of the Department.
 - ii. Work experience requires broad knowledge in a general profession or technical field. Knowledge is normally acquired through four years of

college resulting in a Bachelor's Degree in Parks and Recreation or related field preferred or equivalent experience in Parks and Recreation or related field in lieu of education. Related Fields/Experience including but not limited to: Parks, Recreation and Tourism Therapeutic Recreation; Gerontology/Nutrition; Kinesiology, Sports Management or Physical Education; Ice Rink Operations or Management; Golf Operations or Programming.

- iii. The Center Supervisor must have over two years up to and including three years of relevant experience.
- iv. The Center Supervisor must successfully complete pre-employment screenings, which consist of a drug test, criminal background check and driving record check.
- v. The Center Supervisor must have successfully completed a course in first aid and cardio pulmonary resuscitation (CPR) and possess a Texas Class C Driver's License within 4 months of hire.

B. Responsibilities

The information listed below is intended to describe the general nature and level of work being performed by individuals assigned to this position. They are not intended to be an exhaustive list of all responsibilities, duties and skills required of this position.

- i. Oversees operation of Recreation Center, its staff and its related programs by developing and maintaining budget for facility programs and personnel. Reconciles financial transactions and records, makes daily deposits, processes and approves refunds, monitors payroll activities, maintains inventory, procures maintenance services for facility and equipment, ensuring quality of programs and enforcing and developing policies and procedures.
- ii. Provides computer related support by troubleshooting computer problems, training staff on new and existing computer systems, diagnosing Class Software and online registration issues and providing computer assistance to department staff. Operates in all applicable system modules pertinent to job assignment, trains staff on use of computer systems and compiles data from computer systems.
- iii. Ensures customer service by addressing and resolving complaints from the public, makes discretionary decisions regarding customer related issues, educates and trains staff on customer service practices, and holds staff accountable for expected customer service delivery goals.
- iv. Supervises personnel by conducting the hiring process including selecting candidates and interviewing for open positions, training staff, promoting and maintaining positive work environment for optimum staff morale, evaluating staff performance and conducting performance reviews, administering staff meetings, scheduling staff, holding staff accountable for expectations, handling staff concerns and suggestions and administering disciplinary actions as needed.
- v. Ensures safe and proper maintenance of facilities by coordinating preventative maintenance, repairs and capital improvements with

appropriate personnel and/or vendors and ensures cleanliness of facility and premises.

- vi. May work varied shifts including opening, closing and weekend hours as assigned.

2. Recreation Program Supervisor

A. Qualifications

- i. The Recreation Program Supervisor will be a full-time, professional employee of the Department.
- ii. Work experience requires broad knowledge in a general profession or technical field. Knowledge is normally acquired through four years of college resulting in a Bachelor's Degree in Parks and Recreation or related field preferred or equivalent experience in Parks and Recreation or related field in lieu of education. Related Fields/Experience including but not limited to: Parks, Recreation and Tourism; Therapeutic Recreation; Gerontology/Nutrition; Kinesiology, Sports Management or Physical Education; Ice Rink Operations or Management Golf Operations or Programming.
- iii. The Recreation Program Supervisor must have over two years up to and including three years of relevant experience.
- iv. The Recreation Program Supervisor must successfully complete pre-employment screenings, which consist of a drug test, criminal background check and driving record check.
- v. The Recreation Program Supervisor must have successfully completed a course in first aid and cardio pulmonary resuscitation (CPR) within four months of hire and possess a Texas Class C Driver's License within 4 months of hire.

B. Responsibilities

The information listed below is intended to describe the general nature and level of work being performed by individuals assigned to this position. They are not intended to be an exhaustive list of all responsibilities, duties and skills required of this position.

- i. Supervises personnel and contract instructors by interviewing applicants for open positions, coordinating training, observing and monitoring work tasks, developing program staff, evaluating work performance, writing performance evaluations, assisting employees to correct deficiencies, scheduling the necessary employees for facility operations and submitting time sheets for payroll. Position has direct oversight of Recreation Specialist II's at the center.
- ii. Develops and implements various programs by assessing the needs of citizens, identifying the types of programs to offer, recruiting and hiring qualified instructors for new programs, negotiating class and instructor fees, preparing goals and cost analysis for 110% plus cost recovery, scheduling program dates, reserving facilities for programs, purchasing and maintaining equipment and materials needed, and advertising programs to the general public. This position will act in a liaison role to

civic organizations and community partners on events; will research and lead the coordination of partnership of national/state affiliated programs as well as corporate partnerships that benefit the division.

- iii. Assists with facility operations by addressing and resolving complaints and concerns from the public, responding to emergencies when required, preparing facilities for programs, rentals and special events and ensuring the cleanliness of facilities.
- iv. Monitors the allocation of resources by ensuring that the supplies necessary for the operation of the facility are maintained, ordering new supplies and equipment, evaluating and recommending the budgetary needs for operations and creating vendor lists. Position is responsible for vendor and instructor payment processing and budget oversight of relevant to such.

3. Camp Counselor

A. Qualifications

- i. The Camp Counselor will be a temporary seasonal Program Employees of the Department.
- ii. The Camp Counselor must have a High School Diploma or G.E.D.
- iii. Must have a desire to work with children and be able to work all eleven weeks of summer camp. Prior day camp experience or experience programming camp activities preferred. Experience working with youth preferred.
- iv. The Camp Counselor must successfully complete pre-employment screenings, which consist of a drug test, criminal background check and driving record check.
- v. Required to have a CPR Certification and First Aid Certification before June 1st (training provided), Valid Texas Class C Driver's License

B. Responsibilities

- i. Camp Counselors will be responsible for the supervision and activities of approximately 10-12 children ages 6-12 in an outdoor and indoor nature environment.
- ii. Counselor will plan and carry out such activities as hiking, arts and crafts, sports, drama, swimming, and field trips.

4. Training/Orientation

- A. The Department is responsible for providing training and orientation to Program Employees working with children and for specific job responsibilities. The Recreation Program Supervisor will provide each Program Employee with a Program manual specific to the applicable Program.
- B. Program Employees must be familiar with the Standards of Care for Program operation as adopted by the City Council.
- C. Program Employees must be familiar with the Program's policies, including discipline, guidance, and release of Program participants as outlined in the Program Manual.

- D. Program Employees will be trained in appropriate procedures to handle emergencies.
- E. Program Employees will be trained in areas including City, Department, and Program policies and procedures, provision of recreation activities, safety issues, and organization goals.
- F. Program Employees will be required to sign an acknowledgement that they received the required training.

OPERATIONS

1. Staff-Participant Ratio

- A. The standard ratio of Program participants to Program Employees will be no greater than 15 to 1. In the event an employee assigned to a Program is unable to report to the Program Site, a replacement will be assigned.
- B. Program Employees are responsible for being aware of the participant's habits, interests, and any special problems as identified by the participant's parent(s) during the registration process.

2. Discipline

- A. Program Employees will implement discipline and guidance in a consistent manner based on the best interests of Program participants.
- B. There must be no cruel, harsh or corporal punishment or treatment used as a method of discipline.
- C. Program Employees may use brief, supervised separation from the group if necessary.
- D. As necessary, Program Employees will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.
- E. A sufficient number and/or severe nature of discipline reports as detailed in the Program Manual may result in a participant being suspended or removed from the Program or all Programs.
- F. In instances where there is a danger to participants or employees, offending participants will be removed from the Program Site as soon as possible.

3. Programming

- A. Program Employees will attempt to provide activities for each Program according to the participants' ages, interests, and abilities. The activities must be appropriate to participants' health, safety, and wellbeing. The activities also must be flexible and promote the participants' emotional, social, and mental growth.
- B. Program Employees will attempt to provide indoor and outdoor time periods that include:
 - i. alternating active and passive activities;
 - ii. opportunity for individual and group activities, and
 - iii. outdoor time each day weather permits.

4. Communication

- A. The Program Site will have a cell phone and land line to allow the Program Employees to be contacted by Department employees and vice versa.
- B. The Recreation Program Supervisor will post the following telephone numbers adjacent to a telephone accessible to all Program employees:
 - i. City ambulance or emergency medical services;
 - ii. City Police Department
 - iii. City Fire Department
 - iv. Joe Farmer Recreation Center front desk;
 - v. Parks and Recreation Administrative office and;
 - vi. Numbers at which parents may be reached.

5. Transportation

- A. Program Employees will be attentive and considerate of the Participant's safety on field trips and during any transportation provided by the Program.
- B. Transportation for field trips is provided by school buses through the Allen Independent School District. In the event said school district buses are unavailable, department will ensure suitable transportation is provided.
- C. During field trips, Program Employees will have emergency contact information for each Participant.
- D. Program Employees will have a roster of Participants in their group and must account for all participants frequently, specifically before departure to and from destination.
- E. Before a participant may be transported to and from City-sponsored activities, participants must be registered for the field trip.
- F. First aid supplies and a first aid and emergency care guide will be available in all Program vehicles that transport children.
- G. Designated Program Employees will carry a cell phone at all times during the duration of the field trip.
- H. Participants will be oriented to expected behavior and safety rules.

FACILITY STANDARDS

1. Safety

- A. Program Employees will inspect Program Sites daily to detect sanitation and safety concerns that might affect the health and safety of the participants.
- B. Buildings, grounds, and equipment on the Program Site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.
- C. Program equipment and supplies must be safe for the participants' use.
- D. Program Employees must have first aid supplies readily available at the Program Site, during transportation to an off-site activity, and for the duration of any off-site activity.

2. Fire

- A. Emergency evacuation plan will be posted at the Program Site. In a situation where evacuation is necessary, the first priority of Program Employees is to make sure all participants are in a safe location.

- B. The Program Site will have an annual fire inspection by the local Fire Marshal, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Center Supervisor who will review and establish deadlines and criteria for compliance if any deficiencies or concerns are determined to exist.
- C. The Program Site must have at least one fire extinguisher readily available to all Program employees. All Program Employees will be trained in the proper use of fire extinguishers.
- D. Fire drills will be initiated at Program Sites based on the following schedule:
 - i. Summer Camp Program: A fire drill twice during the session.
 - ii. Spring Break Camp and Holiday Camp Program: A fire drill once during the session.

3. Health

- A. Illness or Injury.
 - i. A participant who is considered to be a health or safety concern to other participants or Program Employees will not be admitted to a Program.
 - ii. Illnesses and injuries will be handled in a manner to protect the health of all participants and employees.
 - iii. Program Employees will follow plans to provide emergency care for injured participants with symptoms of an acute illness as specified in the Program Manual.
 - iv. Program Employees will follow the guidelines of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.

4. Medication Administration

- A. A Medication Consent Form must be completed and on file for each prescription the child receives during the hours of operation.
- B. Staff will administer medication only with written parental permission through a Medication Consent Form and will administer medication only as stated on the label directions or as amended by the physician.
- C. Over-the-counter medications will be administered only if a Medication Consent Form has been completed, are in the original container and by label directions only.
- D. If medication dosage has changed during the summer, a new Medication Consent Form must be completed.
- E. All medication must be in the original container and be labeled with the child's name, the date (if prescription), include directions on how to administer, and include the physician's name (if prescription).
- F. Medications requiring refrigeration must be noted on the Medication Consent Form.
- G. Inhalers and peak flows must have instructions.
- H. Staff will store and administer medications at the prescribed time as noted on the Medication Consent Form.

- I. Parents/Guardians are responsible for removing medication at the end of the program or when the child is withdrawn. Any medication left on-site will be properly disposed of two weeks after the completion of Camp S.T.A.R.
 - J. Epinephrine-Pens
 - i. Summer staff is trained to assist children in administering their Epinephrine-Pens in case of an Anaphylactic Shock. If a child is not able to self-administer the injection, staff will do so if a completed Medication Consent Form is on file. A separate Medication Consent Form is required specifically for Epinephrine-Pens including information about the allergy(s) and the administration of the Epinephrine-Pen.
 - ii. If an Epinephrine-Pen is administered, 911 and the parent/guardian will be contacted immediately.
5. Toilet Facilities
- A. The Program Site will have indoor toilets located and equipped so participants can use them independently.
 - B. An appropriate and adequate number of lavatories will be provided.
6. Sanitation
- A. The Program site will have adequate light, ventilation, and heat.
 - B. The Program site will have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a safe and sanitary manner.
 - C. Program Employees will ensure that garbage is removed from buildings daily.

CITY COUNCIL AGENDA COMMUNICATION

AGENDA DATE:	March 14, 2017
SUBJECT:	Conduct a Public Hearing and Adopt an Ordinance for Specific Use Permit No. 153 for Minor Automotive Repair Use for an Approximately 1,400± Square Foot Portion of a Building Generally Located South of Allen Drive and East of US Highway 75. [North Dallas Auto Tint - Minor Automotive Repair]
STAFF RESOURCE:	Madhuri Mohan, Senior Planner
PREVIOUS COUNCIL ACTION:	Rezoned from CBD to Shopping Center - July, 2000
BOARD COMMISSION ACTION:	On February 21, 2017, the Planning and Zoning Commission voted 5 in favor (Commissioners Cocking, Trahan, Hollingsworth, Platt Jr., and Ogrizovich), 0 opposed to recommend approval of the request.
ACTION PROPOSED:	Conduct a Public Hearing and Adopt an Ordinance for Specific Use Permit No. 153 for Minor Automotive Repair Use for an Approximately 1,400± Square Foot Portion of a Building Generally Located South of Allen Drive and East of US Highway 75. [North Dallas Auto Tint - Minor Automotive Repair]

BACKGROUND

The property is generally located south of Allen Drive and east of US Highway 75 (commonly known as 604 N. Central Expy.). The properties to the north, south, and east are zoned Shopping Center SC. The property to the west (across US Highway 75) is zoned Planned Development PD No. 108 Mixed-Use MIX.

The applicant is proposing to tenant a 1,400± square foot portion in an existing 8,400 square foot building for a Minor Automotive Repair use. The property is zoned Shopping Center SC. The Allen Land Development Code requires a Specific Use Permit (SUP) for a Minor Automotive Repair use within the SC zoning district.

The SUP Site Plan shows one existing service bay door on the eastern end of the building for this suite.

There are two (2) existing access points into the site on the US Highway 75 Service Road, both through a 24' Fire Lane, Access, and Utility Easement. Parking on site complies with the *Allen Land Development Code* standards.

There are no proposed changes to the exterior of the building.

On February 21, 2017 the Planning and Zoning Commission recommended approval of the request.

LEGAL NOTICES

Public Hearing Sign - February 10, 2017
Public Hearing Notices - February 10, 2017
Newspaper Notice - February 23, 2017

STAFF RECOMMENDATION

Staff recommends approval of the request.

MOTION

I make a motion to Adopt Ordinance No. _____ for Specific Use Permit No. 153 for Minor Automotive Repair use for North Dallas Auto Tint.

ATTACHMENTS:

Ordinance
Property Notification Map
Draft Minutes from the February 21, 2017 P&Z Meeting

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY GRANTING SPECIFIC USE PERMIT NO. 153 AUTHORIZING AN APPROXIMATELY 1,400± SQUARE FOOT PORTION OF A BUILDING LOCATED ON LOT 2, WILLIAM F. CHESTER ADDITION (ALSO KNOWN AS 605 N. CENTRAL EXPY.) PRESENTLY ZONED FOR SHOPPING CENTER “SC” TO BE USED FOR A MINOR AUTOMOTIVE REPAIRS USE; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Collin County, Texas, be amended by granting Specific Use Permit No. 153 authorizing an approximately 1,400± square foot portion of the building located on Lot 2, William F. Chester Addition as shown on Exhibit “A”. attached hereto and incorporated herein by reference (the “Property”), which is presently zoned Shopping Center “SC” to be used for a Minor Automotive Repair use.

SECTION 2. The Property shall be used only in the manner and for the purposes provided for in the Allen Land Development Code Zoning Regulations, as heretofore amended, and, if developed and used as a Minor Automotive Repairs use in accordance with this Specific Use Permit No. 153 shall be subject to the following special conditions:

- A. The Specific Use Permit granted hereby is expressly limited to the area of the Property and nowhere else on said Lot 2.
- B. Only James Bergin doing business as “North Dallas Auto Tint” is authorized by this Ordinance to use the Property for a Minor Automotive Repairs use.

SECTION 3. To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Allen governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Allen Land Development Code Zoning Regulations, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Allen Land Development Code Zoning Regulations, as amended hereby, which shall remain in full force and effect

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Allen Land Development Code Zoning Regulations, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose

SECTION 6. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in Allen Land Development Code Zoning Regulations of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

SECTION 7. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS 14TH DAY OF MARCH 2017.

APPROVED:

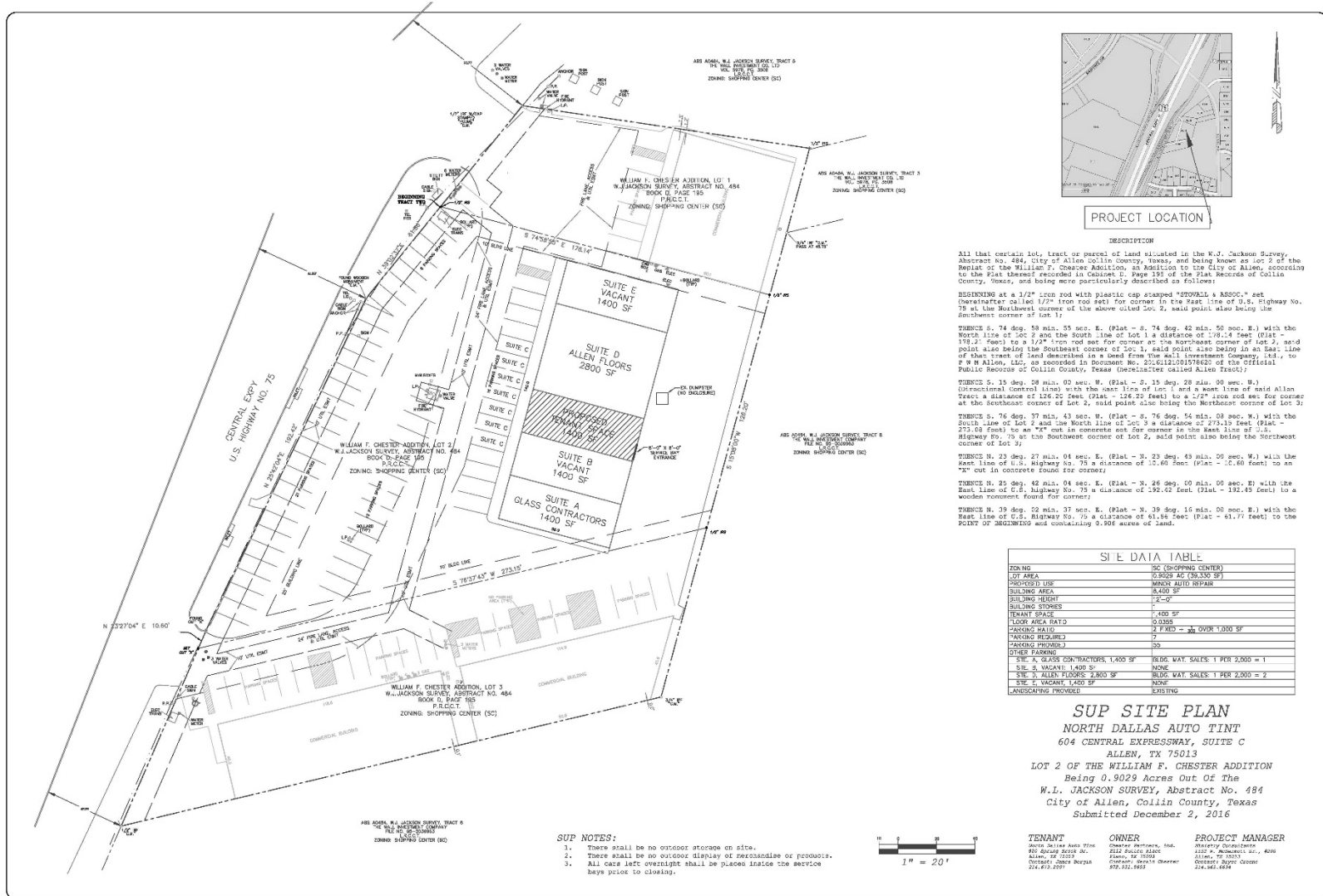
Stephen Terrell, MAYOR

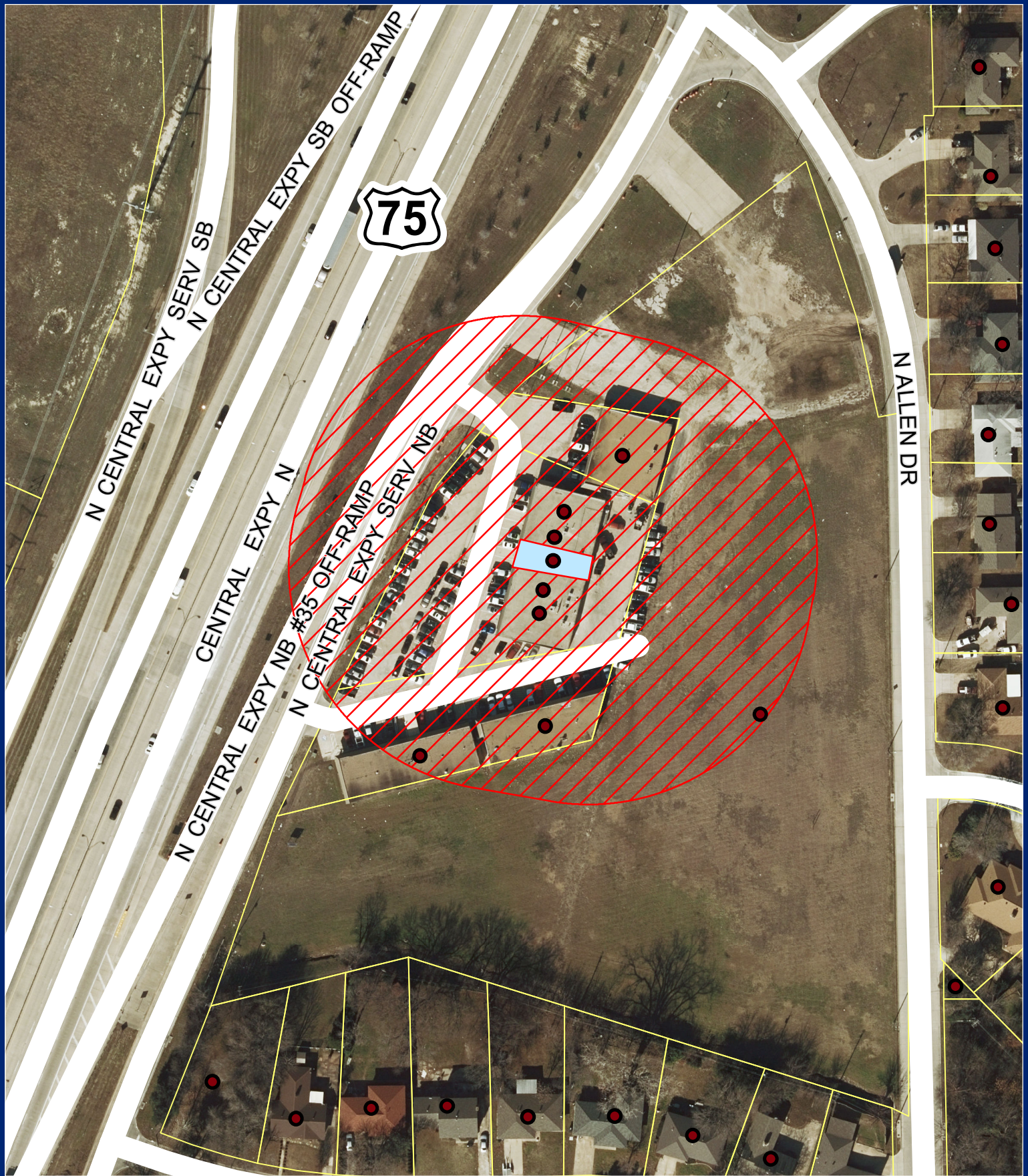
APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:2/23/17:84086)

Shelley B. George, TRMC, CITY SECRETARY



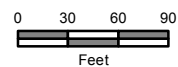


Property Ownership Notification

North Dallas Auto Tint

Map Legend

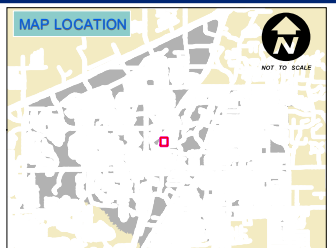
- 200' Notification Buffer
- Railroad
- Public Rezone
- CollinCAD Parcels



Community Development - GIS

Date Saved: 2/8/2017

NOTE: This map is only for illustration purpose only, please contact the City of Allen Planning & Development Department for specific rules and regulations.



February 21, 2017 Planning and Zoning Commission Meeting Minutes

Public Hearing – Conduct a Public Hearing and consider a request for a Specific Use Permit SUP for a Minor Automotive Repair use for an approximately 1,400± square foot portion of a building located on Lot 2, William F. Chester Addition; generally located south of Allen Drive and east of US Highway 75 (commonly known as 604 N. Central Expy.) (SUP-12/13/16-120) [North Dallas Auto Tint]

Ms. Madhuri Mohan, Senior Planner, presented the item to the Commission. She stated the item is a public hearing for a Specific Use Permit for North Dallas Auto Tint. The property is generally located south of Allen Drive and east of US Highway 75 (commonly known as 604 N. Central Expy.). The properties to the north, south, and east are zoned Shopping Center SC. The property to the west (across US Highway 75) is zoned Planned Development PD No. 108 Mixed-Use MIX.

Ms. Mohan stated that the applicant is proposing to tenant a 1,400± square foot portion in an existing 8,400 square foot building for a Minor Automotive Repair use. A Minor Automotive Repair use within a Shopping Center SC district requires a SUP per the ALDC. Ms. Mohan explained that the SUP Site Plan shows one existing service bay door on the eastern end of the building for this suite.

There are two existing access points for the entire development, both on the US Highway 75 Service Road, and both through a 24-foot Firelane, Access, and Utility easement. Parking within the site exceeds ALDC standards. Ms. Mohan explained that the SUP Site Plan includes notes indicating that there shall be no outdoor storage on the site, no outdoor display or merchandise of products on the site, and that all cars left overnight shall be stored in the bay door prior to closing. There are no proposed changes to the exterior of the building.

Commissioner Ogrizovich asked if the parking designated on the SUP Site Plan is specifically for the subject use or if the parking is open to any tenant in the center.

Ms. Mohan replied that the parking is designated on the plan only to indicate that seven spaces are required for the subject use. The shopping center as a whole can accommodate all uses in the center as all tenants share spaces and there are no designated spaces for any individual use.

The Specific Use Permit request has been reviewed by the Technical Review Committee and meets the standards of the ALDC.

Chairman Cocking opened the public hearing.

Chairman Cocking closed the public hearing.

Commissioner Ogrizovich asked if the owner planned to only do window tinting or if there would be any additional minor automotive work.

James Burgeon, 820 Spring Brook Dr. Allen, TX, owner, addressed the Commission. He stated that he plans on doing tinting and other auto film functions such as wrapping vehicles, but will not be conducting any additional mechanical functions. He stated that other similar uses exist in the shopping center but he sees his business as complementary, but not in competition with the mechanic uses.

Motion: **Upon a motion by 1st Vice-Chair Trahan, and a second by Commissioner Ogrizovich, the Commission voted 5 IN FAVOR, and 0 OPPOSED to recommend approval of the Specific Use Permit request for a Minor**

Automotive Repair use for North Dallas Auto Tint; generally located south of Allen Drive and east of US Highway 75 (commonly known as 604 N. Central Expy.)

The motion is carried.

DRAFT

CITY COUNCIL AGENDA COMMUNICATION
--

AGENDA DATE: March 14, 2017

SUBJECT: Conduct a Public Hearing and Adopt an Ordinance for Specific Use Permit No. 154 for Fitness and Health Center Use for an Approximately 2,130± Square Foot Portion of a Building Generally Located South of Stacy Road and West of Curtis Lane. [Circuit 31 Fitness - Fitness and Health Studio]

STAFF RESOURCE: Madhuri Mohan, Senior Planner

PREVIOUS COUNCIL ACTION: PD-86 Adopted - March, 2007
PD-86 Amended - January, 2010
PD-86 Amended - February, 2012

BOARD COMMISSION ACTION: On February 21, 2017, the Planning and Zoning Commission voted 5 in favor (Commissioners Cocking, Trahan, Hollingsworth, Platt Jr., and Ogrizovich), 0 opposed to recommend approval of the request.

ACTION PROPOSED: Conduct a Public Hearing and Adopt an Ordinance for Specific Use Permit No. 154 for Fitness and Health Center Use for an Approximately 2,130± Square Foot Portion of a Building Generally Located South of Stacy Road and West of Curtis Lane. [Circuit 31 Fitness - Fitness and Health Studio]

BACKGROUND

The property is generally located south of Stacy Road and west of Curtis Lane (commonly known as 939 Stacy Rd.). The properties to the north (across Stacy Road) are zoned Planned Development PD No. 92 Shopping Center SC and Planned Development PD No. 92 Single-Family Residential R-7. The properties to the east and west are zoned Planned Development PD No. 86 for Shopping Center SC. To the south, the property is zoned Planned Development PD No. 86 Single-Family Residential R-7.

The applicant is proposing to tenant a 2,130± square foot portion in an existing building for a fitness studio facility. Staff categorizes this type of use as a Fitness and Health Center use.

The property is zoned Planned Development PD No. 86 for Shopping Center SC. The Allen Land Development Code requires a Specific Use Permit (SUP) for a Fitness and Health Center use within the SC zoning district.

The applicant submitted a business summary in conjunction with the SUP application. The following is a general summary of the proposed business operations:

- Daily classes (7 days a week)
 - Weekdays (Monday - Friday): 5:00 a.m. to 10:00 p.m.
 - Weekends (Saturday and Sunday): 6:00 a.m. to 5:00 p.m.
- Maximum class capacity: Approximately 13 members/employees

Parking on site complies with the Allen Land Development Code standards.

There are no proposed changes to the exterior of the building.

On February 21, 2017 the Planning and Zoning Commission recommended approval of the request.

LEGAL NOTICES

Public Hearing Sign - February 10, 2017
Public Hearing Notices - February 10, 2017
Newspaper Notice - February 23, 2017

STAFF RECOMMENDATION

Staff recommends approval of the request.

MOTION

I make a motion to Adopt Ordinance No. _____ for Specific Use Permit No. 154 for Fitness and Health Center use for Circuit 31 Fitness.

ATTACHMENTS:

Ordinance
Property Notification Map
Draft Minutes from the February 21, 2017 P&Z Meeting

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY GRANTING SPECIFIC USE PERMIT NO. 154 AUTHORIZING AN APPROXIMATELY 2,130± SQUARE FOOT PORTION OF THE BUILDING LOCATED ON LOT 1R3, BLOCK A, WATTERS VILLAGE (ALSO KNOWN AS 939 STACY RD.), PRESENTLY ZONED PLANNED DEVELOPMENT NO. 86 FOR SHOPPING CENTER “SC” TO BE USED FOR A FITNESS AND HEALTH CENTER USE; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Collin County, Texas, be amended by granting Specific Use Permit No. 154 authorizing an approximately 2,130± square foot portion of the building located on Lot 1R3, Block A, Watters Village as shown on Exhibit “A” attached hereto and incorporated herein by reference (“the Property”), which is presently zoned Planned Development No. 86 for Shopping Center “SC” to be used for a Fitness and Health Center use.

SECTION 2. The Property shall be used only in the manner and for the purposes provided for in the Allen Land Development Code Zoning Regulations, as heretofore amended, and as amended herein, and, if developed and used for Fitness and Health Center purposes, shall be subject to the following special conditions:

- A. The Specific Use Permit granted hereby is expressly limited to the area of the Property shown as shaded on Exhibit “A” hereto.
- B. Only Circuit 31, LLC is authorized by this Ordinance to use the Property for a Fitness and Health Center use.
- C. No activity related to the Fitness and Health Center use shall occur on the exterior of the Property.

SECTION 3. To the extent of any irreconcilable conflict with the provisions of this ordinance and other ordinances of the City of Allen governing the use and development of the Property and which are not expressly amended by this ordinance, the provisions of this ordinance shall be controlling.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Allen Land Development Code Zoning Regulations, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Allen Land Development Code Zoning Regulations, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Allen Land Development Code Zoning Regulations, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in Allen Land Development Code Zoning Regulations of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS 14TH DAY OF MARCH 2017.

APPROVED:

Stephen Terrell, MAYOR

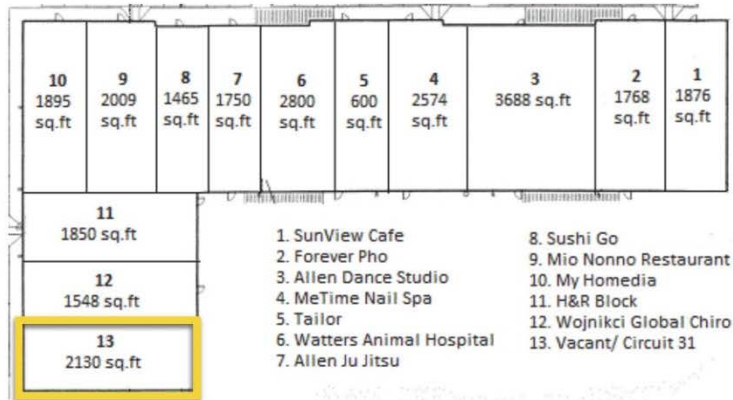
APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:2/23/17:84088)

Shelley B. George, TRMC, CITY SECRETARY

Stacy Road



- | | |
|----------------------------|---------------------------|
| 1. SunView Cafe | 8. Sushi Go |
| 2. Forever Pho | 9. Mio Nonno Restaurant |
| 3. Allen Dance Studio | 10. My Homedia |
| 4. MeTime Nail Spa | 11. H&R Block |
| 5. Tailor | 12. Wojnicki Global Chiro |
| 6. Watters Animal Hospital | 13. Vacant/ Circuit 31 |
| 7. Allen Ju Jitsu | |

1. Restaurant - 1/100 (18.76)
 2. Restaurant - 1/100 (17.68)
 3. Fitness/Health - 1/200 (18.44)
 4. Retail - 1/200 (12.87)
 5. Retail - 1/200 (3)
 6. Veterinarian - 1/200 (14)
 7. Fitness/Health - 1/200 (8.75)
 8. Restaurant - 1/100 (14.65)
 9. Restaurant - 1/100 (20.09)
 10. Retail - 1/200 (9.475)
 11. Office - 1/300 (6.16)
 12. Medical - 1/250 (6.192)
 13. Fitness/Health - 1/200 (10.65)
- TOTAL -162 Required Spaces
173 spaces on Site

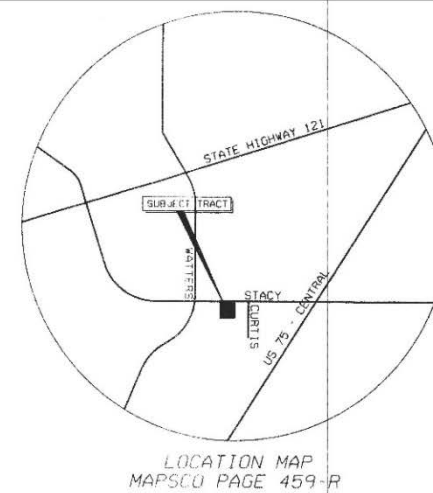






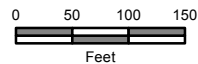
EXHIBIT "A"
SUP SUITE PLAN



Property Ownership Notification
Circuit 31
939 W. Stacy Road #190

Map Legend

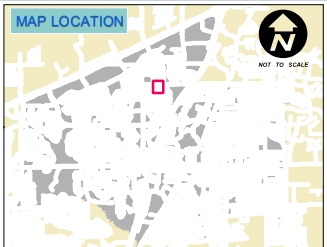
-  200' Notification Buffer
-  Railroad
-  Public Rezone
-  CollinCAD Parcels



Community Development - GIS

Date Saved: 2/8/2017

NOTE: This map is only for illustration purpose only, please contact the City of Allen Planning & Development Department for specific rules and regulations.



February 21, 2017 Planning and Zoning Commission Meeting Minutes

Public Hearing – Conduct a Public Hearing and consider a request for a Specific Use Permit SUP for a Fitness and Health Center use for an approximately 2,130± square foot portion of a building located on Lot 1R3, Block A, Watters Village; generally located south of Stacy Road and west of Curtis Lane (commonly known as 939 Stacy Rd.). (SUP-1/24/17-6) [Circuit 31 Fitness]

Ms. Madhuri Mohan, Senior Planner, presented the item to the Commission. She stated the item is a Public Hearing and Specific Use Permit for Circuit 31 Fitness. The property is generally located south of Stacy Road and west of Curtis Lane (commonly known as 939 Stacy Rd.). The properties to the north (across Stacy Road) are zoned Planned Development PD No. 92 Shopping Center SC and Planned Development PD No. 92 Single-Family Residential R-7. The properties to the east and west are zoned Planned Development PD No. 86 for Shopping Center SC. To the south, the property is zoned Planned Development PD No. 86 Single-Family Residential R-7.

Ms. Mohan explained that the applicant is proposing to tenant a 2,130± square foot portion in an existing building for a fitness studio facility. Staff categorizes the facility as a Fitness and Health Center use. This type of use within the base zoning of SC requires a Specific Use Permit per the ALDC.

Ms. Mohan provided an overview of the fitness center's class schedule as follows:

- Daily classes (7 days a week)
 - Weekdays (Monday - Friday): 5:00 a.m. to 10:00 p.m.
 - Weekends (Saturday and Sunday): 6:00 a.m. to 5:00 p.m.

She stated that the maximum class capacity, including both members and employees, is 13.

The Specific Use Permit request has been reviewed by the Technical Review Committee and meets the standards of the ALDC.

Chairman Cocking opened the public hearing.

Chairman Cocking closed the public hearing.

Chairman Cocking stated that three letters of support for the item were received:

- Bryan Ly, 939 W. Stacy Rd, Allen, TX - Support
- Ronald and Felicity Johnson, 916 Charles River Ct, Allen, TX - Support
- Donald Lauer, 920 Charles River Ct, Allen, TX - Support

Chairman Cocking asked if staff knew exactly what this fitness center does.

Ms. Mohan stated that it was her understanding that there are different fitness stations and that participants spend a few minutes at each station and rotate through the stations to complete their workout, but deferred to the applicant for additional detail.

Cody Phillips, 321 N. Central Expressway, Suite 370, McKinney, TX, the tenant's representative, addressed the Commission. He stated that the tenant offers a high intensity circuit training workout that lasts approximately 30 minutes.

2nd Vice-Chair Platt asked if noise was going to be a problem.

Mr. Phillips replied that it would not be as they do not use loud equipment or music.

Chairman Cocking stated that noise was his only concern due to the close proximity of residential uses and the early class hours. He asked Ms. Mohan what would happen if noise becomes an issue with the residents.

Ms. Mohan replied that if the City received noise complaints, Code Enforcement would investigate and measure the decibels being emitted from the business. If they exceed the City's requirements, then additional measures would be taken at that time.

Motion: Upon a motion by 2nd Vice-Chair Platt and a second by Commissioner Hollingsworth, the Commission voted 5 IN FAVOR, and 0 OPPOSED to recommend approval of a Specific Use Permit SUP request for a Fitness and Health Center use for Circuit 31 Fitness; generally located south of Stacy Road and west of Curtis Lane (commonly known as 939 Stacy Rd.).

The motion carried.