

## PLANO CITY COUNCIL

**WILL CONVENE INTO EXECUTIVE SESSION AT 5:00 P.M. ON OCTOBER 10, 2011, FOLLOWED BY THE PRELIMINARY OPEN MEETING IN THE PLANO MUNICIPAL BUILDING, 1520 K AVENUE, IN COMPLIANCE WITH VERNON'S TEXAS CODES ANNOTATED, GOVERNMENT CODE CHAPTER 551 (OPEN MEETINGS ACT), AS FOLLOWS:**

**Mission Statement: The mission of the City of Plano is to provide outstanding services and facilities, through cooperative efforts with our citizens, that contribute to the quality of life in our community.**

### EXECUTIVE SESSION

- |      |   |            |         |
|------|---|------------|---------|
| I.   | Legal Advice<br>- Respond to questions and receive legal advice on agenda items   | Wetherbee  | 5 min.  |
| II.  | Litigation<br>- Jay Cooper v. City of Plano<br>- Horton et al. v. City of Plano   | Mims/Huynh | 10 min. |
| III. | Economic Development<br>Discuss a financial offer or other incentive to a business prospect to locate, stay, or expand in Plano and consider any commercial and financial information from the business prospect. | Bane       | 10 min. |
| IV.  | Personnel<br>- Appointment - Building Standards Commission<br>- City Attorney<br>- Council Appointee Evaluations  | Council    | 10 min. |

### PRELIMINARY OPEN MEETING

- |      |   |                         |         |
|------|---|-------------------------|---------|
| I.   | Consideration and action resulting from Executive Session discussion: Personnel - Appointments - Building Standards | Council                 | 5 min.  |
| II.  | North Texas Municipal Water District Board Update   | Jim Parks               | 15 min. |
| III. | Discussion and Direction re Plano's Stage 3 Water Restrictions  | Glasscock/<br>Israelson | 10 min. |

- |     |   |             |         |
|-----|---|-------------|---------|
| IV. | Discussion and Direction re Live Nation Festival and Concert Series | Fortenberry | 15 min. |
| V.  | Council items for discussion/action on future agendas               | Council     | 5 min.  |
| VI. | Consent and Regular Agendas   | Council     | 5 min.  |

**In accordance with the provisions of the Open Meetings Act, during Preliminary Open Meetings, agenda items will be discussed and votes may be taken where appropriate.**

***Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Avenue L, with specially marked parking spaces nearby. Access and special parking are also available on the north side of building. The Council Chamber is accessible by elevator to the lower level. 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 972-941-7120.***

# MEMO

**DATE:** October 6, 2011

**TO:** Honorable Mayor and City Council  
City Manager Glasscock  
City Secretary Zucco

**FROM:** Alice Snyder, Assistant City Secretary

**RE:** Personnel Appointments  
Executive and Worksession Meetings

The following appointments will be considered at the October 10, 2011 Council Meeting.

<b><u>Executive Session</u></b>	<b><u>Worksession Meeting</u></b>
<u>Appointments:</u> -Building Standards Commission – Alternate Member	



**DEPARTMENT OF THE ARMY**  
**CORPS OF ENGINEERS, TULSA DISTRICT**  
1645 SOUTH 101ST EAST AVENUE  
TULSA, OKLAHOMA 74128-4609

FEB 15 2011

Regulatory Office

Mr. James M. Parks  
Executive Director  
North Texas Municipal Water District  
Post Office Box 2408  
Wylie, TX 75098-2408

Dear Mr. Parks:

This is in reference to our meeting on January 19, 2011, in Dallas regarding North Texas Municipal Water District's (NTMWD's) and Greater Texoma Utility Authority's Department of the Army (DA) Permit No. SWT-0-1311 for the construction and operation of a raw water intake structure on Lake Texoma for water diversion from Lake Texoma to Lake Lavon and my concerns related to the risks of zebra mussel infestation. Thank you for traveling to Dallas on short notice and for your letter of January 20.

We appreciate your commitment to not resume pumping at this time. Non-diversion is the best way to preclude the spread of the zebra mussel through the pathway of the Texoma to Lavon pipeline. This delay in the resumption of pumping will facilitate more time for your team to assess and develop an effective and acceptable strategy to manage zebra mussel risks related to the pipeline. Allowing NTMWD to pump Texoma water at this point without any operational modifications would likely transport viable zebra mussels, eventually colonizing Lake Lavon and potentially spreading to all downstream and downpipe waters.

Condition "e" of your DA permit states, "That the permittee agrees to make every reasonable effort to prosecute the construction or operation of the work authorized herein in a manner so as to minimize adverse impact on fish, wildlife, and natural environmental values". The U.S. Army Corps of Engineers (Corps) has the authority (33 CFR 325.7) to reevaluate the circumstances or conditions of any permit and modify, suspend, or revoke DA permits as necessary in consideration of matters of the public interest, based upon matters of non-compliance or upon changes in the circumstances related to the authorized activity. Furthermore, Executive Order 13112 requires that Federal agencies, to the extent practical and permitted by law, prevent, detect, and monitor for introduction and spread of invasive species. Federal agencies shall not authorize actions that are likely to cause or promote the introduction or spread of invasive species unless the benefits outweigh the potential harm and all

FEB 17 2011

feasible and prudent measures to minimize risk have been taken. The Corps National Invasive Species Policy states that DA permits may include special conditions to require the permittee to control the introduction or spread of invasive species. We are poised to enact specific restrictions which would govern NTMWD's use of the diversion system.

A change in the distribution status of the zebra mussel at Lake Lavon or elsewhere within the Trinity River system will not necessarily eliminate the need for control of zebra mussels as part of operation of this pipeline. Operational modifications and treatments may still be necessary to slow the spread of this invasive mussel. Your team's continued research into effective alternatives for control rather than adopting a "wait and see" posture with regard to the zebra mussel colonization of Lake Lavon acknowledges our responsibility for enacting regulatory permit decisions which slow the spread of invasive species.

Consequently, when you submit your written request to resume pumping and diversion of water from Texoma to Lavon, you should reserve 90 days in your schedule before desired commencement of pumping so that we may assess the environmental conditions prevailing at that time with regard to the status of the zebra mussel or other invasive species. Your written request should also include operational modifications that you intend to implement to ensure compliance with Condition "e" of the permit.

Because this issue affects water resources throughout a large geographic area, we will be in consultation at that time with our fellow District in Fort Worth who continues to monitor this situation.

We welcome the opportunity to continue working together to solve this matter for the good of the environment and for vital water resources in this region.

Sincerely,



Michael D. Reague  
Colonel, U.S. Army  
District Commander

Copies Furnished:

Mr. Jerry Chapman, General Manager  
Greater Texoma Utility

Mr. Mike Rickman  
North Texas Municipal Water District

Mr. Alan Plummer  
Alan Plummer Associates

Mr. Charles Maguire  
Director, Water Quality Division  
Texas Commission on Environmental Quality

Mr. Martin C. Rochelle  
Lloyd, Gosselink, Rochelle & Townsend, P.C.

Mr. Carter Smith  
Executive Director  
Texas Parks and Wildlife Department

Mr. Tom Cloud  
Field Supervisor, Arlington Ecological Services Office  
U.S. Fish and Wildlife Service

Ms. Jane B. Watson, PhD.  
Chief, Ecosystems Protection Branch  
Environmental Protection Agency

Mayor Bill Magers  
City of Sherman

Mr. Edward G. Vaughan, Chairman  
Texas Water Development Board



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September 21, 2011

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Lee M. Bass  
Chairman-Emeritus  
Fort Worth

Carter P. Smith  
Executive Director

Mr. Andrew Commer  
Supervisory Regulatory Project Manager  
Assistant Chief, Regulatory Office  
U.S. Army Corps of Engineers, Tulsa  
1645 S. 101 East Avenue  
Tulsa, OK 74128

Re: NTMWD and GTUA 90-day Request to Resume Pumping from Texoma to  
Lavon

Dear Mr. Commer:

Thank you for the opportunity to review the North Texas Municipal Water District's (NTMWD) and Greater Texoma Utility Authority's (GTUA) letter requesting authority to resume pumping from Lake Texoma. The unwelcome spread of zebra mussels into Lake Texoma has created significant issues and challenges for all of us as we try to protect aquatic resources while at the same time meet municipal water needs. This time of extensive drought across the state has only reinforced our many water related challenges.

The NTMWD is to be commended for their efforts in dealing with zebra mussels and for making the tough decision to not pump water from Lake Texoma since July 2009. That was the right decision at the time, and we are appreciative of their awareness and of their actions regarding this important natural resources issue. With respect to trying to arrest the spread of zebra mussels, it is important to note that no treatment option is likely to be 100% effective. The NTMWD and GTUA plan appears thorough in its scope, and the recommendations proposed will help minimize or slow the spread of zebra mussels from the Red River basin to the Trinity River basin. We do, however, respectfully provide the following suggestions for consideration during the USACE permit review process:

1. The letter mentions four stages to the NTMWD's Water Conservation and Drought Contingency Plan, and that they are currently in Stage 2. However, the letter does not clearly explain the mandatory actions that are required of member cities and customers for each of the four stages. Stage 2 is intended to raise public awareness and establishes a goal of 5% reduction in water use. We would suggest that prior to resuming pumping from Lake Texoma that the NTMWD consider going to Stage 3 and implementing even tighter restrictions or conservation measures. Doing so could potentially provide additional time increasing the chances for the rainfall needed to alleviate the need to pump. We acknowledge this may be a temporary solution and may pose other challenges.

2. In the "Proposed Operational Modifications" section of the letter, they discuss and focus on pumping during the winter when water temperatures are not conducive to zebra mussels spawning. The minimum spawning threshold for zebra mussels is listed as 54° F and is supported by the scientific literature. NTWMD/GTUA suggest that plankton tow sampling for unattached veligers be conducted when water temperature at the pump intake level drops to 63° F and that pumping to Sister Grove Creek would not commence until no more than 0.5 planktonic zebra mussel life forms (i.e., veligers) per liter of water are captured in two consecutive samples taken from the depth of the intakes. They then suggest that pumping would continue into spring until water temperature at the pump intake level again reaches the temperature at which pumping began in the fall. We would recommend not pumping in the fall until water temperatures reach or are below 54° F, and plankton sampling has indicated zero veligers per liter of water for two consecutive surveys. Millions of gallons of water being pumped at a rate of 0.5 veligers/liter of water still equates to a significant number of veligers being moved to Sister Grove Creek. Also, we would recommend that they discontinue pumping in the spring when water temperatures near the intake reach the minimum spawning threshold of 54° F or when veligers are once again detected in plankton tow samples, whichever comes first. We recommend that they monitor Sister Grove Creek for the presence of veligers throughout the entire pumping period and that they discontinue pumping if any are detected.
3. The letter also discusses the option of lowering the intake pumps from 30 feet to 50 feet below the water surface. While this operational modification was considered, they did not recommend it due to the need for significant pump modifications and limited expected benefits. Should the NTWMD and GTUA eventually decide to also try seasonal pumping during the summer when zebra mussels will likely be spawning, we would recommend they re-evaluate and consider the operational modification of lowering the intake pumps. Doing so would help ensure that the intakes are well below the thermocline and that dissolved oxygen (D.O.) levels are not suitable (< 3 mg/l) for zebra mussel or veliger survival. We would also recommend that they conduct plankton tow samples at the intake level (50 feet below the surface) as well as 10 feet above and below that level during this period as a means of documenting the presence or absence of zebra mussel veligers. If veligers are detected, pumping should cease until further sampling shows the absence of veligers in two consecutive surveys. We would also recommend that they closely monitor the temperature and D.O. near the intake structure and only pump when a stable thermocline is present and water quality conditions are not conducive to zebra mussel survival.
4. No mention is made of monitoring during pumping for the presence or absence of zebra mussel adults or veligers in the water of Sister Grove Creek or the water from the NTWMD outfall. This monitoring could indicate the level of risk that seasonal pumping may or may not pose for Lake Lavon and the Trinity River basin.

Mr. Andrew Commer  
Page 3 of 3  
September 21, 2011

Again, we appreciate the effort and cooperation of the NTWMD/GTUA in trying to keep zebra mussels confined to Lake Texoma. We encourage the NTWMD and GTUA to continue researching treatment options that may help avoid the spread of zebra mussels from the Red River basin to the Trinity River basin. Texas Parks and Wildlife Department continues to stand ready to assist any and all partners in our collection efforts to combat the future proliferation of this harmful exotic and invasive species.

If you have any questions or would like to discuss this issue further, please feel free to contact me. Thank you for the opportunity to share these comments.

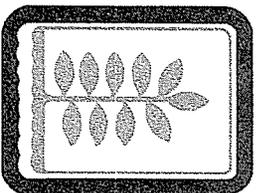
Sincerely,



Carter Smith  
Executive Director

CS:GS:dh

cc: ~~Mr. Jim Parks, North Texas Municipal Water District~~  
Mr. Jerry Chapman, Greater Texoma Utility Authority



## NORTH TEXAS MUNICIPAL WATER DISTRICT

*Regional Service Through Unity*

September 29, 2011

To: NTMWD Member Cities and Customers  
(list attached)

Re: NTMWD Water Conservation and Drought Contingency and Water Emergency  
Response Plan – Stage 3

The North Texas Municipal Water District (NTMWD) is initiating Stage 3 of the *NTMWD Water Conservation and Drought Contingency and Water Emergency Response Plan (March 2008)* effective November 1, 2011.

Stage 3 of the *NTMWD Water Conservation and Drought Contingency and Water Emergency Response Plan (March 2008)* is being implemented effective November 1, 2011, with concurrence of the NTMWD Board of Directors, as a result of several conditions that warrant the reduction of treated water use. These conditions are:

- As of Monday, September 26, 2011, Lake Lavon's elevation was down over 11 feet, and is at 52% of usable capacity
- Loss of the Lake Texoma raw water supply by NTMWD due to presence of invasive zebra mussels
- NTMWD's remaining share of the Jim Chapman Lake raw water supply being reduced to 35 percent of capacity due to drought conditions

The goal for water use reduction under Stage 3 is a minimum 10 percent reduction in the use that would have occurred in the absence of drought contingency and water emergency response measures.

The NTMWD Executive Director is requesting that Member Cities and Customers (including indirect customers) implement the following water conservation strategies no later than November 1, 2011. Measures described as "requires notification to TCEQ" impose mandatory requirements on customers. The supplier must notify TCEQ and NTMWD within five business days if these measures are implemented.

- Continue or initiate any actions available under Stages 1 and 2.
- Notify wholesale customers of actions being taken and request them to implement similar procedures.

- Implement viable alternative water supply strategies.
  - **Requires Notification to TCEQ** – Initiate mandatory water use restrictions as follows:
    - Prohibit hosing of paved areas, buildings, or windows. (Pressure washing of impervious surfaces is allowed.)
    - Prohibit operation of all ornamental fountains or other amenity impoundments if they use treated water.
    - Prohibit washing or rinsing of vehicles by hose except with a hose end cutoff nozzle.
    - Prohibit using water in such a manner as to allow runoff or other waste.
  - **Requires Notification to TCEQ** – Limit landscape watering with sprinklers or irrigation systems at each service address to once every two weeks between November 1 – March 31 and then once every week thereafter. Exceptions are as follows:
    - Foundations, new landscaping, new plantings (first year) of shrubs, and trees may be watered for up to two hours on any day by a handheld hose, a soaker hose, or a dedicated zone using a drip irrigation system.
    - Golf courses are prohibited from watering using treated water, except as needed to keep greens and tee boxes alive during November 1 – March 31. Golf courses may water greens and tee boxes without restrictions after March 31.
    - Public athletic fields used for competition may be watered twice per week.
    - Locations using other sources of water supply for irrigation may irrigate without restrictions.
    - Registered and properly functioning ET/Smart irrigation systems and drip irrigation systems may irrigate without restrictions.
    - Landscape associated with new construction that may be watered as necessary for 30 days from the date of the certificate of occupancy, temporary certificate of occupancy, or certificate of completion.
  - **Requires Notification to TCEQ** – Prohibit hydroseeding, hydromulching, and sprigging.
  - **Requires Notification to TCEQ** – Existing swimming pools may not be drained and refilled (except to replace normal water loss).
- The NTMWD Executive Director **is not** requesting implementation of the following water conservation strategies at this time. The NTMWD Executive Director reserves the right to request implementation of these strategies at a later date should conditions warrant. The strategies are:
- **Requires Notification to TCEQ** – Institute a mandated reduction in deliveries to all Member Cities and Customers. Such a reduction will be distributed as required by Texas Water Code §11.039 (Appendix G).
  - **Requires Notification to TCEQ** – Require Member Cities and Customers to initiate a rate surcharge for all water use over a certain level.

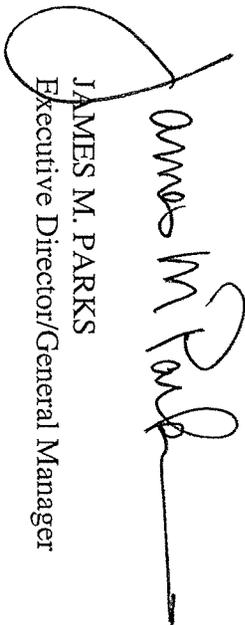
Extending the water supply during this water emergency period through the efficient use of our existing water resources is crucial to meeting the long-term water needs of the Member Cities and Customers.

September 29, 2011

Page 3

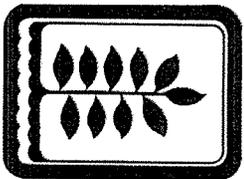
Should you need additional information or have questions, please do not hesitate to contact Mike Rickman or my office directly at 972.442.5405 or by e-mail at [mrickman@ntmwd.com](mailto:mrickman@ntmwd.com) or [jparks@ntmwd.com](mailto:jparks@ntmwd.com).

Sincerely,



JAMES M. PARKS  
Executive Director/General Manager

cc: NTMWD Board of Directors



North Texas  
Municipal Water District

## NEWS RELEASE

For Immediate Release

Contact:

Rick Ericson

214.706.6000 (office)

214.679.6362 (cell)

[rick@lemastergroup.com](mailto:rick@lemastergroup.com)

### **NTMWD Initiates Stage 3 Water Restrictions November 1**

***Consumers allowed to water lawns only once every two weeks November through March***

(Wylie, Texas- September 28, 2011) Officials with the North Texas Municipal Water District (NTMWD) have initiated Stage 3 of the *NTMWD Water Conservation and Drought Contingency and Water Emergency Response Plan, March 2008, (Plan)*, which goes into effect November 1. The goal of Stage 3 is a 10% reduction in water use and increased awareness in ongoing water conservation efforts.

“The U.S. Drought Monitor anticipates the drought will persist or intensify through December 2011, so we are concerned about the declining water levels of our reservoirs,” said Jim Parks, executive director of NTMWD. “Conservation is a must, especially when it comes to watering your lawns. Stage 3 means consumers are allowed to water their lawns only once every two weeks.”

In addition to the extreme temperatures and continuing drought conditions, NTMWD currently can't pump water from Lake Texoma due to the presence of invasive zebra mussels. Lake Texoma normally provides almost a quarter of NTMWD's raw water supply.

As of Monday, September 26, 2011, Lake Lavon's elevation was down over 11 feet, and is at 52% of useable capacity. In addition, as of the most recent measurement, NTMWD's Lake Chapman water supply is at 35% due to the continued drought.

The NTMWD Board action requests that Member Cities and Customers (including indirect customers) implement the following water conservation strategies:

- Initiate Stage 3 of the Member Cities and Customers drought contingency and water emergency response plans no later than November 1.
- Limit landscape watering with sprinklers or irrigation systems to once every two weeks between November 1 and March 31 and eliminate watering from 10 AM to 6 PM. Residents should check with their city water department for specific city restrictions.

- Foundations, new landscaping, new plantings (first year) of shrubs, and trees may be watered for up to two hours on any day by a hand-held hose, a soaker hose, or a dedicated zone using a drip irrigation system.
- Wait until the current drought has passed before establishing new landscaping and no hydroseeding, hydromulching or sprigging allowed.
- Do not drain and refill swimming pools except to replace normal water loss.
- Halt non-essential city government water use including street cleaning, vehicle washing, operation of ornamental fountains, etc.
- Accelerate public education efforts on ways to reduce water usage by 10%.
- Initiate engineering studies to evaluate alternatives should conditions worsen.
- Watering of golf courses using treated water is prohibited except as needed to keep greens and tee boxes alive.

NTMWD is encouraging residents to check control units, rain and freeze sensors on sprinkler systems to prevent unnecessary usage and to repair any water leaks.

Extending the NTMWD's water supply during Stage 3 through the efficient use of existing water resources is crucial to meeting the long-term water needs of the NTMWD's Member Cities and Customers.

More information and tips on water conservation can be found at [www.wateriq.org](http://www.wateriq.org) and [www.rtnmwd.com](http://www.rtnmwd.com).

###

# Memorandum

TO: Amy Fortenberry, Director of Parks and Recreation  
FROM: Ron Smith, Recreation Superintendent  
DATE: October 5, 2011  
SUBJECT: Proposed Concert Series at Amphitheater

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The City of Plano has received a request from Live Nation Entertainment, the world-wide leader in live concert productions, to produce a series of music and/or comedy performances at the Amphitheater at Oak Point Park.

Live Nation's proposed series, potentially consisting of 12 – 15 performances per calendar year, would help Parks and Recreation bring large scale, quality musical events to the community while raising awareness of the Amphitheater at Oak Point Park as a resource. Additionally, Live Nation has expressed an interest in making permanent improvements to the space that would positively affect the Amphitheater experience.

In support of this proposed series, Live Nation is requesting a level of exclusivity be granted to them by the City to protect their investment; Parks and Recreation would continue booking cultural events, fun runs, church rentals, and other activities. No additional City resources, apart from those typically associated with a standard booking of the Amphitheater would be required in direct support of the proposed series.

Staff is seeking City Council's approval to grant exclusivity as requested by Live Nation Entertainment. A list of events held at the Amphitheater in the previous year is listed below. Staff feels that the addition of music and comedy entertainment will complement and enhance the venues current offerings to the community.

Mar 15th- Persian Festival	June 4- Plano Stages concert
Apr 9th- Working Dog 5K	June 25- Plano Stages concert
Apr 23- Bangladesh New Year	July 9- 2nd Saturday At the Amp concert
Apr 24- Easter Sunrise Service	July 15 and 16th- Columbian Festival
Apr 29- Dooley Elementary Anniversary Picnic	Aug 6- Plano Fun Ride
Apr 30- St Elizabeth Ann Seton Celebration	Sept 3- Matthias 5K
May 13- Plano Stages concert	Sept 5- Punch Buggy Triathlon
May 14- Mosaic 5K	Oct 1- Indian Festival
May 14- Young Life concert	Oct 15- Suicide Prevention 5K
May 15th- private birthday party	Oct 29th- Pearls of Service 5K
May 21- Free to Breathe 5K	Nov 12 -2nd Saturday at the Amp Concert
June 3- Jackson Hill Foundation Concert	Nov 19- Wildlife Rescue 5K

# Memorandum

TO: Amy Fortenberry, Director of Parks and Recreation  
FROM: Ron Smith, Recreation Superintendent  
DATE: September 23, 2011  
Subject: Proposed Annual Music Festival

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The City of Plano has received a preliminary application event permit from Live Nation Entertainment, the world's leading producer of live concerts, to host an annual, multi-day music festival at the Oak Point Park Special Events Area. Live Nation would be the festival producer, with the City of Plano partnering as host city. Auxiliary partners (for hospitality, parking and transportation needs) may include Plano Convention and Visitors Bureau, Dallas Area Rapid Transit, First United Methodist Church, Meadows Baptist Church, Collin College and Plano Independent School District.

Preliminary planning for the 2012 event includes a two-day festival (Saturday and Sunday) utilizing four (4) performance areas, including the Amphitheater at Oak Point Park and three temporary stages in the Special Events field. Selecting from its unmatched pool of over 500 musical acts, Live Nation's goal is to produce a festival capable of attracting approximately 60,000 spectators, which in turn could generate a significant economic benefit for Plano while providing a fun opportunity for residents. The event producers anticipate making this an annual event could expand and grow over time. By limiting the size to approximately 30,000 per day (for the inaugural event), organizers feel that they can provide a quality experience for attendees and fuel growth for the future festivals.

Currently, the festival footprint aligns closely to that of the Plano Balloon Festival in scope and size. For example, similar to the Balloon Festival, the Live Nation event will presumably close Spring Creek Parkway at Parker Road north to Jupiter Road. In addition to utilizing Oak Point Park, the Plano Centre is being considered as a potential "Green Room" village, where musicians and their supporting staff could relax and mingle before and after performances in a secure and semi-private environment.

To secure this event, the City of Plano would provide support through in-kind services equaling, but not exceeding, \$125,000 (with services provided by City personnel and/or contractually); City services/resources exceeding \$125,000 would be paid by Live Nation. Anticipated in-kind services to be provided by the City include:

- Police/Security/Traffic
- Fire/Rescue/Emergency
- Parks Maintenance/Support
- Permits/Facility Rentals

In addition to providing support services, the City would provide Live Nation with exclusive rights to promote music festivals of this scope and magnitude in Plano. Live Nation would, in turn, agree to promote City of Plano hotels and restaurants on the festival website or other promotional materials. By partnering with Live Nation, the City of Plano can potentially make a positive impact on hotel/motel occupancy rates and local sales tax receipts while promoting Plano's status as a premier destination city, as noted in the accompanying articles.

# Memorandum

TO: Amy Fortenberry, Director of Parks and Recreation  
FROM: Ron Smith, Recreation Superintendent  
DATE: October 6, 2011  
Subject: About Live Nation

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The following paragraphs, prepared and submitted by Live Nation Entertainment, briefly outline the company's resources and global position and present a conceptual framework for a multi-day festival at Oak Point Park in Plano, Texas. This information may be helpful to City Council in light of Monday's Preliminary Meeting.

## **About Live Nation:**

Live Nation Entertainment is the world's leading live entertainment and ECommerce company, comprised of four market leaders: Ticketmaster.com, Live Nation Concerts, Front Line Management Group and Live Nation Network. Ticketmaster.com is the global event ticketing leader and one of the world's top five eCommerce sites, with over 26 million monthly unique visitors. Live Nation Concerts produces over 20,000 shows annually for more than 2,000 artists globally. Front Line is the world's top artist management company, representing over 250 artists. These businesses power Live Nation Network, the leading provider of entertainment marketing solutions, enabling over 800 advertisers to tap into the 200 million consumers Live Nation delivers annually through its live event and digital platforms. For additional information, visit [www.livenation.com/investors](http://www.livenation.com/investors).

## **Festival Concept:**

Live Nation intends to create an annual event featuring performances by folk, blues, country, and Americana musicians, and related contemporary genres, such as alternative country, indie folk and more. Through a lineup of talented musicians, an array of renowned local and regional food vendors, and a showcase of inspired local art, Live Nation intends to foster a peaceful vibe and a spirit of community through the multi-stage festival in beautiful Oak Point Park in Plano, TX.

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## Annual festivals, football boost Austin economy

### Annual festivals, football boost Austin economy

@impactnews\_swa

By Darcie Duttweller Friday, 24 October 2008

#### Large entertainment events bring in \$150 million in visitor spending.

For Austinites driving home from work on the Friday when the Austin City Limits Music Festival began, the hassles of additional traffic may have overshadowed the assets provided by entertainment events. However, without ACL, South by Southwest Music, Film and Interactive Conference and Festival; and University of Texas football games, Austin would not have the funding to support its local budget.

According to a 2001 report to the City of Austin, "Role of Music on the Austin Economy," musical tourism contributes roughly \$11.3 million directly and indirectly in property, sales, hotel and other taxes.

In a recent economic impact study of UT athletics, it was projected that UT home football games provide \$9.07 million in local tax revenue.

Roughly 60 percent of the new \$620.7 million general fund come from property and sales taxes, meaning that the involvement of these events help to pay for civic services, such as fixing roads and paying police officers.

"If tourism did not exist in the Austin metropolitan area, Austin would need to generate an average of \$722 in state and local taxes from each household in Austin in order to maintain the current level of tax reports," the 2006 City Tourism Impact prepared by Global Insight reported.

#### ACL

Although Austin as a whole, especially restaurants and bars, might benefit from events such as Austin City Limits Music Festival, Southwest Austin may experience the opposite effect.

Economic impact of entertainment events			
	Duration	Attendance	Economic impact
University of Texas football games est. 1893	1 day	94,000/game	\$25 million/game
South By Southwest est. 1987	10 days	149,000	\$95 million
Austin City Limits Music Festival est. 2002	3 days	\$5,000/day	\$36 million

SOURCE: AUSTIN CONVENTION AND VISITOR SERVICE, 1997 AND 2006; DARCIE DUTTWELLER

Nicole Rodriguez, spokeswoman for Waterloo Icehouse, said that the two Southwest locations — one off Escarpment Boulevard and another in Southpark Meadows — are not positively or negatively affected by ACL.

“It is simply too far away,” she said.

However, for both Nutty Brown Café and Hill’s Café, ACL actually hurts their business because people do not venture far from the festival.

“With the festival, people tend to stay downtown,” said Chris Cobler, manager of Nutty Brown Café. “We’re just not as busy. All the businesses [downtown] are packed, but that just doesn’t happen around here.”

The three-day ACL festival is relatively new to the live music scene.

Started in 2002 by C3 Presents as a two-day event created to celebrate the culture of Austin, the festival has now grown to 65,000 attendees a day, with 61 percent coming from out of town to catch big-name artists.

While no official report has been published on the full economic impact of ACL, C3 Presents said the festival contributed approximately \$36 million to the Austin economy in 2007 and projects it will do so again this year.

“It’s a trickle-down effect,” said Lisa Hickey, director of marketing and promotions of C3 Presents. “Visitors come to town, stay in hotels, go out to eat and shop at Austin boutiques. It’s a great boost to the local economy, especially considering the current state of the national economy.”

Local business Sweet Leaf Tea can attest to the boost in sales. Vice President of Marketing Michelle Weisblatt said that since the company started selling tea at ACL five years ago, its sales at the event have quadrupled. Coupled with giving away more than 9,600 bottles of free tea, Weisblatt said that ACL “represents an opportunity to market [itself] to a lot of people without leaving [its] backyard.”

## SXSW

For restaurants in Southwest Austin, the effects of South By Southwest trickle down in ways that those of ACL do not.

“We’re famous for Austin’s best burgers and chicken fried steak,” said Sean Bennett, general manager of Hill’s Café. “Locals will recommend [the restaurant] to festival-goers looking to complete their Austin experience.” Because of this, Hill’s Café experiences a 40 percent increase in sales during the week of SXSW.

“We have a constant stream of people instead of a separate lunch and dinner rush like usual,” Bennett said. “We have people from all over the world, from Germany and England, who come in and want to try a Texas steak.”

The first economic report of the effects of SXSW on the City of Austin was conducted in 2007, 20 years after the first festival was held. In it, AngelouEconomics reported that in 2007, SXSW was directly and indirectly responsible for injecting approximately \$95 million into the Austin economy.

Of this amount, \$77 million was contributed by attendance expenditures, which would include the direct spending on hotels, restaurants, bars and retailers, and the indirect impact of increased revenue of wholesalers who provide goods to local businesses. An estimated 149,000 attendees participated in SXSW-sanctioned events over the 10-day music, film and interactive festival.



Texas Memorial Stadium sells out all 94,000 seats every home game. Photo by Susan Sigmon

Although lodging makes up an estimated 17 percent of spending by travelers, and 10 percent of all hotel stays in Austin are due to the influence of the music industry, tourists spend more money on food and beverages than any other expense. This means that the restaurant and beverage industry does well during SXSW.

For Sweet Leaf Tea, SXSXW is another chance to market itself to out-of-towners. The company gives away approximately 17,280 bottles of tea during the festival.

Beth Bellanti-Walker, the brand manager of Austin's only local spirit, Tito's Vodka, said that SXSXW enables the company to reach people from all over the country.

"They can try [Tito's] here, but then they can buy the vodka at home and remember their great time here," she said.

### UT football games

With an economic impact of \$173 million last year, the University of Texas athletics program is one of the largest contributors to the Austin economy. UT football games, in particular, accrued \$142.3 million last season, according to a study Dr. Patrick Rische conducted.

Each UT game brings about 50,000 visitors to Austin and \$25 million into the economy. Rische said the visitor spending that is retained long term is counted as local income. UT football contributed \$99.3 million last year as local income, which is then spent in Austin by residents.

These residents include business owners and employees at local establishments like Hill's Café, which experiences a 30 percent increase in patrons, and Southwest locations of Waterloo Icehouse, which has a 15 percent spike in sales.

"People in Southwest Austin want to get into the mix, too, but don't want to go downtown or near campus," Rodriguez said. "They could go anywhere for the game and a beer, but they trust their local, neighborhood place."

Source: Austin Convention and Visitors Bureau, SXSXW and Fresh and Clean Media

### Key terms

**Direct economic impact:** Direct expenditures into the local economy by the event and official sponsors. This would include revenues from a printing company related to the production of event collateral materials.

**Indirect economic impact:** Includes increases in sales, income or jobs in sectors that support the direct beneficiaries of event expenditures. This would be the increase in revenue of a paper company that supplies products to the event's printing company.

**Induced economic impact:** The household spending of individuals who experience increased earnings as a result of the event. Good examples are groceries and other goods and services purchased by a printing company employee with the earnings from event-related projects.

Source: AngelouEconomics



Hullabalou features 66 artists over three days on five stages.

updated: 7/23/2010 10:21:55 AM

## Huge Music Fest to Boost Southern

### Indiana Economy

*InsideIndianaBusiness.com Report*

The southern Indiana economy is expected to receive a boost this weekend from the inaugural Hullabalou Music Festival at Churchill Downs in Louisville. An independent study from Scott Ray & Associates shows the three day event is expected to pump \$37.7 million into the economy for the Greater Louisville area. Approximately 30,000 people a day are expected to attend the festival.



Source: Inside Indiana Business

#### Press Release

(Louisville, Ind.) - The inaugural Hullabalou Music Festival at Churchill Downs Racetrack is expected to generate \$37.7 million in economic impact for the Greater Louisville market area according to an independent study conducted by Scott Ray & Associates of New Orleans. The firm specializes in economic impact studies of music festivals and special events.

According to the study, the music festival will generate an estimated \$19.6 million in direct spending and \$18.1 million in indirect and induced spending, which results in \$37.7 million in total economic impact. That local investment will also generate approximately \$12.7 million in earnings for regional workers and an estimated \$2.8 million in state and local tax revenue to further boost the Louisville and Southern Indiana economy.

"Music festivals are significant draws for tourism and Louisville's summer line-up is slated to be one of the strongest in recent years," Louisville Convention & Visitors Bureau (LCVB) President Jim Wood said. "The Visitors Bureau applauds Churchill Downs Entertainment Group (CDE) for launching this new event and creating the economic impact it will have on our hotels, restaurants, attractions and retail outlets. Hullabalou is a tremendous addition to Louisville and the Commonwealth of Kentucky."

The Hullabalou economic impact study estimates 30,000 people per day will attend the music festival scheduled for July 23-25, 2010, with one-half of the visitors coming from outside of the city of Louisville. These visitors are expected to spend significant

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amounts in the local economy outside of the festival grounds. Estimated spending by HullabalOU patrons on local hotels, food and beverage, retail shopping, other entertainment and transportation is expected to total \$6.4 million. The LCVB verified an average room rate of \$120 a night in Louisville. Using this rate, HullabalOU visitors should spend well over \$3 million on hotel rooms in the Louisville area in association with traveling to the city to attend the festival.

"Our company wants HullabalOU to be a major tourism attraction for Louisville during the summer months as well as a distinctive musical celebration for our home community," CDE President Steve Sexton said. "We anticipate a variety of festival attendees who appreciate many music genres, including country, classic rock, bluegrass and adult-contemporary. HullabalOU will also offer attendees a variety of foods, arts and crafts showcased in an outdoor festival atmosphere. To date, we've sold tickets in 42 states and as far away as Great Britain, and we're looking forward to bringing music fans from around the world to Louisville to enjoy world-class music under the historic Twin Spires."

HullabalOU kicks off Friday, July 23, with a total of 66 artists over three days on five stages in an outdoor lawn setting, including a main stage with special reserved seating. Tickets are still available through [www.hullabalOUfest.com](http://www.hullabalOUfest.com) and [www.ticketmaster.com](http://www.ticketmaster.com) and at all Kroger stores.

#### About Churchill Downs Entertainment

Churchill Downs Entertainment ("CDE") is a wholly owned subsidiary of Churchill Downs Incorporated ("CDI") located in Louisville, Ky., that was formed to conceive, develop, produce and manage large-scale entertainment events at CDI and non-CDI properties. The immediate success of headline concerts by the Rolling Stones (2006) and The Police (2007) at the historic home of the Kentucky Derby led to the creation of CDE, which is also based in Louisville.

Source: HullabalOU

    
print email newsletters

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## Discussion/Action Items for Future Council Agendas

*October 11-14 – TML Annual Conference – Houston, TX*

October 18 – City Council Retreat – Municipal Center – 5:30 pm

*October 20 – Leadership Plano Panel Discussion – Plano Chamber of Commerce – 1:00 pm*

**October 24**

**Zoning Case 2011-27** - Request to rezone 108.2± acres located at the southwest corner of State Highway 121 and Preston Road from Commercial Employment to Planned Development-Commercial Employment. Zoned Commercial Employment/State Highway 121 and Preston Road Overlay Districts.

*October 31 – Pecan Hollow Re-Opening Dedication Ceremony – 1:15 pm*

November 7 – City Council Retreat – Municipal Center – 5:30 pm

*November 8 – Election Day*

*November 9-12 – NLC Congress of Cities – Phoenix, AZ*

**November 14**

- ACC Quarterly Report
- Comprehensive Monthly Financial Report

November 16 – Special Called Session – Canvass Election – 6:00 pm

*November 20 – Lights at Legacy Event – 3-8 pm (tree lighting at 6:30 pm)*

November 24-25 – Thanksgiving Holidays

**November 28**

- Comprehensive Monthly Financial Report

*December 2 – Dickens in Historic Downtown Plano*

*December 8 – Holiday Luncheon – Plano Centre – 11:00 am – 1:00 pm*

*December 8 – District 2 Roundtable – Tom Muehlenbeck Center - 7 pm*

*December 10 – Plano Children's Christmas Parade*

**December 12**

**December 20**

- Comprehensive Monthly Financial Report
- DART Report

*December 23 & 26 – Winter/Christmas Holidays*