



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		02/25/13		
Department:		Public Works		
Department Head:		Gerald P. Cosgrove		
Agenda Coordinator (include phone #):		Kathleen Schonne (7198)		
CAPTION				
A Resolution of the City Council of the City of Plano, Texas, repealing Resolution No. 74-12-4(R) for City participation in the cost of screening wall construction; and providing an effective date.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2012-13	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
COMMENTS: This item has no financial impact.				
STRATEGIC PLAN GOAL: Repealing out of date resolutions relates to the City's Goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
Resolution No. 74-12-4(R) provided for the submission of petitions for the construction of concrete screening walls and living screens and the City's participation in the cost to build such facilities. The costs for both options are out of date, and the City no longer constructs concrete walls.				
The Public Works Department recommends that the City of Plano repeal Resolution No. 74-12-4(R).				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Resolution No. 74-12-4(R); Resolution			N/A	

RESOLUTION NO. 74-12-4(R)

A RESOLUTION OF THE PLANO CITY COUNCIL ESTABLISHING A POLICY GOVERNING THE INSTALLATION OF SCREENING WALLS ALONG MAJOR THOROUGHFARES WHERE RESIDENTIAL LOTS BACK UP TO THOROUGHFARES, PROVIDING FOR PUBLIC PARTICIPATION IN THE COST, AND ESTABLISHING PROCEDURES.

WHEREAS, there now exist areas in Plano where residential lots back up to major thoroughfares and there is no screening, and

WHEREAS, citizens have expressed a desire to have their property screened when it backs up to major thoroughfares, and

WHEREAS, citizens have indicated a willingness to share in the cost of screening,

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

SECTION 1. Residents whose properties back to major thoroughfares may petition the City for screening on forms provided by the City. The two major classifications of screening are hereby established as "living" screens and "concrete" screens.

A. Living Screens

If residents backing to a major thoroughfare and along the same side of the thoroughfare and between two streets desire a living screen, the City will install and maintain the screen at a cost to the abutting owners of \$3.50 per linear foot. The plant material shall be specified by the City.

Upon receipt of a valid petition signed by 90% of the real property owners abutting the proposed screen of record, the City Council will hold a public hearing to consider installation of the living screen. Before authorizing the installation of the screen, the City will require payment in cash of the total cost of the project computed at \$3.50 per linear foot, or executed voluntary

liens and promissory notes equivalent to the total cost, or a combination of both.

The City reserves the right to make the installation at its convenience and during optimum weather conditions.

B. Concrete Screens

If residents backing to a major thoroughfare and along the same side of the thoroughfare, and between two streets desire a concrete screen, the City will participate in the cost of the screen, in an amount up to but not exceeding \$5.00 per linear foot.

Upon receipt of a valid petition signed by 90% of the real property owners abutting the proposed screen of record, the City Council will hold a public hearing to consider the kind and type of screen to be specified and to consider whether or not City funds are available.

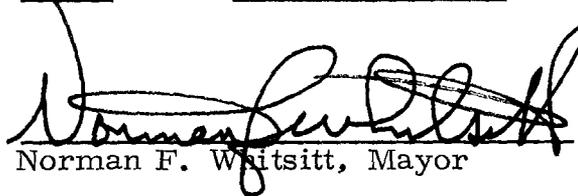
If it is determined that funds are available, the City Council will authorize the preparation of plans and specifications for the screen based on the testimony received at the public hearing. When plans and specifications are complete, they will be returned to the City Council along with an estimated total cost.

The estimated cost will be assessed against the petitioners on a pro-rated basis according to the amount of linear footage owned. Upon receipt of cash escrowed with the City or binding voluntary assessment liens and promissory notes, or a combination of both, the City Council will receive bids for the screen.

The City Council may reject the bids if they are in excess of the estimate, or the City may agree to pay the excess. If the lowest and best bid is lower than the estimate, the City will refund excess escrowed funds and amend the liens and promissory notes.

SECTION 2. That this Resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED this 9th day of December, 1974.


Norman F. Whitsitt, Mayor

ATTEST:


Betty Taylor, City Secretary

A Resolution of the City Council of the City of Plano, Texas, repealing Resolution No. 74-12-4(R) for City participation in the cost of screening wall construction; and providing an effective date.

WHEREAS, the City Council adopted Resolution No. 74-12-4(R) on December 9, 1974, which provided for the submission of petitions for the construction of and City participation in the cost of concrete screening walls; and

WHEREAS, Resolution No. 74-12-4(R) also provided for the submission of petitions for the installation of and City participation in the cost of living screening walls; and

WHEREAS, the City no longer wishes to participate in the cost to construct concrete walls and living screens; and

WHEREAS, the City no longer constructs concrete walls; and

WHEREAS, upon full review and consideration of the request to repeal Resolution No. 74-12-4(R), and all matters attendant and related thereto, the City Council is of the opinion that Resolution No. 74-12-4(R) should be repealed.

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

Section I. The City Council hereby repeals Resolution No. 74-12-4(R) in its entirety.

Section II. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED the 25th day of February, 2013.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY