



CITY OF PLANO COUNCIL AGENDA ITEM

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|---|----------------------------------|--|-------------------------|---------------|
| CITY SECRETARY'S USE ONLY | | | | |
| <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory | | | | |
| Council Meeting Date: | | 01/11/16 | | |
| Department: | | Public Works | | |
| Department Head | | Gerald Cosgrove | | |
| Agenda Coordinator (include phone #): Tiffany Stephens (972) 769-4264 | | | | |
| CAPTION | | | | |
| <p>A Resolution of the City of Plano, Texas approving the Third Amendment to an Interlocal Cooperation Agreement between North Texas Municipal Water District and the City of Plano, Texas for Regional Composting Program until April 30, 2016, as permitted by Article II of the Agreement; authorizing the City Manager or his designee to execute any and all documents in connection therewith; and providing an effective date.</p> | | | | |
| FINANCIAL SUMMARY | | | | |
| <input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP | | | | |
| FISCAL YEAR: 2015-16 | 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): SUSTAINABILITY & ENVIRONMENTAL SERVICES FUND | | | | |
| <p>COMMENTS: This item, which has no financial impact, amends the interlocal agreement between the North Texas Municipal Water District and the City of Plano for the Regional Composting Program to renew the interlocal agreement through April 30, 2016.</p> <p>STRATEGIC PLAN GOAL: Working with other governmental entities to provide services to Plano residents relates to the City's goal of Financially Strong City With Service Excellence and Partnering For Community Benefit.</p> | | | | |
| SUMMARY OF ITEM | | | | |
| <p>The Interlocal Cooperation Agreement between the City of Plano and the North Texas Municipal Water District (NTWMD) for the operation of the Regional Composting Program will expire January 22, 2016. The five (5) Solid Waste Member Cities (Plano, Richardson, Allen, Frisco and McKinney) and NTMWD agree to extend the Regional Compost Program until April 30, 2016.</p> | | | | |
| List of Supporting Documents: | | Other Departments, Boards, Commissions or Agencies | | |
| Resolution | | | | |
| Exhibit A | | | | |

A Resolution of the City of Plano, Texas approving the Third Amendment to an Interlocal Cooperation Agreement between North Texas Municipal Water District and the City of Plano, Texas for Regional Composting Program until April 30, 2016, as permitted by Article II of the Agreement; authorizing the City Manager or his designee to execute any and all documents in connection therewith; and providing an effective date.

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, authorizes governmental entities to contract with each other to perform government functions and services under the terms thereof; and

WHEREAS, the City of Plano and North Texas Municipal Water District entered into an Interlocal Cooperation Agreement (the "Agreement") on October 24, 2003, for a regional composting program; and

WHEREAS, the City of Plano and North Texas Municipal Water District desire to renew the Agreement until April 30, 2016, as permitted by Article II of the Agreement; and

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

Section I. The renewal of the Agreement until April 30, 2016, is found to be acceptable and in the best interest of the City of Plano and its citizens, is hereby in all things approved.

Section II. The City Manager or his authorized designee is hereby authorized to execute any 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 Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 11th day of January 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

THIRD AMENDMENT TO
INTERLOCAL COOPERATION AGREEMENT BETWEEN
NORTH TEXAS MUNICIPAL WATER DISTRICT AND
THE CITY OF PLANO, TEXAS
FOR REGIONAL COMPOSTING PROGRAM

This amendment (the "Amendment") to the "Interlocal Cooperation Agreement between North Texas Municipal Water District and the City of Plano, Texas for Regional Composting Program," (the "Base Agreement") is made and effective as of January 23, 2016 (the "Effective Date") by and between the North Texas Municipal Water District ("NTMWD"), a political subdivision of the State of Texas having its principal place of business at 501 E. Brown Street, Wylie, Texas 75098, and the City of Plano, Texas, (the "City"), a home-rule municipal corporation having an office at 1520 Avenue K, Plano, Texas 75074 (collectively, the "Parties").

WHEREAS, NTMWD and the City entered into that certain Base Agreement, effective October 24, 2003;

WHEREAS, pursuant to Section II of the Base Agreement, the initial term of the Base Agreement is ten (10) years (the "Initial Term");

WHEREAS, also pursuant to Section II of the Base Agreement, the Base Agreement may be renewed for two additional five (5) year terms unless terminated earlier by either party;

WHEREAS, the Parties amended the Base Agreement on April 9th, 2013, extending the Initial Term until October 23, 2015 (the "First Amendment");

WHEREAS, the Parties amended the Base Agreement on October 24, 2015, extending the Initial Term until January 22, 2016 (the "Second Amendment");

WHEREAS, pursuant to Section VII of the Base Agreement, the Base Agreement may be terminated, without fault, at any time by either party giving sixty (60) days advance notice to the other party; and,

WHEREAS, the Parties seek to extend the term of the Base Agreement;

NOW, THEREFORE, the Parties hereto agree as follows:

Section 1. As of the Effective Date, Section II. Term of the Base Agreement is amended (but not replaced) as follows:

II. TERM.

- A. The Base Agreement is hereby renewed, beginning on the Effective Date and ending on April 30, 2016 (the "Extended Term").

