

# CITY COUNCIL

1520 AVENUE K



DATE: 3/6/2012  
CALL TO ORDER: 7:00 p.m.  
INVOCATION: Pastor Jack Schneider  
St. Paul Lutheran Church  
PLEDGE OF ALLEGIANCE: Brownie Troop 3037  
Shepard Elementary

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>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.</p> <p><b>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</b></p> <p><b><u>PROCLAMATIONS &amp; SPECIAL RECOGNITION</u></b></p> <p>Proclamation: March is designated American Red Cross Month in recognition of the organization's work in many areas</p> <p>Proclamation: April is designated Sexual Assault Awareness and Prevention Month by the Texas Association Against Sexual Assault</p> <p><b><u>COMMENTS OF PUBLIC INTEREST</u></b></p> <p><b><u>This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.</u></b></p> <p><b><u>CONSENT AGENDA</u></b></p> <p><b><u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></b></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><b><u>Approval of Minutes</u></b> February 23, 2012 February 27, 2012</p>	
	<p><b><u>Approval of Expenditures</u></b> <b>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</b></p>	
(b)	<p>Bid No. 2012-88-B for Pedestrian Bridge Replacements-Caddo Park and Overland Trail Park, Project No. 6129 to C. Green Scaping, LP in the amount of \$333,591 and authorizing the City Manager to execute all necessary documents.</p>	
(c)	<p>CSP No. 2011-167-C for the purchase of Inventory Tracking Asset Management System from Data Systems International, Inc. in the estimated amount of \$137,310 and authorizing the City Manager to execute all necessary documents.</p>	
(d)	<p>RFP No. 2011-257-C-R for a one (1) year contract with four (4) City optional renewals for Broker of Record and Supplemental Services to Arthur J. Gallagher Risk Management Services, Inc. in the estimated amount of \$139,500 to be utilized by Risk Management, and authorizing the City Manager to execute all necessary documents.</p>	
(e)	<p><b><u>Purchase from an Existing Contract</u></b> To approve the purchase of Website Design and Hosting for the Public Information Department in the amount of \$145,750 from Civic Plus through an existing contract with DIR and authorizing the City Manager to execute all necessary documents. (DIR Contract Number DIR-SDD-1636)</p>	
(f)	<p><b><u>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</u></b> To approve a contract for the purchase of wireless communication services in the amount of \$144,882 from Blackboard Inc., through a U.S. General Services Administration (GSA) contract, and authorizing the City Manager to execute all necessary documents. (GS-35F-0554M).</p>	
(g)	<p><b><u>Adoption of Resolutions</u></b> To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano and the Collin County Community College District for educational services as a part of the City's Professional Development Program, authorizing its execution by the City Manager; and providing an effective date.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><b><u>Adoption of Ordinances</u></b></p> <p>(h) To abandon all right, title and interest of the City, in and to that certain Drainage Easement recorded in Volume 4624, Page 289, of the Deed Records of Collin County, Texas and being situated in the Henry Cook Survey, Abstract No. 183, which is located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, Ericsson Real Estate Holdings, Inc., to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.</p> <p>(i) To transfer the sum of \$42,858 from the Plano Television Network (PTN) Fund unappropriated fund balance to the Plano Television Network (PTN) Fund operating appropriation for fiscal year 2011-12 for the purpose of providing funds for the first year's cost to begin a full website upgrade and redesign project to meet the City's current website needs; amending the Budget of the City and Ordinance No. 2011-9-8, declaring this action to be a case of public necessity; and providing an effective date.</p> <p>(j) To transfer the sum of \$144,882 from the Water &amp; Sewer Fund unappropriated fund balance to the Water &amp; Sewer Fund operating appropriation for fiscal year 2011-12 for the purpose of providing funds for wireless communication services; amending the Budget of the City and Ordinance 2011-9-8, declaring this action to be a case of public necessity; and providing an effective date.</p>	
	<p><b><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></b></p> <p><b><u>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</u></b></p> <p><b><u>Non-Public Hearing Items: The Presiding Officer may permit limited public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.</u></b></p>	
(1)	<p>Public Hearing and consideration of an Ordinance to amend the Park Master Plan Map of the Comprehensive Plan as originally adopted by Resolution No. 88-6-12(R) providing procedures approving the utilization of said chapter as revised and amended by the appropriate personnel and departments of the City of Plano for the purpose of guiding future development within the City of Plano, Texas; and providing an effective date. Applicant: City of Plano</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. Training Room A/Building Inspections Training Room are located on the first floor. 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.</u></p>	



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		03/06/2012		
Department:		City Manager's Office		
Department Head		Bruce Glasscock		
Agenda Coordinator (include phone #): <b>Melinda White X7548, Cindy Pierce X5161</b>				
<b>CAPTION</b>				
Proclamation: March is designated American Red Cross Month in recognition of the organization's work in many areas.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
<b>FUND(S):</b>				
<b>COMMENTS:</b>				
<b>SUMMARY OF ITEM</b>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		03/06/2012		
Department:		City Manager's Office		
Department Head		Bruce Glasscock		
Agenda Coordinator (include phone #): <b>Melinda White X7548, Cindy Pierce X5161</b>				
<b>CAPTION</b>				
Proclamation: April is designated Sexual Assault Awareness and Prevention Month by the Texas Association Against Sexual Assault				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
<b>FUND(S):</b>				
<b>COMMENTS:</b>				
<b>SUMMARY OF ITEM</b>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	

**PLANO CITY COUNCIL  
PLANNING AND ZONING COMMISSION  
WORKSESSION  
February 23, 2012**

**COUNCIL MEMBERS PRESENT**

Phil Dyer, Mayor  
Pat Miner, Mayor Pro Tem  
Lissa Smith, Deputy Mayor Pro Tem  
Ben Harris  
André Davidson  
James Duggan  
Patrick Gallagher  
Lee Dunlap

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
Diane C. Wetherbee, City Attorney  
Diane Zucco, City Secretary  
Alice Snyder, Assistant City Secretary

**PLANNING & ZONING COMMISSION  
MEMBERS PRESENT**

Christopher J. Caso, Chair  
Michael Coleman  
Tracy S. Dry  
David L. Downs  
Doug Hazelbaker, 1<sup>st</sup> Vice Chair  
Alan E. Smith  
Douglas B. Cargo

**PLANNING & ZONING COMMISSION  
MEMBERS ABSENT**

Fred Balda, 2<sup>nd</sup> Vice Chair

The worksession was called to order following dinner on Thursday, February 23, 2012, at 6:32 p.m. in the Plano Municipal Center, 1520 K Avenue, Plano, Texas. Quorums of Council Members and Planning and Zoning Commissioners were present.

**Dinner and Viewing of the Comprehensive Plan Update Video**

Director of Planning Jarrell introduced a video produced to encourage public participation in the Comprehensive Plan Update process.

**Discussion and Direction on Remaining Undeveloped Land and Current Comprehensive Plan Policies**

Ms. Jarrell spoke to the session as an opportunity for the City Council and Planning & Zoning Commission to jointly discuss issues and provide direction on new policies related to the use of Plano's undeveloped land which may result in direction from the Council on new policy recommendations for the Comprehensive Plan. She spoke to managing the supply of land, looking for redevelopment opportunities, and determining how the use can best support the City's long term goals and interests.

Ms. Jarrell spoke to determining where additional residential development should occur while considering employment and tax base benefits of non-residential uses. She spoke to consideration of different types of residential uses and their impact on infrastructure and schools and characteristics of mixed-use development.

Senior Planner Sims advised that there is 4,325 acres of undeveloped land available with 549 acres in flood plains and 83% zoned for non-residential uses. He spoke to policies for undeveloped land included in the Comprehensive Plan (Land Use and Economic Development Elements) and policy statements related to rezoning to meet demand, housing density, infill housing and mixed-use. Mr. Sims spoke to the current residential setback along S.H. 121 of 1,200 feet as being consistent with other municipalities, the potential application to other expressway corridors, and the Commission's recommendation of 750 feet.

### **Discussion and Direction on Policies Related to Residential and Commercial Development and Use of Remaining Undeveloped Land**

Planning Manager Firgens spoke to considering the long-term economic growth needs of the City by reserving land for economic development and employment uses in traditional areas which support a nonresidential tax base and the need for large tracts of land, business park locations, expressway access, visibility and tract depth. She spoke to attaining well designed residential development which attracts residents and businesses and includes diverse and desirable housing choices with access to services/amenities. Ms. Firgens spoke to the role of mixed-use development in meeting the future housing needs and presented the following recommendations:

All residential rezoning requests should be evaluated to determine the impact on infrastructure, public safety response, school capacity, and access to and availability of amenities and services.

Isolated residential development should not be permitted; residential rezoning requests need to establish a complete new neighborhood or expand an existing neighborhood or an urban mixed-use center.

The 1,200-foot setback for residential uses along State Highway 121 should be retained and applied to the Dallas North Tollway, State Highway 190, and U.S. Highway 75.

No new multifamily development should be allowed south of Tennyson Parkway, along the Dallas North Tollway between Communications Parkway and Parkwood Boulevard. However, mid-rise multifamily development (5-12 stories) may be considered by SUP in this corridor.

New multifamily zoning should require a minimum density of 40 dwelling units per acre.

Establish two new zoning districts – an urban mixed-use district and neighborhood mixed-use district. An option to allow mid-rise residential buildings (5-12 stories) by SUP should be considered in major corridors and in urban mixed-use districts.

Mayor Dyer spoke to the recommendations as guidelines and the opportunity for future input during consideration by the Council and Commission. He opened the floor for public comments.

Robbie Robinson spoke to the Staff recommendations discouraging zoning for residential uses in prime economic corridors and rezoning to permit multifamily development. He spoke in support of a long-term perspective when considering rezoning, particularly when deviating from the Comprehensive Plan and referred to the benefits of non-residential zoning on the tax base. Mr. Robinson spoke regarding the high quality of life and national reputation of Legacy Town Center and the need by companies for available land and easy access. He referred to the adverse impact on the school district when properties are rezoned residential and requested the Council look at the long-term vision.

Lucilo A. Peña, of Billingsly Company, spoke to creating compelling districts with remaining land that provide a connection between existing uses/elements and new ones. He spoke to the need for more than just density in future growth and mixed-use communities. Mr. Peña spoke to the challenges of providing 40 units per acre while addressing need for a variety of housing types in a development. He advised that U.S. 75 and the Dallas North Tollway contain the majority of commercial office space.

Bill Dahlstrom, representing Wolverine Equities and North Dallas Joint Venture, spoke regarding the Mapleshade area along SH 190 and the opportunity for a residential component. He stated that residential and economic development issues should not be exclusive in the context of a mixed-use development and to a value capture concept. Mr. Dahlstrom spoke to instilling the concept in the Comprehensive Plan and economic development policies to determine the efficiency of land uses and their impact on City services to create sustainable development. He referred to areas of the City that have remained undeveloped for years and adapting to the market with flexible zoning.

Richard Matkin, of the Plano Independent School District (PISD), spoke regarding the partnership between the City and district and the differences in boundaries between the two entities. He spoke to capacity concerns in the southern corridor, redistricting efforts, the potential for new campuses and continuing the dialogue to address long-term issues. Mr. Matkin advised that there is a decline in elementary school enrollment and that Legacy Town Center does not have a significant impact on area schools. Mr. Sims advised that there may be an impact on PISD with development of 1,000 new housing units in Richardson and 1,500-2,000 in Dallas.

David Smith, representing the Plano Homeowners Council, spoke to discussions in the 1990's recommending a ratio of multifamily to single-family housing of 25/75 and current multifamily zoning nearing 31% putting demands on infrastructure and schools. He spoke to maintaining a long-term vision and resisting the short-term demands of the market, in favor of the recommendations and advised that the Homeowners Council would be available for input. Mayor Dyer closed the public comments of the session and the opened discussion by the Council and Commission.

All residential rezoning requests should be evaluated to determine the impact on infrastructure, public safety response, school capacity, and access to and availability of amenities and services.

Ms. Jarrell advised that Staff currently provides information and some analysis regarding impact, accessibility and amenities for consideration and spoke to including additional information in the future including cost figures. The Council stated a consensus directing Staff to move forward.

Isolated residential development should not be permitted; residential rezoning requests need to establish a complete new neighborhood or expand an existing neighborhood or an urban mixed-use center.

Ms. Jarrell advised that the recommendation will reinforce patterns, thus creating good neighborhoods that are attractive with nearby amenities. She spoke to issues of the long-term viability of isolated neighborhoods and responded to Mayor Dyer regarding consideration of senior citizen housing. Council Member Dunlap spoke to interpretation of the term “isolated” and Council Member Davidson spoke to the language strictly limiting some development. Ms. Jarrell advised that the recommendations will be utilized as guidelines and that Council will have the flexibility to consider items on a case-by-case basis. The Council stated a consensus directing Staff to move forward.

The 1,200-foot setback for residential uses along State Highway 121 should be retained and applied to the Dallas North Tollway, State Highway 190, and U.S. Highway 75.

Ms. Jarrell spoke to corridors and expressways as prime areas for commercial economic development and the Commission’s consensus that a 750-foot setback may be appropriate. She spoke to properties where a portion of development encroaches into the setback. Planning and Zoning Chair Caso spoke to the Commission’s discussion of mixed-use development and Council Member Dunlap spoke to apparent strip zoning and differences in the environment/function of U.S. 75. The Council stated a consensus directing Staff to move forward.

No new multifamily development should be allowed south of Tennyson Parkway, along the Dallas North Tollway between Communications Parkway and Parkwood Boulevard. However, mid-rise multifamily development (5-12 stories) may be considered by SUP in this corridor.

Ms. Jarrell spoke to development occurring on the Dallas North Tollway, its configuration and reserving land for office development south of Tennyson Parkway. She spoke to the potential and appropriateness of mid-rise multifamily development. She responded to Council Member Duggan, advising that this recommendation is specific to the tollway because of its prominence in attracting office development and is structured as a guideline.

Commission Member Hazelbaker spoke to mid-rise development as having a higher rental cost and potentially limiting the residents in that area. He spoke to finding ways to attract families to the City, the evolution of multifamily housing, and the impact of multiple families in single-family homes. Mayor Dyer spoke to affordable housing throughout the City and creating environments that are conducive to singles and couples. The Council stated a consensus directing Staff to move forward.

New multifamily zoning should require a minimum density of 40 dwelling units per acre.

Ms. Jarrell spoke to the need for a wide range of housing types, the quantity of multifamily development with lower densities and the recommended density resulting in a mixed-use environment. She advised that there is very little land currently zoned multifamily that would be impacted and spoke regarding the definition of mixed-use to include multifamily, retail, office, employment, hotel, and structured parking in a walkable development. Ms. Jarrell spoke to the potential for “horizontal” mixed-use, the development of Legacy Town Center since 1997, and the potential for a mix of housing units. The Council stated a consensus directing Staff to move forward.

Establish two new zoning districts – an urban mixed-use district and neighborhood mixed-use district. An option to allow mid-rise residential buildings (5-12 stories) by SUP should be considered in major corridors and in urban mixed-use districts.

Ms. Jarrell spoke to establishing expectations related to mixed-use development to expedite the process for applicants and Staff and spoke to the neighborhood mixed-use district’s appropriateness for the redevelopment of corner shopping centers. The Council stated a consensus directing Staff to move forward.

Ms. Jarrell advised that Staff will bring recommendations before the Commission to further discuss language following which they will come forward to the Council. Mayor Dyer spoke to future opportunities for input. Nothing further was discussed. The meeting was adjourned at 8:23 p.m.

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**Phil Dyer, MAYOR**

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**Christopher J. Caso, Chair –Planning and Zoning Commission**

ATTEST:

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Diane Zucco, CITY SECRETARY

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
February 27, 2012**

**COUNCIL MEMBERS PRESENT**

Phil Dyer, Mayor  
Pat Miner, Mayor Pro Tem  
Lissa Smith, Deputy Mayor Pro Tem  
Ben Harris  
André Davidson  
James Duggan  
Patrick Gallagher  
Lee Dunlap

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Victoria Huynh, Deputy City Attorney  
Diane Zucco, City Secretary

Mayor Dyer called the meeting to order at 5:07 p.m., Monday, February 27, 2012, in Training Room A of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor Dyer then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice, Section 551.071; receive information regarding Economic Development, Section 551.087; discuss Real Estate, Section 551.072 and to discuss Personnel, Section 551.074 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Dyer reconvened the meeting back into the Preliminary Open Meeting at 6:04 p.m.

**Consideration and action resulting from Executive Session discussion**

No items were brought forward.

**Discussion and Direction regarding The Arts Center of North Texas**

City Manager Glasscock briefed Council in regards to a resolution passed by The Arts Center of North Texas Board recommending creation of a separate 501(c)(3) entity which would relieve the cities of their financial commitments. He stated the City of Frisco declined the recommendation and currently the attorneys of the three owner cities are working with the attorneys at The Arts Center of North Texas to bring back recommendations clarifying ownership of the assets. Mr. Glasscock stated there is no action required on the part of the Council at this time and advised that he will provide future updates. Mayor Dyer stated the City would not be issuing any more bonds, and that the revocation of the bonds will be placed on the ballot of the May 2013 election.

## **Report regarding Backflow Process**

Director of Public Works Cosgrove spoke regarding the Backflow and Cross Connection Program advising that the Federal Safe Drinking Water Act (SDWA) does not require a cross connection program; however, backflow contamination could be responsible for a water system's failure to maintain SDWA standards. He also stated the Texas Commission on Environmental Quality (TCEQ) has a rule that no water connection from any public drinking water supply system shall be allowed to any residence or establishment where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination. Mr. Cosgrove informed Council the purpose of the program is to: (1) protect the public water supply from possible contamination from the customer's premise; (2) eliminate or control, actual or potential, connection between the public water system and a non-potable water system; and (3) provide for testing and maintenance of existing cross connection control assemblies. He spoke to avoiding both health and non-health hazards and advised the program is managed by reviewing construction plans, inspecting existing properties, registering third party testers, observing testers, mailing out notices when annual tests are due and reviewing test reports. He stated the City does not provide testing service to the public; but, that a third party performs the testing. Mr. Cosgrove informed Council that over 12,000 high hazard devices were tested in 2011 and that there are 175 registered testers and approximately 1,000 devices that didn't pass the test which were either replaced or repaired. He stated the program consists of four employees with expenses of \$340,000 and is self-funded through revenues budgeted at \$410,000.

## **Discussion and Direction regarding Appointment Criteria for Heritage Commission and Community Relations Commission**

Director of Planning Jarrell spoke to the three commissions that make recommendations for grants to the City (Cultural Affairs, Community Relations and Heritage). She spoke to the requirements that the Cultural Affairs Commission currently has in place that "no member shall have served on a board of an affected Cultural Affairs organization or agency for the previous 12 months" and advised that it is not in place for the other boards. Ms. Jarrell mentioned that members step down for consideration and discussion when grant applications come up for review. She stated that the commissioners bring a lot of experience and understanding of non-profits to grant consideration. The Heritage Commission typically reviews 4 to 5 grants, and the Community Relations Commission receives grant applications from about 40 different groups, similar to the Cultural Affairs Commission. Ms. Jarrell mentioned that a one-year disqualification period could eliminate many desirable appointees bringing needed experience to consideration of the grants.

Council Member Davidson spoke of her preference for consistency in the criteria for the three commissions. Mayor Dyer spoke to board members stepping down on consideration of organizations/agencies with which they had association in the previous 12-24 months. The Council discussed standardization of timeframes and stated a preference for two years. Council Member Davidson requested input from the Cultural Affairs Commission and Ms. Jarrell stated Staff could collect this information, bring it to the Heritage and Community Relations Commissions and bring back recommendations for Council.

## **Discussion and Direction regarding Temporary Sign Ordinance – Sail Banners**

Chief Building Official Mata spoke to the increase in the number and size of sail banners, permitting and lack of regulations. He spoke of the picket fence effect, negative impact on traffic control, improper placement, distraction, and the banners not being attractive. He stated an alternate option is regulation of the number, size and space requirements of these types of banners. Mr. Mata described the banners and stated that 194 promotional permits were issued last year which included sail banners, banners, pennants, flags, balloons, etc. He stated two 2-week period permits are allowed annually for businesses with three weeks for a grand opening. Mr. Mata responded to Council regarding the number of permits, complaints, enforcement issues and advised that there are no regulations for the number of signs. Council spoke to visibility triangles and requested Staff bring forward options for restrictions on placement (setbacks and separation).

## **Comprehensive Monthly Financial Report**

Director of Finance Tacke advised that the January 2012 report finds General Fund revenues up slightly as a percentage of budget as compared to last year while Water and Sewer revenues are down slightly. She stated that actual General Fund revenues are up \$12.3 million, primarily due to an increase in ad valorem taxes and an increase in sales tax resulting from an audit adjustment. Ms. Tacke also stated revenues were up in court fines, electric and cable franchises and ambulance services. Ms. Tacke advised that General and Water & Sewer Fund expenditures are up slightly as a percentage of budget, as well as Golf Course Fund expenditures. She advised that the unemployment rate is down to 6.0%. Ms. Tacke stated sales tax collections for the month of February are up by \$1.4 million due in part to a favorable audit adjustment.

Mayor Dyer spoke in regards to paying for water in light of water conservation and inquired if the City has enough reserves to pay for any additional shortfall. City Manager Glasscock responded that the City is currently at a rate of 1.49 and will be going to 1.84 driven by the North Texas Municipal Water District's (NTMWD) \$350 million dollar pipeline project and routine increase in rates. Ms. Tacke stated that the City has reserves, but not enough to absorb the rate increases and advised that the City is almost completely self-funded in the Water/Sewer Fund. Mr. Glasscock spoke to issues related to the NTMWD Texoma pipeline: (1) Lacey Act restricting the transport of invasive species across state lines, (2) Presidential Executive Order (similar to the Lacey Act), and (3) a dispute between the two core districts of North Texas and Oklahoma.

Mr. Israelson spoke to blending the water to a ratio to make it usable within our system and connection of the pipeline with the Wylie treatment plant. Mr. Glasscock spoke to meeting with other City Managers and Council Member Harris requested updates on progress.

## **Council items for discussion/action on future agendas**

No items were discussed.

### **Consent and Regular Agendas**

Deputy Mayor Pro Tem Smith requested Consent Agenda Item “N”, to authorize the purchase of downloadable content (ebooks, music, video, and e-audio library materials) with Kindle functionality in an amount not to exceed the sum of \$150,000 from OverDrive, Inc., the sole source provider of such library materials for the City of Plano - Plano Public Library System, be removed for individual consideration.

Staff requested Consent Agenda Item “D”, to approve the purchase of a False Alarm Tracking and Billing System to include Software Licenses, Installation, Data Conversion and Training for the Plano Police Department in the amount of \$66,825 from Dell Marketing L.P., through an existing contract/agreement with Department of Information Resources (DIR Contract #SDD-890), be pulled and held.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 6:51 p.m.

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**Phil Dyer, MAYOR**

ATTEST

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Diane Zucco, City Secretary

**PLANO CITY COUNCIL**  
**February 27, 2012**

**COUNCIL MEMBERS PRESENT**

Phil Dyer, Mayor  
Pat Miner, Mayor Pro Tem  
Lissa Smith, Deputy Mayor Pro Tem  
Ben Harris  
André Davidson  
James Duggan  
Patrick Gallagher  
Lee Dunlap

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Victoria Huynh, Deputy City Attorney  
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, February 27, 2012, at 7:01 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Assistant Pastor Kelvin Foley of Prestonwood Baptist Church led the invocation and Cadette Girl Scout Troop 2206 of Rice Middle School led the Pledge of Allegiance.

**PROCLAMATIONS & SPECIAL RECOGNITION**

The presentation of a check by the Collin County Commissioners Court from the Collin County Parks and Open Space Matching Grant Program to the City of Plano was postponed to a future Council meeting.

**OATHS OF OFFICE**

Mayor Dyer administered the Oath of Office to Peter Pennesi, a newly appointed member of the Photographic Traffic Signal Advisory Committee.

**COMMENTS OF PUBLIC INTEREST**

No one appeared to speak.

**CONSENT AGENDA**

Staff requested Consent Agenda Item “D” be pulled and held.

Deputy Mayor Pro Tem Smith requested Consent Agenda Item “N” be removed for individual consideration.

Upon a motion made by Mayor Pro Tem Miner and seconded by Council Member Harris, the Council voted 8-0 to approve and adopt all remaining items on the Consent Agenda as recommended and as follows:

**Approval of Minutes** (Consent Agenda Item "A")  
February 13, 2012

**Approval of Expenditures**

**Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)**

**Bid No. 2012-101-B** for the purchase of twenty (20) Chevrolet Black & White Police Tahoe's for Fleet Services to be utilized by the Police Department from Caldwell Country Automotive in the amount of \$538,680 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

**Purchase from an Existing Contract**

To approve the purchase and installation of playground equipment for Cross Bend, Forest Creek East, and Prairie Meadow Parks through PISD Contract (2011-59-I/PISD #2010-052) in the amount of \$328,905; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

To approve the purchase of a False Alarm Tracking and Billing System to include Software Licenses, Installation, Data Conversion and Training for the Plano Police Department in the amount of \$66,825 from Dell Marketing L.P., through an existing contract/agreement with Department of Information Resources (DIR), and authorizing the City Manager to execute all necessary documents. (DIR Contract #SDD-890) (Consent Agenda Item "D") (Pulled and held)

To approve a contract for the purchase of Commvault-Galaxy Software Premium Support Coverage, in the amount of \$118,423 from CDW Government, LLC, through an existing contract with The Cooperative Purchasing Network (TCPN), and authorizing the City Manager to execute all necessary documents. (TCPN Contract No. R5106) (Consent Agenda Item "E")

**Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)**

To approve a Professional Services Agreement by and between the City of Plano and Birkhoff, Hendricks & Carter, L.L.P., in the amount of \$66,000 to prepare a performance specification for the replacement of the City's Water and Wastewater Supervisory Control and Data Acquisition (SCADA) and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "F")

To approve a Professional Services Agreement by and between the City of Plano and Birkhoff, Hendricks, and Carter, L.L.P., in the amount of \$424,000 for the renovation of the Stadium Pump Station and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "G")

## **Adoption of Resolutions**

**Resolution No. 2012-2-10(R):** To approve the terms and conditions of an agreement by and between the City of Plano and SolarBee, Inc., the sole source provider of SolarBee Potable Water Mixers; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “H”)

**Resolution No. 2012-2-11(R):** To suspend the March 6, 2012, effective date of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex”) requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with Atmos Cities Steering Committee (“ACSC”) and other cities in the Atmos Mid-Tex service area to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities’ rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company; ACSC’s legal counsel; and providing an effective date. (Consent Agenda Item “I”)

**Resolution No. 2012-2-12(R):** To authorize the filing of application for federal funds in an amount not to exceed \$35,700 under the Edward Byrne Memorial Justice Assistance Grant (JAG) State Formula Program through the Office of the Governor of Texas, Criminal Justice Division; designating Gregory W. Rushin as authorized representative of the City of Plano for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date. (Consent Agenda Item “J”)

**Resolution No. 2012-2-13(R):** To approve the terms and conditions of an Amended and Restated Tax Abatement Agreement consolidating the prior agreements into a single document by and among the City of Plano, Texas, a home rule municipal corporation of Collin and Denton Counties, Texas, the County of Collin, Texas, and Capital One, National Association, a national banking association; and authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “K”)

**Resolution No. 2012-2-14(R):** To approve the hiring of an Assistant City Attorney II by the City Attorney; and providing an effective date. (Consent Agenda Item “L”)

**Resolution No. 2012-2-15(R):** To approve the hiring of an Assistant City Attorney II by the City Attorney; and providing an effective date. (Consent Agenda Item “M”)

## **Adoption of Ordinances**

**Ordinance No. 2012-2-16:** To amend Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to prohibit stopping, standing, or parking of motor vehicles on certain sections of Bishop Road, Dickens Drive, Gifford Drive, Infinity Avenue, and Wedgeway Drive within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item “O”)

**Ordinance No. 2012-2-17:** To transfer the sum of \$15,000 from the General Fund unappropriated fund balance to the General Fund operating appropriation for fiscal year 2011-12 for the purpose of providing funds for auditing of additional programs outside the scope of the audit engagement with Grant Thornton; amending the budget of the City and Ordinance 2011-9-8, declaring this action to be a case of public necessity; and providing an effective date. (Consent Agenda Item "P")

**END OF CONSENT**

**Resolution No. 2012-2-18(R):** To authorize the purchase of downloadable content (ebooks, music, video, and e-audio library materials) with Kindle functionality in an amount not to exceed the sum of \$150,000 from OverDrive, Inc., the sole source provider of such library materials for the City of Plano - Plano Public Library System; and authorizing its execution by the City Manager to execute all necessary documents; and providing an effective date. (Consent Agenda Item "N")

Director of Libraries Ziegler spoke in regards to the purchase of e-books and advised that Overdrive is the one vendor that includes Kindles as well as all other e-readers. Ms. Ziegler responded to Council regarding how long the City has ownership/digital rights to the e-books. Director of Collection Development Torstad stated that downloadable software will be required for the user to access the e-books. Ms. Torstad responded to Council regarding how many persons could check out the same e-book, types of books, how usage would be tracked, promotion, software, and citizen downloading. She stated checkouts would be limited at the beginning due to the small number of e-books available.

Upon a motion made by Deputy Mayor Pro Tem Smith, and seconded by Mayor Pro Tem Miner, the Council voted 8-0 to authorize the purchase of downloadable content with Kindle functionality in an amount not to exceed the sum of \$150,000 from OverDrive, Inc., and further to adopt Resolution No. 2012-2-18(R).

Mayor Dyer mentioned the next Council meeting will be Tuesday, March 6 moved from Monday, March 12 due to Spring Break.

Nothing further was discussed and Mayor Dyer adjourned the meeting at 7:15 p.m.

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**Phil Dyer, MAYOR**

ATTEST:

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Diane Zucco, City Secretary



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>	
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory	
Council Meeting Date:	3/6/12
Department:	Parks and Recreation
Department Head	Amy Fortenberry
Agenda Coordinator (include phone #): <b>Susan Berger (7255)</b>	

**CAPTION**

Award of Bid No. 2012-88-B for Pedestrian Bridge Replacements-Caddo Park and Overland Trail Park, Project No. 6129 to C. Green Scaping, LP in the amount of \$333,591 and authorizing the City Manager or his authorized designee to execute all necessary documents.

**FINANCIAL SUMMARY**

NOT APPLICABLE     OPERATING EXPENSE     REVENUE     CIP

FISCAL YEAR: <b>2011-12</b>	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	43,463	710,537	950,000	<b>1,704,000</b>
Encumbered/Expended Amount	-43,463	-6,924	0	<b>-50,387</b>
This Item	0	-333,591	0	<b>-333,591</b>
BALANCE	0	370,022	950,000	<b>1,320,022</b>

**FUND(S):    CAPITAL RESERVE CIP**

**COMMENTS:** Funds are included in the FY 2011-12 Capital Reserve CIP. This item, in the amount of \$333,591, will leave a current year balance of \$370,022 for the Trail Repairs project.

STRATEGIC PLAN GOAL: Trail Repairs relate to the City's Goal of Great Neighborhoods - 1st Choice to Live.

**SUMMARY OF ITEM**

Staff recommends the bid of C. Green Scaping, LP in the amount of \$333,591 be accepted as the lowest responsible bid for the Pedestrian Bridge Replacements-Caddo Park and Overland Trail Park projects conditioned upon the timely execution of all necessary documents.

This project involves the construction of two prefabricated weathering steel pedestrian bridges, erosion control structures and miscellaneous site restoration and repair. The demolition of two existing concrete bridges is included. The existing bridges are well over 30 years old.

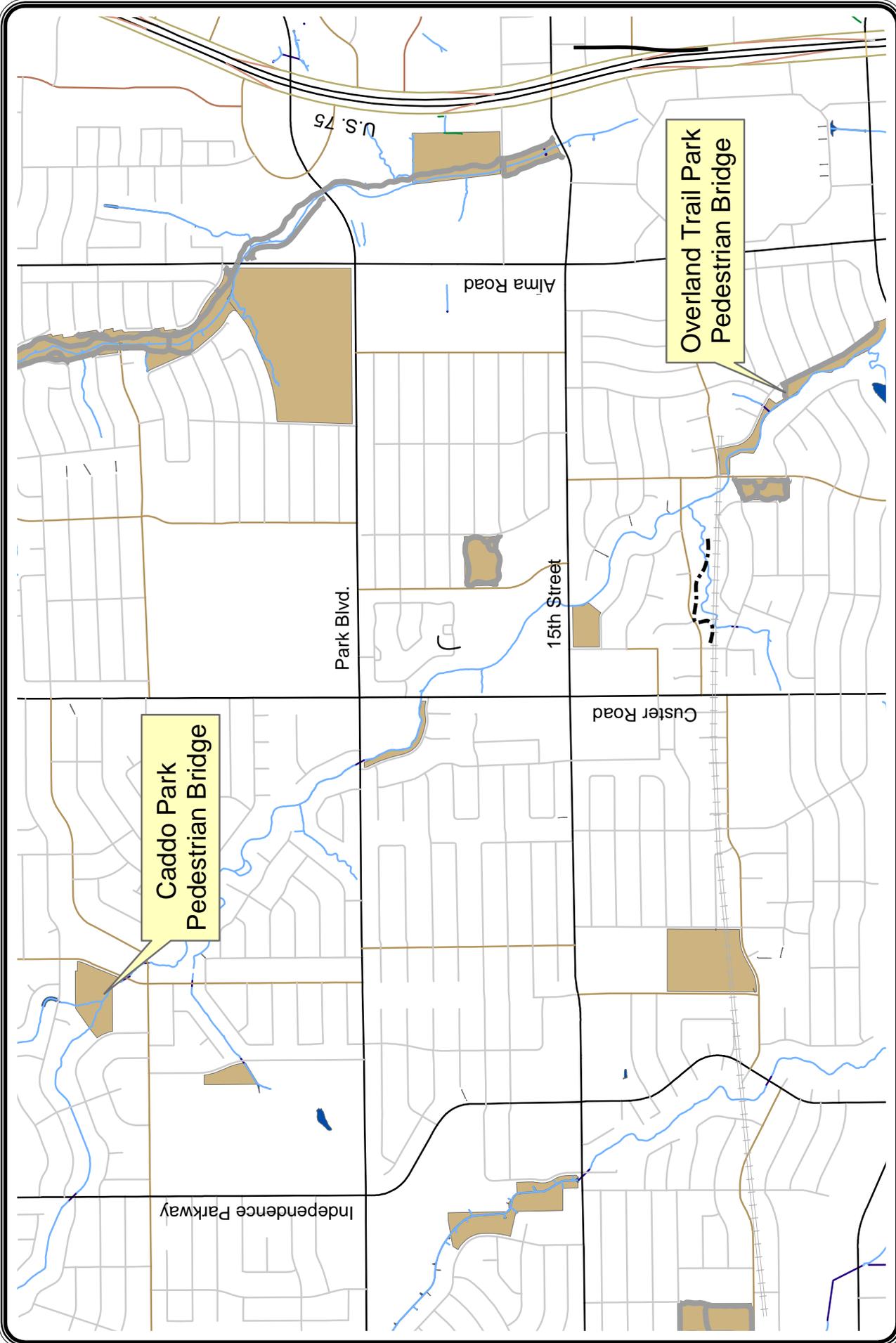
The bridge at Caddo Park provides a connection between two sides of the park and to Davis Elementary School. The bridge at Overland Trail Park provides neighborhood access to the park and to nearby Sigler Elementary School.

The secondary vendor being recommended is JDK Associates, Inc. in the amount of \$358,232.



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

List of Supporting Documents: Location Map Bid Recap	Other Departments, Boards, Commissions or Agencies



# Caddo Park and Overland Trail Park, Pedestrian Bridge Replacements



Parks & Recreation Department  
Park Planning

CITY OF PLANO

BID NO. 2012-88-B  
Pedestrian Bridge Replacements – Caddo Park & Overland Trail Park  
Project No 6129

BID RECAP

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**Bid opening Date/Time:** February 3, 2012 @ 3:00 pm

**Number of Vendors Notified:** 1662

**Vendors Submitting “No Bids”:** 0

**Bids Evaluated Non-Responsive to Specifications:** 0

**Number of Bids Submitted Responsive to Bid:** 9

C. Green Scaping, LP	\$333,590.94
JDK Associates, Inc.	\$358,231.63
Cole Construction, Inc.	\$361,137.69
Northstar Construction, Inc.	\$371,917.60
SFCC, Inc.	\$403,874.49
CPS Civil LLC	\$432,250.00
Texas Standard Construction, Ltd.	\$463,517.00
Jay Davis Company, Inc. dba JDC Construction	\$546,468.00
Irricon Construction	\$557,180.00

**Recommended Vendor:**

C. Green Scaping, LP	\$333,590.94
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*Nicole Griffin*

\_\_\_\_\_  
Nicole Griffin  
Buyer I

*February 14, 2012*

\_\_\_\_\_  
Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		3/6/2012		
Department:		Purchasing		
Department Head		Diane Palmer-Boeck		
Agenda Coordinator (include phone #): <b>Dianna Wike x7549</b>				
<b>CAPTION</b>				
CSP No. 2011-167-C for the purchase of Inventory Tracking Asset Management System from Data Systems International, Inc. in the estimated amount of \$137,310, and authorizing the City Manager to execute all necessary documents.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2011-12</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	350,000	0	<b>350,000</b>
Encumbered/Expended Amount	0	-25,000	0	<b>-25,000</b>
This Item	0	-137,310	0	<b>-137,310</b>
BALANCE	0	187,690	0	<b>187,690</b>
<b>FUND(S):    TECHNOLOGY FUND (62.62379)</b>				
<p><b>COMMENTS:</b> Funds are included in the Technology Fund budget for the purchase and implementation of an Inventory Management module which is compatible with the the JD Edwards Enterprise Financial System. The balance of funds will be used for other items related to the inventory management system project.</p> <p><b>STRATEGIC PLAN GOAL:</b> The purchase and implementation of a bar-coding inventory system relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
Staff recommends the Competitive Sealed Proposal of Data Systems International, Inc. for Inventory Tracking Asset Management System in the estimated amount of \$137,310, be accepted as the best value proposal, and conditioned upon timely execution of any necessary contract documents for Asset Management System.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memorandum				
CSP Recap				

# Memorandum

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**To:** Diane Palmer-Boeck, Purchasing Manager  
**CC:** Denise Tacke, Director of Finance  
**From:** Josh Littrell, Financial Systems Manager  
**Date:** 2/24/2012  
**Re:** Recommendation Memo – Award to Data Systems International, Inc.

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After years of manually tracking inventory items, the Fire Department and Plano Centre have decided to implement Inventory Management within the JD Edwards Enterprise Financial system. The implementation of the inventory management module will allow these departments to accurately track where their inventory items are located, stock levels, expiration dates of perishable items as well as lot control in instances of recalled products like controlled medications. This system will streamline the inventory management process through the use of hand held data management devices, utilization of bar code technology and seamless integration of the inventory management data within our current enterprise software.

Inventory management utilizing hand held data management devices will allow these departments to accurately account for what the departments own, purchase, stock and use. This will give management a real-time overview of supply, demand, and shrinkage of departmental assets.

If the hand held device capability is not acquired, these departments will still be relying on an antiquated way of maintaining stock items. This results in more waste as items aren't properly accounted for and expire on the shelf. Controlled medications are not properly tracked through use of lot control and can result in medications being used after being recalled. It is physically impossible without a system like this to track items between the various fire stations and various trucks and ambulances within each fire station.

The search committee assigned for review of proposals submitted for an Inventory Tracking Asset Management System for JD Edwards is recommending the City enter into a contract with Data Systems International, Inc.

The committee reviewed proposals from the two responses we received as well as attended demonstrations from both vendors. Data Systems International, Inc. was selected as our top candidate based on score using a matrix grading system. Taken into consideration were each vendor's project plan, experience, past performance, installation plan, staff training, warranty, maintenance, support, and cost.

The initial Implementation and hardware purchases will occur in year one at a cost of \$137,310. Beginning in year two, annual licensing and maintenance fees will be \$11,660. The maintenance will be a new supplement requested in the 2012-13 budget from the Technology Services Fund. Additional hardware will be purchased as needed for the full deployment in years two through five at pricing per proposal. The initial purchase price and future hardware purchases will be paid from a supplement requested from the Technology Fund.

# CITY OF PLANO

## CSP NO. 2011-167-C FOR INVENTORY TRACKING ASSET MANAGEMENT SYSTEM CSP RECAP

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**Bid opening Date/Time:** June 24, 2011 @ 3:00pm

**Number of Vendors Notified:** 2930

**Vendors Submitting "No Bids":** 0

**Number of Bids Submitted:** 2

Data Systems International, Inc.	\$137,310
WhiteLight Group	\$227,552

**Bids Evaluated Non-Responsive to Specification:** 0

**Recommended Vendor(s):** Data Systems International, Inc. \$137,310

*Dianna Wike*

February 16, 2012

\_\_\_\_\_  
Dianna Wike, Contract Specialist

\_\_\_\_\_  
Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		3-6-2012			
Department:		Purchasing			
Department Head		Diane Palmer-Boeck			
Agenda Coordinator (include phone #): <b>Nancy Corwin 972-941-7137</b>					
<b>CAPTION</b>					
Award of RFP No. 2011-257-C-R for a one (1) year contract with four (4) City optional renewals for Broker of Record and Supplemental Services to Arthur J. Gallagher Risk Management Services, Inc. in the estimated amount of \$139,500, to be utilized by Risk Management, and authorizing the City Manager or his authorized donee to execute all necessary documents.					
<b>FINANCIAL SUMMARY</b>					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2011-12, 2012-13, 2013-14, 2014-2015 & 2015-16	Prior Year (CIP Only)	Current Year	Future Years	<b>TOTALS</b>
Budget		0	1,085,810	562,750	<b>1,648,560</b>
Encumbered/Expended Amount		0	-853,004	0	<b>-853,004</b>
This Item		0	-139,500	-562,750	<b>-702,250</b>
BALANCE		0	93,306	0	<b>93,306</b>
<b>FUND(s):</b> PROPERTY/LIABILITY LOSS					
<p><b>COMMENTS:</b> This item approves price quotes. Expenditures will be made in the Risk Management Department based on need within the approved budget appropriations for each year of the contract. The estimated annual amount to be spent in FY 2011-12 is \$139,500. The estimated future amount, if all renewal years are exercised is \$562,750, which will be made within approved budget appropriations. Remaining balance will be used for other Risk Management services.</p> <p><b>STRATEGIC PLAN GOAL:</b> Providing Risk Management with Broker of Records and Supplemental Services relates to the City's Goal of a Financially Strong City with Service Excellence.</p>					
<b>SUMMARY OF ITEM</b>					
Staff recommends the Request for Proposal of Arthur J. Gallagher Risk Management Services, Inc. for the 2011-257-C-R, RFP for Broker of Record and Supplemental Services in the estimated amount of \$139,500 be accepted as the best value proposal, establish an annual contract with four (4) City optional renewals to be utilized by Risk Management, and conditioned upon timely execution of any necessary contract documents.					
List of Supporting Documents: Recommendation Memo, Bid Recap			Other Departments, Boards, Commissions or Agencies		



Division of Risk Management  
7501-A Independence Parkway  
Plano, TX 75025  
972.208.8250

## **MEMORANDUM**

**DATE:** 1/12/2012

**TO:** Diane Palmer-Boeck, Chief Purchasing Officer

**FROM:** Darrell Edwards, Risk Manager

**CC:** LaShon Ross, Deputy City Manager – Community Services  
Jim Parrish, Director of Human Resources  
Jim Miller, Assistant Risk Manager

**SUBJECT:** Broker of Record and Supplemental Services Contract Award, RFP No. 2011-257-C-R

The RFP encompassed the following services:

- Broker of Record Services
- Consulting Services
- Claims Auditing Services
- Claims Actuarial Services

The Evaluation Committee consisting of Lashon Ross, Jim Parrish, Jim Miller and myself evaluated proposals from Arthur J. Gallagher Risk Management Services, Incorporated and Holmes Murphy & Associates. The Evaluation Committee, collectively, recommends award of subject services to Arthur J. Gallagher Risk Management Services, Incorporated.

Arthur J. Gallagher Risk Management Services, Incorporated was the most responsive bidder and demonstrated the ability to provide the services requested by the RFP. Holmes Murphy & Associates failed to demonstrate service delivery at the level required by the City and to provide pricing for Claims Actuarial Services. Holmes Murphy & Associates indicated that pricing could not be provided for Claims Actuarial Services until after a discussion with the City.

The evaluation criteria consisted of the following criteria and weight:

- Firm and staff experience (35%)
- Work-plan submittals describing how provider intends to provide requested services (Broker of Record Services, Consulting Services, Claims Auditing



Division of Risk Management  
7501-A Independence Parkway  
Plano, TX 75025  
972.208.8250

## **MEMORANDUM**

Services, and Claims Actuarial Services) as described in detail in the RFP document (25%)

- Cost (40%)

After applying the weight factors to the technical scores assigned by the Evaluation Committee, Arthur J. Gallagher Risk Management Services, Incorporated's weighted average was calculated to be 4.01 and Holmes Murphy & Associates' weighted average was calculated to be 1.96.

The impact on the City if this contract was not accepted would be significant. It would take a considerable amount of time and effort to replicate the benefits of having a Broker of Record. In addition, we would not have the benefit of being able to leverage Arthur J. Gallagher Risk Management Services, Incorporated's relationships with major carriers. The consulting and claims auditing portions could be accomplished, but without the advantage of having another set of eyes and expertise brought to the table. The actuarial study would need to be outsourced because performing an actuarial study requires a very specific set of skills. If all of these functions were required to be performed using existing staff, other mission critical activities would suffer, and our ability to serve the organization would be diminished.

# CITY OF PLANO

RFP No. 2011-257-C-R

## RFP FOR BROKER OF RECORD AND SUPPLEMENTAL SERVICES

### RFP RECAP

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**RFP opening Date/Time:** November 21, 2011 @ 3:30 PM

**Number of Vendors Notified:** 4246

**Vendors Submitting "No Bids":** 3

**Number of Proposals Considered:** 2

Arthur J. Gallagher Risk Management Services, Inc.

Holmes Murphy

**Proposals Received – Not Considered:** 0

**Recommended Vendor(s):**

Arthur J. Gallagher Risk Management Services, Inc.      \$139,500.00

*Nancy Corwin*

November 21, 2011

\_\_\_\_\_  
Nancy Corwin, Buyer II

\_\_\_\_\_  
Date



## CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		3/06/2012			
Department:		Public Information			
Department Head		Dana Conklin			
Agenda Coordinator (include phone #): <b>Nicole Griffin ext 7204</b>					
<b>CAPTION</b>					
To Approve the purchase of Website Design and Hosting for the Public Information Department in the amount of \$145,750 from Civic Plus through an existing contract with DIR and authorizing the City Manager to execute all necessary documents. (DIR Contract Number DIR-SDD-1636)					
<b>FINANCIAL SUMMARY</b>					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2011-12, 2012-13, 2013-14 & 2014-15	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	-42,858	-102,892	<b>-145,750</b>
BALANCE		0	-42,858	-102,892	<b>-145,750</b>
<b>FUND(S):     PTN FUND</b>					
<p><b>COMMENTS:</b>     This item approves price quotes. Expenditures will be made in the Plano Television Network (PTN) department based on need within the approved budget appropriations for each year of the contract. The estimated annual amount to be spent in FY 2011-12 is \$42,858 which there is a companion supplemental appropriation for the services of a third party vendor to assist in the website design. The estimated future annual amount is \$102,892, which will be made within approved budget appropriations.</p> <p><b>STRATEGIC PLAN GOAL:</b> The contracted service to provide a full website upgrade and redesign project for Plano Television Network (PTN) relates to the City's goal of a Financially Strong City with Service Excellence.</p>					
<b>SUMMARY OF ITEM</b>					
<p>The Public Information Department recommends the Competitive Sealed Proposal of Civic Plus, for the City of Plano Website Design and Hosting, in the amount of \$145,750, be accepted as the best value conditioned on the timely execution of necessary contract documents. This four year contract will be awarded, allowing the total cost of the project to be paid out over that period. The cost of year one, two, and three of the project will be \$42,858 annually. Year four of the contract will cost \$17,176 which reflects the annual maintenance and support fee. Although Vision Internet proposed a lower price, the proposal does not include the option of a free website redesign every four years or access to newly developed features, without incurring additional costs. The Civic Plus all-inclusive pricing model would allow the City to effectively budget for the costs of the website platform while keeping pace with the emerging trends for government websites. The Public Information Department asserts that the selection of Civic Plus as the City's website platform will help meet the City Council's goals for increased citizen engagement by continuously providing integrated functionality such as crowd-sourcing, one</p>					



## CITY OF PLANO COUNCIL AGENDA ITEM

click posting to social media, customer request management, and news alerts. The City is authorized to purchase from the State Contract list pursuant to Section 271 Subchapter D of the Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (DIR-SDD-1636/City of Plano Internal Contract No. 2012-62-O)

List of Supporting Documents:

CSP Recap

Recommendation Memorandum

Website Upgrade and Redesign Memorandum

Other Departments, Boards, Commissions or Agencies



**Date:** January 23, 2012

**To:** Nicole Griffin, Buyer

**From:** Melissa Peachey, Public Information Manager

**Subject: Award Recommendation - 2012-62-O – CSP for City of Plano Website Design & Hosting**

A four member team composed of departmental content managers from around the City evaluated proposals and on-site demonstrations from Civic Plus and Vision Internet, companies known to provide quality city and county government websites. This award recommendation is based on the following evaluation criteria:

- Cost (weighted at 30%),
- Quality and Depth of the Proposal (weighted at 30%)
- Training and Support (weighted at 25%)
- Past Experience (weighted at 15%)

The Public Information Department solicited input from all City departments and developed a list of 26 required features for the new website. Civic Plus meets all 26 requirements while Vision Internet met 24. Civic Plus includes ongoing web based and in-person training in addition to the typical email and phone support provided by other companies. Unlike other vendors, Civic Plus focuses their website platform development solely on the needs of city and county governments as opposed to those of other types of business and organizations.

The evaluation team and the Public Information Department recommends Civic Plus be awarded the Website Design and Hosting project in the amount of \$145,750. A four year contract will be awarded, allowing the total cost of the project to be paid out over that period. The cost of year one, two, and three of the project will be \$42,858 annually. Year four of the contract will cost \$17,176 which reflects the annual maintenance and support fee. Although Vision Internet proposed a lower price, the proposal does not include the option of a free website redesign every four years or access to newly developed features and modules, without incurring additional unknown costs. The Civic Plus all-inclusive pricing model would allow the City to effectively budget for the costs of the website platform while keeping pace with the emerging trends for government websites.

The Public Information Department asserts that the selection of Civic Plus as the City's website platform will help meet the City Council's goals for increased citizen engagement by continuously providing integrated functionality such as crowd-sourcing, one click posting to social media, customer request management, and news alerts.



**Date:** February 20, 2012  
**To:** Bruce Glasscock, City Manager  
**Through:** Mark Israelson, Director of Policy and Government Relations  
**From:** Dana Conklin, Director of Public Information  
**Subject:** **Website Upgrade and Redesign Project**

In meeting the City's strategic goal of effective and efficient communication with residents, staff is proceeding with the process of a full website upgrade and redesign to be completed no later than October 2012. Partnering with the Technology Services Department (TS), we would like to deploy a new site under a contract with a third party vendor. Completion of this project will meet the City's current website needs on a wider scale and with more staff efficiency. It will also provide significant resources not only in supporting the site but in positioning the City of Plano to incorporate future needs yet to be revealed.

#### Background

The City began using SharePoint to provide the official website in 2008. The last redesign of the existing website occurred in fall 2009 and was primarily a visual change. Since that time comments have been received such as:

- the site is nice but is not intuitive enough
- difficult to navigate and search
- menu layout options are limiting
- the calendar is not community oriented
- there is no ability to include rotating photos (slide show)
- there is limited opportunity for interaction other than e-commerce processes
- it's too hard to use on a smartphone

Additionally, the SharePoint web platform currently used is a small piece of the Microsoft Enterprise system owned and used throughout the City by TS. This product does not receive as much development attention by Microsoft as their business software, thus providing its own set of challenges in keeping current in the industry. The City's use of SharePoint as a document library, e-commerce site, etc. limits the ability of our TS staff to devote time to developing features and functions for the website, therefore keeping pace with web use demands has not received much attention. Examples of these challenges are:

- **Difficulty Incorporating Third Party Widgets**  
 Many widgets for third-party applications (i.e.; Facebook and Twitter) employ code that conflicts with the operation of SharePoint page editing by rendering the editing toolbar inoperable. In order to edit a page, widgets must be removed and re-added after text and images have been edited in the same page. Addition of widgets on the website requires the use of different types of web controls to prevent codes for widgets from being automatically stripped from web pages. Websites built outside of SharePoint can accommodate widgets at any location on any page of the site without the use of different controls.
  
- **SharePoint Lacks “Out of the Box” Functionality**  
 As a Web Content Management System, SharePoint provides basic functionality for content organization, navigation, archiving and multi-user permissions but does not include the features and functionality needed to provide a dynamic and interactive user experience. Creation of comparable features in-house would require additional staff resources above and beyond those currently dedicated to e-commerce functions at TS.
  
- **Current Training and Support**  
 Training and support has been minimal for web staff. TS has SharePoint staff who do not spend much time on the public website portion of the product. After implementation of the initial product, additional learning by web staff has been self-serve through various websites, books, and minimal live training opportunities. Tech Services personnel has been tasked with focusing on e-commerce applications and little or no public website development beyond the immediate needs of specific departments (i.e. paperless agenda).
  
- **Content Management Administration**  
 Staff members across the organization (35) provide and administer the site content. The SharePoint system requires several steps to process a single information item and associated graphics. These steps must be repeated for each page on which the information needs to appear requiring more time by the content provider. Additional time is required if this information is also desired on social media channels or e-newsletters. The average original posting by a content provider takes 15 minutes. Newer website products provide space for the original information and then selections are made as to other locations for the information, reducing posting time.
  
- **Design and Graphic Limitations**  
 SharePoint allows only certain types of content in certain areas of the page which limits the ability of staff members to add media-rich content anywhere on their pages through the use of web controls. This constrains our ability to meet design and structural needs in response to comments about the site. The menu structure, in many instances, requires additional pages in order to redirect a user to an “add on” site such as the Municipal Code of Ordinances, PeopleSoft, and even our own e-commerce functions. The calendar feature has much of the same challenge in that it is a single environment and cannot be managed to show specific sub-calendars on differing pages without a tremendous amount of development work by staff. These constraints are challenging when trying to meet users expectations.
  
- **Site Use by Mobile Devices**  
 The current site design does not lend itself to legibility or functional use by a mobile device. In order to achieve this option for our users we would have to devote significant time to developing a completely separate site designed specifically for the confinement of a mobile

device. This option would require determination of what information and resources would be provided and how to do so, which might involve additional development of our e-commerce sites as well. Providing a mobile site would be a significant commitment in development and separate maintenance.

Staff began considering these comments and concerns as the time to plan for the next update to the site approached. It was determined that we should look for a possible outside vendor and platform to meet the future expectations for site functionality and performance. Thus began the research and project planning phase.

### Project Planning

We actively solicited input from all City departments, current users, and Plano businesses providing web services – departments were asked to provide lists of functions and features they would like to see and utilize; two citizen focus groups were hosted to test the existing site as well as explore desired functions; web site providers from Plano businesses were invited to provide feedback about existing and future functionality.

Out of these meetings we developed a list of 26 required features for the new website. Among these were the use of more photos/slide shows, improved community calendar, interactive maps, mobile device compatibility, and several administrative improvements. Our recommended vendor meets all 26 requirements while providing additional features and functions. This change from an in-house operation along with adding many new features will provide a more robust environment and service enhancements for the City and our users adding value to our communication with residents.

A discussion was also held with the Technology Services Director, David Stephens, where a vision was shared about having a site that would incorporate functions within rather than having to add more third-party vendors requiring additional contracting and management. This discussion included the possibility that SharePoint might not be the best site to continue using and it was agreed that an outside party most likely would be able to meet current and future website needs. Danny Housewright, TS staff, provided a list of SharePoint e-commerce and e-gov sites that must be considered when implementing any new product and which will be incorporated into any new site. Danny also served on the bid evaluation team and will continue to serve on the implementation team.

Two high-quality companies providing websites specifically designed for government agencies, both carrying good reputations, were identified and requested to participate in a Competitive Sealed Proposal process. The evaluation panel was made of staff from Web Services, TS, Police, Library, and Sustainability – some of our heaviest administrative users. Written proposals and full product demonstrations were provided by the vendors as a part of the evaluation process. The result is the selection of Civic Plus as our desired vendor ranking higher on the number of features provided and on their pricing structure.

Here is a short list of government agencies currently using Civic Plus.

- Athens-Clarke County, GA [athensclarkecounty.com](http://athensclarkecounty.com)
- Shelby County, TN [shelbycountyttn.gov](http://shelbycountyttn.gov)
- Pueblo, CO [pueblo.us](http://pueblo.us)
- Manassas, VA [manassascity.org](http://manassascity.org)
- League City, TX [leaguecity.com](http://leaguecity.com)

- Hutto, TX [huttotx.gov](http://huttotx.gov)
- Cedar Hill, TX [cedarhilltx.com](http://cedarhilltx.com)
- Burleson, TX [burlesontx.com](http://burlesontx.com)
- Corinth, TX [cityofcorinth.com](http://cityofcorinth.com)
- Sherman, TX [www.ci.sherman.tx.us](http://www.ci.sherman.tx.us)

### Efficiencies

Many of the efficiencies offered by this change will not be visible but will enhance staff's ability to provide information and communication without expanding resources. Among the enhancements will be

- **Enhanced Corporate Value**  
Employing a third party vendor that is well-versed in maintaining award-winning government websites and current applications who also responds in a timely manner to industry trends will allow us to respond more quickly to changes in communication through our electronic environment. We will be able to implement new functions more quickly and will be able to provide a design that is more attractive along with a structure that is more intuitive and personalized for our users.
- **Secure Hosting and Offsite Support**  
This adds security to the operation of the website for communicating with residents should a disaster occur locally and impact our servers and support teams for this critical communication system. Off-site contract support will also allow us to feed information when local staff may not be available due to other emergency management needs.
- **Increased Training Resources**  
Currently our webmaster handles all training for our 35 content managers. Our third party vendor will provide training for webmaster staff as well as department content managers. This will include group and individual training and incorporate skill testing. In addition, training is available through the vendor's Internet site at any time which is important in addressing staff changes and re-training needs across the organization.
- **Access to a User Group**  
This enhances our use of the communication tools by providing free access to a wider knowledge base for information, trend awareness, and effective idea sharing.
- **Enhanced Staff Efficiency for Content Managers**  
The new site will allow content managers to enter information in a single location and select where it will be posted, including a direct connection to our social media channels. This will reduce the amount of time currently needed to post information to multiple channels (i.e. individually to multiple web pages, newsletters, RSS feeds, social media channels – all currently done on a single entry basis to each page) This will save an estimated 15 minutes per posting providing more time for staff to service the site's needs as well as all other duties unrelated to the web site.
- **Optional Use of Sub-Sites Through Vendor**  
As an option, we will have the ability to provide alternate websites under the same contract, using the same vendor, for Convention and Visitors Bureau, Plano Centre, and Economic Development with the intent of gaining cost savings while providing those businesses with

these same robust support and design resources. This will be addressed with each of those departments as our vendor comes on board and their budgets, contracts, and interests allow.

Costs

In our current web platform we incorporate a variety of external programs which are seamlessly merged into the site. Two of these are budgeted within Web Services at \$24,523 annually with an increase expected over the next four years. These programs are Browse Aloud / textHELP, a reader service providing accessibility at \$3,295; and GovDelivery, a notification and newsletter system at \$20,880. Each of these purchases would be eliminated with a new website as the new vendor offers these services within their package.

Several e-gov processes are incorporated using the SharePoint system developed by TS. Moving to a new vendor and platform will not impact the operation of these sites and will continue to be available through the site. This would include the City Council agenda process, board and commission uses, and e-commerce services. Other programs incorporated are relative to single departments, budgeted by them, and then incorporated into the site as an iFrame (Fix It, Swagit video content, Blackboard Connect, Mind Mixer), or are available free of charge and used separately from the website (social media). PeopleSoft, Bid Sync and MuniCode will continue to be via a direct link to their websites. There may be the need for some design/color changes, but none of these programs will be damaged by the transition.

Technology Services costs for the SharePoint web platform are included in the Microsoft Enterprise Agreement. This is paid on a yearly basis and we have a three-year contract. Within the agreement specific SharePoint website costs cannot be identified. The servers hosting the current website also serve the e-government sites and will remain intact providing no cost savings. Ultimately, *there will be no financial or staff impact for the Technology Services Department with this change.*

The cost for the proposed contract is \$145,750 over four years which covers the design and implementation phases, hosting, and all maintenance and support as well as access to all current and future modules developed by Civic Plus. This all-inclusive pricing model would allow the City to effectively manage costs over time while keeping pace with the emerging trends for government websites without additional costs for each new module or feature.

	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>	4-Year TOTAL
Current Expenses	\$ 24,523	\$ -	\$ -	\$ -	<b>\$ 24,523</b>
Civic Plus	\$ 42,858	\$ 42,858	\$ 42,858	\$ 17,176	<b>\$ 145,750</b>
Needed	\$ 42,858	\$ 42,858	\$ 42,858	\$ 17,176	\$ 145,750

Comparisons

The movement of the website to a third-party vendor will provide a more robust set of functions for users and staff while allowing existing webmaster staff to continue managing content and coordinating 35

content managers from their respective departments. This move to a third party vendor will incorporate these new and future functions seamlessly into one site.

The existing website uses the SharePoint website platform provided within the Microsoft Enterprise package by TS. The SharePoint platform also provides 12 in-house support sites that provide many of the e-government processes used by citizens and staff. Each of these is integrated into the new site. After the new site is established and we become comfortable with it, we may want to compare the available modules to ours and determine any changes we might wish to make. Again, our current systems are, and can be, integrated in their current configuration.

Keeping in mind that we are working with SharePoint 2007, the chart below compares current site features for users to the options offered by the proposed vendor. More details about each specific feature are available and we welcome the opportunity to visit each of them further.

	Currently available	New Vendor
Agenda center	Yes (SharePoint)	Yes
Alerts	Yes	Yes
Archive center	Yes	Yes
Bid postings	Yes (BidSync)	Yes
Blog	No	Yes
Business/Resource directory	No	Yes
Calendar (community)	Minimal	Yes
Carbon calculator	No	Yes
Document center	No	Yes
ePayment center	Various	Yes
Facilities & Reservations	Yes/No	Yes
Frequently Asked Questions	Yes	Yes
Forms development	Yes (SharePoint)	Yes
Healthy City	No	Yes
Job Postings	Yes (PeopleSoft)	Yes
Licenses & Permits	Yes (SharePoint)	Yes
Media Center w/stream video	Yes	Yes
My Dashboard	No	Yes
News Flash	Yes	Yes
Notify Me	Yes (GovDelivery)	Yes
Online job application	Yes (PeopleSoft)	Yes
Opinion Poll	No	Yes
Photo Gallery	No	Yes
Postcard	No	Yes
Quick Links	Yes	Yes
Real estate locator	No	Yes
Citizen Request Tracker	Yes (Fix It)	Yes
Spotlight	No	Yes
Staff Directory	Minimal	Yes

On February 3, Civic Plus announced the availability of its **crowd sourcing** module. We are excited that this will be an option within the new website and look forward to comparing it to the Mind Mixer product.

Administrative enhancements are also compared.

	Currently available	New Vendor
Bad links identifier	No	Yes
Content library	Yes	Yes
Dynamic layout	Yes	Yes
Dynamic page components	No	Yes
Dynamic breadcrumbs & site map	Yes	Yes
eCommerce integration	Yes	Yes
History log	Yes	Yes
Intranet	Yes (SharePoint)	Yes
Levels of rights	Yes	Yes
LDAP authentication	Yes	Yes
Link redirects	Yes	Yes
Live edit	Yes	Yes
Maps – clickable, javascript, flash	No	Yes
MuniMobile	No	Yes
Navigation options	Minimal	Yes
Navigation depth	Yes	Yes
Portal page development	Yes	Yes
RSS feeds	Yes	Yes
Search Engine Registration & Optimization	Minimal	Yes
Site search	Minimal	Yes
Site administrative controls	Yes	Yes
Social networks & Gov 2.0	Separate	Yes
Training	Minimal	Yes
Website statistics	Yes	Yes

As seen in the tables, there are a few applications currently provided in-house in our SharePoint environment. To manage the integrity of the transition process, we have asked TS to provide an updated list of all e-commerce and e-gov sites currently provided in the SharePoint platform supplemental to the website. We have discussed these processes with David Stephens and agree that these changes are possible and integration problems expected to be minimal. We will work with TS and our vendor to insure the integrity of these priority services.

We believe that the implementation of a new web platform using a third-party vendor meets and exceeds our current needs, provides new functions for calculated use, and will allow us to bring new functions to our users more quickly in the future without tremendous additional costs in time or dollars.

Cc: David Stephens, Director of Technology Services

**CITY OF PLANO**  
**CSP NO. 2012-62-O**  
**CSP FOR CITY OF PLANO WEBSITE DESIGN & HOSTING**  
**CSP RECAP**

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**CSP Opening Date/Time:** January 5, 2012 @ 12:00pm CST

**Number of Vendors Notified:** 2

**Vendors Submitting "No Bids":** 0

**Number of Proposals Considered:** 2

Vision Internet	\$ 82,809
Civic Plus	\$ 145,750

**Proposals Received - Not Considered:** 0

**Recommended Vendor(s):**

Civic Plus	\$ 145,750
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*Nicole Griffin*

January 23, 2012

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Nicole Griffin, Buyer



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		3/6/2012		
Department:		Office of Policy and Government Relations		
Department Head		Mark Israelson		
Agenda Coordinator (include phone #): <b>Andrea Showkeir 972-941-5113</b>				
<b>CAPTION</b>				
To approve a contract for the purchase of wireless communication services in the amount of \$144,881.93 from Blackboard Inc., through a U.S. General Services Administration (GSA) contract, and authorizing the City Manager to execute all necessary documents. (GS-35F-0554M).				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2011-12	Prior Year (CIP Only)	Current Year	Future Years
		0	0	0
		0	0	0
		0	-144,882	0
		0	-144,882	0
		0	-144,882	0
		0	-144,882	0
<b>FUND(S):    WATER AND SEWER FUND</b>				
<p><b>COMMENTS:</b> Funding for this item is not included in the approved FY 2011-12 Water &amp; Sewer Budget, although funds are available within the unappropriated Water &amp; Sewer Fund balance. This item has a companion agenda item to approve a Supplemental Budget Appropriation in the amount of \$144,882 from the Water &amp; Sewer Fund, required to provide this service.</p> <p><b>STRATEGIC PLAN GOAL:</b> Providing wireless communication services to the citizens of Plano relates to the City's Goals of Financially Strong City with Service Excellence and Safe Large City.</p>				
<b>SUMMARY OF ITEM</b>				
To approve a contract for the purchase of wireless communication services in the amount of \$144,881.93 from Blackboard Inc.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memorandum, GSA Contract GS-35F-0554M				



**Date:** February 22, 2012  
**To:** Bruce Glasscock, City Manager  
**From:** Mark Israelson, Director of Policy & Government Relations  
**Subject:** Blackboard Connect Project

With the new City Council goal of telling the City's story, communications has become a more critical focus of City operations. A tool to help get the City's message to citizens in a format requested by individual citizens will provide flexibility in targeting a message to a targeted audience. Staff has held discussions with a vendor who provides a service that will meet those goals for an annual fixed fee of \$144,882 per year. After researching references including the cities of Sugar Land and Southlake, staff has worked to come to a contractual agreement through the cooperative purchasing program utilizing a General Services Administration (GSA) contract.

Features of the mass communication program include:

**Notification by:**

- Voice
- E-mail
- Text
- Social Media

**Suggested Uses:**

- Severe weather
- Road closures
- Water main breaks
- Water tower draining
- Invitations to park planning discussions
- Delinquent utility bills
- Outstanding warrants
- Community events

**Additional Features:**

- Citizen self selection of topics for communication
- Citizen input of type of contact for each topic (voice, e-mail, text)
- Citizen maintenance of contact information
- Geo-calling to specific areas of town
- Message delivery tracking
- 24/7/365 customer support
- Unlimited use

This product concept has been rolled out to all City departments and there is specific interest by the following departments:

Customer & Utility Services  
Fire Department  
Parks & Recreation  
Planning  
Police  
Sustainability & Environmental Waste

Additional benefits to the City would include a one year complimentary subscription to the weather-alert notifications service provided by Blackboard Connect which is valued at \$2,500 per year. Blackboard Connect receives data feeds of four types of warnings from National Weather Service/NOAA:

- Severe Thunderstorm
- Tornado
- Flash Flood
- Special Marine

Funding for this project is available through a supplemental appropriation in the Water & Sewer Fund. However, since this project will be utilized by departments spanning all funds, transfers out from the Water & Sewer Fund to other funds will be decreased proportionally to cover the cost of participating in this service. In addition, elimination of 2 existing notification systems will result in savings up to \$42,000 per year based upon features that could be effectively eliminated without affecting existing service levels.

**Agreement By and Between Blackboard Inc. and City of Plano  
For  
Wireless Communication Services**

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**Blackboard Connect for Government  
GSA Quote**

Unlimited Use Service Proposal for **City of Plano, TX**

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**Company Information**

Blackboard Inc.  
650 Massachusetts Ave., NW, 6th Floor  
Washington, DC 20001

DUNS Number: 01-613-1430  
Tax ID Number: 52-2081178  
CAGE Number: 1QLN4  
GSA Contract Number: GS-35F-0554M

**Prices Valid through 3/30/12**

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**Service Summary:** The Blackboard Connect for Government service allows government leaders to provide notices, direction, and reassurance to reach thousands of constituents in minutes without having to invest in or maintain hardware, software, or additional phone lines. Now, you can reach your entire community—quickly and reliably—with voice, text, and email messages.

Services include:

- An integrated communications suite, including Priority Communication, Community Outreach and Interactive Survey
- Voice and text/SMS delivery to multiple communication devices
- Geo-Calling feature lets you target recipients using a map
- 24/7/365 proactive Client Care support
- Unlimited use for a fixed, annual fee
- Initial set-up, training and refresher training sessions included
- Delivery to up to three phones, two email addresses and one SMS phone per contact
- Superior call routing, throttling, and load balancing expertise
- Fully hosted and managed Software as a Service (SaaS) --- no maintenance required
- Message delivery tracking with comprehensive reporting
- Weather Alerts\*

**\*Weather Alerts.** Weather alert bulletins provided by NOAA, and delivered by a Blackboard initiated notification via voice, email and SMS (the "Weather Alerts") to Recipients. The Weather Alerts are available in the following four distinct categories: a) tornado alerts; b) severe thunderstorm alerts; c) flood alerts; and d) special marine alerts. The Weather Alerts shall be distributed by Blackboard based on NOAA issuing the applicable weather bulletin, which may occur at any time, 24 hours/day. In consideration for the use of Weather Alerts during the Initial Term, the Customer's annual fee of \$2,500.00 will be waived ("Weather Alert Fee").

Customer acknowledges and agrees Blackboard is delivering weather information created and provided by NOAA, and not Blackboard. Weather forecasting is an inexact science. Blackboard makes no express or implied warranties, guarantees or affirmations that weather will occur or has occurred as the NOAA alerts, reports, forecasts, data, or information state, represent or depict and it shall have no responsibility or liability whatsoever to Client or any other person or entity, parties and non-parties alike, for any inconsistency, inaccuracy, or omission for weather or events predicted or depicted, reported, occurring or occurred. CUSTOMER AND THIRD PARTIES ARE SOLELY RESPONSIBLE FOR ACTION OR LACK OF ACTION TAKEN TO PRESERVE LIFE OR PROPERTY.

Quote Summary: All products and services quoted are available through the Blackboard Inc. GSA Schedule GS-35F-0554M and pursuant to the Terms and Conditions negotiated therein and the following attachments:

1. City of Plano Additional Terms and Conditions – (Exhibit “A”); and
2. Affidavit of No Prohibited Interest - (Exhibit “B”).

**PLEASE INCLUDE IN THE PURCHASE ORDER ALL THE INFORMATION IN THE PRICE QUOTE BELOW AND PLEASE MAKE SURE THAT BLACKBOARD GSA SCHEDULE # GS-35F-0554M IS CLEARLY WRITTEN ON YOUR PURCHASE ORDER. PLEASE SIGN THIS PRICE QUOTE, SCAN BOTH DOCUMENTS, AND EMAIL THEM TO [lee.kicker@blackboard.com](mailto:lee.kicker@blackboard.com).**

SIN #	Product Description	Initial Term & Scope	GSA Price	Annual Fee
132-32	Blackboard Connect for Government Service	Annual Term for 89,953 Recipients March 13, 2012 – March 12, 2013  <i>The first term of this agreement will be for 12 months</i>  <i>Subsequent terms will be annual based on the Customers Start Date of March 13, 2012</i>	\$1.91 per Recipient  (\$1.60 for > 89,000 HH)	\$143,924.80
132-32	Annual Support Fee	Annual Fee	\$957.13	\$957.13
Open Market	NOAA Weather Alert	Annual Fee of \$2,500.00	Waived	<b>Total Fee for the First 12 month Period = \$144,881.93</b>  Payable by PO at contract inception This amount will be invoiced Annually after March 9, 2012.
<b>Questions? Please call:</b>  <b>James Price, Contracts</b> 202-463-4860 x2791 or  <b>Lee Kicker 832.260.2380</b> <a href="mailto:lee.kicker@blackboard.com">lee.kicker@blackboard.com</a>		<b>Next Steps</b>		
		1. Fax Purchase Order and Signed Proposal to (818) 450-0425.		
		2. Import recipient data (Blackboard Connect provides resident/ business data).		
		3. Implementation of service and orientation for all designated system users.		
		4. Begin sending Priority, Outreach and Interactive Survey communications.		

CLIENT NAME	BLACKBOARD CONNECT INC.
Authorized Signatory: _____	Authorized Signatory: _____
Name & Title: _____	Name & Title: <u>Tess Frazier, Vice President</u>
Execution Date: _____	Execution Date: _____
Address:	Address: Blackboard Inc. 650 Massachusetts Avenue, 6 <sup>th</sup> Floor Washington, DC 20001
Name: _____	Name: Caryn Pinto, Contract Specialist
Tel: _____	Tel: (818) 808-1722 Fax: (818) 450-0425
Email: _____	Email: <u>caryn.pinto@blackboardconnect.com</u>

**ACKNOWLEDGMENTS**

STATE OF \_\_\_\_\_ §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2012 by \_\_\_\_\_, (*Authorized representative*) \_\_\_\_\_ (*Title*) of **BLACKBOARD INC.**, on behalf of said company.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF COLLIN §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2012 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

## Exhibit A

### CITY OF PLANO ADDITIONAL TERMS AND CONDITIONS

#### I. SCOPE OF SERVICES

Blackboard Connect Inc. ("Contractor") shall provide the Blackboard Connect for Government Services (the "Service"). The Service shall be provided in accordance with the GSA Contract No. GS-35F-0554M, a copy of which is incorporated herein by reference in its entirety as if it were recited here verbatim and which is on file and available for inspection in the City of Plano Office of Policy & Governmental Relations. This Agreement consists of:

- (a) The GSA Contract No. GS-35F-0554M on file with the City of Plano Office of Policy & Governmental Relations;
- (b) Blackboard Connect for Government GSA Quote;
- (c) City of Plano Additional Terms and Conditions (Exhibit "A");and
- (d) Affidavit of No Prohibited Interest (Exhibit "B").

These documents shall be referred to collectively as "Agreement Documents."

Contractor will provide the services described in the Agreement Documents and Exhibit "A" attached hereto. At City's request, Contractor may also provide additional services under this Agreement at Contractor's then-applicable rates for such services or goods under the GSA Contract No. GS-35F-0554M or any additional contract addendums as executed by the Plano City Manager or his duly authorized designee.

#### II. PAYMENT

The City will provide a PO upon executing the GSA Quote and payments shall be made to Contractor within (30) days from date of invoice and in accordance with the terms and conditions of the GSA Contract, GSA Quote and state law. Total compensation under this Agreement shall not exceed the sum of **ONE HUNDRED FOURTY FOUR THOUSAND EIGHT HUNDRED EIGHTY ONE AND 93/100 DOLLARS (\$144,881.93)**.

Contractor recognizes that this Agreement shall commence upon the effective date herein and continue in full force and effect until termination in accordance with its provisions. Contractor and City herein recognize that the continuation of any Agreement after the close of any given fiscal year of the City of Plano, which fiscal year ends on September 30th of each year, shall be subject to Plano City Council approval. In the event that the Plano City Council does not approve the appropriation of funds for this Agreement, the Agreement shall terminate at the end of the fiscal year for which funds were appropriated and the parties shall have no further obligations hereunder.

#### III. TERM OF AGREEMENT

The initial term of this Agreement shall be a period of twelve (12) months commencing March 13, 2012 and ending on March 12, 2013, as stated in the GSA Quote.

**IV.  
CITY CONTACT**

If requested by Contractor, City will provide Contractor with designated points of contact (list of names and phone numbers) that will be available twenty-four (24) hours per day, seven (7) days per week, and an escalation procedure to enable City's personnel to maintain contact, as needed, with Contractor.

**V.  
COMPLIANCE WITH APPLICABLE LAWS**

Contractor shall at all times observe and comply with all directly applicable Federal, State and local laws, ordinances and regulations including all amendments and revisions thereto, which affect the work.

**VI.  
MUTUAL INDEMNIFICATION**

**TO THE EXTENT AUTHORIZED UNDER THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, AND WITHOUT WAIVING ITS SOVEREIGN IMMUNITY, EACH PARTY WILL DEFEND AND, INDEMNIFY AND HOLD HARMLESS THE OTHER PARTY AND THE OTHER PARTY'S SUCCESSORS AND ASSIGNS, OFFICERS, DIRECTORS, EMPLOYEES, AND AGENTS FROM AND AGAINST LIABILITY, JUDGMENT, LOSS, DAMAGES, FINES AND EXPENSES (INCLUDING LEGAL FEES AND COSTS), WHICH ANY OR ALL OF THEM MAY LATER SUFFER THEMSELVES OR PAY OUT TO ANOTHER, BECAUSE OF ANY CLAIM, ACTION, OR RIGHT OF ACTION OF A THIRD PARTY OR GOVERNMENTAL AUTHORITY, AT LAW OR IN EQUITY, OR OTHERWISE, BASED ON OR IN ANY WAY ARISING OUT OF, AND WHICH ARE PROXIMATELY CAUSED IN WHOLE OR IN PART, BY A DIRECT BREACH OF WARRANTY OR REPRESENTATION BY THE INDEMNIFYING PARTY.**

**VII.  
VENUE**

The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of this Agreement.

**VIII.  
ASSIGNMENT AND SUBLETTING**

Contractor agrees to retain control and to give full attention to the fulfillment of this Agreement and that this Agreement shall not be assigned without the prior written consent of City, except for assignments to a Contractor affiliate. An assignment of this Agreement with the consent of the City or to an affiliate of Contractor is conditioned on the assignee agreeing to be bound by the terms of this Agreement. Contractor may subcontract any portion of its performance under this Agreement. Contractor further agrees that the subletting of any portion or feature of the work, or materials required in the performance of this Agreement, shall not relieve Contractor from its full obligations to City as provided by this Agreement. In the event any additional or different subcontractors are required or requested by City, or in the event City rejects the use of a particular subcontractor, such rejection must be submitted in writing and be based on just and reasonable cause. Any resultant change in contract price and/or schedule shall be mutually agreed upon.

**IX.  
INDEPENDENT CONTRACTOR**

Contractor covenants and agrees that Contractor is an independent contractor and not an officer, agent, servant or employee of City; that Contractor shall have exclusive control of and exclusive right to control the details of the work performed hereunder and all persons performing same, and shall be responsible for the acts and omissions of its officers, agents, employees, contractors, subcontractors and consultants; that the doctrine of respondeat superior shall not apply as between City and Contractor, its officers, agents, employees, contractors, subcontractors and consultants, and nothing herein shall be construed as creating a partnership or joint enterprise between City and Contractor.

**X.  
AFFIDAVIT OF NO PROHIBITED INTEREST**

Contractor acknowledges and represents Contractor is aware of all applicable laws, City Charter, and City Code of Conduct regarding prohibited interests and that the existence of a prohibited interest at any time will render the Agreement voidable. Contractor has executed the Affidavit of No Prohibited Interest, attached and incorporated herein as Exhibit "B".

**XI.  
SEVERABILITY**

The provisions of the Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of the Agreement is for any reason held to be contrary to the law or contrary to any rule or regulation having the force and effect of the law, such decisions shall not affect the remaining portions of the Agreement. However, upon the occurrence of such event, either party may terminate the Agreement by giving the other party thirty (30) days written notice.

**XII.  
AUDITS AND RECORDS**

The Parties agrees that each Party will have the right, at the auditing Party's expense, to conduct an annual audit, upon reasonable notice and during normal business hours, of the other Party's books and records solely with respect to related matters covered by this Agreement, and will permit the other Party's representatives who are under confidentiality obligations to audit and examine such records while this Agreement is in effect and for three (3) years after any termination of this Agreement or for such other or longer period, if any, as may be required by applicable statute or other lawful requirement.

**XIII.  
USE OF LOGO**

Contractor agrees and understands that City is the exclusive trademarked owner of the official City of Plano logo and that no term within this Agreement or the attached exhibits shall grant to Contractor an exclusive license to use City's name and/or logo on any letterhead, marketing or promotional material of any kind without first obtaining written authorization from City. If Contractor fails to obtain City's authorization or use City's name or logo without first obtaining City's written authorization, City may terminate this Agreement in accordance with section 2, subsection g of the *Connect-GOV*<sup>®</sup> Service for State and Federal Agencies GSA Agreement.

**XIV.  
MAILING OF NOTICES**

Unless instructed otherwise in writing, Contractor agrees that all notices or communications to City permitted or required under this Agreement shall be addressed to City at the following address:

City of Plano  
Office of Policy & Governmental Relations  
1520 K. Avenue  
Plano, Texas 75074  
Attn: Mark Israelson

City agrees that all notices or communications to Contractor permitted or required under this Agreement shall be addressed to Contractor at the following address:

Blackboard Inc.  
650 Massachusetts Ave., NW, 6<sup>th</sup> Floor  
Washington, DC 20001  
Attn: Caryn Pinto  
Contract Specialist

All notices or communications required to be given in writing by one party or the other shall be considered as having been given to the addressee on the date such notice or communication is posted by the sending party.

**XV.  
ENTIRE AGREEMENT**

The Agreement and its attachments embody the entire agreement between the parties and may only be modified in writing if executed by both parties.

**XVI.  
SUCCESSORS AND ASSIGNS**

This Exhibit A shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns.

**XVII.  
HEADINGS**

The headings of this Exhibit A are for the convenience of reference only and shall not affect in any manner any of the terms and conditions hereof.

**EXHIBIT B**

**AFFIDAVIT OF NO PROHIBITED INTEREST**

I, the undersigned declare that I am authorized to make this statement on behalf of **BLACKBOARD, INC.**, a Delaware corporation, and I have made a reasonable inquiry and, to the best of my knowledge, no person or officer of **BLACKBOARD, INC.**, is employed by the City of Plano or is an elected or appointed official of the City of Plano within the restrictions of the Plano City Charter.

I am aware that Section 11.02 of the City Charter states:

“No officer or employee of the city shall have a financial interest, direct or indirect, in any contract with the city, nor shall be financially interested, directly or indirectly, in the sale to the city of any land, or rights or interest in any land, materials, supplies or service. The above provision shall not apply where the interest is represented by ownership of stock in a corporation involved, provided such stock ownership amounts to less than one (1) per cent of the corporation stock. Any violation of this section shall constitute malfeasance in office, and any officer or employee of the city found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge, express or implied, of the persons or corporation contracting with the city shall render the contract voidable by the city manager or the city council.”

I further understand and acknowledge that a violation of Section 11.02 of the City Charter at anytime during the term of this contract will render the contract voidable by the City.

**BLACKBOARD, INC.**

By: \_\_\_\_\_  
Signature

\_\_\_\_\_

Print Name

\_\_\_\_\_

Title

\_\_\_\_\_

Date

STATE OF \_\_\_\_\_ §  
  §  
COUNTY OF \_\_\_\_\_ §

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		03/06/2012			
Department:		Purchasing			
Department Head		Diane Palmer-Boeck			
Agenda Coordinator (include phone #): <b>Sharron Mason - Ext. 7247</b>					
<b>CAPTION</b>					
A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of an Interlocal Agreement by and between the City of Plano and the Collin County Community College District for educational services as a part of the City's Professional Development Program, authorizing its execution by the City Manager or his authorized designee; and providing an effective date.					
<b>FINANCIAL SUMMARY</b>					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2011-12, 2012-13, 2013-14, 2014-15, 2015-16	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	364,699	60,000	<b>424,699</b>
Encumbered/Expended Amount		0	-163,875	0	<b>-163,875</b>
This Item		0	-15,000	-60,000	<b>-75,000</b>
BALANCE		0	185,824	0	<b>185,824</b>
<b>FUND(S):    GENERAL FUND</b>					
<p><b>COMMENTS:</b> Funding for this agreement will come from the FY 2011-12 Human Resources Budget. Expenditures will be made in the Human Resources Department based on need within the approved budget appropriations for each year of the contract. This service approves a (24) month contract not to exceed \$75,000 with (3) optional (1) year renewals.</p> <p><b>STRATEGIC PLAN GOAL:</b> Providing educational opportunities for City of Plano employees relates the City's Goal of a Financially Strong City with Service Excellence.</p>					
<b>SUMMARY OF ITEM</b>					
Interlocal Cooperation Agreement By and Between The City of Plano and the Collin County Community College District, providing terms and conditions for educational services as part of the City 's Professional Development Program for a period of two (2) years with three (3) City optional one (1) year renewals.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Resolution and Interlocal Agreement					

**A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of an Interlocal Agreement by and between the City of Plano and the Collin County Community College District for educational services as a part of the City's Professional Development Program, authorizing its execution by the City Manager or his authorized designee; 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 governmental functions and services under the terms of thereof; and

**WHEREAS**, the City Council has been presented a proposed Interlocal Cooperation Agreement by and between City of Plano and Collin County Community College District for educational services, a substantial copy of which is 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 RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS:**

**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 Resolution shall become effective from and after its passage.

**DULY PASSED AND APPROVED** this the 6th day of March, 2012.

---

Phil Dyer, MAYOR

ATTEST:

---

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

---

Diane C. Wetherbee, CITY ATTORNEY

**INTERLOCAL AGREEMENT BY AND BETWEEN  
THE CITY OF PLANO, TEXAS AND COLLIN COUNTY COMMUNITY COLLEGE DISTRICT  
FOR EDUCATIONAL SERVICES**

**THIS AGREEMENT** is made and entered by and between the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, hereinafter referred to as "Plano", and **COLLIN COUNTY COMMUNITY COLLEGE DISTRICT**, through its Center for Workforce and Economic Development, hereinafter referred to as "College", as follows:

**W I T N E S S E T H:**

**WHEREAS**, Plano is a political subdivision and College a "special district" within the meaning of Interlocal Cooperation Act, Texas Government Code, Chapter 791, as amended (the "Act"); and

**WHEREAS**, the Act provides authority for entities such as Plano and College to enter into interlocal agreements with each other to perform governmental functions and services as set forth in the Act; and

**WHEREAS**, Plano desires to offer its employees courses in Language and Business Productivity, in the such areas of Leadership, Customer Service, Diversity, and Communications; and

**WHEREAS**, College is an institution of higher education that offers Business Productivity education courses and desires to offer the courses to Plano employees; and

**WHEREAS**, Plano has current revenues available to satisfy the fees and/or expenses incurred pursuant to this Agreement; and

**WHEREAS**, the courses will provide Plano employees with additional knowledge and skills to more effectively serve the citizens.

**NOW, THEREFORE**, Plano and College, for and in consideration of the recitals set forth above and terms and conditions below, agree as follows:

**I.  
TERM**

The initial term of this Agreement shall be a period of twenty four (24) months commencing upon the effective date hereof; provided however, that the City shall have the right and option to extend the term hereof by three (3) additional twelve (12) month periods by giving written notice to College of Plano's election to extend the term hereof, such notice to be given not more than ninety (90) days prior to the expiration of the initial term.

**II.  
THE PROGRAM**

The parties agree that College shall offer Language and Business Productivity education courses as identified in **Exhibit "A"** attached hereto and incorporated herein by reference. The

parties understand and agree that any deviations or modifications in the terms of the Agreement may be authorized from time to time, but said authorization must be made in writing.

### **III. ROLES AND GENERAL RESPONSIBILITIES OF THE PARTIES**

1. City shall designate a program liaison who will manage program details and work with the College's program manager in content and logistics planning. The City shall provide College with required student-employee information for the purpose of registration and documentation. City shall also provide appropriate training facilities and all reasonably necessary equipment, including AV equipment.

2. College shall provide curriculum design, program delivery, assembly of program materials, development of materials for participants, and a program manager to work with City.

### **IV. CONSIDERATION/FEEES**

A. Plano shall pay Collin County Community College District according to the terms set out in **Exhibit "A"** attached hereto and made a part hereof. Payment shall be made within 30 days of receipt of invoice for services provided. Plano will pay for the fees and/or expenses incurred pursuant to this Agreement from its current available revenues. Any renewal will be subject to Plano having the revenues available for that contract term.

Course materials may include workbooks from industry vendors or custom-designed materials from a professional trainer approved by the College. City reserves the right to review all course presentations and materials prior to the scheduled course. Material cost will vary. Any material cost exceeding \$40.00 per participant for any course will need prior approval from the City of Plano. If City cancels a class less than seven (7) days before the training start date, College will assess a charge equal to fifty percent (50%) of the class fee plus the cost of non-refundable, non-returnable materials if applicable.

B. College recognizes that this Agreement shall commence upon the effective date herein and continue in full force and effect until termination in accordance with its provisions. College and Plano herein recognize that the continuation of any contract after the close of any given fiscal year of the City of Plano, which fiscal year ends on September 30th of each year, shall be subject to Plano City Council approval. In the event that the Plano City Council does not approve the appropriation of funds for this agreement, the Agreement shall terminate at the end of the fiscal year for which funds were appropriated and the parties shall have no further obligations hereunder.

### **V. TERMINATION**

Either party may terminate this Agreement at any time without cause or penalty by giving thirty (30) days advance written notice. Plano shall pay all fees and costs, if any, incurred by College pursuant to this Agreement through the effective date of termination.

**VI.  
RELEASE AND HOLD HARMLESS**

COLLEGE, TO THE EXTENT AUTHORIZED UNDER THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, AGREES TO BE RESPONSIBLE FOR ITS OWN ACTS OF NEGLIGENCE AND PLANO, TO THE EXTENT ALLOWED BY LAW AND WITHOUT WAIVING ANY RIGHTS OR PROTECTIONS PROVIDED THEREIN, AGREES TO BE RESPONSIBLE FOR ITS OWN ACTS OF NEGLIGENCE WHICH MAY ARISE IN CONNECTION WITH ANY AND ALL CLAIMS FOR DAMAGES, COST, AND EXPENSES TO PERSON OR PERSONS AND PROPERTY THAT MAY ARISE OUT OF OR BE OCCASIONED BY THIS AGREEMENT.

IN THE EVENT OF JOINT AND CONCURRENT NEGLIGENCE, COLLEGE AND PLANO AGREE THAT RESPONSIBILITY SHALL BE APPORTIONED COMPARATIVELY. THIS OBLIGATION SHALL BE CONSTRUED FOR THE BENEFIT OF THE PARTIES HERETO, AND NOT FOR THE BENEFIT OF ANY THIRD PARTIES, NOR TO CREATE LIABILITY FOR THE BENEFIT OF ANY THIRD PARTIES, NOR TO DEPRIVE THE PARTIES HERETO OF ANY DEFENSES EACH MAY HAVE AS AGAINST THIRD PARTIES UNDER THE LAWS AND COURT DECISIONS OF THE STATE OF TEXAS.

**VII.  
NOTICE**

Any notice provided under this Agreement shall be delivered by mail or personal service to the parties named below:

**Collin County Community College  
Representative:**

Natalie Greenwell  
Director, Center for Workforce and  
Economic Development  
4800 Preston Park Blvd.  
Plano, Texas 75093  
(972) 985-3768

**City of Plano Representative:**

Daryll McCarthy  
Training Administrator  
City of Plano  
1520 Avenue K, Suite 130  
Plano, Texas 75074  
(972) 941-7115

**VIII.  
AUTHORITY TO SIGN/CITY COUNCIL AUTHORIZATION**

The undersigned officer 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. Plano has executed this Agreement pursuant to duly authorized action of the Plano City Council. College has executed this Agreement pursuant to the authority granted by its governing body. Each of the parties shall provide written documentation evidencing the grant of approval by its respective governing body.

**IX.  
SEVERABILITY**

The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held to be contrary to the law or

contrary to any rule or regulation having the force and effect of the law, such decisions shall not affect the remaining portions of the Agreement. However, upon the occurrence of such event, either party may terminate this Agreement by giving the other party thirty (30) days written notice.

**X.  
VENUE**

This Agreement and any of its terms or provisions, as well as the rights and duties of the parties hereto, shall be governed by the laws of the State of Texas. The parties agree that this Agreement shall be enforceable in Collin County, Texas, and, if legal action is necessary, exclusive venue shall lie in Collin County, Texas.

**XI.  
INSURANCE AND CERTIFICATES OF INSURANCE**

Contractor shall procure and maintain for the duration of the contract insurance coverage as set forth in the Insurance Requirements marked **Exhibit "B"** attached hereto and incorporated herein by reference. Contractor shall provide a signed insurance certificate verifying that they have obtained the required insurance coverage prior to the effective date of this Contract.

**XII.  
INTERPRETATION OF AGREEMENT**

Although this Agreement is drafted by Plano, this is a negotiated document. Should any part of this Agreement be in dispute, the parties agree that the Agreement shall not be construed more favorably for either party.

**XIII.  
REMEDIES**

No right or remedy granted herein or reserved to the parties is exclusive of any right or remedy granted by law or equity; but each shall be cumulative of every right or remedy given hereunder. No covenant or condition of this Agreement may be waived without the express written consent of the parties. It is further agreed that one (1) or more instances of forbearance by either party in the exercise of its respective rights under this Agreement shall in no way constitute a waiver thereof.

**XIV.  
SUCCESSORS AND ASSIGNS**

The parties each bind themselves, their respective successors, executors, administrators and assigns to the other party to this contract. Neither party will assign, sublet, subcontract or transfer any interest in this Agreement without the prior written consent of the other party. No assignment, delegation of duties or subcontract under this Agreement will be effective without the written consent of both parties.

**IN WITNESS WHEREOF**, the parties have executed this Agreement by signing below.

**COLLIN COUNTY COMMUNITY COLLEGE DISTRICT**

Date: \_\_\_\_\_

By: \_\_\_\_\_

Ralph G. Hall  
VICE PRESIDENT OF ADMINISTRATION

**CITY OF PLANO, TEXAS**

Date: \_\_\_\_\_

By: \_\_\_\_\_

Bruce D. Glasscock  
CITY MANAGER

APPROVED AS TO FORM

\_\_\_\_\_  
Diane C. Wetherbee, CITY ATTORNEY

**ACKNOWLEDGMENTS**

STATE OF TEXAS           §  
  §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2012, by **RALPH G. HALL**, Vice President of Administration, on behalf of **COLLIN COUNTY COMMUNITY COLLEGE DISTRICT**.

\_\_\_\_\_  
Notary Public, State of Texas

STATE OF TEXAS           §  
  §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2012, by **BRUCE D. GLASSCOCK**, City Manager, of **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

\_\_\_\_\_  
Notary Public, State of Texas

## City of Plano Exclusive Fee Schedule for Interlocal Contract 2012 -2016

Years 1-2	
Areas of Study	Fee Per Instructional Hour for up to 20 Participants
Language Skills	\$100.00
Soft Skills	\$230.00
Desk Top Computer Applications	\$230.00
Computer Programming and Technology	\$255.00

Years 3-5	
Areas of Study	Fee Per Instructional Hour for up to 20 Participants
Language Skills	\$115.00
Soft Skills	\$265.00
Desk Top Computer Applications	\$265.00
Computer Programming and Technology	\$290.00

Notes: Consulting, highly specialized/custom training, testing, and assessments are not included and may be contracted at regular rates. Adjusted classroom maximum exclusively for City of Plano is 20. Computer lab maximum will match number of available PC stations.

## **INSURANCE REQUIREMENTS**

### 1.0 General Provisions

- 1.1 College shall obtain and maintain the minimum insurance coverage set forth in this section. By requiring such minimum insurance, Plano shall not be deemed or construed to have assessed the risk that may or may not be applicable to College. College shall assess its own risks and if it deems appropriate and/or prudent, maintain higher limits and/or broader coverage. College is not relieved of any liability or other obligation assumed or pursuant to the Agreement by reason of its failure to obtain or maintain insurance in sufficient amounts, duration, or types.
- 1.2 College agrees that the insurance requirements specified in this section do not reduce the liability College has assumed in any indemnification/hold harmless section of this Agreement.
- 1.3 Insurance coverage required by this section shall be with an insurer possessing an A – VII. A. M. Best Rating.
- 1.4 Insurance coverage and limits required herein can be in any combination of insurance, self-insured retention, self funding, underlying policies, excess coverage or risk pooling.

### 2.0 Minimum Insurance Coverage & Limits

- 2.1 **Commercial General Liability.** College shall maintain commercial general liability and, if necessary commercial umbrella insurance as specified below.
  - 2.1.1 Commercial general liability insurance shall be written on an ISO occurrence form CG 00 01 (or a substitute form providing equivalent coverage) and shall cover liability arising from premises, operations, independent contractors, product-complete operations, personal and advertising injury and liability assumed under an insured Agreement (including the tort liability of another assumed in a business contract).
  - 2.1.2 College shall cause its insurer to affect a waiver of subrogation in favor of Plano.
  - 2.1.3 Limits of Insurance
    - 2.1.3.1 \$1,000,000 Per Occurrence
    - 2.1.3.3 \$2,000,000 General Aggregate

**2.2 Workers' Compensation & Employer Liability.** College shall maintain workers' compensation insurance in the amounts required by appropriate state statute. The employers liability limit and, if necessary, commercial umbrella coverage shall not be less than \$1,000,000 each accident for bodily injury by accident or \$1,000,000 each employee for bodily injury by disease.

3.0 Evidence of Insurance

3.1 Prior to commencement of activities contemplated by this **Agreement**, and thereafter upon renewal or replacement of coverage required by this section, College shall furnish Plano a certificate(s) of insurance, executed by a duly authorized representative of each insurer, showing compliance with this section. **College shall furnish copies of all endorsement to insurance policies as required by each section herein to Plano.**

3.2 Failure of Plano to demand such certificate(s) or other evidence of full compliance with these insurance requirements or failure of Plano to identify a deficiency from evidence that is provided shall not be construed as a waiver of College's obligation to maintain such insurance.

3.3 College shall furnish a Certificate of Insurance (COI) evidencing insurance coverage required by this section ten (10) business days preceding commencement of contracted service(s). The COI shall:

3.5.1 List each insurers' NAIC Number or FEIN

3.5.2 List **agreement project name**/number, name of event, location (building name, building address, etc.), date(s) of event or service being performed

3.5.3 Specifically list reference to all endorsements required herein

3.5.4 List the specific number of days cancellation provided pursuant to policy language for notice of cancellation on certificate

3.5.5 List City of Plano, Risk Management Division, 7501 A Independence Parkway, Plano, Texas, 75025 in the Certificate Holder Section



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/7/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Roach Howard Smith & Barton 8750 N. Central Expressway Suite 500 Dallas TX 75231	<b>CONTACT NAME:</b> Helen Stuart <b>PHONE (A/C. No. Ext):</b> (972) 231-1300 <b>E-MAIL ADDRESS:</b> hstuart@rhshb.com	<b>FAX (A/C. No.):</b> (972) 231-1368	
	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURED</b> Collin County Community College District  P.O. Box 8021  McKinney TX 75070	<b>INSURER A:</b> Deep East SIF		
	<b>INSURER B:</b> Hanover American Insurance Co.		36064
	<b>INSURER C:</b> Hanover Ins Co		22292
	<b>INSURER D:</b> Massachusetts Bay Insurance Co		22306
	<b>INSURER E:</b>		
<b>INSURER F:</b>			

**COVERAGES**

CERTIFICATE NUMBER: Cert ID 19113

REVISION NUMBER:

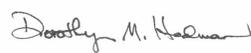
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
D	<b>GENERAL LIABILITY</b>			LDD884486801	11/1/2011	11/1/2012	EACH OCCURRENCE	\$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	Y					DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY	\$ 1,000,000
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						GENERAL AGGREGATE	\$ 1,000,000
							PRODUCTS - COMP/OP AGG	\$ Incl
								\$
B	<b>AUTOMOBILE LIABILITY</b>			AZD884461801  HC Ded's 100/500	11/1/2011	11/1/2012	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS		<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident)	\$
	<input checked="" type="checkbox"/> HIRED AUTOS		<input checked="" type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident)	\$
							Hired Car Phys Dmg	\$ 50,000
C	<b>UMBRELLA LIAB</b>			UHD891489301	11/1/2011	11/1/2012	EACH OCCURRENCE	\$ 4,000,000
	<input checked="" type="checkbox"/> OCCUR						AGGREGATE	\$ 4,000,000
	<b>EXCESS LIAB</b>							\$
	DED		RETENTION \$					\$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>			225	9/1/2011	9/1/2012	<input checked="" type="checkbox"/> WC STATUTORY LIMITS	OTHE-R
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT	\$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
								\$
								\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Blanket (any person or organization) is additional insured where required by written contract or agreement as indicated above.

**CERTIFICATE HOLDER****CANCELLATION**

City of Plano Human Resources Department P.O. Box 860279  Plano TX 75086	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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ACORD 25 (2010/05)

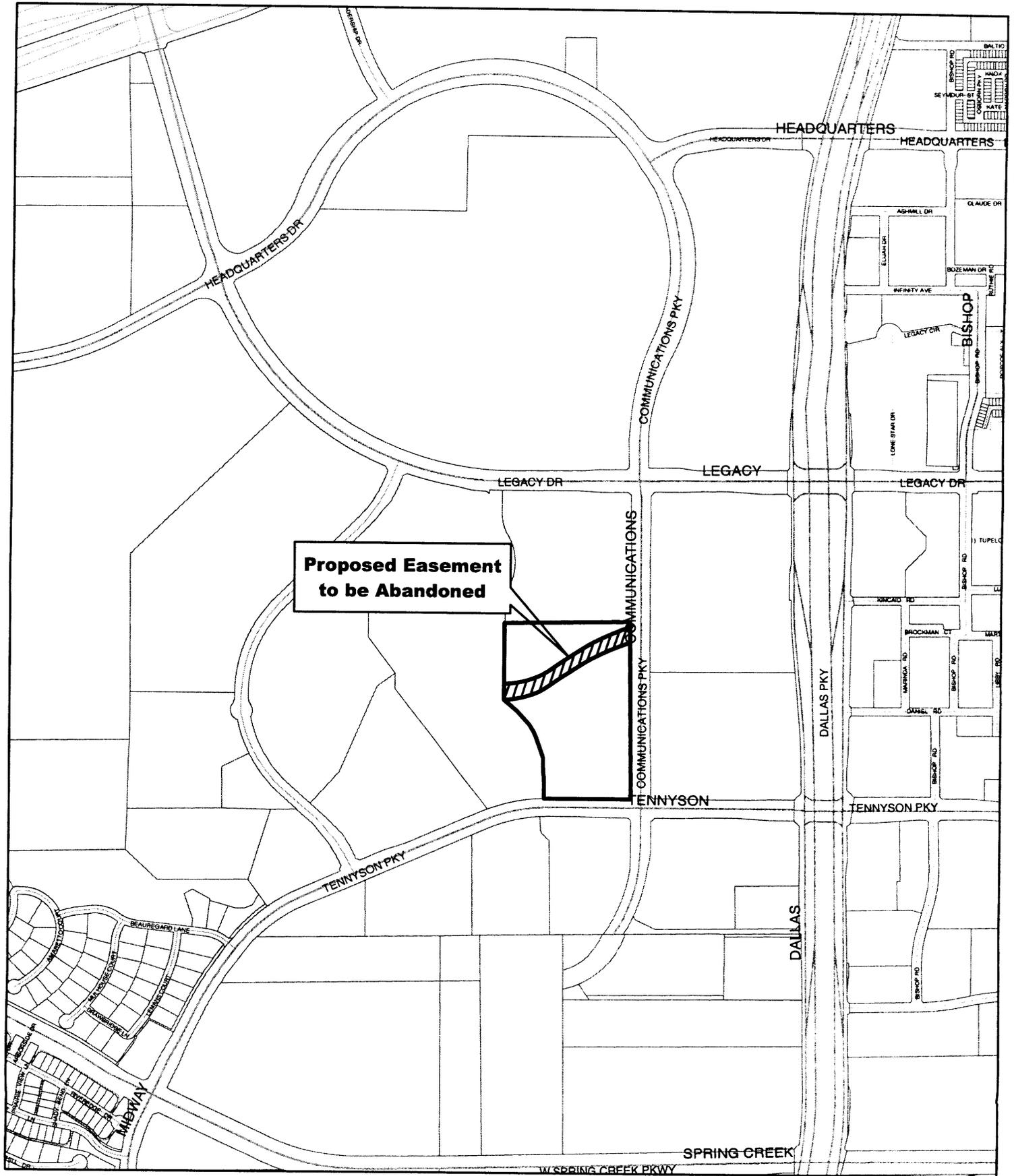
The ACORD name and logo are registered marks of ACORD



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		3/6/2012			
Department:	Public Works				
Department Head	Gerald Cosgrove				
Agenda Coordinator (include phone #): <b>Irene Pegues (X-7152)</b> <b>Proj. #4393-2</b>					
<b>CAPTION</b>					
An ordinance of the City of Plano, Texas, abandoning all right, title and interest of the City, in and to that certain Drainage Easement recorded in Volume 4624, Page 289, of the Deed Records of Collin County, Texas and being situated in the Henry Cook Survey, Abstract No. 183, which is located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, Ericsson Real Estate Holdings, Inc., to the extent of its interest; authorizing the City Manager or his authorized designee, to execute any documents deemed necessary; and providing an effective date.					
<b>FINANCIAL SUMMARY</b>					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	<b>2011-2012</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
<b>FUND(s):</b> N/A					
<b>COMMENTS:</b> This item has no fiscal impact.					
<b>STRATEGIC PLAN GOAL:</b> Abandoning all right, title and interest of the City to the easement relates to the City's Goal of Financially Strong City with Service Excellence.					
<b>SUMMARY OF ITEM</b>					
The easement is to be abandoned to create a new drainage and floodway easement. A new drainage & floodway easement will be dedicated by plat and the City of Plano will be relieved of any maintenance requirements.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Location Map			N/A		

# Easement Abandonment Project # 4393-2



**Proposed Easement  
to be Abandoned**



**Location Map**

**An Ordinance of the City of Plano, Texas, abandoning all right, title and interest of the City, in and to that certain Drainage Easement recorded in Volume 4624, Page 289, of the Deed Records of Collin County, Texas and being situated in the Henry Cook Survey, Abstract No. 183, which is located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, Ericsson Real Estate Holdings, Inc., to the extent of its interest; authorizing the City Manager or his authorized designee, to execute any documents deemed necessary; and providing an effective date.**

**WHEREAS**, the City Council of the City of Plano has been requested to abandon all right, title and interest of the City in that certain Drainage Easement recorded in Volume 4624, Page 289, of the Deed Records of Collin County, Texas and being situated in the Henry Cook Survey, Abstract No. 183, which is located within the city limits of Plano, Collin County, Texas, and which is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

**WHEREAS**, the Property Owner has filed with the City a Petition for Abandonment, a copy of which is attached hereto as Exhibit "B" and made a part hereof by reference; and

**WHEREAS**, the Public Works Department has determined that there will be no detrimental effect on the City if the Easement is abandoned and quitclaimed to the abutting Property Owner; and has advised that the Easement should be abandoned;

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

**Section I.** All the right, title and interest of the City of Plano, Texas, in and to the Easement is hereby abandoned, and all right, title and interest of the City in and to the Easement is hereby quitclaimed to the abutting Property Owner in accordance with its respective interest. A certified copy of this Ordinance may be recorded in the Collin County Land Records to reflect this abandonment and quitclaim. The City Manager or his authorized designee, is hereby authorized to execute on behalf of the City of Plano, Texas, any instruments necessary to complete the abandonment and quitclaim of the Easement by the City of Plano.

**Section II.** The abandonment and quitclaim is without prejudice to any and all improvements, facilities, equipment or lines of any public utility, municipal or otherwise, if any, which are presently located within any portion of the Easement. Any such utility shall have the continued right to locate, maintain, repair, reconstruct, preserve or relocate improvements, facilities, equipment or lines in such portion of the Easement.

**Section III.** The City Council hereby finds and determines that the abandonment of the Easement is in the public interest of the City of Plano, Texas, and its citizens, and will inure to the benefit of the public generally.

**Section IV.** This Ordinance shall become effective immediately upon its passage as set forth below.

**DULY PASSED AND APPROVED** this the 6<sup>th</sup> day of March, 2012.

\_\_\_\_\_  
Phil Dyer, MAYOR

ATTEST:

\_\_\_\_\_  
Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane C. Wetherbee, CITY ATTORNEY

**EXHIBIT "A"**  
**DRAINAGE EASEMENT ABANDONMENT**

Part of West Plano Land Company, LP  
Henry Cook Survey, Abstract No. 183  
*City of Plano, Collin County, Texas*

DESCRIPTION, of a 1.153 acre tract of land situated in the Henry Cook Survey, Abstract No. 183, Collin County, Texas; said tract being part of that tract of land described as Tract 12 in Special Warranty Deed to West Plano Land Company, LP recorded in Instrument No. 20060920001358250 of the Official Public Records of Collin County, Texas and all of that Drainage Easement described as Tract 3 to the City of Plano recorded in Volume 4624, Page 289 of the Deed Records of Collin County, Texas; said 1.153 acre tract being more particularly described as follows (Bearing System for this survey is based on the North American Datum of 1983, Texas State Plane Coordinate System, North Central Texas Zone 4202 being the City of Plano Geodetic Control Network utilizing a surface scale factor of 1.00015421.):

BEGINNING, at a point for corner in the west right-of-way line of Communications Parkway (a variable width right-of-way, 121 feet wide at this point) and the south line of said Drainage Easement; from said point a 5/8-inch iron rod with "KHA" cap found bears South 00 degrees, 43 minutes, 08 seconds East, a distance of 745.84 feet;

THENCE, in a westerly direction, departing the said west line of Communications Parkway and along the said south line of Drainage Easement, the following nine (9) calls:

South 89 degrees, 19 minutes, 16 seconds West, a distance of 63.44 feet to a point for corner; said point being the beginning of a non-tangent curve to the left;

Along said curve to the left, having a central angle of 35 degrees, 28 minutes, 53 seconds, a radius of 125.00 feet, a chord bearing and distance of South 71 degrees, 34 minutes, 22 seconds West, 76.18 feet, an arc distance of 77.41 feet to a point at the end of said curve;

South 52 degrees, 44 minutes, 44 seconds West, a distance of 293.75 feet to a point for corner;

South 54 degrees, 05 minutes, 25 seconds West, a distance of 132.06 feet to a point for corner; said point being the beginning of a non-tangent curve to the right;

Along said curve to the right, having a central angle of 29 degrees, 11 minutes, 58 seconds, a radius of 200.00 feet, a chord bearing and distance of South 68 degrees, 42 minutes, 01 second West, 100.83 feet, an arc distance of 101.93 feet to a point at the end of said curve;

South 83 degrees, 18 minutes, 00 seconds West, a distance of 54.12 feet to a point for corner; said point being the beginning of a non-tangent curve to the left;

Along said curve to the left, having a central angle of 39 degrees, 21 minutes, 01 second, a radius of 207.70 feet, a chord bearing and distance of South 63 degrees, 37 minutes, 56 seconds West, 139.86 feet, an arc distance of 142.65 feet to a point at the end of said curve; said point being the beginning of a reverse curve to the right;

Along said curve to the right, having a central angle of 25 degrees, 57 minutes, 18 seconds, a radius of 200.00 feet, a chord bearing and distance of South 56 degrees, 56 minutes, 04 seconds West, 89.83 feet, an arc distance of 90.60 feet to a point at the end of said curve;

South 69 degrees, 55 minutes, 13 seconds West, a distance of 15.92 feet to a point for corner in the west line of said West Plano Land Company, LP tract and the east line of Lot 1, Block A, Ericsson Village, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20081202010004190 of said Official Public Records;

**DRAINAGE EASEMENT ABANDONMENT  
(CONTINUED)**

THENCE, North 00 degrees, 32 minutes, 33 seconds West, along the common said west line of West Plano Land Company, LP tract and the east line of Lot 1, Block A, a distance of 53.07 feet to a point for corner; said point being the beginning of a non-tangent curve to the left;

THENCE, in a northeasterly direction, departing the said east line of Lot 1, Block A and along the north line of said Drainage Easement, the following eight (8) calls:

Along said curve to the left, having a central angle of 25 degrees, 15 minutes, 17 seconds, a radius of 150.00 feet, a chord bearing and distance of North 56 degrees, 35 minutes, 04 seconds East, 65.58 feet, an arc distance of 66.12 feet to a point at the end of said curve; said point being the beginning of a reverse curve to the right;

Along said curve to the right, having a central angle of 39 degrees, 20 minutes, 32 seconds, a radius of 257.70 feet, a chord bearing and distance of North 63 degrees, 37 minutes, 41 seconds East, 173.49 feet, an arc distance of 176.95 feet to a point at the end of said curve;

North 83 degrees, 18 minutes, 00 seconds East, a distance of 54.15 feet to a point for corner; said point being the beginning of a curve to the left;

Along said curve to the left, having a central angle of 29 degrees, 11 minutes, 53 seconds, a radius of 150.00 feet, a chord bearing and distance of North 68 degrees, 42 minutes, 04 seconds East, 75.62 feet, an arc distance of 76.44 feet to a point at the end of said curve;

North 54 degrees, 05 minutes, 25 seconds East, a distance of 130.29 feet to a point for corner;

North 52 degrees, 44 minutes, 44 seconds East, a distance of 317.14 feet to a point for corner; said point being the beginning of a curve to the right;

Along said curve to the right, having a central angle of 36 degrees, 34 minutes, 28 seconds, a radius of 175.00 feet, a chord bearing and distance of North 71 degrees, 01 minute, 58 seconds East, 109.82 feet, an arc distance of 111.71 feet to a point at the end of said curve;

North 89 degrees, 19 minutes, 16 seconds East, a distance of 43.17 feet to a point for corner in the said west line of said Communications Parkway;

THENCE, South 00 degrees, 43 minutes, 13 seconds East, departing the said north line of Drainage Easement and along the said west line of Communications Parkway, a distance of 65.00 feet to the POINT OF BEGINNING;

CONTAINING: 50,248 square feet or 1.153 acres of land, more or less.

*(A survey plat of even date herewith accompanies this legal description.)*

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the abandonment tract described.

*Kyle Coleman Harris*      12/22/11  
Kyle Coleman Harris                      Date  
Registered Professional Land Surveyor No. 6266  
Pacheco Koch Consulting Engineers, Inc.  
8350 N. Central Expwy, #1000, Dallas TX 75206  
(972) 235-3031  
TX Reg. Surveying Firm LS-100080-00





# EXHIBIT 'A'

DIODES INCORPORATED  
(INST. NO. 20080701000802860) S 89°19'16" W  
43.17'

0 25 50 100

GRAPHIC SCALE IN FEET

STANDARD CITY OF PLANO MONUMENT  
(3 1/4-INCH ALUMINUM DISK STAMPED  
"PACHECO KOCH-SURVEY MARKER"  
SET IN CONCRETE)

20' SANITARY SEWER EASEMENT  
(VOL. 4004, PG. 13)

843.58'  
15' UTILITY EASEMENT  
(INST. NO. 2006092001358220)

485.64'

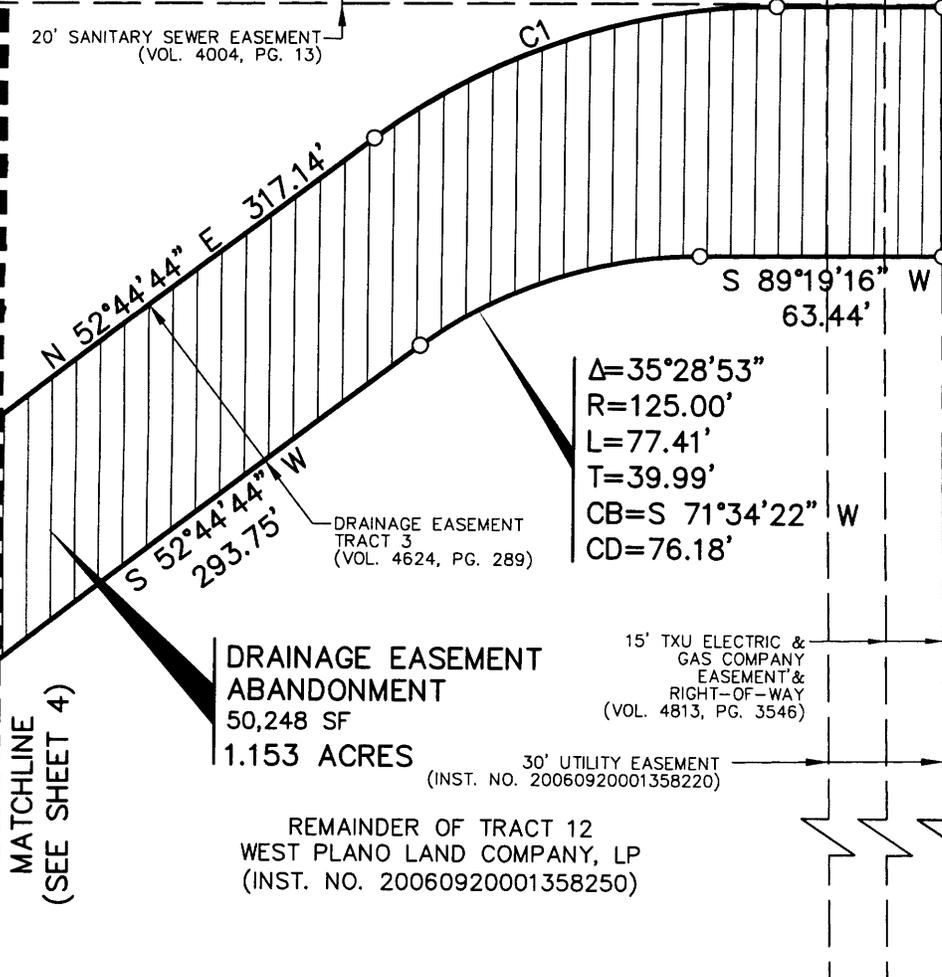
20.59'

121' R.O.W.

S 00°43'13" E  
65.00'  
**POINT OF BEGINNING**

**COMMUNICATIONS  
PARKWAY**  
(A VARIABLE WIDTH RIGHT-OF-WAY)

828.24'



M:\DWG-32\3242-11.277\DWG\SURVEY\3242-11.277EX1.DWG  
12/22/2011 - 12:19PM  
KHARRIS

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	36°34'28"	175.00'	111.71'	57.83'	N 71°01'58" E	109.82'

**NOTES:**

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the North American Datum of 1983, Texas State Plane Coordinate System, North Central Texas Zone 4202 being the City of Plano Geodetic Control Network utilizing a surface scale factor 1.00015421.

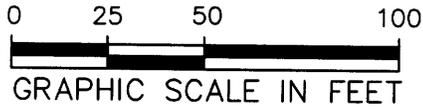
LEGEND	
	PROPERTY LINE
	ABANDONMENT LINE
	EXISTING EASEMENT LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
(C.M.)	CONTROLLING MONUMENT

**Pacheco Koch** 8350 N. CENTRAL EXPWY. SUITE 1000  
DALLAS, TX 75206 972.235.3031  
TX REG. ENGINEERING FIRM F-469  
DALLAS ■ FORT WORTH ■ HOUSTON TX REG. SURVEYING FIRM LS-100080-00

**DRAINAGE EASEMENT  
ABANDONMENT**  
PART OF WEST PLANO LAND COMPANY, LP  
HENRY COOK SURVEY, ABSTRACT NO. 183  
CITY OF PLANO, COLLIN COUNTY, TEXAS  
SHEET 3 OF 5

<b>DRAWN BY</b> KCH	<b>CHECKED BY</b> VK/KCH	<b>SCALE</b> 1"=50'	<b>DATE</b> DEC. 2011	<b>JOB NUMBER</b> 3242-11.277
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# EXHIBIT 'A'



REMAINDER OF TRACT 12  
WEST PLANO LAND COMPANY, LP  
(INST. NO. 20060920001358250)

DRAINAGE EASEMENT  
TRACT 3  
(VOL. 4624, PG. 289)

DRAINAGE EASEMENT  
ABANDONMENT  
50,248 SF  
1.153 ACRES

$\Delta=29^{\circ}11'53''$   
 $R=150.00'$   
 $L=76.44'$   
 $T=39.07'$   
CB=N  $68^{\circ}42'04''$  E  
CD=75.62'

N  $83^{\circ}18'00''$  E  
154.15'

S  $83^{\circ}18'00''$  W  
154.12'

$\Delta=29^{\circ}11'58''$   
 $R=200.00'$   
 $L=101.93'$   
 $T=52.10'$   
CB=S  $68^{\circ}42'01''$  W  
CD=100.83'

### LEGEND

	PROPERTY LINE
	ABANDONMENT LINE
	EXISTING EASEMENT LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
(C.M.)	CONTROLLING MONUMENT

### NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the North American Datum of 1983, Texas State Plane Coordinate System, North Central Texas Zone 4202 being the City of Plano Geodetic Control Network utilizing a surface scale factor 1.00015421.

## DRAINAGE EASEMENT ABANDONMENT

PART OF WEST PLANO LAND COMPANY, LP  
HENRY COOK SURVEY, ABSTRACT NO. 183  
CITY OF PLANO, COLLIN COUNTY, TEXAS  
SHEET 4 OF 5

**Pacheco Koch**

DALLAS ■ FORT WORTH ■ HOUSTON

8350 N. CENTRAL EXPWY. SUITE 1000  
DALLAS, TX 75206 972.235.3031  
TX REG. ENGINEERING FIRM F-469  
TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY  
KCH

CHECKED BY  
VK/KCH

SCALE  
1"=50'

DATE  
DEC. 2011

JOB NUMBER  
3242-11.277



# EXHIBIT 'A'

REMAINDER OF TRACT 12  
WEST PLANO LAND COMPANY, LP  
(INST. NO. 20060920001358250)

15' UTILITY EASEMENT  
(INST. NO. 20081202010004190)

FIRE LANE & ACCESS  
EASEMENT  
(VOL. 4624, PG. 274)

15' UTILITY EASEMENT  
(INST. NO. 2006092001358220)

**DRAINAGE EASEMENT  
ABANDONMENT**  
50,248 SF  
1.153 ACRES

$\Delta=39^{\circ}20'32''$   
 $R=257.70'$   
 $L=176.95'$   
 $T=92.12'$   
CB=N 63°37'41" E  
CD=173.49'

MATCHLINE  
(SEE SHEET 4)

LOT 1, BLOCK A  
ERICSSON VILLAGE  
(INST. NO. 20081202010004190)

$\Delta=25^{\circ}15'17''$   
 $R=150.00'$   
 $L=66.12'$   
 $T=33.60'$   
CB=N 56°35'04" E  
CD=65.58'

DRAINAGE EASEMENT  
TRACT 3  
(VOL. 4624, PG. 289)

N 83°18'00" E  
54.15'

S 83°18'00" W  
54.12'

$\Delta=39^{\circ}21'01''$   
 $R=207.70'$   
 $L=142.65'$   
 $T=74.27'$   
CB=S 63°37'56" W  
CD=139.86'

$\Delta=25^{\circ}57'18''$   
 $R=200.00'$   
 $L=90.60'$   
 $T=46.09'$   
CB=S 56°56'04" W  
CD=89.83'

N 00°32'33" W  
53.07'

24' FIRELANE,  
ACCESS & UTILITY  
EASEMENT  
(INST. NO. 20081202010004190)

5/8-INCH IRON  
ROD W/"KHA"  
CAP FOUND  
(C.M.)

13.60'

15' UTILITY  
EASEMENT  
(INST. NO. 2006092001358220)

0 25 50 100

GRAPHIC SCALE IN FEET

LEGEND	
	PROPERTY LINE
	ABANDONMENT LINE
	EXISTING EASEMENT LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)
(C.M.)	- CONTROLLING MONUMENT

### NOTES:

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the North American Datum of 1983, Texas State Plane Coordinate System, North Central Texas Zone 4202 being the City of Plano Geodetic Control Network utilizing a surface scale factor 1.00015421.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the abandonment tract described.

*Kyle Coleman Harris* 12/22/11

Kyle Coleman Harris Date  
Registered Professional  
Land Surveyor No. 6266



## DRAINAGE EASEMENT ABANDONMENT

PART OF WEST PLANO LAND COMPANY, LP  
HENRY COOK SURVEY, ABSTRACT NO. 183  
CITY OF PLANO, COLLIN COUNTY, TEXAS  
SHEET 5 OF 5

**Pacheco Koch** 8350 N. CENTRAL EXPWY. SUITE 1000  
DALLAS, TX 75206 972.235.3031  
TX REG. ENGINEERING FIRM F-469  
DALLAS ■ FORT WORTH ■ HOUSTON TX REG. SURVEYING FIRM LS-100080-00

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
KCH	VK/KCH	1"=50'	DEC. 2011	3242-11.277

EXHIBIT "B"

**PETITION FOR ABANDONMENT**  
[For Easement Abandonment]

We, the undersigned, (hereinafter "Owners"), being all of the owners of real property abutting Drainage Easement Tract 3 (hereinafter called "Easement"), more particularly described by metes and bounds in the field note description attached hereto and incorporated herein as **Exhibit "A-1"** do hereby request that the City of Plano, Texas (called "City") abandon the Easement.

1. The Owners are requesting the abandonment of the Easement for the following reasons:  
The easement is to be abandoned to create a new drainage and floodway easement.
2. The following public interest will be served as a result of the abandonment:  
A new easement will be dedicated and the City of Plano will be relieved of any maintenance requirements.
3. Unless the City determines that this abandonment is exempt from payment of fair market value, the Owners agree to pay to the City the fair market value of the Easement as determined by an appraisal obtained by the City (called "Price"). The appraisal shall be conclusive as to the fair market value. The Owners shall reimburse the City for the cost of the appraisal and other costs incident to the abandonment (called "Costs"). The Price and Costs shall be paid to the City prior to the abandonment. Should the Plano City Council decide not to abandon the Easement, the Price shall be returned to the Owners, but the Costs shall be retained by the City. Each Owner's share of the Price and Costs shall be in the same proportion as their abutting ownership as hereinafter defined.
4. If the Owners are providing a replacement easement for the Easement requested to be abandoned herein, Owners will attach a metes and bounds description or plat identifying the replacement easement and attach same to this Petition as **Exhibit "B-1"**.
5. The Owners hereby represent and affirm to the City that no other property owner, lessee, tenant or easement or license holder uses the Easement to access or to serve their property.
6. **The Owners further agree to release, defend, indemnify and hold the City, its officers, agents and employees harmless from and against any and all claims, losses, demands, suits, judgments and costs, including reasonable**

**and necessary attorney's fees and expenses, arising out of, related to or resulting from the abandonment of the Easement by City.**

- 7 The Owners understand and agree that the abandonment is in the sole discretion of the Plano City Council. The Owners also understand and agree that the Easement will be abandoned to them in proportion to their abutting ownership. The abutting ownership will be determined by the number of linear feet of frontage adjacent to the Easement owned by each property owner. Based on the foregoing, the Owners hereby represent and affirm that they have searched the public land records and determined that the abutting ownership is in the following proportions:

**100% to Single Ownership Entity**

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8. Owners shall also prepare a map or drawing showing the Easement to be abandoned along with a designation of all abutting property owners. This map or drawing shall be attached hereto and incorporated herein as **Exhibit "C-1"**.
9. Owners shall also prepare a separate field note description for each portion of the Easement to be released to each abutting property owner. This description shall be attached hereto and incorporated herein as **Exhibit "D-1"**

[Remainder of page blank]

10. The undersigned officers and/or agents of the Owners hereby represent and affirm that they have the necessary authority to execute this Petition for Abandonment on behalf of the Owners.

Ericsson Real Estate Holdings Inc.

\_\_\_\_\_  
Typed Name of Owner

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State and Zip

Dated: Jan 26, 2012 Vicki R. Bunch

\_\_\_\_\_  
Signature of Owner

**Contact Person for Property Owners:**

**Name:**

**Phone No:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FOR DEPARTMENTAL USE ONLY**

The Easement to be abandoned is to one or more abutting property owners and is exempt from the requirement that fair market value be paid for the following reason(s):

- The Easement consists of narrow strips of land, or land that because of its shape, lack of access to public roads, or small area cannot be used independently under its current zoning or under applicable subdivision or other development code ordinances;
- The Easement consists of streets or alleys, owned in fee or used by easement;
- The Easement consists of land or a real property interest originally acquired for streets, rights-of-way, or easements that the City of Plano has decided to exchange with Owner for other land to be dedicated and used for streets, rights of way, easements, or other public purposes, including transactions partly for cash;
- The Easement contains land that the City wants to have developed by an independent foundation;
- The Easement is located within a reinvestment zone designated by law that the City desires to have developed under a project plan adopted by the municipality for the zone.

  
\_\_\_\_\_  
Public Works & Engineering Department  
City of Plano, Texas



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		3/6/12		
Department:		Budget		
Department Head		Karen Rhodes-Whitley		
Agenda Coordinator (include phone #): <b>Steve Tillman, 5470</b>				
<b>CAPTION</b>				
<p>An Ordinance of the City of Plano, Texas, transferring the sum of \$42,858 from the Plano Television Network (PTN) Fund unappropriated fund balance to the Plano Television Network (PTN) Fund operating appropriation for fiscal year 2011-12 for the purpose of providing funds for the first year's cost to begin a full website upgrade and redesign project to meet the City's current website needs; amending the Budget of the City and Ordinance 2011-9-8, Section 1, Item "HH" to reflect the action taken herein; declaring this action to be a case of public necessity; and providing an effective date.</p>				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>2011-12</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>
		<b>TOTALS</b>		
Budget	0	944,640	0	<b>944,640</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	42,858	0	<b>42,858</b>
BALANCE	0	987,498	0	<b>987,498</b>
<b>FUND(S):    PTN FUND</b>				
<p><b>COMMENTS:</b> Supplemental appropriations approved to date for the Plano Television Network (PTN) Fund including this item, total \$42,858. The current Plano Television Network (PTN) Fund balance supports this supplemental appropriation in the amount of \$42,858. There is a companion agenda item for a four-year contract for the services of a third party vendor to assist in the website design.</p> <p><b>STRATEGIC PLAN GOAL:</b> Providing additional funding for a full website upgrade and redesign project relates to the City's goal of a Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
Supplemental Appropriation No. 6				
<p>This supplemental appropriation will provide necessary funding for the first year's cost to begin a full website upgrade and redesign project for Plano Television Network (PTN) partnering with the Technology Services (TS) Department utilizing a contract with a third party vendor.</p>				
List of Supporting Documents: Memo Supplemental Appropriation Log			Other Departments, Boards, Commissions or Agencies	



**Date:** February 20, 2012  
**To:** Bruce Glasscock, City Manager  
**Through:** Mark Israelson, Director of Policy and Government Relations  
**From:** Dana Conklin, Director of Public Information  
**Subject:** **Website Upgrade and Redesign Project**

In meeting the City's strategic goal of effective and efficient communication with residents, staff is proceeding with the process of a full website upgrade and redesign to be completed no later than October 2012. Partnering with the Technology Services Department (TS), we would like to deploy a new site under a contract with a third party vendor. Completion of this project will meet the City's current website needs on a wider scale and with more staff efficiency. It will also provide significant resources not only in supporting the site but in positioning the City of Plano to incorporate future needs yet to be revealed.

#### Background

The City began using SharePoint to provide the official website in 2008. The last redesign of the existing website occurred in fall 2009 and was primarily a visual change. Since that time comments have been received such as:

- the site is nice but is not intuitive enough
- difficult to navigate and search
- menu layout options are limiting
- the calendar is not community oriented
- there is no ability to include rotating photos (slide show)
- there is limited opportunity for interaction other than e-commerce processes
- it's too hard to use on a smartphone

Additionally, the SharePoint web platform currently used is a small piece of the Microsoft Enterprise system owned and used throughout the City by TS. This product does not receive as much development attention by Microsoft as their business software, thus providing its own set of challenges in keeping current in the industry. The City's use of SharePoint as a document library, e-commerce site, etc. limits the ability of our TS staff to devote time to developing features and functions for the website, therefore keeping pace with web use demands has not received much attention. Examples of these challenges are:

- **Difficulty Incorporating Third Party Widgets**  
 Many widgets for third-party applications (i.e.; Facebook and Twitter) employ code that conflicts with the operation of SharePoint page editing by rendering the editing toolbar inoperable. In order to edit a page, widgets must be removed and re-added after text and images have been edited in the same page. Addition of widgets on the website requires the use of different types of web controls to prevent codes for widgets from being automatically stripped from web pages. Websites built outside of SharePoint can accommodate widgets at any location on any page of the site without the use of different controls.
  
- **SharePoint Lacks “Out of the Box” Functionality**  
 As a Web Content Management System, SharePoint provides basic functionality for content organization, navigation, archiving and multi-user permissions but does not include the features and functionality needed to provide a dynamic and interactive user experience. Creation of comparable features in-house would require additional staff resources above and beyond those currently dedicated to e-commerce functions at TS.
  
- **Current Training and Support**  
 Training and support has been minimal for web staff. TS has SharePoint staff who do not spend much time on the public website portion of the product. After implementation of the initial product, additional learning by web staff has been self-serve through various websites, books, and minimal live training opportunities. Tech Services personnel has been tasked with focusing on e-commerce applications and little or no public website development beyond the immediate needs of specific departments (i.e. paperless agenda).
  
- **Content Management Administration**  
 Staff members across the organization (35) provide and administer the site content. The SharePoint system requires several steps to process a single information item and associated graphics. These steps must be repeated for each page on which the information needs to appear requiring more time by the content provider. Additional time is required if this information is also desired on social media channels or e-newsletters. The average original posting by a content provider takes 15 minutes. Newer website products provide space for the original information and then selections are made as to other locations for the information, reducing posting time.
  
- **Design and Graphic Limitations**  
 SharePoint allows only certain types of content in certain areas of the page which limits the ability of staff members to add media-rich content anywhere on their pages through the use of web controls. This constrains our ability to meet design and structural needs in response to comments about the site. The menu structure, in many instances, requires additional pages in order to redirect a user to an “add on” site such as the Municipal Code of Ordinances, PeopleSoft, and even our own e-commerce functions. The calendar feature has much of the same challenge in that it is a single environment and cannot be managed to show specific sub-calendars on differing pages without a tremendous amount of development work by staff. These constraints are challenging when trying to meet users expectations.
  
- **Site Use by Mobile Devices**  
 The current site design does not lend itself to legibility or functional use by a mobile device. In order to achieve this option for our users we would have to devote significant time to developing a completely separate site designed specifically for the confinement of a mobile

device. This option would require determination of what information and resources would be provided and how to do so, which might involve additional development of our e-commerce sites as well. Providing a mobile site would be a significant commitment in development and separate maintenance.

Staff began considering these comments and concerns as the time to plan for the next update to the site approached. It was determined that we should look for a possible outside vendor and platform to meet the future expectations for site functionality and performance. Thus began the research and project planning phase.

### Project Planning

We actively solicited input from all City departments, current users, and Plano businesses providing web services – departments were asked to provide lists of functions and features they would like to see and utilize; two citizen focus groups were hosted to test the existing site as well as explore desired functions; web site providers from Plano businesses were invited to provide feedback about existing and future functionality.

Out of these meetings we developed a list of 26 required features for the new website. Among these were the use of more photos/slide shows, improved community calendar, interactive maps, mobile device compatibility, and several administrative improvements. Our recommended vendor meets all 26 requirements while providing additional features and functions. This change from an in-house operation along with adding many new features will provide a more robust environment and service enhancements for the City and our users adding value to our communication with residents.

A discussion was also held with the Technology Services Director, David Stephens, where a vision was shared about having a site that would incorporate functions within rather than having to add more third-party vendors requiring additional contracting and management. This discussion included the possibility that SharePoint might not be the best site to continue using and it was agreed that an outside party most likely would be able to meet current and future website needs. Danny Housewright, TS staff, provided a list of SharePoint e-commerce and e-gov sites that must be considered when implementing any new product and which will be incorporated into any new site. Danny also served on the bid evaluation team and will continue to serve on the implementation team.

Two high-quality companies providing websites specifically designed for government agencies, both carrying good reputations, were identified and requested to participate in a Competitive Sealed Proposal process. The evaluation panel was made of staff from Web Services, TS, Police, Library, and Sustainability – some of our heaviest administrative users. Written proposals and full product demonstrations were provided by the vendors as a part of the evaluation process. The result is the selection of Civic Plus as our desired vendor ranking higher on the number of features provided and on their pricing structure.

Here is a short list of government agencies currently using Civic Plus.

- Athens-Clarke County, GA [athensclarkecounty.com](http://athensclarkecounty.com)
- Shelby County, TN [shelbycountyttn.gov](http://shelbycountyttn.gov)
- Pueblo, CO [pueblo.us](http://pueblo.us)
- Manassas, VA [manassascity.org](http://manassascity.org)
- League City, TX [leaguecity.com](http://leaguecity.com)

- Hutto, TX [huttotx.gov](http://huttotx.gov)
- Cedar Hill, TX [cedarhilltx.com](http://cedarhilltx.com)
- Burleson, TX [burlesontx.com](http://burlesontx.com)
- Corinth, TX [cityofcorinth.com](http://cityofcorinth.com)
- Sherman, TX [www.ci.sherman.tx.us](http://www.ci.sherman.tx.us)

### Efficiencies

Many of the efficiencies offered by this change will not be visible but will enhance staff's ability to provide information and communication without expanding resources. Among the enhancements will be

- **Enhanced Corporate Value**  
Employing a third party vendor that is well-versed in maintaining award-winning government websites and current applications who also responds in a timely manner to industry trends will allow us to respond more quickly to changes in communication through our electronic environment. We will be able to implement new functions more quickly and will be able to provide a design that is more attractive along with a structure that is more intuitive and personalized for our users.
- **Secure Hosting and Offsite Support**  
This adds security to the operation of the website for communicating with residents should a disaster occur locally and impact our servers and support teams for this critical communication system. Off-site contract support will also allow us to feed information when local staff may not be available due to other emergency management needs.
- **Increased Training Resources**  
Currently our webmaster handles all training for our 35 content managers. Our third party vendor will provide training for webmaster staff as well as department content managers. This will include group and individual training and incorporate skill testing. In addition, training is available through the vendor's Internet site at any time which is important in addressing staff changes and re-training needs across the organization.
- **Access to a User Group**  
This enhances our use of the communication tools by providing free access to a wider knowledge base for information, trend awareness, and effective idea sharing.
- **Enhanced Staff Efficiency for Content Managers**  
The new site will allow content managers to enter information in a single location and select where it will be posted, including a direct connection to our social media channels. This will reduce the amount of time currently needed to post information to multiple channels (i.e. individually to multiple web pages, newsletters, RSS feeds, social media channels – all currently done on a single entry basis to each page) This will save an estimated 15 minutes per posting providing more time for staff to service the site's needs as well as all other duties unrelated to the web site.
- **Optional Use of Sub-Sites Through Vendor**  
As an option, we will have the ability to provide alternate websites under the same contract, using the same vendor, for Convention and Visitors Bureau, Plano Centre, and Economic Development with the intent of gaining cost savings while providing those businesses with

these same robust support and design resources. This will be addressed with each of those departments as our vendor comes on board and their budgets, contracts, and interests allow.

Costs

In our current web platform we incorporate a variety of external programs which are seamlessly merged into the site. Two of these are budgeted within Web Services at \$24,523 annually with an increase expected over the next four years. These programs are Browse Aloud / textHELP, a reader service providing accessibility at \$3,295; and GovDelivery, a notification and newsletter system at \$20,880. Each of these purchases would be eliminated with a new website as the new vendor offers these services within their package.

Several e-gov processes are incorporated using the SharePoint system developed by TS. Moving to a new vendor and platform will not impact the operation of these sites and will continue to be available through the site. This would include the City Council agenda process, board and commission uses, and e-commerce services. Other programs incorporated are relative to single departments, budgeted by them, and then incorporated into the site as an iFrame (Fix It, Swagit video content, Blackboard Connect, Mind Mixer), or are available free of charge and used separately from the website (social media). PeopleSoft, Bid Sync and MuniCode will continue to be via a direct link to their websites. There may be the need for some design/color changes, but none of these programs will be damaged by the transition.

Technology Services costs for the SharePoint web platform are included in the Microsoft Enterprise Agreement. This is paid on a yearly basis and we have a three-year contract. Within the agreement specific SharePoint website costs cannot be identified. The servers hosting the current website also serve the e-government sites and will remain intact providing no cost savings. Ultimately, *there will be no financial or staff impact for the Technology Services Department with this change.*

The cost for the proposed contract is \$145,750 over four years which covers the design and implementation phases, hosting, and all maintenance and support as well as access to all current and future modules developed by Civic Plus. This all-inclusive pricing model would allow the City to effectively manage costs over time while keeping pace with the emerging trends for government websites without additional costs for each new module or feature.

	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	4-Year TOTAL
Current Expenses	\$ 24,523	\$ -	\$ -	\$ -	<b>\$ 24,523</b>
Civic Plus	\$ 42,858	\$ 42,858	\$ 42,858	\$ 17,176	<b>\$ 145,750</b>
Needed	\$ 42,858	\$ 42,858	\$ 42,858	\$ 17,176	\$ 145,750

Comparisons

The movement of the website to a third-party vendor will provide a more robust set of functions for users and staff while allowing existing webmaster staff to continue managing content and coordinating 35

content managers from their respective departments. This move to a third party vendor will incorporate these new and future functions seamlessly into one site.

The existing website uses the SharePoint website platform provided within the Microsoft Enterprise package by TS. The SharePoint platform also provides 12 in-house support sites that provide many of the e-government processes used by citizens and staff. Each of these is integrated into the new site. After the new site is established and we become comfortable with it, we may want to compare the available modules to ours and determine any changes we might wish to make. Again, our current systems are, and can be, integrated in their current configuration.

Keeping in mind that we are working with SharePoint 2007, the chart below compares current site features for users to the options offered by the proposed vendor. More details about each specific feature are available and we welcome the opportunity to visit each of them further.

	Currently available	New Vendor
Agenda center	Yes (SharePoint)	Yes
Alerts	Yes	Yes
Archive center	Yes	Yes
Bid postings	Yes (BidSync)	Yes
Blog	No	Yes
Business/Resource directory	No	Yes
Calendar (community)	Minimal	Yes
Carbon calculator	No	Yes
Document center	No	Yes
ePayment center	Various	Yes
Facilities & Reservations	Yes/No	Yes
Frequently Asked Questions	Yes	Yes
Forms development	Yes (SharePoint)	Yes
Healthy City	No	Yes
Job Postings	Yes (PeopleSoft)	Yes
Licenses & Permits	Yes (SharePoint)	Yes
Media Center w/stream video	Yes	Yes
My Dashboard	No	Yes
News Flash	Yes	Yes
Notify Me	Yes (GovDelivery)	Yes
Online job application	Yes (PeopleSoft)	Yes
Opinion Poll	No	Yes
Photo Gallery	No	Yes
Postcard	No	Yes
Quick Links	Yes	Yes
Real estate locator	No	Yes
Citizen Request Tracker	Yes (Fix It)	Yes
Spotlight	No	Yes
Staff Directory	Minimal	Yes

On February 3, Civic Plus announced the availability of its **crowd sourcing** module. We are excited that this will be an option within the new website and look forward to comparing it to the Mind Mixer product.

Administrative enhancements are also compared.

	Currently available	New Vendor
Bad links identifier	No	Yes
Content library	Yes	Yes
Dynamic layout	Yes	Yes
Dynamic page components	No	Yes
Dynamic breadcrumbs & site map	Yes	Yes
eCommerce integration	Yes	Yes
History log	Yes	Yes
Intranet	Yes (SharePoint)	Yes
Levels of rights	Yes	Yes
LDAP authentication	Yes	Yes
Link redirects	Yes	Yes
Live edit	Yes	Yes
Maps – clickable, javascript, flash	No	Yes
MuniMobile	No	Yes
Navigation options	Minimal	Yes
Navigation depth	Yes	Yes
Portal page development	Yes	Yes
RSS feeds	Yes	Yes
Search Engine Registration & Optimization	Minimal	Yes
Site search	Minimal	Yes
Site administrative controls	Yes	Yes
Social networks & Gov 2.0	Separate	Yes
Training	Minimal	Yes
Website statistics	Yes	Yes

As seen in the tables, there are a few applications currently provided in-house in our SharePoint environment. To manage the integrity of the transition process, we have asked TS to provide an updated list of all e-commerce and e-gov sites currently provided in the SharePoint platform supplemental to the website. We have discussed these processes with David Stephens and agree that these changes are possible and integration problems expected to be minimal. We will work with TS and our vendor to insure the integrity of these priority services.

We believe that the implementation of a new web platform using a third-party vendor meets and exceeds our current needs, provides new functions for calculated use, and will allow us to bring new functions to our users more quickly in the future without tremendous additional costs in time or dollars.

Cc: David Stephens, Director of Technology Services

**An Ordinance of the City of Plano, Texas, transferring the sum of \$42,858 from the Plano Television Network (PTN) Fund unappropriated fund balance to the Plano Television Network (PTN) Fund operating appropriation for fiscal year 2011-12 for the purpose of providing funds for the first year's cost to begin a full website upgrade and redesign project to meet the City's current website needs; amending the Budget of the City and Ordinance No. 2011-9-8, Section 1, Item "HH" to reflect the action taken herein; declaring this action to be a case of public necessity; and providing an effective date.**

**WHEREAS**, the City Council of the City of Plano approved and adopted the Budget for the City for Fiscal Year 2011-12 setting the appropriations for the Plano Television Network (PTN) Fund at \$944,640; and

**WHEREAS**, the SharePoint web platform currently used is a small piece of the Microsoft enterprise system owned and used throughout the City by Technology Services (TS). This product does not receive as much development attention by Microsoft as their business software, thus providing its own set of challenges; and

**WHEREAS**, the City's use of SharePoint as a document library, e-commerce site, etc., limits the ability of our Technology Services (TS) staff to devote time to developing features and functions for the website thus providing its own set of challenges in keeping current in the industry; and

**WHEREAS**, such necessary and essential costs cannot be fully met through appropriations in the existing Plano Television Network (PTN) Fund Budget; and

**WHEREAS**, the City Council now finds that additional appropriations to the Plano Television Network (PTN) Fund Operating Appropriation should be made in order to provide additional funding for these costs; and that such action is a public necessity.

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

**SECTION I.** The sum of FORTY TWO THOUSAND EIGHT HUNDRED AND FIFTY-EIGHT DOLLARS (\$42,858) is hereby transferred from the Plano Television Network (PTN) Fund unappropriated fund balance to the Plano Television Network (PTN) Fund operating appropriation.

**SECTION II.** The Budget of the City of Plano for Fiscal Year 2011-12 as adopted by Ordinance No. 2011-9-8 is amended to reflect the action taken herein.

**SECTION III.** The action taken herein is found and declared to be a case of public necessity.

**SECTION IV.** This supplemental appropriation Ordinance No. 6 shall become effective immediately from and after the date of its passage.

DULY PASSED AND APPROVED THIS THE 6<sup>TH</sup> DAY OF MARCH, 2012.

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Phil Dyer, **MAYOR**

ATTEST:

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Diane Zucco, **CITY SECRETARY**

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Diane C. Wetherbee, **CITY ATTORNEY**

**FY 2011-12  
SUPPLEMENTAL APPROPRIATIONS**

<b>Description</b>	<b>Department</b>	<b>Amount</b>
Supplemental Appropriation for Special Election Contract with Collin County	City Secretary	94,187
Supplemental Appropriation for Special Election Contract with Denton County	City Secretary	3,863
Supplemental Appropriation for legal fees for PEDB dissolution	Economic Development	68,355
Supplemental Appropriation for settlement of lawsuit - Billy Horton, et al	Legal	554,333
Supplemental Appropriation for 2011 Audit Change Order	Accounting	15,000
<b>TOTAL GENERAL FUND APPROPRIATIONS</b>		<b>\$ 735,738</b>
Supplemental Appropriation for Website Upgrade	Plano Television Network	42,858
<b>TOTAL PTN FUND APPROPRIATIONS</b>		<b>\$ 42,858</b>
<b>TOTAL CAPITAL RESERVE FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL MUNICIPAL DRAINAGE FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL WATER &amp; SEWER FUND</b>		<b>\$ -</b>
<b>TOTAL SUSTAINABILITY &amp; ENVIRONMENTAL FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL CONVENTION &amp; TOURISM FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL PROPERTY/LIABILITY FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL PROPERTY MANAGEMENT FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL GOLF COURSE FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL RECREATION FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL INTERNAL SERVICE FUNDS AND OTHER FUNDS APPROPRIATIONS</b>		<b>\$ -</b>
<b>GRAND TOTAL ALL FUNDS</b>		<b>\$ 778,596</b>



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		3/6/12		
Department:		Budget		
Department Head		Karen Rhodes-Whitley		
Agenda Coordinator (include phone #): <b>Carla Rude, X7407</b>				
<b>CAPTION</b>				
<p>An Ordinance of the City of Plano, Texas, transferring the sum of \$144,882 from the Water &amp; Sewer Fund unappropriated fund balance to the Water &amp; Sewer Fund operating appropriation for fiscal year 2011-12 for the purpose of providing funds for the purchase of wireless communication services; amending the Budget of the City and Ordinance 2011-9-8, Section 1, Item "J" to reflect the action taken herein; declaring this action to be a case of public necessity; and providing an effective date.</p>				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2011-12</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	87,800,522	0	<b>87,800,522</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	144,882	0	<b>144,882</b>
BALANCE	0	87,945,404	0	<b>87,945,404</b>
<b>FUND(S):     WATER &amp; SEWER FUND</b>				
<p><b>COMMENTS:</b> Supplemental appropriations approved to date for the Water &amp; Sewer Fund, including this item, total \$144,882. The current Water &amp; Sewer Fund balance supports this supplemental appropriation in the amount of \$144,882. There is a companion agenda item in the amount of \$144,882 for the purchase of wireless communication services.</p> <p><b>STRATEGIC PLAN GOAL:</b> Providing additional funding for Wireless Communication Services relates to the City's goal of a Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
Supplemental Appropriation No. 7				
<p>This supplemental appropriation will provide necessary funding for a communications service that quickly provides reliable notices, directions, and reassurance to citizens in minutes using voice, text, and email messages.</p>				
List of Supporting Documents: Supplemental Appropriation Log			Other Departments, Boards, Commissions or Agencies	

**An Ordinance of the City of Plano, Texas, transferring the sum of \$144,882 from the Water & Sewer Fund unappropriated fund balance to the Water & Sewer Fund operating appropriation for fiscal year 2011-12 for the purpose of providing funds for wireless communication services; amending the Budget of the City and Ordinance No. 2011-9-8, Section 1, Item "J" to reflect the action taken herein; declaring this action to be a case of public necessity; and providing an effective date.**

**WHEREAS**, the City Council of the City of Plano approved and adopted the Budget for the City for Fiscal Year 2011-12 setting the appropriations for the Water & Sewer Fund at \$87,800,522; and

**WHEREAS**, such necessary and essential costs cannot be fully met through appropriations in the existing Water & Sewer Fund Budget; and

**WHEREAS**, the City Council now finds that additional appropriations to the Water & Sewer Fund Operating Appropriation should be made in order to provide additional funding for these costs; and that such action is a public necessity.

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

SECTION I. The sum of ONE HUNDRED FORTY FOUR THOUSAND EIGHT HUNDRED AND EIGHTY TWO DOLLARS (\$144,882) is hereby transferred from the Water & Sewer Fund unappropriated fund balance to the Water & Sewer Fund operating appropriation.

SECTION II. The Budget of the City of Plano for Fiscal Year 2011-12 as adopted by Ordinance No. 2011-9-8 is amended to reflect the action taken herein.

SECTION III. The action taken herein is found and declared to be a case of public necessity.

SECTION IV. This supplemental appropriation Ordinance No. 7 shall become effective immediately from and after the date of its passage.

**DULY PASSED AND APPROVED THIS THE 6<sup>TH</sup> DAY OF MARCH, 2012.**

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Phil Dyer, **MAYOR**

ATTEST:

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Diane Zucco, **CITY SECRETARY**

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Diane C. Wetherbee, **CITY ATTORNEY**

**FY 2011-12  
SUPPLEMENTAL APPROPRIATIONS**

<b>Description</b>	<b>Department</b>	<b>Amount</b>
Supplemental Appropriation for Special Election Contract with Collin County	City Secretary	94,187
Supplemental Appropriation for Special Election Contract with Denton County	City Secretary	3,863
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Supplemental Appropriation for settlement of lawsuit - Billy Horton, et al	Legal	554,333
Supplemental Appropriation for 2011 Audit Change Order	Accounting	15,000
<b>TOTAL GENERAL FUND APPROPRIATIONS</b>		<b>\$ 735,738</b>
Supplemental Appropriation for Website Upgrade	Plano Television Network	42,858
<b>TOTAL PTN FUND APPROPRIATIONS</b>		<b>\$ 42,858</b>
<b>TOTAL CAPITAL RESERVE FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL MUNICIPAL DRAINAGE FUND APPROPRIATIONS</b>		<b>\$ -</b>
Supplemental Appropriation for Wireless Communication Services from Blackboard, Inc.	Customer & Utility Services	144,882
<b>TOTAL WATER &amp; SEWER FUND</b>		<b>\$ 144,882</b>
<b>TOTAL SUSTAINABILITY &amp; ENVIRONMENTAL FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL CONVENTION &amp; TOURISM FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL PROPERTY/LIABILITY FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL PROPERTY MANAGEMENT FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL GOLF COURSE FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL RECREATION FUND APPROPRIATIONS</b>		<b>\$ -</b>
<b>TOTAL INTERNAL SERVICE FUNDS AND OTHER FUNDS APPROPRIATIONS</b>		<b>\$ -</b>
<b>GRAND TOTAL ALL FUNDS</b>		<b>\$ 923,478</b>

**DATE:** February 21, 2012  
**TO:** Honorable Mayor & City Council  
**FROM:** Chris Caso, Chairman, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of February 20, 2012

**AGENDA ITEM NO. 11 - PUBLIC HEARING  
PARK MASTER PLAN MAP AMENDMENT  
APPLICANT: CITY OF PLANO**

Request to amend the Park Master Plan map of the Comprehensive Plan.

**APPROVED:** 7-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

**STIPULATIONS:**

Recommended for approval as submitted.

**FOR CITY COUNCIL MEETING OF:** March 6, 2012 (To view the agenda for this meeting, see [www.planotx.org](http://www.planotx.org))

**PUBLIC HEARING - ORDINANCE**

SS/dc

CITY OF PLANO  
PLANNING & ZONING COMMISSION

February 20, 2012

**Agenda Item No. 11**

**Public Hearing:** Park Master Plan Map Amendment

**Applicant:** City of Plano

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**DESCRIPTION:**

Request to amend the Park Master Plan map of the Comprehensive Plan.

**REMARKS:**

The Park Master Plan map was last updated in June 2006 along with the Parks and Recreation Element of the Comprehensive Plan. The map shows the location of existing and future park sites and recreation facilities provided by the City of Plano Parks and Recreation Department.

The update the Park Master Plan map is necessary at this time to show the completion of several major facilities and acquisition of park land. Additionally, the revised map provides the basis for acquiring additional park land and completing future park and trail improvements, consistent with expenditures of the city's Park and Recreation Fee and bond monies.

The following is a list of proposed changes to the Park Master Plan map. A copy of the existing map and the proposed map are attached for reference. The proposed changes were approved by the Parks and Recreation Planning Board at their January 3, 2012 meeting.

1. Reflect property that has been purchased since the last plan update.
2. Identify new facilities that have been constructed since the last plan update.
3. Update trail routes outside of park lands.
4. Show the location of a proposed trail through the Chase Oaks Golf Course and the route through the surrounding neighborhood.
5. Identify additional potential land acquisitions not shown on the previous plan including:

- Land along Rowlett Creek between Bob Woodruff Park and Pecan Hollow Golf Course;
  - Flood plain land on the north side of Shawnee Park that can be acquired through the Park Fee Program when the adjacent property develops;
  - Haggard Park City House Addition;
  - Additional neighborhood park land within the Douglass Community;
  - A larger addition to Harrington Park on the west side of Spring Creek;
  - Continuation of the Chisholm Trail through the Collin Creek Mall area;
  - A one acre addition needed to complete the trail at Hoblitzelle Park; and
  - Additional greenbelt land between Spring Creek Parkway and Windhaven Parkway on both sides of the Dallas North Tollway.
6. Relocation of the proposed dog park originally planned for Bob Woodruff Park to Oak Point Recreation Center.
  7. Remove the neighborhood park north of Park Boulevard and east of Custer Road, across the street from Harrington Elementary School due to acquisition of the South Central Community Park Site (Hall property) at the northwest corner of Park Boulevard and Alma Drive. The community park will serve the park needs of the adjacent neighborhood.
  8. Remove the symbol for unlighted athletic fields. All of these facilities have been constructed.
  9. Update the distribution of nonresidential and residential uses within the city, along with existing and proposed DART Stations, school sites, and other non-park information to reflect current conditions.

**RECOMMENDATION:**

Recommended for approval as submitted.

# 2006 MAP

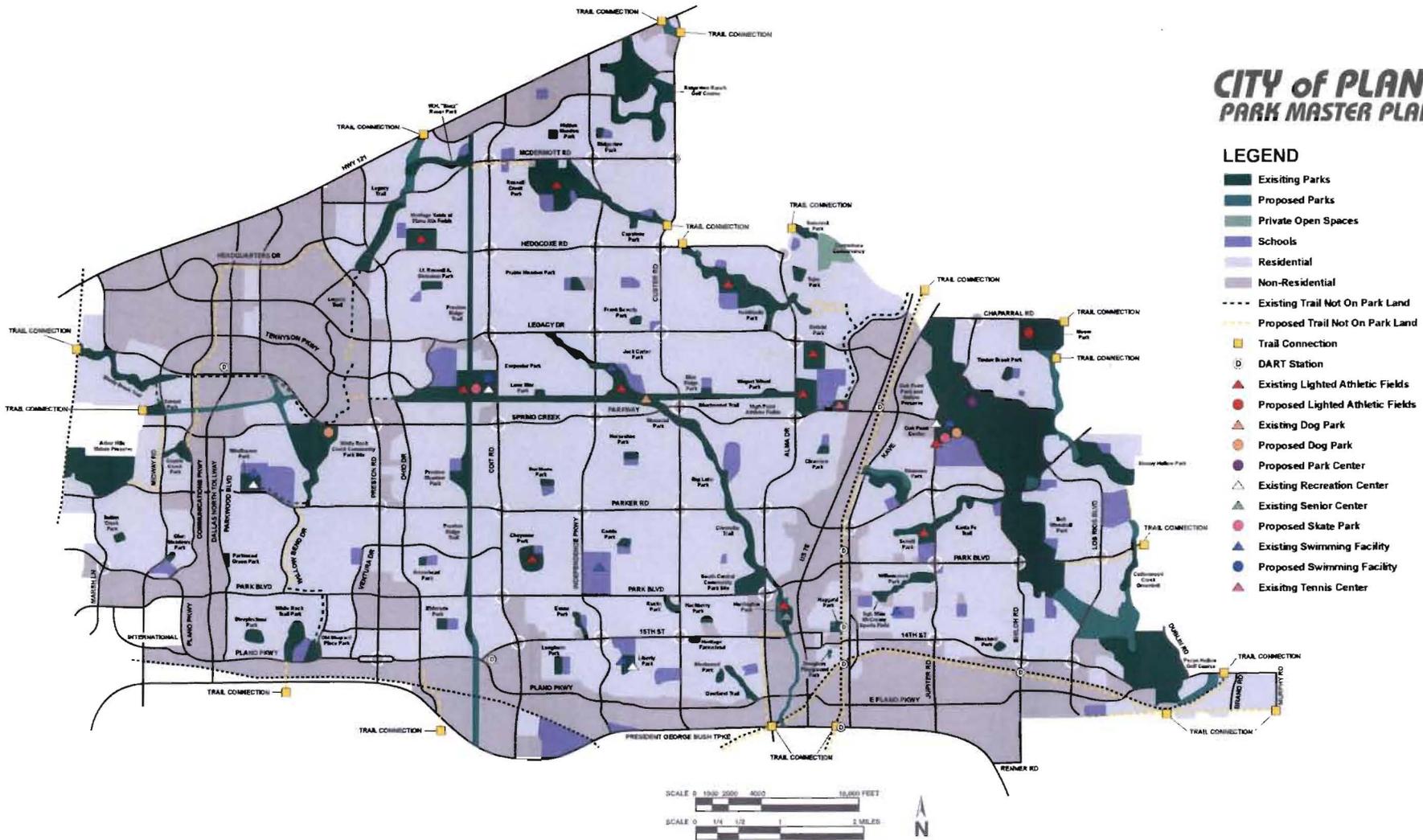
## CITY OF PLANO PARK MASTER PLAN



The location of proposed sites and facilities is subject to change.  
Adopted by the City Council, June 12, 2006.

# 2012 UPDATE

## CITY OF PLANO PARK MASTER PLAN



**An Ordinance of the City of Plano, Texas, amending the Park Master Plan Map of the Comprehensive Plan as originally adopted by Resolution No. 88-6-12(R) providing procedures approving the utilization of said chapter as revised and amended by the appropriate personnel and departments of the City of Plano for the purpose of guiding future development within the City of Plano, Texas; and providing an effective date.**

**WHEREAS**, the Comprehensive Plan of the City of Plano provides for regular monitoring and updating, as needed; and

**WHEREAS**, the Park Master Plan Map was last updated on June 12, 2006 (Ordinance No. 2006-6-15); and

**WHEREAS**, the City Council also desires to approve amendments to the Park Master Plan Map indicating the location of existing and future park sites and recreation facilities provided by the City of Plano Parks and Recreation Department within the city of Plano; and

**WHEREAS**, the Planning & Zoning Commission has reviewed the amended Park Master Plan Map to the Comprehensive Plan during a public hearing held on February, 20, 2012; and

**WHEREAS**, City Council has provided an opportunity for public review and input on the proposed map amendments to the Comprehensive Plan, and after receipt of the same wishes to approve the map amendments to the Comprehensive Plan as a tool to provide guidance in future park sites and recreation facilities; and

**WHEREAS**, the City Council held a public hearing on March, 6, 2012, open to all persons wishing to comment on the proposed map amendments; and

**WHEREAS**, the City Council, having been presented the proposed map amendments, upon full review and consideration thereof, and all matters attendant and related thereto, is of the opinion that the amended Park Master Plan Map, should be approved, adopted and utilized by the City of Plano;

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

**Section I.** The amended Park Master Plan Map, a copy of which is attached hereto as Exhibit "A", respectively, and incorporated herein by reference, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interest of the City of Plano and its citizens, is hereby approved and adopted.

**Section II.** The Comprehensive Plan provides a general framework of objectives and strategies for the long range development of the City. It provides a basis for establishing requirements for the development and redevelopment of public and private property, including land uses, streets, and public facilities.

**Section III.** Development regulations and their application should be generally consistent with the Comprehensive Plan as they relate to overall city standards and specific area or project requirements. In determining whether or not a regulation or its application is consistent with the Comprehensive Plan, the City Council, the Planning & Zoning Commission, or other City body should consider:

1. The Comprehensive Plan in its entirety;
2. Immediate or near-term constraints affecting the timing or phasing of development or redevelopment of a property in accordance with the plan;
3. The existing and planned capacities of public infrastructure and facilities serving a given site or location; and
4. Unanticipated changes in conditions or new information occurring since the last update of the plan or one of its elements.

**Section IV.** This Comprehensive Plan does not constitute zoning regulations nor does it establish zoning district boundaries. In addition, adoption of the plan as attached does not require the City to rezone property or amend development standards.

**Section V.** The Comprehensive Plan does not obligate the City to expend funds on any of the recommendations for possible activities, projects or studies.

**Section VI.** The City Council may amend the Comprehensive Plan following a public hearing held before the City Council and receipt of a report and recommendation of the Planning & Zoning Commission pertaining to the amendment. The Planning & Zoning Commission shall conduct a public hearing before making its report and recommendation to the City Council. Notice of a public hearing pertaining to consideration of an amendment to the Comprehensive Plan shall be given in a newspaper of general circulation not less than ten days prior to the hearing.

**Section VII.** City staff is permitted to add to or modify the literary and exhibit contents of the amended Park Master Plan Map with such materials as graphs, tables, indexes, maps, background materials, additional policy statements, etc., so long as they are consistent with the policies and recommendations of the Comprehensive Plan, without the need for further City Council approval.

**Section VIII.** This ordinance shall become effective immediately from and after its passage.

**DULY PASSED AND APPROVED THIS 6TH DAY OF MARCH, 2012.**

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Phil Dyer, MAYOR

ATTEST:

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Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

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Diane C. Wetherbee, CITY ATTORNEY

# 2012 UPDATE

## CITY OF PLANO PARK MASTER PLAN

