



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:		06/22/15			
Department:		Engineering			
Department Head		Jack Carr, PE			
Agenda Coordinator (include phone #): Kathleen Schonne X-7198					
CAPTION					
An Ordinance of the City of Plano, Texas approving the terms and conditions of a Boundary Adjustment Agreement between the City of Plano, Texas and the City of Murphy, Texas; authorizing the City Manager, or his authorized designee to execute the agreement on behalf of the City of Plano; 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:	2014-15	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					
<p>COMMENTS: This item will adjust the location of the mutual boundary between Murphy and Plano and place the entire right-of-way of Dublin Road within the jurisdiction of the City of Murphy. This boundary adjustment will shift the cost of future municipal services to the City of Murphy.</p> <p>STRATEGIC PLAN GOAL: Boundary adjustments for the jurisdiction of right-of-way responsibility relate to the City's Goal of Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
Please see attached memo.					
List of Supporting Documents: Location Map; Memo from Staff; Ordinance; Boundary Agreement; Exhibit A			Other Departments, Boards, Commissions or Agencies: N/A		



Memorandum

TO: Bruce Glasscock, City Manager
THRU: Frank Turner, Deputy City Manager
FROM: Jack Carr, P.E., Director of Engineering
DATE: June 9, 2015
SUBJECT: ILA Related to Maintenance of Dublin Road along the Plano City Limits Boundary Adjustment Agreements with the Cities of Murphy and Parker

SUMMARY OF AGENDA ITEMS:

Three agenda items related to Dublin Road are on the agenda for the June 22, 2015 meeting:

Boundary Agreement with Parker

This agreement will move the City limits to the west right of way line of Dublin Road adjacent to Parker's jurisdiction to reduce the confusion regarding the responsibility for enforcement of traffic laws and other municipal functions.

Boundary Agreement with Murphy

This agreement will move the City limits to the west right of way line of Dublin Road adjacent to Murphy's jurisdiction. It will also result in the annexation by Murphy of the remaining portion of Dublin Road south of Parker. Though this agreement the City of Plano will accept the responsibility for the resurfacing of Dublin Road adjacent to Murphy. The City of Murphy will be responsible for the enforcement of traffic laws and all future municipal functions.

Interlocal Agreement with Collin County

The terms of this Interlocal Agreement provide for the City of Plano to pay for the west half of the road resurfacing plus pay for Murphy's portion (32%). The resurfacing project is currently scheduled to be considered for award on July 27, 2015.

BACKGROUND INFORMATION:

- Earlier this year, I was forwarded a copy of an email that was sent to political entities with potential responsibility for repairing Dublin Road north of FM 544. Apparently, the citizen encountered a significant amount of confusion regarding the responsibility for maintenance.

- While investigating this situation, my concern over the responsibility of other municipal services along Dublin increased. If there is confusion regarding the responsibility for the maintenance of the roadway, there is likely confusion regarding other services (e.g. police, fire, etc.)
- It is normally not a good idea to have a city boundary located within a roadway; therefore, I contacted the Murphy City Manager and the Parker City Administrator to initiate discussions regarding boundary agreements with their respective cities. We discussed my recommendation to move the city limits to one side of Dublin. Since both Murphy and Parker have citizens that use Dublin to access their homes (and Plano does not), all parties agreed to recommend to their respective Councils to move the city boundary to the west right-of-way line of Dublin Road.
- The portion of Dublin Road along Parker is in good condition. Collin County is adjacent to 18% of the total frontage and Murphy is adjacent to 32% of the total frontage. Plano is adjacent to the entire west side. The cost to resurface the remaining portion of Dublin Road is estimated to be \$190,000. The resurfacing project is currently scheduled to be considered for award on July 27, 2015.

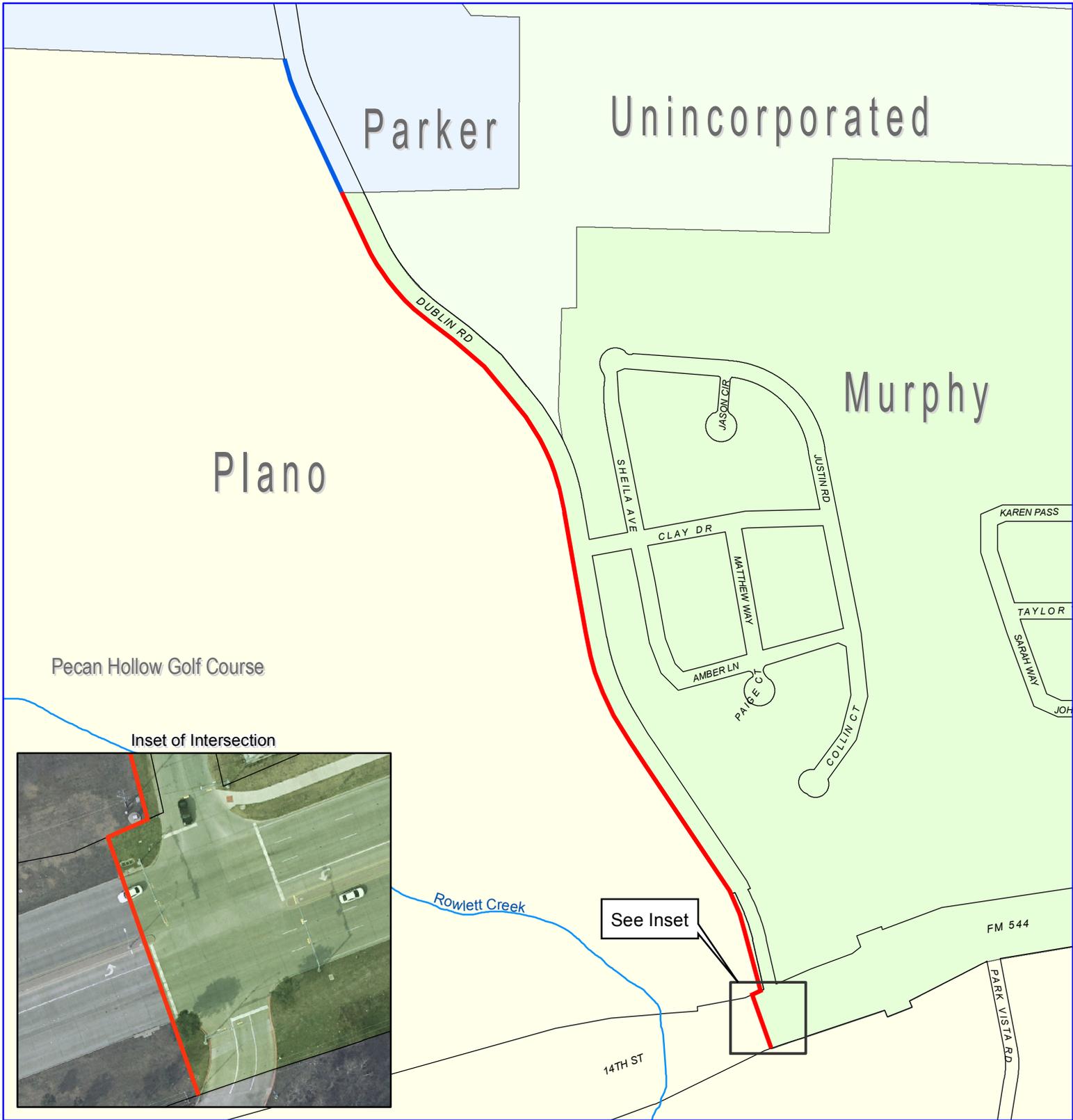
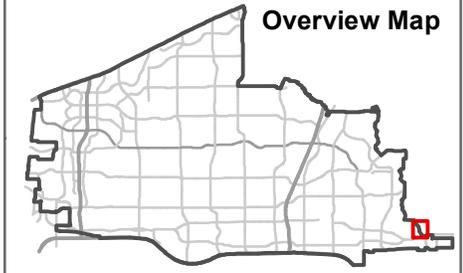


EXHIBIT A

Parker - Plano Murphy - Plano Boundary Agreements

- Parker - Plano Boundary
- Murphy - Plano Boundary



Source: City of Plano, GIS Division
Date: June, 2015

Scale in Feet
Original: 1" = 400'



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Plano. Any use or reliance on this map by anyone else is at that party's own risk and without liability to the City of Plano, its officials or employees for any discrepancies, errors, or variances which may exist.

An Ordinance of the City of Plano, Texas approving the terms and conditions of a Boundary Adjustment Agreement between the City of Plano, Texas and the City of Murphy, Texas; authorizing the City Manager or his authorized designee to execute the Agreement on behalf of the City of Plano; and providing an effective date.

WHEREAS, the City Council has been presented a proposed Boundary Adjustment Agreement between the City of Plano, Texas and the City of Murphy, Texas establishing a mutual boundary along the west right-of-way line of Dublin Road, in the manner described in and attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Agreement"); and

WHEREAS, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager, or his authorized designee, shall be authorized to execute it on behalf of the City of Plano.

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

Section I. The terms and conditions of the Agreement, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interests of the City of Plano and its citizens, are hereby in all things approved.

Section II. The City Manager, or his authorized designee, is hereby authorized to execute the Agreement and all other documents in connection therewith on behalf of the City of Plano, substantially according to the terms and conditions set forth in the Agreement.

Section III. This Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 22nd day of June 2015.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

BOUNDARY ADJUSTMENT AGREEMENT

THIS AGREEMENT is made and entered into by and between the City of Murphy, Texas, hereinafter referred to as "Murphy" and the City of Plano, Texas, hereinafter referred to as "Plano."

WHEREAS, the resurfacing of Dublin Road south of the Parker city limits will be completed by Plano; and

WHEREAS, the city boundary of Murphy is in part contiguous with the city boundary of Plano and is in a location that creates confusion regarding the administration of municipal services; and

WHEREAS, Murphy and Plano agree that it is in the best interest of both cities to adjust the city boundary to a location where all of Dublin Road, adjacent to Plano, is located within the corporate limits of Murphy; and

WHEREAS, Section 43.031 of the Texas Local Government Code authorizes adjacent cities to make mutually agreeable changes in their boundaries of areas that are less than 1,000 feet in width; and

WHEREAS, representatives of Murphy and Plano agree to relocate their mutual ultimate boundary to follow the west right-of-way line of Dublin Road.

NOW, THEREFORE, for and in consideration of the mutual covenants, conditions, and promises expressed herein, Murphy and Plano agree as follows:

SECTION I. Statement of Intent

It is the intent of Murphy and Plano to modify their mutual ultimate boundary to follow the west right-of-way line of Dublin Road. With this modification, the incorporated area of Murphy will include the entire width of right-of-way of Dublin Road beginning at the city limits of the City of Parker and extending to the current Murphy city limits on the south side of FM 544 as described in and attached to and made a part of this Agreement as Exhibit "A".

SECTION II. Relinquishment of Territory

To accomplish the objective set forth in Section I above, Plano does hereby grant, relinquish, and apportion unto Murphy, land that is less than 1,000 feet in width and contained within the right-of-way of Dublin Road.

SECTION III. Waiver of Extraterritorial Jurisdiction

Plano does hereby waive its extraterritorial jurisdiction located within the right-of-way of Dublin Road, as established in Exhibit "A".

It is expressly agreed and understood that these waivers shall operate only in favor of the parties to this agreement, and shall not constitute a waiver of any right, including extraterritorial jurisdiction rights, which either party may be able to assert against any other municipality.

**SECTION IV.
Costs Associated with Dublin Road**

Plano does hereby agree to provide funds for the resurfacing of Dublin Road to be completed in 2015 under contract with Collin County. All future costs associated with the section of Dublin Road located between the two cities will be the sole responsibility of the City of Murphy.

**SECTION V.
Severability**

Should any provision of this Agreement be declared void by a court of competent jurisdiction, the remaining provisions of this Agreement shall remain in full force and effect.

**SECTION VI.
Effective Date**

Murphy and Plano agree that this Agreement shall take effect only upon ratification and adoption by the governing bodies of each city.

CITY OF PLANO, TEXAS

Date: _____

BY: _____
Bruce D. Glasscock, CITY MANAGER

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

CITY OF MURPHY, TEXAS

Date: _____

BY: _____
James Fisher, CITY MANAGER

APPROVED AS TO FORM:

Andy Messer, CITY ATTORNEY

ACKNOWLEDGMENTS

STATE OF TEXAS §

§

COUNTY OF COLLIN §

This instrument was acknowledged before me on the ___ day of _____, 2015 by **BRUCE D. GLASSCOCK**, City Manager of the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

STATE OF TEXAS §

§

COUNTY OF COLLIN §

This instrument was acknowledged before me on the ___ day of _____, 2015 by **JAMES FISHER**, City Manager of the **CITY OF MURPHY, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

EXHIBIT A

Proposed Murphy-Plano Boundary

BEGINNING at a point where the south line of the Parker City Limits, extended westerly following the bearing of city limits line, intersects with the west right-of-way line of Dublin Road, said point being approximately 30 feet west of the centerline of Dublin Road;

THENCE, in a southeasterly direction following the meanderings of the west right-of-way line of Dublin Road, parallel to and 30 feet from the centerline of Dublin Road, to the south property line of Lot 1R, Block A, of the Pecan Hollow Golf Course Addition, a distance of 2483.38 feet;

THENCE, continuing in a southeasterly direction along a line parallel to and 30 feet from the centerline of Dublin Road, to the north right-of-way line of 14th Street to a point for a corner, a distance of 306 feet;

THENCE, in a southwesterly direction following the north right-of-way line of 14th Street to a point for a corner, a distance of 27.1 feet;

THENCE, in a southeasterly direction, crossing 14th Street perpendicular to the centerline of 14th Street, to the south right-of-way line of 14th Street, a distance of 171.7 feet.

Adjustment to The Incorporated Area of Murphy

With this modification, the incorporated area of Murphy will include the entire width of right-of-way of Dublin Road, beginning at the Parker City Limits and extending to the current Murphy City Limits on the south side of FM 544, as depicted on the attached exhibit.