

# CITY COUNCIL

1520 AVENUE K



DATE: 3/8/2010  
 CALL TO ORDER: 7:00 p.m.  
 INVOCATION: Reverend Shannon Grubbs  
 First Christian Church Plano  
 PLEDGE OF ALLEGIANCE: Jr. Girl Scout Troop 1861  
 Dooley Elementary & McCall 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>                      Special Recognition: Kathi Cavanagh, TACA Volunteer of the Year                      Presentation: Plano Police Department Reaccreditation</p> <p><b><u>OATHS OF OFFICE</u></b>  <b><u>Board of Adjustment</u></b>                      James M. Craft, Jr.</p> <p><b><u>COMMENTS OF PUBLIC INTEREST</u></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></p> <p><b><u>CONSENT AGENDA</u></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></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><b><u>Approval of Minutes</u></b> February 22, 2010</p>	
	<p><b><u>Approval of Expenditures</u></b></p>	
(b)	<p><b>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</b> CSP No. 2009-145-C to approve of the City's option to renew an agreement with Integrated Technology Group for maintenance services for the Library RFID System for years two, three and four at the bundled pricing of \$41,788 per year. Renewal determination will be made annually per approved budget and performance of vendor.</p>	
(c)	<p>Bid No. 2010-51-B for one (1) Trinity Trailer Eagle Bridge trailer to Trinity Trailer Sales Inc. in the amount of \$73,500.</p>	
(d)	<p>Bid No. 2010-63-C for Median and Right of Way Landscape Maintenance-Variou Locations- including Coit Road, Custer Road, and Independence Parkway in the amount of \$81,345 to VMC Landscape Services, and authorizing the City Manager to execute all necessary documents.</p>	
(e)	<p>Bid No. 2008-190-C for Traffic Signal Control Cabinets to Paradigm Traffic Systems Inc in the estimated annual amount of \$99,260 and authorizing the City Manager to execute all necessary documents.</p>	
	<p><b>Purchase from an Existing Contract</b></p>	
(f)	<p>To approve of the purchase of Bulk Fuels in the amount of \$300,000 from Martin Eagle Oil Company through an existing contract/interlocal agreement with Collin County, and authorizing the City Manager to execute all necessary contract documents (Collin County contract #10003-03).</p>	
	<p><b>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</b></p>	
(g)	<p>To approve a contract made and entered into by and between the City of Plano and Sharon Rowe, the Elections Administrator of Collin County, Texas, pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, regarding the coordination, supervision, and running of the City's March 27, 2010 Runoff Election in the estimated amount of \$80,544.</p>	
	<p><b>Approval of Change Order</b></p>	
(h)	<p>To approve a Change Order to a contract with Natgun Corporation, increasing the contract by \$40,568 for Custer Ground Storage Tank 1A, Change Order No. 4. (Original Bid No. 2009-166-B).</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><b><u>Adoption of Resolutions</u></b></p> <p>(i) To repeal Resolution No. 2010-2-9(R) which adopted the City of Plano Water Management Plan; adopting a new Water Management Plan for the City of Plano, Texas, to promote responsible use of water and to provide for best management practices resulting in on-going, long term water savings; authorizing its execution by the City Manager; and providing an effective date.</p> <p>(j) To approve the Investment Portfolio Summary for the quarter ending December 31, 2009; and providing an effective date.</p> <p>(k) To appoint James D. Shields and Lori Leu to serve for two year terms as investigators as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date.</p>	
	<p><b><u>Adoption of Ordinances</u></b></p> <p>(l) To transfer the sum of \$92,349 from the General Fund unappropriated fund balance for Fiscal Year 2009-10 to the General Fund operating appropriation for the purpose of providing additional funding for the estimated costs associated with conducting a Runoff Election on March 27, 2010 to fill the vacant Place 3 City Council position; amending the budget of the City and Ordinance 2009-9-13, as amended, to reflect the actions taken herein; declaring this action to be a case of public necessity; and providing an effective date.</p> <p>(m) To adopt and enact Supplement Number 89 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; 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>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(1)	Public Hearing and consideration of a Resolution to adopt the Consolidated Housing and Community Development Plan for 2010-2014 outlining the use of Community Development Block Grant funds and HOME Investment Partnership funds provided by the U.S. Department of Housing and Urban Development; and providing an effective date.	
(2)	<p>Consideration of a Resolution to approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Wyndham Jade LLC, a Delaware limited liability company; authorizing its execution by the City Manager and providing an effective date.</p> <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:		March 8, 2010		
Department:		City Manager's Office		
Department Head		Thomas Muehlenbeck		
Agenda Coordinator (include phone #): <b>Melinda White 7548, Cindy Pierce 5161</b>				
<b>CAPTION</b>				
SPECIAL RECOGNITION: Kathi Cavanagh, TACA Volunteer of the Year				
<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:		March 8, 2010		
Department:		City Manager's Office		
Department Head		Thomas Muehlenbeck		
Agenda Coordinator (include phone #): <b>Melinda White X7548, Cindy Pierce X5161</b>				
<b>CAPTION</b>				
PRESENTATION: Plano Police Department Reaccreditaion				
<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  
PRELIMINARY OPEN MEETING  
February 22, 2010**

**COUNCIL MEMBERS**

Phil Dyer, Mayor  
Harry LaRosiliere, Mayor Pro Tem  
Lee Dunlap, Deputy Mayor Pro Tem  
Pat Miner  
Ben Harris  
Mabrie Jackson (resigned)  
Lissa Smith  
Jean Callison

**STAFF**

Thomas H. Muehlenbeck, City Manager  
Frank Turner, Deputy City Manager  
Bruce Glasscock, Deputy City Manager  
Mark Israelson, Assistant City Manager  
LaShon Ross, Assistant City Manager  
Diane C. Wetherbee, City Attorney  
Diane Zucco, City Secretary

Mayor Dyer called the meeting to order at 5:05 p.m., Monday, February 22, 2010, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Mayor Pro Tem LaRosiliere arrived at 5:28 p.m. 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/Litigation, Section 551.071, discuss Personnel, Section 551.074; and to receive information regarding Economic Development, Section 551.087 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 5:47 p.m.

**Consideration and action resulting from Executive Session discussion: Personnel  
Appointments**

Board of Adjustment

Upon a motion made by Deputy Mayor Pro Tem Dunlap and seconded by Council Member Miner, the Council voted 7-0 to appoint Carolyn Kalchthaler as a regular member and James Mack Craft, Jr. to an interim term as an alternate (expires October 2011).

## **Personnel Appointments**

### Retirement Security Plan Committee

Upon a motion made by Deputy Mayor Pro Tem Dunlap and seconded by Council Member Miner, the Council voted 7-0 to appoint Casey Srader as an interim member (expires October 2011) as recommended by City Manager Muehlenbeck.

## **Discussion and Direction Regarding Contributions to Arts/Historic Preservation Organizations**

City Manager Muehlenbeck spoke to state law authorizing cities to provide up to 15% of hotel/motel taxes collected to support the arts and 15% for historic preservation and referenced studies related to the possible expansion of the current Plano Centre or construction of a new facility at another location. He spoke to the decline in hotel/motel tax receipts and discussion of reducing the funding of arts/historic preservation in order to establish a fund related to a convention center. Mr. Muehlenbeck spoke to the City's commitment to the arts including the Arts of Collin County and to development of a "challenge grant" for groups requesting funding. Director of Planning Jarrell advised that the Heritage Commission makes determinations in June for recommendation to Council and Council Member Callison spoke to the Cultural Affairs Commission receiving presentations on May 6.

City Manager Muehlenbeck spoke to funding this year for arts/historic preservation in the amount of \$563,000 based on reduced revenues and utilizing one-third of an anticipated \$600,000 in revenues in 2010-11 to establish a convention center fund. He spoke to center alternatives including a vote of the citizens for approval, abandoning the existing center and applying those funds for a new facility or adding to the Plano Centre. Mr. Muehlenbeck stated that without utilizing the hotel/motel tax monies, there are reduced opportunities and spoke to analysis of arts/historic contributions by other area cities indicating that Plano is among the highest. He advised that a report regarding possible locations for a new center would come forward in 90-120 days.

Council Member Callison spoke in favor of getting grant applications started and following up once figures are determined. Mr. Muehlenbeck responded to Mayor Pro Tem LaRosiliere, advising that if the allocated fund were established and no new center constructed, monies would likely be utilized to upgrade the current Centre. He further spoke to discussions of constructing a larger facility, the current loss of business to other municipalities who have adjacent hotels and discussions with hotel developers who consider the current location too far from US 75 and who request City equity. Mayor Dyer spoke to receiving more detailed figures regarding debt service for bonds. Council Member Harris spoke to long-range planning and to reviewing all the figures and consultant information before making a determination and City Manager Muehlenbeck advised he would follow up with the consultant. Mayor Pro Tem LaRosiliere spoke to prior Council discussion on the subject and to determining commitment and allocation of funding for all areas of the arts. Mayor Dyer spoke to determining a location while land is available, even though construction may be delayed and requested Staff bring forward further information on March 22.

## **Discussion and Direction re Review of the Comprehensive Plan**

Senior Planner Sims advised that this item requests Council consideration as Staff moves forward on compilation of the Comprehensive Plan and to the plan acting as a guide for future development, making recommendations for land use, transportation, and infrastructure by defining the future vision of the City over the next 20 years. Mr. Sims advised that the plan has been in place since the 1960's and responded to City Manager Muehlenbeck regarding inconsistencies in reports on population received from the American Community Survey. Mr. Sims spoke to revising the plan to incorporate the City's changes in growth and role in the region, cover future development opportunities, and transitions and to update information making materials easier to find. He reviewed its content and plans for an interactive, web-based product. Mr. Sims responded to Council Member Smith, advising that Staff will hold public meetings to receive input on both the plan design and issues facing the City. The Council stated a consensus directing Staff to move forward.

## **Comprehensive Monthly Financial Report**

Director of Finance Tacke spoke regarding the report for the month of January 2010, advising that revenues in the General Fund are up slightly as a percentage of budget compared to last year while those for Water/Sewer and Golf Course funds are down. She advised that actual general revenues are down in total primarily due to decreases in sales tax and spoke to the impact of wet weather on Water/Sewer revenues. Ms. Tacke spoke to declines in franchise revenue and expenditures in the General Fund down slightly as a percentage of the budget. She spoke to property management expenses based on demolition costs, slightly improved sales tax figures for December (down 1.9%), and expenses in the Water/Sewer fund based on contractual payments to the North Texas Municipal Water District and encumbrances for the environmental education building.

## **Departmental Briefings - Human Resources - Technology Services**

Assistant City Manager Ross advised that the primary role of the Human Resources Department is to oversee continuous improvement of the employment experience, ensure dissemination and compliance of relevant employment law, and provide timely accurate information/service to employees and citizens. She advised that there are currently 2010 full-time employees, 244 part-time and 530 temporary in 24 departments with the largest being the Police, Fire and Public Safety. Ms. Ross spoke to a breakdown of taxes and benefits paid by employees. She advised that the Benefits and Compensation Division monitors the classification structure to ensure that the City remains competitive and reviews benefits; Employee Relations oversees the employee experience including management and recruiting, managing policies and procedures and employee appreciation; Professional Development encompasses training and plans to expand online offerings; and Retirement/Civil Service administers the growth in retirements and exams, etc. related to civil service positions. Ms. Ross spoke to the managing contracts for efficiency and performance; facilitating the change process; offering innovative solutions for workforce shortages; organizing and monitoring compensation policies to meet needs while remaining competitive and seeking partnerships to share resources and generate revenue.

Ms. Ross spoke to enhancing the employees' quality of life through wellness, teambuilding and customer service sessions; development of a layoff handbook; expanded retirement education sessions; in-house toastmaster club; and advised that 96% of the workforce has completed harassment prevention training. Ms. Ross spoke to online offerings, electronic data management, implementation of the COBRA subsidy process and establishing the learning management system. She spoke to the City being self-insured allowing for development of their own plan, sharing risk throughout the organization and managing the costs and further responded to Council Member Smith regarding the level of City contribution to both employee and dependant insurance advising that the rates are favorable when compared to the private and public sectors. Ms. Ross responded to Council Member Callison, advising that the City offers 700+ training courses and that some employees still need outside certifications and professional development sessions and spoke to plans to increase online offerings.

Director of Technology Services Stephens reviewed the department's mission statement, advised regarding the organizational structure including 53 positions with six functional areas and spoke to providing services for all employees, public safety support (75 applications, vehicle computer, and mobile hand-held citation equipment), departmental applications (135+) and service to telecommunications (2000+ desk phones, five major phone systems, 35+ smaller key systems and vendor support network), e-commerce/e-government (online payments, registrations, paperless packet and restaurant scores). Mr. Stephens spoke to network infrastructure, financial/human resources/payroll applications, and e-mail support. He reviewed projects including wireless access for police officers and City employees, increased e-government services, enterprise video management console ability to gather feeds and distribute them to employees, disaster recovery and business continuity, information technology infrastructure library and modernization of the current municipal annex to serve as a more efficient data center.

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

Mayor Dyer spoke to receiving further information on contributions to the Arts /Historic Preservation Organizations. Council Member Smith requested an update on the left-turn lanes at Legacy/Preston Roads.

### **Consent and Regular Agenda**

No items were discussed.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 6:57 p.m.

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**Phil Dyer, Mayor**

ATTEST

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**Diane Zucco, City Secretary**

**PLANO CITY COUNCIL**  
**February 22, 2010**

**COUNCIL MEMBERS**

Phil Dyer, Mayor  
Harry LaRosiliere, Mayor Pro Tem  
Lee Dunlap, Deputy Mayor Pro Tem  
Pat Miner  
Ben Harris  
Mabrie Jackson (resigned)  
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Thomas H. Muehlenbeck, City Manager  
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Bruce Glasscock, Deputy City Manager  
Mark Israelson, Assistant City Manager  
LaShon Ross, Assistant City Manager  
Diane C. Wetherbee, City Attorney  
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, February 22, 2010, at 7:07 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Pastor Barry Gin of the Plano Chinese Alliance Church and the Pledge of Allegiance was led by the U.S. Civil Air Patrol – Plano Mustang Composite Squadron.

Mayor Dyer presented special recognition to the Plano Table Tennis Team and presented a Certificate of Appreciation to Alex Williams for service on the Multicultural Outreach Roundtable.

**COMMENTS OF PUBLIC INTEREST**

Citizens Dale Rude and Wil Johnson addressed the Council regarding the formation of a Plus 55 band (New Horizons) based on a model founded in 1991, incorporating input from staff of the University of North Texas and supported by local businesses. They advised the group would be open to all and Mayor Dyer wished them luck in their endeavors.

**CONSENT AGENDA**

Upon a motion made by Deputy Mayor Pro Tem Dunlap and seconded by Council Member Callison, the Council voted 7-0 to approve and adopt all items on the Consent Agenda as recommended and as follows:

**Approval of Minutes** (Consent Agenda Item “A”)

February 4, 2010  
February 8, 2010  
February 10, 2010

**Approval of Expenditures**

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

**Bid No. 2010-49-B** for one (1) International 6-7 yd Dump Truck to Southwest International Trucks Inc. in the amount of \$65,055. (Consent Agenda Item “B”)

**Bid 2010-16-B** Compost Bagging System to Hamer LLC in the amount of \$81,108. (Consent Agenda Item “C”)

**Purchase from an Existing Contract**

To authorize expenditure for virtual servers for the data center at the EOC Server Room, in the amount of \$93,467 from Dell Corporation, through a State of Texas Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIRSDD- 890). (Consent Agenda Item “D”)

To authorize expenditure for Cisco infrastructure backbone switches for the new data center at the EOC Server Room, in an estimated amount not to exceed \$100,000 from INX, Inc., through a State of Texas Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-239). (Consent Agenda Item “E”)

To approve the purchase of Site and Building Improvements to the Day Labor Center in the amount of \$299,884 from Kellogg Brown and Root Services, Inc. through an existing contract/agreement with The Cooperative Purchasing Network (TCPN), and authorizing the City Manager to execute all necessary documents. (TCPN contract number R4895) (Consent Agenda Item “F”)

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

To approve and authorize a contract with Freese and Nichols, Inc. to provide Engineering Services in conjunction with improvements for Park Erosion Control Projects in an amount not to exceed \$82,560 and authorizing the City Manager to execute any and all documents necessary to effectuate the contract. (Consent Agenda Item “G”)

To approve an architectural contract by and between the City of Plano and Kirkpatrick Architecture Studio in the amount of \$166,000 for design and construction oversight of Fire Station 4 Addition; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

## **Approval of Expenditure**

To approve ratification of expenditures to Sunbelt Pools in the amount of \$65,938 for an emergency repair at Harry Rowlinson Natatorium made necessary to preserve or protect the public health or safety of the municipality's residents; said repairs being essential to maintain proper filtration and circulation as required by State codes. (Consent Agenda Item "I")

To approve the purchase of materials testing services for the McDermott Road from Ohio Drive to Coit Road project, in the amount of \$80,061 from Terracon Consultants, Inc., through an existing contract/agreement 2009-186-D, and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "J")

## **Adoption of Resolutions**

**Resolution No. 2010-2-12(R)** to amend the existing Building Inspections Department Fee Schedule to provide City Services and Programs; repealing all previous Fee Schedules and charges for services listed in the Building Inspections Department Fee Schedule and providing a repealer clause, a severability clause, and an effective date. (Consent Agenda Item "K")

**Resolution No. 2010-2-13(R)** to approve the terms and conditions of an Agreement by and between Tony Picchioni and the City of Plano; authorizing its execution by the City Manager and providing an effective date. The term of this Agreement shall be an initial three (3) years with a City option to extend an additional three (3) additional one (1) year periods. (Consent Agenda Item "L")

**Resolution No. 2010-2-14(R)** to approve the terms and conditions of an Interlocal Cooperative Agreement by and between the City of Plano and the North Central Texas Council of Governments (NCTCOG), for a Traffic Signal Project; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "M")

## **Adoption of Ordinances**

**Ordinance No. 2010-2-15** to repeal Ordinance No. 98-4-7 as amended by Ordinance No. 2008-8-12, codified as Section 16-19, Fees for Zoning, Rezoning and Other Miscellaneous Fees, of Article II, Fees Generally, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas; establishing a new fee schedule for zoning, rezoning, and other miscellaneous procedures; and providing a repealer clause, a savings clause, a severability clause, and an effective date. (Consent Agenda Item "N")

**Ordinance No. 2010-2-16** to amend Subsection 302.4 Weeds and Landscaping of Sec. 6-52 Deletions, additions and amendments to Chapter 3 of the International Property Maintenance Code, Division 2 Amendments, Article III Property Maintenance Code of Chapter 6 Buildings and Building Regulations of the Code of Ordinances of the City of Plano and Sec. 14-3 Weeds, rubbish or unsanitary matter, Article I In General of Chapter 14 Offenses-Miscellaneous of the Code of Ordinances of the City of Plano by revising the administrative fee assessed, updating definitions, clarifying designated personnel authorized to enforce the provisions, providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item "O")

**END OF CONSENT**

**Discussion and direction** regarding calendar and time line for Arts of Collin County Project. (Regular Agenda Item “1”)

City Manager Muehlenbeck spoke to the draft timeline for the project, advising that the Arts of Collin County continues efforts to reduce the price. He spoke to the City of Allen considering approval of a guaranteed line of credit on February 23 to make up the perceived shortfall between the guaranteed maximum price and funding available to be followed by press releases and a reception later in the month. Mr. Muehlenbeck spoke to presentations before all three city councils and work to finalize the contribution agreement and declare the project before plans can move ahead. He further advised that plans are to award the contract at the end of March.

There being no further discussion, Mayor Dyer adjourned the meeting at 7:26 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:		03-08-2010			
Department:		Purchasing			
Department Head		Mike Ryan			
Agenda Coordinator (include phone #): <b>Nancy Corwin X7137</b>					
<b>CAPTION</b>					
Approval of the City's option to renew agreement with Integrated Technology Group for maintenance services for the Library RFID System for years two, three and four at the bundled pricing of \$41,788 per year. Renewal determination will be made annually per approved budget and performance of vendor. (CSP 2009-145-C)					
<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>2010-2011, 2011-2012, 2012-2013</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget		0	0	41,788	<b>41,788</b>
Encumbered/Expended Amount		0	0	0	<b>0</b>
This Item		0	0	-41,788	<b>-41,788</b>
BALANCE		0	0	0	<b>0</b>
FUND(s): <b>GENERAL FUND</b>					
<b>COMMENTS:</b> Future expenses for the Library Radio Frequency Inventory Control System maintenance agreement will be paid from the Library operating budget located within the General Fund. The estimated future annual maintenance renewal amount is \$41,788 per year, and will be included within the future budget appropriations annually if approved. <b>STRATEGIC PLAN GOAL:</b> Technology improvements for City Libraries relate to the City's Goals of "Great Neighborhoods - 1st Choice to Live" and "Financially Strong City with Service Excellence".					
<b>SUMMARY OF ITEM</b>					
Council approved the Award of Competitive Sealed Proposal No 2009-145-C for CSP for LIBRARY RFID SYSTEM to Integrated Technology Group (ITG) in the amount of \$694,813 and authorizing the City Manager or his designee to execute all necessary documents on January 25, 2010. Staff recommends approval of proposed bundled pricing for an annual maintenance agreement for years two, three and four in the amount of \$41,788 per year subject to approval of annual budget and successful performance of vendor.					
List of Supporting Documents: Recommendation Memo			Other Departments, Boards, Commissions or Agencies		



City of Plano  
Library Administration  
2501 Coit Road  
Plano, TX 75075-3892  
Phone: 972.964.4208  
Fax: 972.964.4269

## *Memorandum*

**Date:** February 18, 2010  
**To:** Nancy Corwin, Purchasing  
**From:** Cathy Ziegler, Director of Libraries *CZ*  
**Subject:** Approval for addendum to RFID Contract

I recommend the City Council approve the addendum to the previously approved library RFID contract. This addendum details costs in the maintenance agreement for years 2, 3 and 4.

Cathy Ziegler



**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:		3/8/10		
Department:		Purchasing/Fleet Services Division		
Department Head		Mike Ryan/Reid Choate		
Agenda Coordinator (include phone #): <b>Earl Whitaker x7074</b>				
<b>CAPTION</b>				
Award of Bid No. 2010-51-B for one (1) Trinity Trailer Eagle Bridge trailer to Trinity Trailer Sales Inc. in the amount of \$73,500.00 (2010-51-B).				
<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>2009-10</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget		70,000	0	<b>70,000</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	-73,500	0	<b>-73,500</b>
BALANCE	0	-3,500	0	<b>-3,500</b>
<b>FUND(S):    EQUIPMENT REPLACEMENT FUND</b>				
<p><b>COMMENTS:</b> Funds are included in the FY 2009-10 adopted budget to purchase one (1) Trinity Trailer Eagle Bridge Trailer, per Bid Sync Bid #2010-51-B. The additional funds of (\$3,500) needed for this purchase will be funded through savings in the Equipment Replacement Fund.</p> <p><b>STRATEGIC PLAN GOAL:</b> Providing equipment purchases relates to the City's goal of a "Financially Strong City with Service Excellence."</p>				
<b>SUMMARY OF ITEM</b>				
Staff recommends the purchase of one (1) Trinity Trailer Eagle Bridge trailer in the amount of \$73,500.00 be awarded to Trinity Trailer Sales Inc., as the lowest responsive, responsible bid (2010-51-B).				
List of Supporting Documents: Award Memo, Bid Recap			Other Departments, Boards, Commissions or Agencies N/A	

# Memorandum

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**To:** Earl Whitaker  
Buyer  
Purchasing Division

**From:** David Garza  
Fleet Superintendent

**Date:** 2/16/2010

**Re:** Award Recommendation Memo OR 908704

## AWARD RECOMMENDATION

Based on the bid evaluation packet received for bid 2010-51-B – Self Unloading Belt Trailer, Fleet Services Division recommends the bid to be awarded to Trinity Trailer Sales Inc. as the lowest responsive, responsible bidder in the amount of \$73,500.00.

## ITEM DETAILS

This recommendation is for the purchase of one (1) 2010 Trinity Trailer model Eagle Bridge for department 714 Compost with the following options, attachments, and/or accessories:

As per specifications in bid 2010-51-B WITH NO EXCEPTIONS.

David A Garza  
Fleet Services Superintendent





**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:		03/08/10		
Department:		Purchasing		
Department Head		Mike Ryan		
Agenda Coordinator (include phone #): <b>Aimee Storm ext 7248</b>				
<b>CAPTION</b>				
Award of Bid No. 2010-63-C for Median and Right of Way Landscape Maintenance-Variou Locations-Including Coit, Custer, and Independence in the amount of \$81,344.98, to VMC Landscape Services, and authorizing the City Manager or his designee 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>09/10</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	1,094,487	0	<b>1,094,487</b>
Encumbered/Expended Amount	0	-232,003	0	<b>-232,003</b>
This Item	0	-81,345	0	<b>-81,345</b>
BALANCE	0	781,139	0	<b>781,139</b>
FUND(S): <b>GENERAL FUND</b>				
<b>COMMENTS:</b> Funds are included in the FY 2009-10 adopted budget to provide Median and Right of Way Landscape Maintenance Services. The remaining balance of funds will be used for other contractual expenditures. <b>STRATEGIC PLAN GOAL:</b> Providing Landscape Maintenance on Medians and Rights of Way relates to the City's Goal of "Great Neighborhoods - 1st Choice to Live"				
<b>SUMMARY OF ITEM</b>				
Staff recommends the Competitive Sealed Bid of VMC Landscape Services, in the amount of \$81,344.98 be accepted as the lowest responsive responsible bidder, and conditioned upon timely execution of any necessary contract documents. This is for the purchase of Median and Right of Way Landscape Maintenance- Various Locations- Including Coit, Custer, and Independence.				
List of Supporting Documents: Bid Recap Recommendation Memo			Other Departments, Boards, Commissions or Agencies	

# CITY OF PLANO

## BID NO. 2010-63-C FOR MEDIAN AND RIGHT OF WAY LANDSCAPE MAINTENANCE- INCLUDING COIT, CUSTER, AND INDEPENDENCE BID RECAP

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**Bid opening Date/Time:** February 11, 2010 @ 3:00PM

**Number of Vendors Notified:** 1405

**Vendors Submitting "No Bids":** 2

**Number of Bids Submitted:** 14

BIDDER:	OPT 1	OPT 2	OPT 3
AMERICAN LANDSCAPE SYSTEMS, INC.	\$86,859.90	NO BID	NO BID
BIO LANDSCAPE AND MAINTENANCE	\$115,697.70	\$84,512.76	\$60,648.48
CARRUTHERS LANDSCAPE MANAGEMENT, INC.	\$113,868.22	\$83,503.36	\$60,012.83
EAGLE LANDSCAPE	\$104,424.60	\$71,346.00	\$49,726.00
FORREST HILLS LAWN SERVICE, INC.	\$262,683.00	\$188,094.00	\$134,044.00
GREENER PASTURES LANDSCAPE, INC.	\$84,377.00	\$84,377.00	\$77,351.00
LAWN AND LANDCARE SERVICES CO., LLC	\$100,260.00	\$66,840.00	\$44,560.00
SLM LANDSCAPING & MAINTENANCE, INC.	\$112,924.80	\$80,472.00	\$57,107.20
SMITH LAWN AND TREE	\$124,729.20	\$100,082.40	\$71,976.40
SUPERSCAPES LANDSCAPING, INC.	\$149,832.18	\$111,743.28	\$80,204.80
TEXAS TREE & TURF CO	\$107,993.16	\$86,395.68	\$62,395.60
TRUGREEN LANDCARE, LLC	\$96,730.00	\$64,525.00	\$42,990.00
VMC LANDSCAPE SERVICES	\$81,344.98	\$81,344.98	\$72,306.65
WEISZ SELECTION, INC	\$105,073.20	\$85,879.20	\$65,274.48

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

**Recommended Vendor(s):**

VMC Landscape Services

*Aimee Storm*

February 19, 2010

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Aimee Storm, Buyer II

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Date

# MEMO

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TO: PURCHASING DEPARTMENT, AIMEE STORM  
FROM: MATTHEW SIMMONS, PARKS FIELD SERVICES SUPERVISOR  
DATE: 2/24/2010  
RE: **AWARD RECOMMENDATION 2010-63-C MEDIAN AND RIGHT OF WAY  
LANDSCAPE MAINTENANCE**

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It is the recommendation of Parks and Recreation Department to award Option 1 for **bid 2010-63-C MEDIAN AND RIGHT OF WAY LANDSCAPE MAINTENANCE to VMC Landscaping**. VMC has a good past relationship with the City of Plano, and appears capable of meeting the requirements of the aforementioned maintenance contract. As stated in the bid documentation, this contract is to be awarded to the lowest responsive, responsible bidder.

As shown in the bid re-cap, VMC is the lowest responsive bidder for Option 1. Option 1 includes 18 mowing cycles, which is the standard number of cycles used annually for median and right of way maintenance. Also in the original bid package, Parks included additional biddable service options for possible consideration should budget cuts be placed into affect prior to the award of this contract. This included a service reduction option for 12 cycles and one for 8 cycles. Since there are currently no funding cuts requiring service level reductions, Parks believes that awarding Option 1 to the lowest responsive, responsible bidder is in the best interest of the City.

Total annual amount awarded for Option 1 is \$81,344.98. This amount is an 18% decrease from the previous contract. It is also \$45,000 under budget.

Please review and begin the necessary steps for award of this contract.

Attachments:  
Vendor Bid Recap



**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:	3/8/10
Department:	Purchasing / ICAD
Department Head	Mike Ryan / Bob Smeby
Agenda Coordinator (include phone #): <b>Earl Whitaker x 7074</b>	

**CAPTION**

Approval of bid # 2008-190-C for Traffic Signal Control Cabinets to Paradigm Traffic Systems Inc in the estimated annual amount of \$99,260.00, and authorizing the City Manager or his designee to execute all necessary documents.

**FINANCIAL SUMMARY**

NOT APPLICABLE       OPERATING EXPENSE       REVENUE       CIP

FISCAL YEAR: <b>2009-10, 2010-11, 2011-12</b>	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	1,000,000	0	<b>1,000,000</b>
Encumbered/Expended Amount	0	-483,759	0	<b>-483,759</b>
This Item	0	-56,720	0	<b>-56,720</b>
<b>BALANCE</b>	0	459,521	0	<b>459,521</b>

**FUND(S):      MUNICIPAL WAREHOUSE FUND (064)**

**COMMENTS:** This item approves the purchase of (8) additional traffic storage cabinets for FY 2009-10. Funds are available within the inventory purchases budget for the additional units. This item increases the annual number of cabinets expected to be purchased from (6) units to (14) units per year. The additional units are needed as inventory for replacement of damaged units and new intersection locations.

**STRATEGIC PLAN GOAL:** Additional traffic cabinet storage units relate to the City's goal of a "Financially Strong City with Service Excellence" and "Safe Large City".

**SUMMARY OF ITEM**

Under the original competitive sealed bid process, the estimated annual needs were less than the competitive bid limit resulting in an administrative award. The department has purchased 6 cabinets during the current fiscal year in the amount of \$42,540 (see bid recap). After review of stocking levels, replacement needs due to unforeseen damage and newly planned intersections, the department needs have increased.

Staff recommends the award by City Council of the existing contract approving the expenditure for 8 additional cabinets in this fiscal year in the estimated amount of \$56,720, and increasing the estimated annual usage from 6 to 14 cabinets in the estimated annual amount of \$99,260.00

Pursuant to the Bid Recap, PSI Acquisition LLC. is listed as the lowest bidder. However, due to previous vendor performance issues with PSI Acquisition LLC. concerning delivery times and equipment not meeting



## CITY OF PLANO COUNCIL AGENDA ITEM

contract specifications, the City staff awarded to the next lowest bidder, Paradigm Traffic Systems Inc., contract #2008-190-C, establishing an annual contract with renewals.

List of Supporting Documents:  
Department Memo, Bid Recap

Other Departments, Boards, Commissions or Agencies



*P.O. Box 860358  
Plano, Texas 75086-0358  
214-964-4140  
Fax No. 214-964-4172*



## **MEMORANDUM**

**DATE:** February 12, 2010

**TO:** Earl Whitaker, Purchasing

**FROM:** David Falls, Public Works Operations Manager

**SUBJECT:** Traffic Signal Control Cabinets (2008-190-C)

We are in need of purchasing additional Traffic Signal Control Cabinets as we have depleted the warehouse stock supply due to unforeseen damages caused by traffic accidents, lightening strikes, and fatigued cabinets due to age.

Since the start of this Fiscal year we have replaced 2 cabinets due to vehicular accidents, 2 cabinets faulty from fatigue, and 2 cabinets from lightening strikes, a total of 6 cabinets. The current warehouse inventory level is 3 cabinets, with an additional 2 on order for a total of 5 cabinets. Since the City is soon approaching the thunderstorm season, and historically we have seen an average of 8 cabinets per year needing replacement due to these type damages, Public Works is requesting the purchase of 3 additional cabinets (purchased off-contract) due to unforeseen damage.

In addition to the above referenced purchase, the department has an on-going need to purchase approximately 14 cabinets per fiscal year. This quantity is based on 6-7 new intersections per year and maintaining a quantity of 8 cabinets for damage replacement.

Our current contract with Paradigm Traffic Systems Inc. only allows us to purchase 6 cabinets per year. This email is also to request that the estimated annual purchase quantity be increased from 6 to 14, based on the above information, and that the existing contract be submitted to City Council for approval as an annual contract with renewals.

Should you need additional information please advise.

# CITY OF PLANO

BID NO. 2008-190-C  
Traffic Signal Controller Cabinets

## BID RECAP

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Bid opening Date/Time: July 17, 2008 @ 4:00 pm

Number of Vendors Notified: 676

Vendors Submitting "No Bids": 2

Number of Bids Submitted: 3 (three) (2 (two) electronic bids and 1 (one) paper bid)

COMPANY NAME	Pricing
PSI Acquisition LLC	\$38,640.00
Paradigm Traffic systems, Inc.	\$42,540.00
Computec Traffic Systems, Inc.	\$71,928.00

*Nancy Corwin*

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

*July 8, 2008*

\_\_\_\_\_  
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:		3/8/10		
Department:		Purchasing/Fleet Services Division		
Department Head		Mike Ryan/Reid Choate		
Agenda Coordinator (include phone #): <b>Earl Whitaker x7074</b>				
<b>CAPTION</b>				
Approval of the purchase of Bulk Fuels in the amount of \$300,000.00 from Martin Eagle Oil Company through an existing contract/interlocal agreement with Collin County, and authorizing the City Manager or his designee to execute all necessary contract documents (Collin County contract #10003-03).				
<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>2009-10</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget		5,046,200	0	<b>5,046,200</b>
Encumbered/Expended Amount	0	-856,017	0	<b>-856,017</b>
This Item	0	-300,000	0	<b>-300,000</b>
<b>BALANCE</b>	<b>0</b>	<b>3,890,183</b>	<b>0</b>	<b>3,890,183</b>
<b>FUND(S):     EQUIPMENT MAINTENANCE FUND</b>				
<p><b>COMMENTS:</b> Funds are included in the FY 2009-10 adopted budget to purchase Bulk Fuel through an interlocal agreement with Collin County Contract# (10003-03). Remaining balance will be used for other Bulk Fuel purchases.</p> <p><b>STRATEGIC PLAN GOAL:</b> Providing Bulk Fuel purchases for Fleet Services relates to the City's goal of a "Financially Strong City with Service Excellence."</p>				
<b>SUMMARY OF ITEM</b>				
<p>Staff recommends the purchase of Bulk Fuels in the amount of \$300,000.00 from Martin Eagle Oil Company through an interlocal agreement with Collin County. The City is authorized to purchase from a Local Cooperative Organization pursuant to Section 271 subchapter F of the Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for Items. (Collin County contract #10003-03).</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Award Memo			N/A	



## **MEMORANDUM**

Date: February 22, 2010  
To: Earl Whittaker, Buyer  
From: Reid Choate, Fleet Manager  
Subject: Purchase of Bulk Fuel

It is the recommendation of Fleet Services to purchase bulk fuels from Martin Eagle Oil Co. through the Collin County contract #10003-03, for a period of approximately 3 months until the Tarrant County fuel bid is awarded. At that time Fleet Services will evaluate both the Collin County and Tarrant County contracts and determine the best value for the City.

Approximate expenditures for this item will be \$300,000.00.

If you have any questions, please contact me at 4182.



**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:		03/08/10		
Department:		City Secretary's Office		
Department Head		Diane Zucco		
Agenda Coordinator (include phone #): <b>Alice Snyder, Ext. 7515</b>				
<b>CAPTION</b>				
<p>A contract made and entered into by and between the City of Plano and Sharon Rowe, the Elections Administrator of Collin County, Texas, pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, regarding the coordination, supervision, and running of the City's March 27, 2010 Runoff Election in the estimated amount of \$80,544.</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>2009-10</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	-80,544	0	<b>-80,544</b>
<b>BALANCE</b>	0	-80,544	0	<b>-80,544</b>
<b>FUND(S):     GENERAL FUND</b>				
<p><b>COMMENTS:</b> Funding for this item is not included in the approved FY 2009-10 Budget. There is a companion Supplemental Appropriation agenda item to appropriate the necessary funding to cover all associated costs of conducting a Runoff Election.</p> <p><b>STRATEGIC PLAN GOAL:</b> Conducting a Runoff Election relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
<p>To approve a contract with the Collin County Administrator for the City of Plano Runoff Election on March 27, 2010. Whereas no one person received a majority of votes cast in the Special Election held on January 30, 2010, this contract with the Collin County Elections Administrator for the City of Plano will allow the City to conduct a Runoff Election to fill the vacant Place 3 City Council position.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Runoff Election Contract				

**March 27, 2010**

**Runoff Election**

**Contract for Election Services by and  
Between Collin County Elections  
Administrator and the City of Plano**

# March 27, 2010 Runoff Election

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I.....Duties and Services of Contracting Officer  
II.....Duties and Services of City  
III.....Affidavit of No Prohibited Interest  
IV.....Cost of Election  
V.....General Provisions

## Exhibits

Exhibit A.....Early Voting Schedule and Locations  
Exhibit B.....Election Day Polling Locations  
Exhibit C.....Cost of Services  
Exhibit D.....Affidavit of No Prohibited Interest

**THE STATE OF TEXAS**  
**COUNTY OF COLLIN**  
**CITY OF PLANO**

§

**CONTRACT FOR**  
**ELECTION SERVICES**

**BY THE TERMS OF THIS CONTRACT** made and entered into by and between the CITY OF PLANO, hereinafter referred to as the "CITY," and SHARON ROWE, Elections Administrator of Collin County, Texas, hereinafter referred to as "Contracting Officer," pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, agree to the following particulars in regard to coordination, supervision and running of the City's March 27, 2010 Runoff Election.

**THIS AGREEMENT** is entered into in consideration of the mutual covenants and promises hereinafter set out. **IT IS AGREED AS FOLLOWS:**

**I. DUTIES AND SERVICES OF CONTRACTING OFFICER.** The Contracting Officer shall be responsible for performing the following duties and shall furnish the following services and equipment:

A. The Contracting Officer shall arrange for appointment, notification (including writ of election), training and compensation of all presiding judges, alternate judges, the judge of the Central Counting Station and judge of the Early Voting Balloting Board.

a. The Contracting Officer shall be responsible for notification of each Election Day and Early Voting presiding judge and alternate judge of his or her appointment. The recommendations of the City will be the accepted guidelines to have three clerks secured to work in each polling place. The presiding election judge of each polling place, however, will use his/her discretion to determine when additional manpower is needed during peak voting hours. The Contracting Officer will provide records to support the need for additional workers to the City only in the event of the need to have an excess of three workers, at the conclusion of Early Voting and Election Day. The Contracting Officer will determine the number of clerks to work in the Central Counting Station and the number of clerks to work on the balloting board. Election judges shall be secured by the Contracting Officer with the approval of the City.

b. Election judges shall attend the Contracting Officer's school of instruction (Elections Seminar) to be held Thursday, March 25, 2010, at the Collin County Elections Office., 2010 Redbud Blvd., Suite 102, McKinney, TX at 2:00 PM.

c. Election judges shall be responsible for picking up from and returning election supplies to the county election warehouse located at 2010 Redbud Blvd., Suite 102, McKinney. Total compensation for both pickup and delivery of supplies will be \$25.00, per Election Judge.

d. The Contracting Officer shall compensate each election judge and alternate judge and clerk. Each judge shall receive \$12.00 per hour for services rendered. Each alternate judge and clerk shall receive \$10.00 per hour for services rendered. Overtime, at the rate of 1.5 times the rate of pay for non-exempt persons, will be paid to each working over 40 hours per work week.

B. The Contracting Officer shall procure, prepare, and distribute voting machines, election kits and election supplies.

a. The Contracting Officer shall secure election kits which include the legal documentation required to hold an election and all supplies including locks, pens, magic markers, etc.

b. The Contracting Officer shall secure all tables, chairs, and legal documentation required to run the Central Counting Station.

c. The Contracting Officer shall provide an electronic list of registered voters from all applicable counties for use on Election Day and for the early voting period required by law.

d. The Contracting Officer shall procure and arrange for the distribution of all election equipment and supplies required to hold an election.

1. Equipment includes the rental of voting machines, ADA compliance headphones and keypads (1 per site), laptop computer, transfer cases, voting signs and tote boxes.
2. Supplies include smart cards, sample ballots, early voting mail ballots, pens, tape, markers, etc.

C. The Contracting Officer, Sharon Rowe, shall be appointed the Early Voting Clerk by the City.

- a. The Contracting Officer shall supervise and conduct Early Voting by mail and in person and shall secure personnel to serve as Early Voting Deputies.
- b. Early Voting by personal appearance for the City's March 27, 2010 Runoff Election shall be conducted during the time period and at the locations listed in Exhibit "A" attached and incorporated by reference into this contract.
- c. All applications for an Early Voting mail ballot shall be received and processed by the Collin County Elections Administration Office, 2010 Redbud Blvd., Suite 102, McKinney, Texas 75069.
  1. Application for mail ballots erroneously mailed to the City shall immediately be faxed to the Contracting Officer for timely processing. The original application shall then be forwarded to the Contracting Officer for proper retention.
  2. All Federal Post Card Applicants (FPCA) will be sent a mail ballot. No postage is required.
- d. All Early Voting ballots (those cast by mail and those cast by personal appearance) shall be prepared for count by the Early Voting Ballot Board in accordance with Chapter 87.000 of the Texas Election Code. The presiding judge of this Board shall be appointed by the Contracting Officer.

D. The Contracting Officer shall arrange for the use of all Election Day polling places. The City shall assume the responsibility of remitting the cost of all employee services required to provide access, provide security or provide custodial services for the polling locations. The Election Day polling locations are listed in Exhibit “B” attached and incorporated by reference into this contract.

E. The Contracting Officer shall be responsible for establishing and operating the Central Counting Station to receive and tabulate the voted ballots in accordance with Chapter 127.000 of the Election Code and of this Contract. The Counting Station Manager and the Central Count Judge shall be Sharon Rowe. The Tabulation Supervisor shall be Patty Seals.

a. The tabulation supervisor shall prepare, test and run the county's tabulation system in accordance with statutory requirements and county policies, under the supervision of the Contracting Officer.

b. The Public Logic and Accuracy Test of the electronic voting system shall be conducted. Confirmation of these tests and their results shall be maintained for the mandatory time frame following the election, and in the event of litigation, during the pendency of the litigation.

c. Election night reports will be available to the City at the Central Counting Station on election night. Provisional ballots will be tabulated after election night in accordance with law.

d. The Contracting Officer shall prepare the unofficial canvass report after all precincts have been counted, and will provide a copy of the unofficial canvass to the City as soon as possible after all returns have been tallied.

e. The Contracting Officer shall be appointed the custodian of the voted ballots and shall retain all election material for a period of 22 months following the election.

1. Pending no litigation and as prescribed by law, the voted ballots shall be shredded 22 months after the final election.

2. The City can obtain the list of registered voters from the Elections Administration Office after this retention period. Pending no litigation and if the City does not request the lists, the Contracting Officer shall destroy them.

f. The Contracting Officer shall conduct a manual count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the City in a timely manner. The Secretary of State may waive this requirement. If applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(e) of the aforementioned code.

F. The Contracting Officer is in compliance with Sec. 129.051(g) of the Texas Election Code regarding criminal background checks.

**II. DUTIES AND SERVICES OF THE CITY.** The City shall assume the following responsibilities:

A. The City shall prepare the election orders, resolutions, notices, justice department submissions, official canvass and other pertinent documents for adoption by the appropriate office or body. The City assumes the responsibility of posting all notices and likewise promoting the schedules for Early Voting and Election Day.

B. The City shall provide the Contracting Officer with an updated map and street index of their jurisdiction in an electronic or printed format as soon as possible but no later than Friday, March 5, 2010.

C. The City shall procure and provide the Contracting Officer with the ballot layout and Spanish interpretation in an electronic format using an Arial 10 point font and upper and lower case letters.

a. The City shall deliver to the Contracting Officer as soon as possible, but no later than Thursday, February 19, 2010, the official wording for the City's March 27, 2010, Runoff Election.

b. The City shall approve the "blue line" ballot format prior to the final printing.

D. The City shall post the publication of election notice by the proper methods with the proper media.

E. The City shall prepare and submit to the U. S. Department of Justice under the Federal Voting Rights Act of 1965, any required submissions on voting changes.

F. The City shall compensate the Contracting Officer for any additional verified cost incurred in the process of running this election or for a manual count this election may require, consistent with charges and hourly rates for required services shown on Exhibit "C" attached and incorporated and subject to the City's approval.

G. The City shall pay the Contracting Officer 90% of the estimated cost to run the said election prior to Friday, March 12, 2010. The Contracting Officer shall place the funds in a "contract fund" as prescribed by Section 31.100 of the Texas Election Code. The Deposit should be delivered within the mandatory time frame to:

**Collin County Treasury  
ATTN: Pam Dugger  
2300 Bloomdale Rd. #3138  
McKinney, Texas 75071**

H. The City shall pay the cost of conducting said election, less partial payment, including the 10% administrative fee, pursuant to the Texas Election Code, Section 31.100, within 30 days from the date of final billing.

**III. AFFIDAVIT OF NO PROHIBITED INTEREST.** Contracting Officer acknowledges and represents it 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 Contract voidable. Contracting Officer has executed

the Affidavit of No Prohibited Interest, attached and incorporated by reference into this contract as Exhibit "D".

**IV. COST OF SERVICES.** See Exhibit "C."

**V. GENERAL PROVISIONS.**

A. Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record relating to the City's March 27, 2010 Runoff Election is to be filed or the place at which any function is to be carried out, or any nontransferable functions specified under Section 31.096 of the Texas Election Code.

B. Upon request, the Contracting Officer will provide copies of all invoices and other charges received in the process of running said election for the City.

C. The Contracting Officer shall file copies of this contract with the County Judge and the County Auditor of Collin County, Texas.

**Contracting Officer**

WITNESS BY MY HAND THIS THE \_\_\_\_ DAY OF \_\_\_\_\_ 2010.

\_\_\_\_\_  
Sharon Rowe  
Elections Administrator  
Collin County, Texas

**City of Plano**

WITNESS BY MY HAND THIS THE \_\_\_\_ DAY OF \_\_\_\_\_ 2010.

By: \_\_\_\_\_  
Thomas H. Muehlenbeck, City Manager

Attest: \_\_\_\_\_  
Diane Zucco, City Secretary

\_\_\_\_\_  
Approved As To Form

## MARCH 27, 2010 RUNOFF ELECTION

### City of Plano Early Voting Locations and Hours

Polling Place		Address			City	
Collin County Election Office (Main Early Voting Location)		2010 Redbud Blvd., #102			McKinney	
Carpenter Park Recreation Center		6701 Coit Rd.			Plano	
Christopher A. Parr Library		6200 Windhaven Parkway			Plano	
CCCC – Spring Creek Campus		2800 E. Spring Creek Parkway			Plano	
Haggard Library		2501 Coit Road			Plano	
Harrington Library		1501 18 <sup>th</sup> Street			Plano	
Plano ISD Administration Center		2700 W. 15 <sup>th</sup> Street			Plano	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>March 7</i>	<i>March 8</i>	<i>March 9</i>	<i>March 10</i>	<i>March 11</i>	<i>March 12</i>	<i>March 13</i>
				<b>8am - 5pm</b>	<b>8am - 5pm</b>	
<i>March 14</i>	<i>March 15</i>	<i>March 16</i>	<i>March 17</i>	<i>March 18</i>	<i>March 19</i>	<i>March 20</i>
	<b>8am – 5pm</b>	<b>8am – 5pm</b>	<b>8am – 5pm</b>	<b>8am – 5pm</b>	<b>8am – 5pm</b>	<b>8am - 5pm</b>
<i>March 21</i>	<i>March 22</i>	<i>March 23</i>	<i>March 24</i>	<i>March 25</i>	<i>March 26</i>	<i>March 27</i>
	<b>7am – 7pm</b>	<b>7am – 7pm</b>				<b>Election Day 7am – 7pm</b>

Exhibit "B"

**MARCH 27, 2010  
RUNOFF ELECTION**

**City of Plano  
Election Day Polling Locations**

<b>Precincts</b>	<b>Location</b>	<b>Address</b>	<b>City</b>
52, 61, 68, 103, 141	Armstrong Middle School	3805 Timberline Drive.	Plano
34, 107, 119, 121, 135, 139	Bethany Elementary School	2418 Micarta Drive	Plano
23, 46, 47, 50, 51, 152, 158	Bowman Middle School	2501 Jupiter Road	Plano
90, 116, 137, 176	Brinker Elementary School	3800 John Clark Parkway	Plano
21, 54, 62, 66	Carpenter Middle School	1501 Cross Bend Road	Plano
109, 123, 226** (Denton Cty)	Christopher A. Parr Library	6200 Windhaven Pkwy.	Plano
15, 19, 53, 65, 70, 71	Haggard Middle School	2401 Westside Drive	Plano
58, 77, 91	Hendrick Middle School	7400 Red River Drive	Plano
31, 32, 63, 76	Hughston Elementary School	2601 Cross Bend Road	Plano
14, 81, 86, 89, 108, 112, 124, 167	Robinson Middle School	6701 Preston Meadow Dr.	Plano
64, 69	Schimelpfenig Middle School	2400 Maumelle Drive	Plano
28, 75, 105, 143	Shepton High School	5505 Plano Parkway	Plano
39, 85	Thomas Elementary School	6537 Blue Ridge Trail	Plano
26, 49, 67, 72, 138	Wilson Middle School	1001 Custer Road	Plano

**ESTIMATED CHARGES FOR THE CITY OF PLANO RUNOFF**

**March 27, 2010**

**Exhibit "C"**

**SUPPLY COST**

Number of Early Voting Locations     6  
 Number of Election Day Locations   14

		<b>Units</b>	<b>Cost PCTY</b>
Sample Ballots	\$0.1070 each	1000	\$107.00
Early Voting Mail Ballots	\$1.20 each	778	\$933.60
Precinct Ballot Setup	\$10.00 each	1	\$10.00
Precinct Ballots	\$0.1870 each	2000	\$374.00
Early voting and election day kits	\$25.00 each	20	\$500.00
Central Counting kit and supplies	\$50.00 each	1	\$50.00
County Precinct Maps	\$12.00 each	20	\$240.00
Printer Labels	\$18.60 each	10	\$186.00
Total			\$2,400.60
Number of Entities Sharing Costs			<u>1</u>
<b>Grand Total</b>			<b>\$2,400.60</b>

**EQUIPMENT RENTAL COST**

Number of Early Voting Locations     6  
 Number of Election Day Locations   14

		<b>Units</b>	<b>Cost PCTY</b>
Voting Machines	\$200.00 each	66	\$13,200.00
Machine Drayage	\$40.74 each	72	\$2,933.28
Transfer Cases	\$5.00 each	14	\$70.00
Metal Signs	\$1.00 each	28	\$28.00
Wood Signs	\$2.00 each	20	\$40.00
Large Early Voting Signs	\$5.00 each	0	\$0.00
Early Voting Cabinet	\$50.00 each	6	\$300.00
Tote Box	\$1.00 each	14	\$14.00
Early Voting Computer	\$300.00 each	6	\$1,800.00
Total			\$18,385.28
Number of Entities Sharing Costs			<u>1</u>
<b>Grand Total</b>			<b>\$18,385.28</b>

### EARLY VOTING

Number of Early Voting Locations 6  
Workers each location 3

		<b>Units</b>	<b>Cost PCTY</b>
EV Ballot Board	Fluctuates	1	\$750.00
Mailed Ballot Kits	\$1.00 each	778	\$778.00
Postage for Ballots	\$0.58 each	300	\$174.00
Assemble EV Location	\$50.00 each	6	\$300.00
Total Judge Hours	\$12.00 hour	576	\$6,912.00
Overtime Judge Hours	\$18.00 hour	60	\$1,080.00
Total Alt. Judge & Clerk Hours	\$10.00 hour	1152	\$11,520.00
Overtime Alt. Judge & Clerk Hours	\$15.00 hour	120	\$1,800.00
Pickup & Delivery of Supplies	\$25.00 each	6	\$150.00
			<hr/>
Total			\$23,464.00
Number of Entities Sharing Costs			<hr/> 1
<b>Grand Total</b>			<b>\$23,464.00</b>

### ELECTION DAY

Number of Election Day Locations 14  
Workers each location 3

		<b>Units</b>	<b>Cost PCTY</b>
Total Judge Hours	\$12.00 each	196	\$2,352.00
Total Alt. Judge & Clerk Hours	\$10.00 each	392	\$3,920.00
Pickup & Delivery of Supplies	\$25.00 each	14	\$350.00
			<hr/>
Total			\$6,622.00
Number of Entities Sharing Costs			<hr/> 1
<b>Grand Total</b>			<b>\$6,622.00</b>

### ADMINISTRATIVE EXPENSES

Number of Early Voting Locations 6  
Number of Election Day Locations 14

		<b>Units</b>	<b>Cost PCTY</b>
Manual Recount Deposit		1	\$60.00
Process Pollworker Checks	\$1.50 each	60	\$90.00
Process Election Judge Notices	\$1.50 each	42	\$63.00
			<hr/>
Total			\$213.00
Number of Entities Sharing Costs			<hr/> 1
<b>Grand Total</b>			<b>\$213.00</b>

## TABULATION

Tabulation Network	\$4,000.00
Programming	\$2,050.00
Notice of Inspection/Tabulation Test	<u>\$1,942.00</u>
Total	\$7,992.00

## CENTRALIZED COSTS

Cost for Central Count Workers	\$750.00
FICA on Election Workers	\$1,000.00
Assemble EV Location	\$50.00
Early Voting Machines in McKinney (3)	\$600.00
Early Voting Computer in McKinney	\$300.00
Early Voting Personnel in McKinney (2)	\$2,500.00
Printer Labels for Early Voting in McKinney	\$10.00
Ballot Style Setup Fee	\$60.00
Ballot Delivery	\$250.00
County Overtime	\$7,500.00
FICA & Retirement for County Employees	<u>\$1,125.00</u>
Total	\$14,145.00
<b>Total for Tabulation &amp; Centralized Costs</b>	<b>\$22,137.00</b>

## SUMMARY OF COSTS FOR CITY OF PLANO

<b>SUPPLY COST</b>	\$2,400.60
<b>EQUIPMENT RENTAL COST</b>	\$18,385.28
<b>EARLY VOTING</b>	\$23,464.00
<b>ELECTION DAY</b>	\$6,622.00
<b>ADMINISTRATIVE EXPENSES</b>	\$213.00
<b>TABULATION/CENTRALIZED COSTS</b>	\$22,137.00
Total	\$73,221.88
10% Administrative Fee	<u>\$7,322.19</u>
<b>Grand Total</b>	<b>\$80,544.07</b>
<b>90% Deposit Due 03/05/10</b>	<b>\$72,489.66</b>

**AFFIDAVIT OF NO PROHIBITED INTEREST**

I, the undersigned declare and affirm that no person or officer of SHARON ROWE (herein "Contractor") is either employed by the City of Plano or is an elected official of the City of Plano and who has a financial interest, direct or indirect, in any contract with the City of Plano or has a financial interest, directly or indirectly, in the sale to the City of Plano of any land, or rights or interest in any land, materials, supplies or service. As per Section 11.02 of the Plano City Charter, interest represented by ownership of stock by a City of Plano employee or official is permitted if the ownership amounts to less than one (1) per cent of the corporation stock.

I further understand and acknowledge that the existence of a prohibited interest at any time during the term of this contract will render the contract voidable.

SHARON ROWE  
Name of Contractor

By: Sharon Rowe  
Signature

SHARON ROWE  
Print Name

ELECTIONS ADMINISTRATOR  
Title

FEBRUARY 25, 2010  
Date

STATE OF TEXAS §  
COUNTY OF COLLIN §  
§

SUBSCRIBED AND SWORN TO before me this 25<sup>th</sup> day of FEBRUARY, 2010.

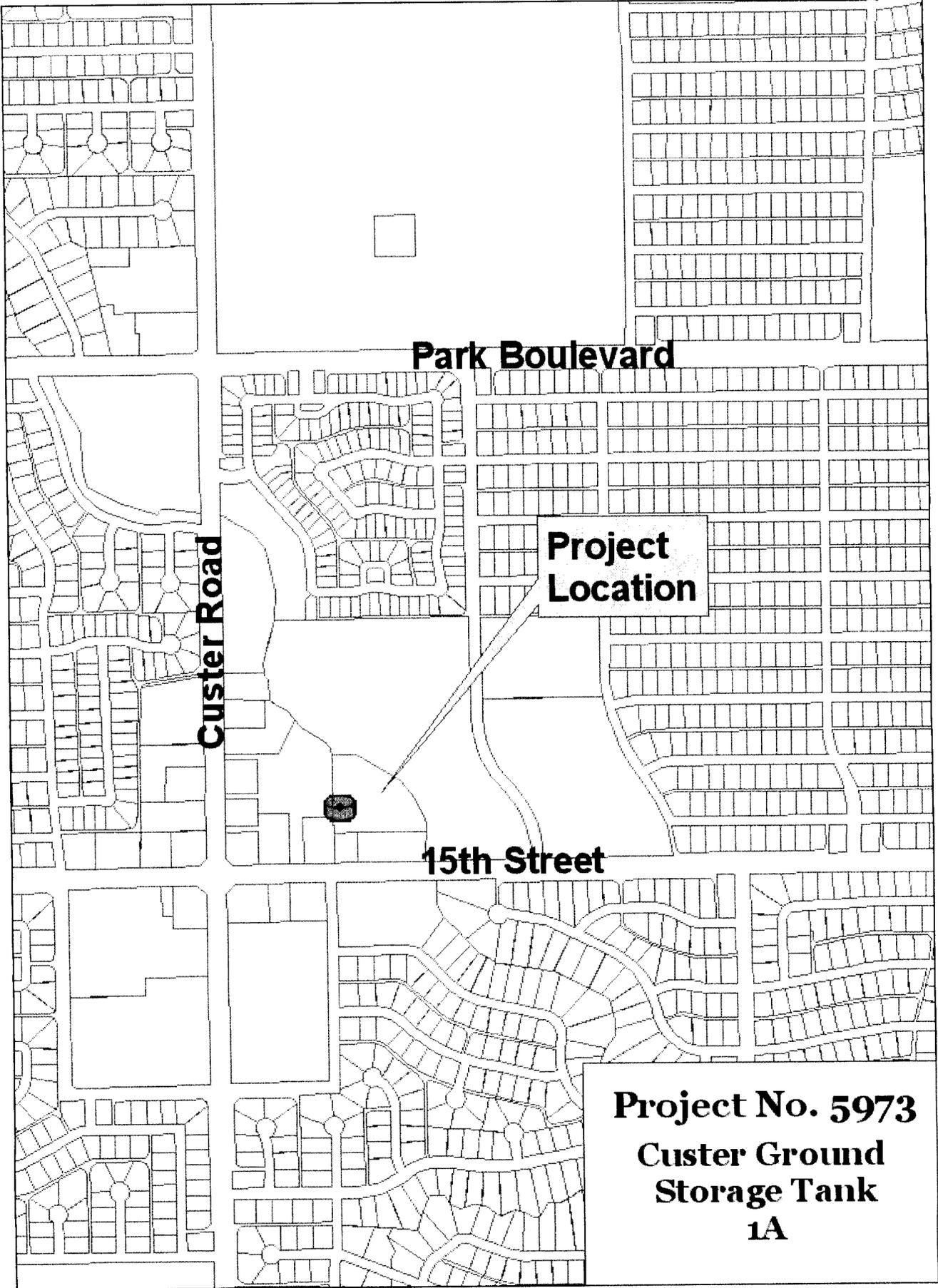
Patricia Jean Seals  
Notary Public, State of Texas





**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:		3/8/10		
Department:		Public Works & Engineering		
Department Head:		Alan L. Upchurch		
Agenda Coordinator (include phone #):		Irene Pegues (7198)		Project No. 5973
<b>CAPTION</b>				
Approval of a Change Order to a contract with Natgun Corporation, increasing the contract by \$40,568, for Custer Ground Storage Tank 1A, Change Order No. 4. (Original Bid No. 2009-166-B).				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: <b>2009-2010</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	2,288,627	2,404,373	0	<b>4,693,000</b>
Encumbered/Expended Amount	-2,288,627	-2,152,504	0	<b>-4,441,131</b>
This Item	0	-40,568	0	<b>-40,568</b>
BALANCE	0	211,301	0	<b>211,301</b>
<b>FUND(S):    WATER CIP</b>				
<p><b>COMMENTS:</b> Funds are included in the 2009-10 Water CIP. This change order, in the amount of \$40,568, will leave a current year balance of \$211,301 for the Custer Ground Storage Tank project.</p> <p><b>STRATEGIC PLAN GOAL:</b> Ground storage tank removal and construction relates to the City's Goal of Livable and Sustainable Community.</p>				
<b>SUMMARY OF ITEM</b>				
<p>This change order, in the amount of \$40,568.45, is for adjusting the removal quantity of poor soils found under the proposed tank site, revisions to the underdrain system due to the revised subgrade elevation and removal of stockpiled materials.</p> <p>Staff recommends approval of Change Order No. 4. The contract total will be \$2,092,650.66, which includes change orders of 2.48% of the original contract amount of \$2,041,983.00.</p>				
List of Supporting Documents: Change Order No. 4; Location Map			Other Departments, Boards, Commissions or Agencies N/A	



**Park Boulevard**

**Custer Road**

**Project  
Location**

**15th Street**

**Project No. 5973  
Custer Ground  
Storage Tank  
1A**

**CHANGE ORDER NO. 4**

**CUSTER GROUND STORAGE TANK 1A  
PROJECT NO. 5973  
PURCHASE ORDER NO. 103745  
CIP NO. 68921  
BID NO. 2009-166-B**

**A. INTENT OF CHANGE ORDER**

The intent of this change order is to modify the provisions of the contract entered into by the **CITY OF PLANO, TEXAS**, and **NATGUN CORPORATION** for the **Custer Ground Storage Tank 1A Project**, dated September 14, 2009.

**B. DESCRIPTION OF CHANGE**

The change order is to adjust the removal quantity of poor quality soils found under the proposed tank site, revisions to underdrain system design due to revised subgrade elevation changes and removal of stockpiled material on-site to facilitate over excavation of material.

**C. EFFECT OF CHANGE**

This change order will have the following effect on the cost of this project:

<b>ITEM DESCRIPTION</b>	<b>ORIGINAL QUANTITY</b>	<b>REVISED QUANTITY</b>	<b>UNIT</b>	<b>UNIT PRICE</b>	<b>AMOUNT OF CHANGE</b>
Additional Excavation	0	1181	CY	\$6.07	\$7,168.67
Select Fill	0	1181	CY	\$23.38	\$27,611.78
Stockpile Handling	0	40	LD	\$121.70	\$4,868.00
Underdrain Design Revision	0	8	HR	\$115.00	\$920.00
<b>TOTAL:</b>					<b>\$40,568.45</b>

Original Contract Amount \$ 2,041,983.00

Contract Amount (Including Previous Change Orders) \$ 2,052,082.21

**Amount, Change Order No. 4 \$ 40,568.45**

**Revised Contract Amount \$ 2,092,650.66**

**Total Percent Increase Including Previous Change Orders 2.48%**

D. EFFECT OF CHANGE ON CONTRACT TIME

The work required under this change order will add 5 day(s) to this project:

Original Contract Time	Finish by May 1, 2010
Amount (Including Previous Change Orders)	Finish by June 21, 2010
<b>Amount, Change Order No. 4</b>	<b>5 Calendar Days</b>
<b>Revised Contract Time</b>	<b>Finish by June 26, 2010</b>

**Total Percent Increase Including Previous Change Orders N/A**

E. AGREEMENT

By the signatures below, duly authorized agents of the **CITY OF PLANO, TEXAS**, and **NATGUN CORPORATION** do hereby agree to append this Change Order No. 4 to the original contract between themselves, dated September 14, 2009.

**OWNER:  
CITY OF PLANO**

**CONTRACTOR:  
NATGUN CORPORATION**

By: \_\_\_\_\_  
(signature)

By: \_\_\_\_\_  
(signature)

Print Name: Thomas H. Muehlenbeck

Print Name: \_\_\_\_\_

Print Title: City Manager

Print Title: \_\_\_\_\_

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

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

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Diane C. Wetherbee, City Attorney

**ACKNOWLEDGMENTS**

**STATE OF MASSACHUSETTS §**  
**§**  
**COUNTY OF MIDDLESEX           §**

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by \_\_\_\_\_, \_\_\_\_\_ of \_\_\_\_\_, a **MASSACHUSETTS** corporation, on behalf of said corporation.

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

**STATE OF TEXAS           §**  
**§**  
**COUNTY OF COLLIN         §**

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by **THOMAS H. MUEHLENBECK, CITY MANAGER** of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

\_\_\_\_\_  
Notary Public, State of 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:		03/08/10		
Department:		Sustainability & Environmental Services		
Department Head		Nancy Nevil		
Agenda Coordinator (include phone #): <b>Tiffany Stephens x4264</b>				
<b>CAPTION</b>				
<p>A resolution of the City Council of the City of Plano, Texas, repealing Resolution No. 2010-2-9(R) which adopted the City of Plano Water Management Plan; adopting a new Water Management Plan for the City of Plano, Texas, to promote responsible use of water and to provide for best management practices resulting in on-going, long term water savings; authorizing its execution by the City Manager or his authorized designee; and providing an effective date.</p>				
<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>09/10</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
<b>BALANCE</b>	0	0	0	<b>0</b>
<b>FUND(S):     GENERAL FUND</b>				
<b>COMMENTS:</b> There is no financial impact associated with this item.				
<b>STRATEGIC PLAN GOAL:</b> Managing natural resources relates to the City's Goal of a "Financially Strong City with Service Excellence".				
<b>SUMMARY OF ITEM</b>				
<p>The Texas Commission on Environmental Quality requires each municipality develop a water conservation plan and the Texas Administrative Code, Title 30, Part I, Chapter 288, Subchapter A establishes minimum requirements of the plan.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Water Management Plan				



*P.O. Box 860358  
Plano, Texas 75086-0358  
Phone: 972-769-4264  
Fax: 972-769-4172*



**MEMORANDUM**

---

**DATE:** March 2, 2009

**TO:** Thomas H. Muehlenbeck, City Manager

**FROM:** Nancy Nevil, Director of Sustainability & Environmental Services

**RE:** Revised Water Management Plan

On February 8, 2010, the City Council approved Resolution No. 2010-2-9 adopting the Water Management Plan. The City Secretary discovered two pages were missing from one of the ordinances included as an appendix and there were some references to “ordinance” when it should have been “resolution.”

At the adoption of the first Plan, the appendix for the Water Conservation Incentive Program was intentionally left blank. Since that time, the program has been finalized.

It was determined to repeal the previous resolution and replace it with a complete and accurate version.

Please let me know if you have any questions.

c: Mark Israelson, Assistant City Manager

**A resolution of the City Council of the City of Plano, Texas, repealing Resolution No. 2010-2-9(R) which adopted the City of Plano Water Management Plan; adopting a new Water Management Plan for the City of Plano, Texas, to promote responsible use of water and to provide for best management practices resulting in on-going, long term water savings; authorizing its execution by the City Manager or his authorized designee; and providing an effective date.**

**WHEREAS**, the City Council for the City of Plano, Texas, in Resolution No. 2010-2-9(R) (Feb. 8, 2010), adopted the City of Plano Water Management Plan (“Plan”); and

**WHEREAS**, the Plan adopted on February 8, 2010 contains clerical errors and is hereby replaced by a complete and accurate version; and

**WHEREAS**, the Water Code and the regulations of the Texas Commission on Environmental Quality require that the City adopt a Water Management Plan; and

**WHEREAS**, the City recognizes that the amount of water available to its water customers is limited; and

**WHEREAS**, the City recognizes that due to natural limitations, drought conditions, system failures and other acts of God which may occur, the City cannot guarantee an uninterrupted water supply for all purposes at all times; and

**WHEREAS**, the City Council has determined that adopting the Water Management Plan as corrected is in the best interest of the citizens of the City.

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

**Section I.** The City Council hereby repeals in its entirety Resolution No. 2010-2-9(R) and adopts the City of Plano Water Management Plan, attached hereto as Addendum A, as if recited verbatim herein. The Appendices to Addendum A may be revised from time to time and the most recent version shall be part of the Water Management Plan.

**Section II.** The City Manager is authorized to execute any and all documents or take any action necessary to maintain the Water Management Plan.

**DULY PASSED AND APPROVED** this the 8<sup>th</sup> day of March, 2010.

---

Phil Dyer, MAYOR

ATTEST:

---

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

---

Diane C. Wetherbee, CITY ATTORNEY

**City of Plano**  
**Water Management Plan**

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## **APPENDICES**

<b>APPENDIX A</b>	<b>List of References</b>
<b>APPENDIX B</b>	<b>Texas Commission on Environmental Quality Rules on Municipal Water Conservation and Drought Contingency Plans</b> <ul style="list-style-type: none"><li>• Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.1 – Definitions</li><li>• Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.2 – Water Conservation Plans for Municipal Uses by Public Water Suppliers</li><li>• Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter B, Rule §288.20 – Drought Contingency Plans for Municipal Uses by Public Water Suppliers</li></ul>
<b>APPENDIX C</b>	<b>TCEQ Water Utility Profile</b>
<b>APPENDIX D</b>	<b>NTMWD Member City and Customer Annual Water Conservation Report</b>
<b>APPENDIX E</b>	<b>Landscape Water Management Regulations</b>
<b>APPENDIX F</b>	<b>Water Conservation Incentive Program</b>
<b>APPENDIX G</b>	<b>TCEQ Water Conservation Implementation Report</b>
<b>APPENDIX H</b>	<b>Illegal Water Connections and Theft of Water Ordinance</b>
<b>APPENDIX I</b>	<b>Water Rate Structure Ordinance</b>
<b>APPENDIX J</b>	<b>Resolution Adopting Water Management Plan</b>
<b>APPENDIX K</b>	<b>Drought Contingency &amp; Water Emergency Response Ordinance</b>
<b>APPENDIX L</b>	<b>Plumbing Code Ordinance</b>
<b>APPENDIX M</b>	<b>Fugitive Water Ordinance</b>

## 1. INTRODUCTION AND OBJECTIVES

Water supply has always been a key issue in the development of Texas. In recent years, the growing population and economic development of North Central Texas has led to increasing demands for water supplies. At the same time, local and less expensive sources of water supply are largely developed. Additional supplies to meet higher demands will be expensive and difficult to develop. It is therefore important that NTMWD and its Member Cities and Customers make the most efficient use of existing supplies. This will delay the need for new supplies, minimize the environmental impacts associated with developing new supplies, and delay the high cost of additional water supply development.

Recognizing the need for efficient use of existing water supplies, the Texas Commission on Environmental Quality (TCEQ) has developed guidelines and requirements governing the development of water conservation and drought contingency plans for public water suppliers. TCEQ guidelines and requirements are included in **Appendix B**. The best management practices established by the Water Conservation Implementation Task Force, established pursuant to SB1094 by the 78<sup>th</sup> Legislature, were also considered in the development of the water conservation measures. The Water Management Plan for the City of Plano was developed in concert with the NTMWD's water conservation and drought contingency and water emergency response plans.

The water conservation sections of this plan are intended as a year-round water efficiency plan and include measures that are designed to result in ongoing, long-term water savings. The objectives of this water conservation plan are as follows:

- To reduce water consumption from the levels that would prevail without conservation efforts.
- To reduce the loss and waste of water.
- To improve efficiency in the use of water.
- To document the level of recycling and reuse in the water supply.
- To extend the life of current water supplies by reducing the rate of growth in demand.

The drought contingency and water emergency response sections of this plan address strategies designed to temporarily reduce water use in response to specific conditions. The purpose of this drought contingency and water emergency response plan is as follows:

- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use, sanitation, and fire protection
- To protect and preserve public health, welfare, and safety
- To minimize the adverse impacts of water supply shortages
- To minimize the adverse impacts of emergency water supply conditions.

The NTMWD supplies treated water to its Member Cities and Customers. The water conservation and drought contingency sections of this document were modeled after plans

developed by NTMWD in consultation with its Member Cities. In concert with the adoption of this plan, the City of Plano is required to do the following:

- Complete the TCEQ Water Utility Profile (**Appendix C**).
- Complete the TCEQ Water Conservation Implementation Report (**Appendix G**).
- Set five-year and ten-year goals for per capita water use (Section 4).
- Adopt a resolution approving the plan (**Appendix J**).

This plan includes all elements required by TCEQ. The final adopted version of the Water Management Plan, including appendices will also be provided to NTMWD, as well as TCEQ.

This Water Management Plan applies to all users of the City of Plano water supply.

#### Definitions:

*Athletic Fields* means turf or play surfaces that are provided by government agencies for public or non-profit sporting activities and events. The athletic field is typically defined by a grass that requires a very high level of maintenance and mowed at a low height to provide a consistent and safe play surface.

*Central Controlled Irrigation Systems* means large scale, technically advanced systems used to water large or multiple sites from a central location. This advanced technology can monitor and adapt system operation and irrigation run times in response to conditions in the system or surrounding areas. (weather conditions, pipe breaks, etc.) These systems may also be easily programmed (individually or globally) to reduce flow rates or the amount of water applied to meet conservation needs; required reduction percentages; and provide historical data or reports. The City central irrigation system uses multiple weather stations throughout the city to collect real-time climatologically data. This data is then available to the computer to automatically shut down the system when weather conditions warrant.

*Customer* means a person, company or other entity connected to the City's water system and contracting with the City of Plano to receive potable water service.

*Drip or Low Flow Irrigation* means irrigation systems using devices and components that emit water at a low volume and may be designed for specific types of plant material. These irrigation devices or components limit the amount and location of water being applied. Examples include micro-irrigation (emitters and drip tubes), irrigation (bubbler and low flow spray) heads used for watering trees, soaker hoses, etc.

*Foundation* means area that includes first 24" of soil from foundation slab.

*Fugitive water* means the pumping, flow, release, escape, or leakage of any water from any pipe, valve, faucet, connection, diversion, well, from any water supply, transport, storage disposal or delivery system of a facility onto adjacent property or the public right-of-way. For purposes of this Plan, it will apply to water extending 10' from property boundary lines onto adjacent property or 10' past targeted irrigation area.

*High Use Areas* means publicly owned properties that have irrigated surfaces where there is a high volume of public use and there may be a significant increase in risk and liability if surfaces are not minimally irrigated to mitigate safety hazards to users caused by lack of water.

*Landscape* means natural plant materials around buildings or on grounds (i.e., trees, shrubbery, grasses and flowers) but excludes athletic fields and high use areas.

*Potable water* means any public water supply which has been investigated and approved by the TCEQ as satisfactory for drinking, culinary and domestic purposes.

*Public Health and Safety* means such amount of water as necessary to sustain human life, reasonable standards of hygiene and sanitation, and fire suppression.

*Wholesale customers* purchase water at a discounted rate either directly from NTMWD or from a NTMWD water system Member City. Plano is a wholesale customer of NTMWD.

Responsibilities:

(a) The Director of Public Works and Engineering is responsible for:

- Advising the City Manager in issues related to water conservation and drought and water emergency issues.
- Developing and maintaining the Water Conservation and Drought and Emergency Response Plans in consonance with the most current NTMWD Model Plan and TCEQ guidelines and policies.
- Implementing programs to reduce and control water loss, calculating and reporting unaccounted for water, and keeping water loss under 12%. When water loss exceeds state standards, the City will intensify water loss control programs.
- Assuring that City ordinances are maintained to continue to support future revisions to the NTMWD Model Plan, City Plan, TCEQ guidelines, and legislative mandate.
- Preparing and submitting all the required reports, water utility profiles, and tabular materials related to water conservation in the formats and media as required by the City Plan and/or NTMWD, TCEQ, and/or the Texas Water Development Board (TWDB).
- Continuing the City's Water and Sewer Fund financial programming to support a residential meter replacement cycle of no more than 10 years and conducting a regular large meter testing program on no less than a 5-year cycle.
- Supporting the City's goal of reducing municipal gallons per capita per day (gpcd) to 213 gpcd within a 10 year period.
- Providing the City Plan to NTMWD for comment. Providing NTMWD and the Chair of the Region C water planning group the City's adopted resolution and drought contingency ordinance.
- Managing the administrative processing and follow-up associated with requesting of variances from City customers.
- Managing the administrative processing and follow-up associated with enforcement of all water conservation and drought contingency and water emergency response provisions of the drought contingency ordinance.
- Managing the program that allows the pursuit of administrative remedies for violations of water conservation and drought water use restrictions by non-single family water account holders.

(b) The Director of Sustainability & Environmental Services is responsible for:

- Developing and presenting water conservation educational and informational programs.

- Developing water conservation promotional activities including a water conservation incentive program.
- Developing and distributing the annual Water Confidence Report.
- Notifying the public of the initiation of any drought and emergency response stage.
- Assuring that education materials are maintained to continue to support future revisions to the NTMWD Model Plan, City Plan, TCEQ guidelines, and legislative mandate.

(c) The Director of Customer & Utility Billing is responsible for:

- Assuring the City continues its program of universal metering and billing.
- Assuring that the City water billing/records management system includes water usage classes and capabilities to sort/separate differing classes and categories of water usage as required by the NTMWD Model Plan and Texas Administrative Code (TAC) Title 30, Part I, Chapter 288, Subchapter A, Rule 288.2(a)(2)(b).

(d) The Chief Building Official is responsible for:

- Enforcing the requirements of the International Plumbing Code (IPC) in residential and commercial facilities.
- As part of the building permit and building inspection programs, enforcing requirement for landscape irrigation system design in accordance with state design and installation requirements and inclusion of freeze and rain sensors on all new irrigation systems (**Appendix L**). This requires irrigation system design submission by builders for review by the building official staff and inspection of the irrigation systems as part of the building inspection program.

(e) Planning and Development is responsible for:

- Maintaining and enforcing the Zoning Ordinance's landscape and irrigation plan requirements through the development review process.
- Implementing procedures to allow developers to delay the installation of landscaping during drought contingency watering restrictions.

(f) Parks and Recreation Department is responsible for:

- Operating and maintaining a central controlled irrigation system, and other city irrigation systems to ensure conservation of water, and efficient use of irrigation to meet the needs of users utilizing city sites. Safety and usability for recreational users of irrigated city sites shall be considered a priority.
- Installing and maintaining landscapes and managing natural and man-made park resources in a sustainable manner suitable for the scope and scale of the assets. Demonstration of conservation measures meaningful to residential scale shall be incorporated into sites and practices when feasible.

## **2. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES**

### **2.1 Conservation Plans**

The TCEQ rules governing development of water conservation plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code, which is included in **Appendix B**. For the purpose of these rules, a water conservation plan is defined as “A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water.” The elements in the TCEQ water conservation rules covered in this conservation plan are listed below.

#### Minimum Conservation Plan Requirements

The minimum requirements in the Texas Administrative Code for Water Conservation Plans for Public Water Suppliers are covered in this report as follows:

- 288.2(a)(1)(A) – Utility Profile – Section 3 and Appendix C
- 288.2(a)(1)(B) – Specification of Goals – Section 4
- 288.2(a)(1)(C) – Specific, Quantified Goals – Section 4
- 288.2(a)(1)(D) – Accurate Metering – Sections 5.1 and 5.2
- 288.2(a)(1)(E) – Universal Metering – Section 5.2
- 288.2(a)(1)(F) – Determination and Control of Unaccounted Water – Section 5.4
- 288.2(a)(1)(G) – Public Education and Information Program – Section 6
- 288.2(a)(1)(H) – Non-Promotional Water Rate Structure – Section 7
- 288.2(a)(1)(I) – Reservoir System Operation Plan – Section 8.1
- 288.2(a)(1)(J) – Means of Implementation and Enforcement – Section 12
- 288.2(a)(1)(K) – Coordination with Regional Water Planning Group – Section 10
- 288.2(c) – Review and Update of Plan – Section 11

#### Conservation Additional Requirements (Population over 5,000)

The Texas Administrative Code includes additional requirements for water conservation plans for drinking water supplies serving a population over 5,000:

- 288.2(a)(2)(A) – Leak Detection, Repair, and Water Loss Accounting – Sections 5.1, 5.2, 5.3, and 5.4
- 288.2(a)(2)(B) – Record Management System – Section 5.2
- 288.2(a)(2)(C) – Requirement for Water Conservation Plans by Wholesale Customers – Section 8.7

#### Additional Conservation Strategies

The TCEQ requires that a water conservation implementation report (Appendix G) be completed and submitted on an annual basis.

In addition to the TCEQ required water conservation strategies, the NTMWD also requires the following strategy be included in the Member City and Customer plans:

- 288.2(a)(3)(F) – Considerations for Landscape Water Management Regulations – Section 8.4 and Appendix E

TCEQ rules also include optional, but not required, conservation strategies, which may be adopted by suppliers. The NTMWD recommends that the following strategies be included in the Member City and Customer water conservation plans:

- 288.2(a)(3)(A) – Conservation Oriented Water Rates – Section 7
- 288.2(a)(3)(B) – Ordinances, Plumbing Codes or Rules on Water-Conserving Fixtures – Section 8.3
- 288.2(a)(3)(C) – Replacement or Retrofit of Water-Conserving Plumbing Fixtures – Section 8.6
- 288.2(a)(3)(D) – Reuse and Recycling of Wastewater – Section 8.2
- 288.2(a)(3)(F) – Considerations for Landscape Water Management Regulations – Section 8.5 and Appendix E
- 288.2(a)(3)(G) – Monitoring Method – Section 5.5
- 288.2(a)(3)(H) – Additional Conservation Ordinance Provisions – Section 8.5 and 8.6

## **2.2 Drought Contingency Plans**

The TCEQ rules governing development of drought contingency plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code, a current copy of which is included in **Appendix B**. For the purpose of these rules, a drought contingency and water emergency response plan is defined as “a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies.” The elements in the TCEQ drought contingency rules covered in this conservation plan are listed below.

### Minimum Requirements

TCEQ’s minimum requirements for drought contingency plans are addressed in the following subsections of this report:

- 288.20(a)(1)(A) – Provisions to Inform the Public and Provide Opportunity for Public Input – Appendix K
- 288.20(a)(1)(B) – Provisions for Continuing Public Education and Information – Appendix K
- 288.20(a)(1)(C) – Coordination with the Regional Water Planning Group – Section 10

- 288.20(a)(1)(D) – Criteria for Initiation and Termination of Drought Stages – Appendix K
- 288.20(a)(1)(E) – Drought and Emergency Response Stages – Appendix K
- 288.20(a)(1)(F) – Specific, Quantified Targets for Water Use Reductions – Appendix K
- 288.20(a)(1)(G) – Water Supply and Demand Management Measures for Each Stage – Appendix K
- 288.20(a)(1)(H) – Procedures for Initiation and Termination of Drought Stages – Appendix K
- 288.20(a)(1)(I) - Procedures for Granting Variances – Appendix K
- 288.20(a)(1)(J) - Procedures for Enforcement of Mandatory Restrictions – Appendix K
- 288.20(a)(3) – Consultation with Wholesale Supplier – Appendix K
- 288.20(b) – Notification of Implementation of Mandatory Measures – Appendix K
- 288.20(c) – Review and Update of Plan – Section 11

### **3. WATER UTILITY PROFILE**

The Water Utility Profile must be completed as a requirement of the Water Management Plan. See **Appendix C**.

#### 4. SPECIFICATION OF WATER CONSERVATION GOALS

TCEQ rules require the adoption of specific water conservation goals for a water conservation plan. As part of plan adoption, the City of Plano must develop 5-year and 10-year goals for per capita municipal use. These goals should be submitted to NTMWD. The goals for this water management plan include the following:

- Maintain the per capita municipal water use below the specified amount in gallons per capita per day in a dry year, as shown in the completed Table 4.1.
- Maintain the level of unaccounted water in the system below 12% in 2009 and in subsequent years, as discussed in Section 5.4.
- Implement and maintain a program of universal metering and meter replacement and repair, as discussed in Section 5.2.
- Decrease waste in lawn irrigation by implementation and enforcement of landscape water management regulations, as discussed in Section 8.4 and **Appendix E**.
- Increase efficient water usage as discussed in Sections 8.5 and 8.6.
- Raise public awareness of water conservation and encourage responsible public behavior by a public education and information program, as discussed in Section 6.
- Develop a system specific strategy to conserve water during peak demands, thereby reducing the peak use.

**Table 4.1  
Five-Year and Ten-Year Municipal Per Capita Water Use Goals (gpcd)**

Description	Current Average (gpcd)	5-Year Goal (gpcd)	10-Year Goal (gpcd)
Current 5-Year Average Per Capita Municipal Use with Credit for Reuse	<b>237*</b>		
Expected Reduction due to Low-Flow Plumbing Fixtures	N/A	N/A	N/A
Projected Reduction Due to Elements in this Plan		12	24
<b>Water Conservation Goals (with credit for reuse)</b>		<b>225</b>	<b>213</b>

\*Based on water consumption of residents and does not include “industrial” or “commercial” use.

## **5. METERING, WATER USE RECORDS, CONTROL OF UNACCOUNTED WATER, AND LEAK DETECTION AND REPAIR**

One of the key elements of water conservation is tracking water use and controlling losses through illegal diversions and leaks. It is important to carefully meter water use, detect and repair leaks in the distribution system and provide regular monitoring of unaccounted water.

### **5.1 Accurate Metering of Treated Water Deliveries from NTMWD**

Water deliveries from NTMWD are metered by NTMWD using meters with accuracy of  $\pm 2\%$ . These meters are calibrated on a monthly basis by NTMWD to maintain the required accuracy.

### **5.2 Metering of Customer and Public Uses and Meter Testing, Repair, and Replacement**

The provision of water to all customers, including public and governmental users, will be metered in the City of Plano. The City of Plano tests and/or replaces their residential customer meters in accordance with Sec. 4.2.8 of AWWA C700-95 and M-6, Water Meters – Selection, Installation, Testing and Maintenance Record Management System. All residential customer meters will be budgeted to be replaced on a minimum of a 10-year cycle. Additionally, large meters will be regularly tested on no less than a 5-year interval and either maintained or replaced when their test flow is outside standards established by AWWA.

As required by TAC Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(2)(B), the City of Plano will maintain a customer billing and record management system that allows for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories. This information will be included in an annual water conservation report, as described in Section 5.6 below.

### **5.3 Determination and Control of Unaccounted Water**

Unaccounted water is the difference between water delivered to the City of Plano from NTMWD (and other supplies, if applicable) and metered water sales to customers plus authorized but unmetered uses. (Authorized but unmetered uses would include use for fire fighting, releases for flushing of lines, uses associated with new construction, etc.) Unaccounted water can include several categories:

- Inaccuracies in customer meters. (Customer meters tend to run more slowly as they age and under-report actual use.)
- Accounts which are being used but have not yet been added to the billing system.
- Losses due to water main breaks and leaks in the water distribution system.
- Losses due to fire fighting.
- Losses due to illegal connections and theft. (**Appendix H**)
- Other.

Measures to control unaccounted water will be part of the routine operations of the City of Plano. Maintenance crews and personnel will look for and report evidence of leaks in the

water distribution system. A leak detection and repair program is described in Section 5.4 below. Meter service technicians, building inspectors, and all City crews will watch for and report signs of illegal connections, so they can be quickly addressed.

Unaccounted water should be calculated in accordance with the provisions of **Appendix C**. With the measures described in this plan, the City of Plano should maintain unaccounted water below 12 percent in 2009 and subsequent years. If unaccounted water exceeds this goal, the City of Plano will implement a more intensive audit to determine the source(s) of and reduce the unaccounted water. The annual conservation report described below is the primary tool that should be used to monitor unaccounted water.

#### **5.4 Leak Detection and Repair**

As described above, city crews and personnel should look for and report evidence of leaks in the water distribution system. Areas of the water distribution system, in which numerous leaks and line breaks occur, should be targeted for replacement as funds are available. The City central irrigation system uses sub-metering and real-time data collection to monitor for leaks, line breaks, and malfunctions. The system automatically shuts down when leaks are detected, then automatically generates reports for these occurrences so they may be followed up by field technicians.

#### **5.5 Monitoring of Effectiveness and Efficiency - Annual Water Conservation Report**

The City of Plano will complete the NTMWD Member City and Customer Water Conservation Report (**Appendix D**) by March 31 each year and will use this report to monitor the effectiveness and efficiency of the water conservation program and to plan conservation-related activities for the next year. The form records the water use by category, per capita municipal use, and unaccounted water for the current year and compares them to historical values. The annual water conservation report should be sent to NTMWD, which will monitor NTMWD Member Cities' and Customers' water conservation trends.

#### **5.6 Water Conservation Implementation Report**

The TCEQ-required Water Conservation Implementation Report (**Appendix G**) is due to the TCEQ by May 1 of every year, starting in the year 2010. This report lists the various water conservation strategies that have been implemented, including the date the strategy was implemented. The report also calls for the five-year and ten-year per capita water use goals from the previous water conservation plan. The reporting entity must answer whether or not these goals have been met and if not, why not. The amount of water saved is also requested.

## 6. CONTINUING PUBLIC EDUCATION AND INFORMATION CAMPAIGN

The continuing public education and information campaign on water conservation includes the following elements:

- Designated education coordinator to develop water conservation materials, presentations, exhibits, rebate programs, and educational workshops.
- Trained water meter technicians to provide face-to-face communication with residents concerning proper irrigation system design and operation and other conservation practices
- Maintain Web site designed to educate residents on water conserving practices, real time water usage, recommended irrigation schedules, and links to other helpful resources.
- Utilize the “Water IQ: Know Your Water” and produce other public education materials as appropriate for targeted audiences.
- Insert water conservation information with water bills. Inserts will include material developed by Sustainability & Environmental Services (SES) staff and material obtained from the TWDB, the TCEQ, and other sources.
- Encourage local media coverage of water conservation issues and the importance of water conservation.
- Notify local organizations, schools, and civic groups that SES and staff of the NTMWD are available to make presentations on the importance of water conservation and ways to save water.
- Promote the *Texas Smartscape* Web site ([www.txsmartscape.com](http://www.txsmartscape.com)) and make water conservation brochures and other water conservation materials available to the public at City Hall and other public places.
- Make information on water conservation available on City and department Web sites and include links to following websites: “Water IQ: Know Your Water,” *Texas Smartscape*, NTMWD, Texas Water Development Board, and Texas Commission on Environmental Quality.

## **7. WATER RATE STRUCTURE**

The City of Plano will continue to bill customers using an increasing block rate water structure that is intended to encourage water conservation and discourage excessive use and waste of water. See **Appendix I** for the City's ordinance establishing an increasing block rate structure and minimum charge and base charges for all tiers for the residential and commercial/industrial water rates.

## **8. OTHER WATER CONSERVATION MEASURES**

### **8.1 NTMWD System Operation Plan**

Member Cities and Customers of NTMWD purchase treated water from NTMWD and do not have surface water supplies for which to implement a system operation plan. NTMWD's permits do allow some coordinated operation of its water supply sources, and NTMWD is seeking additional water rights for coordinated operation to optimize its available water supplies.

### **8.2 Reuse and Recycling of Wastewater**

The City of Plano does not own and operate their own wastewater treatment plants. Their wastewater is treated by NTMWD. NTMWD currently has the largest wastewater reuse program in the state. NTMWD has water rights through Lake Lavon allowing reuse of up to 71,882 acre-feet per year of treated wastewater for municipal purposes. In addition, NTMWD has also developed the East Fork Raw Water Supply Project which can divert up to 157,393 acre-feet per year based on treated wastewater discharges by the NTMWD. These two reuse projects will provide up to 44 percent of the NTMWD's currently permitted water supplies. NTMWD also provides treated effluent from its wastewater treatment plants available for direct reuse for landscape irrigation and industrial use.

### **8.3 Ordinances, Plumbing Codes, or Rules on Water-Conserving Fixtures**

The state has required water-conserving fixtures in new construction and renovations since 1992. The state standards call for flows of no more than 2.5 gallons per minute (gpm) for faucets, 3.0 gpm for showerheads, and 1.6 gallons per flush for toilets. Similar standards are now required nationally under federal law. These state and federal standards assure that all new construction and renovations will use water-conserving fixtures. As it deems appropriate, the City of Plano will continue to implement ordinances, plumbing codes, and rules for water conserving fixtures as they evolve through relevant building codes and State of Texas requirements.

### **8.4 Landscape Water Management Measures**

The City of Plano adopts the following basic landscape water conservation measures as required by NTMWD:

- The City of Plano promotes a policy that restricts lawn irrigation between the hours of 10 am to 6 pm from April 1 to October 31 of each year. Registered and properly functioning central controlled irrigation system and low flow irrigation systems are exempt from this provision. Government agencies watering athletic fields, high use areas, or any other public grounds that are heavily used by the public will be programmed to meet the minimum watering requirement to keep the surface / turf safe and usable for its intended purpose. Running government irrigation systems for maintenance, testing, and calibration purposes at any time is also exempt; provided there is a maintenance technician on-site while the system is running. Public sites shall be programmed to meet this 10 AM to 6 PM watering prohibition when feasible. As older, large scale public irrigation systems are renovated, systems will be designed to minimize exemptions to the level of funding available.

- Promote lawn and landscape irrigation limited to a maximum of twice per week between April 1 and October 31. Registered and properly functioning central controlled irrigation system and low flow irrigation systems are exempt from this provision. Government agencies watering athletic fields, high use areas, or any other public grounds that are heavily used by the public will be programmed to meet the minimum watering requirement to keep the surface / turf safe and usable for its intended purpose. Running government irrigation systems for maintenance, testing, and calibration purposes at any time is also exempt; provided there is a maintenance technician on-site while the system is running. As a good faith effort, public sites shall be programmed to meet twice per week watering schedules when feasible. As older, large scale public irrigation systems are renovated, systems will be designed to minimize exemptions to the level of funding available.
- Promote watering to one day a week between November 1 and March 30.
- No person or operation shall cause or permit the flow of excess or fugitive water onto any adjacent property or public right-of-way (**Appendix M**).
- Prohibition of watering of impervious surfaces. Wind driven water drift will be taken into consideration (**Appendix M**).
- Prohibition of outdoor watering during precipitation or freeze events (**Appendix M**).

The City has developed landscape regulations as part of its zoning ordinance (**Appendix E**). The requirements are intended to minimize waste in landscape irrigation by requiring:

- Submission of a water budget with landscape plans for new commercial development
- Rain sensors on irrigation systems
- Irrigation system zones to water plants based on similar water needs
- Trees and plants suitable for local soil and climate conditions.
- Landscape designs that conserve water through creative design and that comply with the following principles:
  - Soil protection and improvement
  - Careful selection and design of turf areas
  - Use of site-appropriate plan materials with water conservation in mind
  - Use of mulch around all plant materials and areas that are not turf or hardscape

In addition, the plumbing codes have been amended (**Appendix L**) to require:

- New irrigation systems meeting detailed requirements of use of drip and low flow irrigation, distribution uniformity (75 percent), low-angle spray heads, designs in accordance with TCEQ
- No spray heads allowed between street and sidewalk planting areas of both residential and commercial properties
- Installation and inspection for irrigation systems that include an evaluation of the system for the distribution uniformity
- Rain and freeze sensors are required on all new irrigation systems. Rain and freeze sensors must be maintained to function

### **8.5 Additional Water Conservation Measures**

- Promote proper maintenance of irrigation systems.
- “At home” car washing can be done only when using a water hose with a shut-off nozzle.
- Promote outdoor water efficiency on Web site, including water conserving irrigation systems.
- The Customer & Utility Services Department (C/US) will continue to deploy the next generation of the automated meter reading systems known as fixed network systems which will replace the existing AMR over a 5 year implementation. The fixed network system will offer the new ability to analyze water usage by meter by time of day. Data is captured on a daily basis which assists in the City's efforts to educate and inform customers of patterns of water usage to help customers make better decisions regarding their water consumption and will also help identify presence of leaks.

### **8.6 Rebates and Free Distribution of Water Conserving Devices**

The Water Conservation Incentive Program is described in **Appendix F**. The items may change from time to time as the program evolves. The appendix will be modified as these changes occur.

The City offers partial credit for leak repair with sufficient documentation.

### **8.7 Requirement for Water Conservation Plans by Wholesale Customers**

The NTMWD Model Plan requires that every contract for the wholesale sale of water by Member Cities and/or Customers that is entered into, renewed, or extended after the adoption of this water conservation plan include a requirement that the wholesale customer and any wholesale customers of that wholesale customer develop and implement a water conservation plan meeting the requirements of Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code. The requirement will also extend to each successive wholesale customer in the resale of the water. The Colony is the only active wholesale customer of Plano’s water system.

## **9. IMPLEMENTATION OF THE DROUGHT CONTINGENCY & WATER EMERGENCY RESPONSE PLAN**

A drought is defined as an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources, in this case reservoirs, to be depleted. In the absence of drought response measures, water demands tend to increase during a drought due to the need for additional outdoor irrigation. The severity of a drought depends on the degree of depletion of supplies and on the relationship of demand to available supplies. The NTMWD considers a drought to end when all of its supply reservoirs refill to the conservation storage pool.

**Appendix K** includes ordinance establishing procedures and criteria for declaring a water emergency and implementing and terminating drought response stages, procedures for requesting variances, and establishing administrative remedies and fees and criminal penalties for violating the restrictions.

**10. COORDINATION WITH THE REGIONAL WATER PLANNING GROUP AND NTMWD**

The City of Plano will send a copy of this water management plan, the resolution adopting the plan, and the water utility profile to the NTMWD and the Chair of the Region C Water Planning Group.

## **11. REVIEW AND UPDATE OF WATER MANAGEMENT PLAN**

As required by TCEQ rules, the City of Plano will review the Water Management Plan, including the Drought Contingency and Water Emergency Response Ordinance, every five years. The plan will be updated as appropriate based on new or updated information.

## **12. IMPLEMENTATION AND ENFORCEMENT OF THE WATER MANAGEMENT PLAN**

**Appendix J** contains a copy of the resolution adopted by the City Council regarding the Water Management Plan. The following ordinances are also included as part of the Water Management Plan:

Appendix E – Landscape Water Management Regulation

Appendix H – Illegal Water Connections and Theft of Water

Appendix I – Water Rates

Appendix K – Drought Contingency & Water Emergency Response

Appendix L – Plumbing Code

Appendix M – Fugitive Water

**APPENDIX A  
LIST OF REFERENCES**

- (1) Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter B, Rule 288.20, downloaded from <http://www.tnrcc.state.tx.us/oprdrules/pdflib/288a.pdf>, July 2007.
- (2) Freese and Nichols, Inc.: *North Texas Municipal Water District Water Conservation and Drought Contingency and Water Emergency Response Plan*, prepared for the North Texas Municipal Water District, Fort Worth, March 2008.

The following conservation and drought contingency plans and related documents were reviewed in the development of this plan. References marked with a \* were used heavily in the development of this plan.

- (3) City of Austin Water Conservation Division: "City of Austin Water Drought Contingency Plan, Developed to Meet Senate Bill 1 Regulatory Requirements," Austin, August 1999.
- (4) City of Austin Water Conservation Division: "City of Austin Water Conservation Plan, Developed to Meet Senate Bill 1 Regulatory Requirements," Austin, August 1999.
- (5) Upper Trinity Regional Water District: "Water Conservation Plan and Emergency Water Demand Management Plan," adopted by the Board of Directors, Lewisville, August 5, 1999.
- (6) Upper Trinity Regional Water District: "Water Conservation Plan and Emergency Water Demand Management Plan (2002 Amended)," adopted by the Board of Directors, Lewisville, February 2002.
- (7) \*City of Dallas Water Utilities Department: "City of Dallas Water Management Plan," adopted by the City Council, Dallas, September 1999.
- (8) Updates to City of Dallas Water Management Plan found at <http://www.dallascityhall.com> in September 2003.
- (9) \*City of Dallas Water Utilities Department: "City of Dallas Water Conservation Plan," adopted by the City Council, Dallas, September 1999.
- (10) \*City of Fort Worth: "Water Conservation plan for the City of Fort Worth," Fort Worth, August 1999.
- (11) Updates to the City of Fort Worth water conservation plan found at <http://ci.fort-worth.tx.us> in September 2003.
- (12) \*City of Fort Worth: "Emergency Water Management Plan for the City of Fort Worth," Fort Worth, August 19, 2003.
- (13) HDR Engineering, Inc.: "Water Conservation and Emergency Demand Management Plan," prepared for the Tarrant Regional Water District, Austin, February 2000.
- (14) Freese and Nichols, Inc.: "Water Conservation and Drought Contingency Plan," prepared for Brown County Water Improvement District No. 1, Fort Worth, August 1999.
- (15) Freese and Nichols, Inc.: "Water Conservation and Drought Contingency Plan," prepared for the Sabine River Authority of Texas, Fort Worth, September 1994.

- (16) HDR Engineering, Inc.: "Water Conservation and Emergency Demand Management Plan," prepared for the Tarrant Regional Water District, Austin, June 1998.
- (17) HDR Engineering, Inc.: "Water Conservation Plan for the City of Corpus Christi," adopted by the City of Corpus Christi City Council, August 24, 1999.
- (18) City of Houston's water conservation plan downloaded September 2003 from <http://www.cityofhouston.gov>
- (19) City of Houston: "Ordinance N. 2001-753, Amending Chapter 47 of the Code of Ordinances Relating to Water Emergencies," Houston, August 2001.
- (20) City of Houston: "Ordinance No. 98-764, Relating to Water Conservation," Houston, September 1998.
- (21) City of Houston: "Water Conservation Plan," 1998.
- (22) City of Houston: "Water Emergency Response Plan," Houston, July 15, 1998.
- (23) City of Lubbock: "Water Conservation Plan," ordinance number 10177 adopted by the City Council in August 1999.
- (24) City of El Paso Water Conservation Ordinance downloaded August 14, 2003 from <http://www.epwu.org/ordinance.html>
- (25) San Antonio Water System: "Water Conservation and Reuse Plan," San Antonio, November 1998 with June 2002 updates.
- (26) North Texas Municipal Water District: "District Policy No. 24 Water Conservation Plan Containing Drought Contingency Plan," adopted August 1999.
- (27) GDS Associates, Inc.: "Water Conservation Study," prepared for the Texas Water Development Board, Fort Worth, 2002.
- (28) A & N Technical Services, Inc.: "BMP Costs & Savings Study: A Guide to Data and Methods for Cost-Effectiveness Analysis of Urban Water Conservation Best Management Practices," prepared for The California Urban Water Conservation Council, Santa Monica, California, July 2000.
- (29) \*City of Dallas: "City of Dallas Ordinances, Chapter 49, Section 21.1," Dallas, October 1, 2001.
- (30) Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter A, Rules 288.1 and 288.2, downloaded from [http://info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac\\_view=4&ti=30&pt=1&ch=288](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288), July 2007.
- (31) Water Conservation Implementation Task Force: "Texas Water Development Board Report 362, Water Conservation Best Management Practices Guide," prepared for the Texas Water Development Board, Austin, November 2004.
- (32) Freese and Nichols, Inc.: *North Texas Municipal Water District Water Conservation and Drought Contingency/Water Emergency Response Plan*, prepared for the North Texas Municipal Water District, Fort Worth, March 2008.

The following conservation and drought contingency plans and related documents were reviewed in the development of this plan. References marked with a \* were used heavily in the development of this plan.

- (33) Edward Motley, Marisa Vergara, Tom Gooch, and Stephanie Griffin: Memorandum to File on "Region C Municipal Water Use Projections Adopted on August 18, 2003," Fort Worth, August 21, 2003.
- (34) City of Austin Water Conservation Division: "City of Austin Water Drought Contingency Plan, Developed to Meet Senate Bill 1 Regulatory Requirements," Austin, August 1999.
- (35) City of Austin Water Conservation Division: "City of Austin Water Conservation Plan, Developed to Meet Senate Bill 1 Regulatory Requirements," Austin, August 1999.
- (36) Upper Trinity Regional Water District: "Water Conservation Plan and Emergency Water Demand Management Plan," adopted by the Board of Directors, Lewisville, August 5, 1999.
- (37) Upper Trinity Regional Water District: "Water Conservation Plan and Emergency Water Demand Management Plan (2002 Amended)," adopted by the Board of Directors, Lewisville, February 2002.
- (38) \*City of Dallas Water Utilities Department: "City of Dallas Water Management Plan," adopted by the City Council, Dallas, September 1999.
- (39) Updates to City of Dallas Water Management Plan found at <http://www.dallascityhall.com> in September 2003.
- (40) \*City of Dallas Water Utilities Department: "City of Dallas Water Conservation Plan," adopted by the City Council, Dallas, September 1999.
- (41) \*City of Fort Worth: "Water Conservation plan for the City of Fort Worth," Fort Worth, August 1999.
- (42) Updates to the City of Fort Worth water conservation plan found at <http://ci.fort-worth.tx.us> in September 2003.
- (43) \*City of Fort Worth: "Emergency Water Management Plan for the City of Fort Worth," Fort Worth, August 19, 2003.
- (44) HDR Engineering, Inc.: "Water Conservation and Emergency Demand Management Plan," prepared for the Tarrant Regional Water District, Austin, February 2000.
- (45) Freese and Nichols, Inc.: "Water Conservation and Drought Contingency Plan," prepared for Brown County Water Improvement District No. 1, Fort Worth, August 1999.
- (46) Freese and Nichols, Inc.: "Water Conservation and Drought Contingency Plan," prepared for the Sabine River Authority of Texas, Fort Worth, September 1994.
- (47) HDR Engineering, Inc.: "Water Conservation and Emergency Demand Management Plan," prepared for the Tarrant Regional Water District, Austin, June 1998.
- (48) HDR Engineering, Inc.: "Water Conservation Plan for the City of Corpus Christi," adopted by the City of Corpus Christi City Council, August 24, 1999.

- (49) City of Houston's water conservation plan downloaded September 2003 from <http://www.cityofhouston.gov>
- (50) City of Houston: "Ordinance N. 2001-753, Amending Chapter 47 of the Code of Ordinances Relating to Water Emergencies," Houston, August 2001.
- (51) City of Houston: "Ordinance No. 98-764, Relating to Water Conservation," Houston, September 1998.
- (52) City of Houston: "Water Conservation Plan," 1998.
- (53) City of Houston: "Water Emergency Response Plan," Houston, July 15, 1998.
- (54) City of Lubbock: "Water Conservation Plan," ordinance number 10177 adopted by the City Council in August 1999.
- (55) City of El Paso Water Conservation Ordinance downloaded August 14, 2003 from <http://www.epwu.org/ordinance.html>
- (56) San Antonio Water System: "Water Conservation and Reuse Plan," San Antonio, November 1998 with June 2002 updates.
- (57) North Texas Municipal Water District: "District Policy No. 24 Water Conservation Plan Containing Drought Contingency Plan," adopted August 1999.
- (58) GDS Associates, Inc.: "Water Conservation Study," prepared for the Texas Water Development Board, Fort Worth, 2002.
- (59) A & N Technical Services, Inc.: "BMP Costs & Savings Study: A Guide to Data and Methods for Cost-Effectiveness Analysis of Urban Water Conservation Best Management Practices," prepared for The California Urban Water Conservation Council, Santa Monica, California, July 2000.
- (60) \*City of Dallas: "City of Dallas Ordinances, Chapter 49, Section 21.1," Dallas, October 1, 2001.

## APPENDIX B

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES ON MUNICIPAL WATER CONSERVATION AND DROUGHT CONTINGENCY PLANS

Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.1 – Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Agricultural or Agriculture--Any of the following activities:
  - (A) cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers;
  - (B) the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media by a nursery grower;
  - (C) raising, feeding, or keeping animals for breeding purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value;
  - (D) raising or keeping equine animals;
  - (E) wildlife management; and
  - (F) planting cover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure.
- (2) Agricultural use--Any use or activity involving agriculture, including irrigation.
- (3) Best management practices--Voluntary efficiency measures that save a quantifiable amount of water, either directly or indirectly, and that can be implemented within a specific time frame.
- (4) Conservation--Those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.
- (5) Drought contingency plan--A strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies. A drought contingency plan may be a separate document identified as such or may be contained within another water management document(s).
- (6) Industrial use--The use of water in processes designed to convert materials of a lower order of value into forms having greater usability and commercial value, commercial fish production, and the development of power by means other than hydroelectric, but does not include agricultural use.
- (7) Irrigation--The agricultural use of water for the irrigation of crops, trees, and pastureland, including, but not limited to, golf courses and parks which do not receive water through a municipal distribution system.
- (8) Irrigation water use efficiency--The percentage of that amount of irrigation water which is beneficially used by agriculture crops or other vegetation relative to the amount of water diverted from the source(s) of supply. Beneficial uses of water for

irrigation purposes include, but are not limited to, evapotranspiration needs for vegetative maintenance and growth, salinity management, and leaching requirements associated with irrigation.

- (9) Mining use--The use of water for mining processes including hydraulic use, drilling, washing sand and gravel, and oil field repressuring.
- (10) Municipal per capita water use--The sum total of water diverted into a water supply system for residential, commercial, and public and institutional uses divided by actual population served.
- (11) Municipal use--The use of potable water within or outside a municipality and its environs whether supplied by a person, privately owned utility, political subdivision, or other entity as well as the use of sewage effluent for certain purposes, including the use of treated water for domestic purposes, fighting fires, sprinkling streets, flushing sewers and drains, watering parks and parkways, and recreational purposes, including public and private swimming pools, the use of potable water in industrial and commercial enterprises supplied by a municipal distribution system without special construction to meet its demands, and for the watering of lawns and family gardens.
- (12) Municipal use in gallons per capita per day--The total average daily amount of water diverted or pumped for treatment for potable use by a public water supply system. The calculation is made by dividing the water diverted or pumped for treatment for potable use by population served. Indirect reuse volumes shall be credited against total diversion volumes for the purpose of calculating gallons per capita per day for targets and goals.
- (13) Nursery grower--A person engaged in the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or nonsoil media, who grows more than 50% of the products that the person either sells or leases, regardless of the variety sold, leased, or grown. For the purpose of this definition, grow means the actual cultivation or propagation of the product beyond the mere holding or maintaining of the item prior to sale or lease, and typically includes activities associated with the production or multiplying of stock such as the development of new plants from cuttings, grafts, plugs, or seedlings.
- (14) Pollution--The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.
- (15) Public water supplier--An individual or entity that supplies water to the public for human consumption.
- (16) Regional water planning group--A group established by the Texas Water Development Board to prepare a regional water plan under Texas Water Code, §16.053.
- (17) Retail public water supplier--An individual or entity that for compensation supplies water to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants when that water is not resold to or used by others.
- (18) Reuse--The authorized use for one or more beneficial purposes of use of water that remains unconsumed after the water is used for the original purpose of use and before that water is either disposed of or discharged or otherwise allowed to flow into a watercourse, lake, or other body of state-owned water.
- (19) Water conservation plan--A strategy or combination of strategies for reducing the

volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. A water conservation plan may be a separate document identified as such or may be contained within another water management document(s).

- (20) Wholesale public water supplier--An individual or entity that for compensation supplies water to another for resale to the public for human consumption. The term does not include an individual or entity that supplies water to itself or its employees or tenants as an incident of that employee service or tenancy when that water is not resold to or used by others, or an individual or entity that conveys water to another individual or entity, but does not own the right to the water which is conveyed, whether or not for a delivery fee.

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**Source Note:** The provisions of this §288.1 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective August 15, 2002, 27 TexReg 7146; amended to be effective October 7, 2004, 29 TexReg 9384; amended to be effective January 10, 2008, 33 TexReg 193

	<b>Texas Administrative Code</b>
<b><u>TITLE 30</u></b>	ENVIRONMENTAL QUALITY
<b><u>PART 1</u></b>	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
<b><u>CHAPTER 288</u></b>	WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS
<b><u>SUBCHAPTER A</u></b>	WATER CONSERVATION PLANS
<b><u>RULE §288.2</u></b>	<b>Water Conservation Plans for Municipal Uses by Public Water Suppliers</b>

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(a) A water conservation plan for municipal water use by public water suppliers must provide information in response to the following. If the plan does not provide information for each requirement, the public water supplier shall include in the plan an explanation of why the requirement is not applicable.

Minimum requirements.

- (1) All water conservation plans for municipal uses by public drinking water suppliers must include the following elements:
- (A) a utility profile including, but not limited to, information regarding population and customer data, water use data, water supply system data, and wastewater system data;
  - (B) until May 1, 2005, specification of conservation goals including, but not limited to, municipal per capita water use goals, the basis for the development of such goals, and a time frame for achieving the specified goals;
  - (C) beginning May 1, 2005, specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use, in gallons per capita per day. The goals established by a public water supplier under this subparagraph are not enforceable;

- (D) metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply;
  - (E) a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement;
  - (F) measures to determine and control unaccounted-for uses of water (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.);
  - (G) a program of continuing public education and information regarding water conservation;
  - (H) a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water;
  - (I) a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies; and
  - (J) a means of implementation and enforcement which shall be evidenced by:
    - (i) a copy of the ordinance, resolution, or tariff indicating official adoption of the water conservation plan by the water supplier; and
    - (ii) a description of the authority by which the water supplier will implement and enforce the conservation plan; and
  - (K) documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.
- (2) Additional content requirements. Water conservation plans for municipal uses by public drinking water suppliers serving a current population of 5,000 or more and/or a projected population of 5,000 or more within the next ten years subsequent to the effective date of the plan must include the following elements:
- (A) a program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system in order to control unaccounted-for uses of water;
  - (B) a record management system to record water pumped, water deliveries, water sales, and water losses which allows for the desegregation of water sales and uses into the following user classes:
    - (i) residential;
    - (ii) commercial;
    - (iii) public and institutional; and
    - (iv) industrial;
  - (C) a requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.
- (3) Additional conservation strategies. Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements in

paragraphs (1) and (2) of this subsection, if they are necessary to achieve the stated water conservation goals of the plan. The commission may require that any of the following strategies be implemented by the water supplier if the commission determines that the strategy is necessary to achieve the goals of the water conservation plan:

- (A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;
- (B) adoption of ordinances, plumbing codes, and/or rules requiring water-conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;
- (C) a program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;
- (D) reuse and/or recycling of wastewater and/or graywater;
- (E) a program for pressure control and/or reduction in the distribution system and/or for customer connections;
- (F) a program and/or ordinance(s) for landscape water management;
- (G) a method for monitoring the effectiveness and efficiency of the water conservation plan; and
- (H) any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(b) A water conservation plan prepared in accordance with 31 TAC §363.15 (relating to Required Water Conservation Plan) of the Texas Water Development Board and substantially meeting the requirements of this section and other applicable commission rules may be submitted to meet application requirements in accordance with a memorandum of understanding between the commission and the Texas Water Development Board.

(c) Beginning May 1, 2005, a public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

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**Source Note:** The provisions of this §288.2 adopted to be effective May 3, 1993, 18 TexReg 2558; amended to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384

**Texas Administrative Code**

**TITLE 30**  
**PART 1**  
**CHAPTER 288**  
  
**SUBCHAPTER B**  
**RULE §288.20**

ENVIRONMENTAL QUALITY  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
WATER CONSERVATION PLANS, DROUGHT  
CONTINGENCY PLANS, GUIDELINES AND  
REQUIREMENTS  
DROUGHT CONTINGENCY PLANS  
**Drought Contingency Plans for Municipal Uses by Public  
Water Suppliers**

- 
- (a) A drought contingency plan for a retail public water supplier, where applicable, must include the following minimum elements.
- (1) Minimum requirements. Drought contingency plans must include the following minimum elements.
- (A) Preparation of the plan shall include provisions to actively inform the public and affirmatively provide opportunity for public input. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the public and providing written notice to the public concerning the proposed plan and meeting.
  - (B) Provisions shall be made for a program of continuing public education and information regarding the drought contingency plan.
  - (C) The drought contingency plan must document coordination with the regional water planning groups for the service area of the retail public water supplier to ensure consistency with the appropriate approved regional water plans.
  - (D) The drought contingency plan must include a description of the information to be monitored by the water supplier, and specific criteria for the initiation and termination of drought response stages, accompanied by an explanation of the rationale or basis for such triggering criteria.
  - (E) The drought contingency plan must include drought or emergency response stages providing for the implementation of measures in response to at least the following situations:
    - (i) reduction in available water supply up to a repeat of the drought of record;
    - (ii) water production or distribution system limitations;
    - (iii) supply source contamination; or
    - (iv) system outage due to the failure or damage of major water system components (e.g., pumps).
  - (F) The drought contingency plan must include the specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The goals established by the entity under this subparagraph are not enforceable.
  - (G) The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:
    - (i) curtailment of non-essential water uses; and
    - (ii) utilization of alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).
  - (H) The drought contingency plan must include the procedures to be followed for the initiation or termination of each drought response stage, including

procedures for notification of the public.

- (I) The drought contingency plan must include procedures for granting variances to the plan.
  - (J) The drought contingency plan must include procedures for the enforcement of any mandatory water use restrictions, including specification of penalties (e.g., fines, water rate surcharges, discontinuation of service) for violations of such restrictions.
- (2) Privately-owned water utilities. Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.
- (3) Wholesale water customers. Any water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan appropriate provisions for responding to reductions in that water supply.
- (b) A wholesale or retail water supplier shall notify the executive director within five business days of the implementation of any mandatory provisions of the drought contingency plan.
- (c) The retail public water supplier shall review and update, as appropriate, the drought contingency plan, at least every five years, based on new or updated information, such as the adoption or revision of the regional water plan.

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**Source Note:** The provisions of this §288.20 adopted to be effective February 21, 1999, 24 TexReg 949; amended to be effective April 27, 2000, 25 TexReg 3544; amended to be effective October 7, 2004, 29 TexReg 9384.

**APPENDIX C  
TCEQ WATER UTILITY PROFILE**

	<p><b>Texas Commission on Environmental Quality</b></p> <p><b>UTILITY PROFILE &amp; WATER CONSERVATION PLAN REQUIREMENTS FOR MUNICIPAL WATER USE BY PUBLIC WATER SUPPLIERS</b></p> <p><small>This form is provided to assist entities in water conservation plan development for municipal water use by a retail public water supplier. Information from this form should be included within a water conservation plan for municipal use. If you need assistance in completing this form or in developing your plan, please contact the conservation staff of the Resource Protection Team in the Water Supply Division at (512) 239-4691.</small></p>
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**Name of Entity:** \_\_\_\_\_

**Address & Zip:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**Form Completed By:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Name and Phone Number of Person/Department responsible for implementing a water conservation program:** \_\_\_\_\_

<b>UTILITY PROFILE</b>
------------------------

**I. POPULATION AND CUSTOMER DATA**

**A. Population and Service Area Data**

1. Attach a copy of your service-area map and, if applicable, a copy of your Certificate of Convenience and Necessity (CCN).
2. Service area size (square miles): \_\_\_\_\_

3. Current population of service area: \_\_\_\_\_

4. Current population served:

a. water \_\_\_\_\_

b. wastewater \_\_\_\_\_

5. Population served by water utility for the previous five years:

6. Projected population for service area in the following decades:

Year	Population	Year	Population
_____	_____	<u>2010</u>	_____
_____	_____	<u>2020</u>	_____
_____	_____	<u>2030</u>	_____
_____	_____	<u>2040</u>	_____
_____	_____	<u>2050</u>	_____

7. List source/method for the calculation of current and projected population:

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

**B. Active Connections**

1. Current number of active connections. Check whether multi-family service is counted as Residential \_\_\_\_\_ or Commercial \_\_\_\_\_

Treated water users:	Metered	Not-metered	Total
Residential	_____	_____	_____
Commercial	_____	_____	_____
Industrial	_____	_____	_____
Other	_____	_____	_____

2. List the net number of new connections per year for most recent three years:

Year	_____	_____	_____
Residential	_____	_____	_____
Commercial	_____	_____	_____
Industrial	_____	_____	_____
Other	_____	_____	_____

**C. High Volume Customers**

List annual water use for the five highest volume customers  
(indicate if treated or raw water delivery)

	Customer	Use (1,000gal./yr.)	Treated/Raw Water
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____

**II. WATER USE DATA FOR SERVICE AREA**

**A. Water Accounting Data**

1. Amount of water use for previous five years (in 1,000 gal.):

Please indicate :      Diverted Water \_\_\_\_\_  
    Treated Water        \_\_\_\_\_

Year	_____	_____	_____	_____	_____
January	_____	_____	_____	_____	_____
February	_____	_____	_____	_____	_____
March	_____	_____	_____	_____	_____

April	_____	_____	_____	_____	_____
May	_____	_____	_____	_____	_____
June	_____	_____	_____	_____	_____
July	_____	_____	_____	_____	_____
August	_____	_____	_____	_____	_____
September	_____	_____	_____	_____	_____
October	_____	_____	_____	_____	_____
November	_____	_____	_____	_____	_____
December	_____	_____	_____	_____	_____
<b>Total</b>	_____	_____	_____	_____	_____

Indicate how the above figures were determined (e.g., from a master meter located at the point of a diversion from the source or located at a point where raw water enters the treatment plant, or from water sales).

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2. Amount of water (in 1,000 gallons) delivered (sold) as recorded by the following account types for the past five years.

Year	Residential	Commercial	Industrial	Wholesale	Other	Total Sold
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

3. List previous five years records for water loss (the difference between water diverted (or treated) and water delivered (or sold))

Year	Amount (gal.)	%
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. Municipal water use for previous five years:

Year	Population	Total Water Diverted or Pumped for Treatment (1,000 gal.)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**B. Projected Water Demands**

If applicable, attach projected water supply demands for the next ten years using information such as population trends, historical water use, and economic growth in the service area over the next ten years and any additional water supply requirement from such growth.

**III. WATER SUPPLY SYSTEM DATA**

**A. Water Supply Sources**

List all current water supply sources and the amounts authorized with each:

	Source	Amount Authorized
Surface Water:	_____	_____ acre-feet
Groundwater:	_____	_____ acre-feet
Contracts:	_____	_____ acre-feet
Other:	_____	_____ acre-feet

**B. Treatment and Distribution System**

- Design daily capacity of system: \_\_\_\_\_ MGD
- Storage Capacity: Elevated \_\_\_\_\_ MGD, Ground \_\_\_\_\_ MGD
- If surface water, do you recycle filter backwash to the head of the plant?  
Yes \_\_\_\_\_ No \_\_\_\_\_. If yes, approximately \_\_\_\_\_ MGD.
- Please attach a description of the water system. Include the number of

treatment plants, wells, and storage tanks. If possible, include a sketch of the system layout.

**IV. WASTEWATER SYSTEM DATA**

**A. Wastewater System Data**

1. Design capacity of wastewater treatment plant(s): \_\_\_\_\_ MGD
2. Is treated effluent used for irrigation on-site \_\_\_\_\_, off-site \_\_\_\_\_, plant washdown \_\_\_\_\_, or chlorination/dechlorination \_\_\_\_\_? If yes, approximately \_\_\_\_\_ gallons per month.
3. Briefly describe the wastewater system(s) of the area serviced by the water utility. Describe how treated wastewater is disposed of. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and, if wastewater is discharged, the receiving stream. If possible, attach a sketch or map which locates the plant(s) and discharge points or disposal sites.

**B. Wastewater Data for Service Area**

1. Percent of water service area served by wastewater system: \_\_\_\_\_%
2. Monthly volume treated for previous three years (in 1,000 gallons):

Year	_____	_____	_____
January	_____	_____	_____
February	_____	_____	_____
March	_____	_____	_____
April	_____	_____	_____
May	_____	_____	_____
June	_____	_____	_____
July	_____	_____	_____
August	_____	_____	_____
September	_____	_____	_____
October	_____	_____	_____
November	_____	_____	_____
December	_____	_____	_____
<b>Total</b>	_____	_____	_____

**APPENDIX D**  
**NTMWD MEMBER CITY AND CUSTOMER ANNUAL WATER CONSERVATION REPORT**

**APPENDIX D**  
**NTMWD MEMBER CITY AND CUSTOMER ANNUAL WATER CONSERVATION REPORT**  
 Due: March 31 of every year

Entity Reporting: \_\_\_\_\_  
 Filled Out By: \_\_\_\_\_  
 Date Completed: \_\_\_\_\_  
 Year Covered: \_\_\_\_\_  
 # of Connections \_\_\_\_\_

**Recorded Deliveries and Sales by Month (in Million Gallons):**

Month	Deliveries from NTMWD	Other Supplies	Sales by Category				Total
			Residential	Commercial	Public/Institutional	Industrial	
January							0.000
February							0.000
March							0.000
April							0.000
May							0.000
June							0.000
July							0.000
August							0.000
September							0.000
October							0.000
November							0.000
December							0.000
<b>TOTAL</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>

**Unaccounted Water (Million Gallons):**

NTMWD Deliveries 0.000 from Table above  
 Other Supplies 0.000 from Table above  
 Total Supplies 0.000 from Table above  
 Total Sales 0.000 from Table above  
 Estimated Fire Use estimated from best available data  
 Estimated Line Flushing Use estimated from best available data  
 Unaccounted Water 0.000  
 % Unaccounted #DIV/0!  
 Goal for % Unaccounted 12.00%

**Per Capita Municipal Use (Gallons per person per day)**

Municipal Use (MG) 0.000 from Table above (NTMWD deliveries+ other supplies - industrial sales - municipal sales - other sales)

Estimated Population please describe source of population estimate

(gpcd) #DIV/0!

5-year Per Capita Goal ( )

10-year Per Capita Goal ( )

**Recorded Wholesale Sales by Month (in Million Gallons):**

Month	Sales to	Total Wholesale Sales							
January									0.000
February									0.000
March									0.000
April									0.000
May									0.000
June									0.000
July									0.000
August									0.000
September									0.000
October									0.000
November									0.000
December									0.000
<b>TOTAL</b>	<b>0.000</b>								

**Information on Wholesale Customers:**

Estimated

Population

Customer

**Unusual Circumstances (use additional sheets if necessary):**

--

**Progress in Implementation of Conservation Plan (use additional sheets if necessary):**

--

**Conservation measures planned for next year (use additional sheets if necessary):**

--

Assistance requested from North Texas Municipal Water District (use additional sheets if necessary):

--

Other (use additional sheets if necessary):

--

**APPENDIX E**  
**LANDSCAPE WATER MANAGEMENT REGULATIONS**

**ORDINANCE NO. 2009-5-14**  
**(Zoning Case 2009-02)**

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING SECTION 3.1200 (LANDSCAPING REQUIREMENTS) 6. (LANDSCAPE PLAN APPROVAL) C. OF ARTICLE 3 (SUPPLEMENTARY REGULATIONS) AND RELATED SECTIONS OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 2006-4-24, AS HERETOFORE AMENDED, REGARDING THE ESTIMATION OF ANNUAL LANDSCAPE WATER REQUIREMENTS; AND PROVIDING A PENALTY CLAUSE, A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

**WHEREAS**, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 11th day of May, 2009, for the purpose of considering a change in the Zoning Ordinance; and

**WHEREAS**, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

**WHEREAS**, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 11th day of May, 2009; and

**WHEREAS**, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

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

**Section 1.** Section 3.1200 (Landscaping Requirements) 6. (Landscape Plan Approval) c. of Article 3 (Supplementary Regulations) of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended regarding the estimation of annual landscape water requirements, and, such portion of the section to read in its entirety as follows:

6. Landscape Plan Approval

- (c) Unless otherwise requested, a full irrigation plan is not required for approval by the Planning and Engineering Departments. The only irrigation information required on the landscape plan is the following:
  - (i) The location and size of all water meters, including ones dedicated to the irrigation system, which must be located in the public right-of-way or a dedicated easement.
  - (ii) The landscape plan shall include a table showing the annual landscape water requirements for the project site by individual hydrozone and for the site as a whole (totals for all hydrozones.) A hydrozone is a contiguous landscape area containing plants with similar watering needs. Each site shall contain a minimum of two hydrozones, one for turf areas and one for prepared bed areas. Additional breakdowns may be requested after initial review of landscape plan.

The annual watering needs for each hydrozone shall be calculated using the following formula:

$$LWR = RTM \times [(ET \times K) - R] \times A/C$$

Where:

**LWR** = Landscape Water Requirements for each hydrozone in gallons per year.

**RTM** = Run Time Multiplier based upon type of irrigation head

Use the following factors:

Spray	1.33
Drip	1.25
Micro Spray	1.25
Rotor	1.25

**ET** = Local EvapoTranspiration rate in inches per year.

Use 55.85" as the factor

**K** = Landscape coefficient rate for the type of hydrozone.

Use the following factors:

Groundcovers	0.5
Shrubs	0.5
Mixture of Shrubs and Groundcover	0.5
Warm Season Turfgrass	0.6
Cool Season Turfgrass	0.8

**R** = 25% of annual Rainfall precipitation.  
Use 8.7 (34.82 inches per year x 25%)

**A** = Area of hydrozone in square feet.

**C** = Conversion factor resulting in gallons per year.  
Use 1.604

**Section II.** All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section III.** The repeal of any ordinance or part of ordinances affected by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

**Section IV.** Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section V.** It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

**Section VI.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

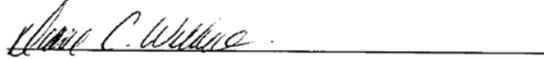
**PASSED AND APPROVED THIS THE 11th DAY OF MAY, 2009.**

  
Pat Evans, MAYOR

ATTEST:

  
Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

  
Diane C. Wetherbee, CITY ATTORNEY

## APPENDIX F WATER CONSERVATION INCENTIVE PROGRAM

The Water Conservation Incentive Program includes two components, as outlined below:

### 1. Free Water Conservation Items

The City of Plano offers residents free water conservation items that are available at the Customer and Utility Service counters from 8am to 5pm, Monday through Friday. Counter locations are at the Municipal Center and the Joint Use Facility.

Following is the list of items available and a description of each item:

- Low-Flow Shower Head: This self-cleaning shower head features a non-aerating spray, meaning less temperature loss and hot water energy savings.
- Shower Coach: The Shower Coach is a five-minute timer that mounts to the shower wall and helps you track every second of water use.
- Toilet Leak Detection Tablets: These dye tablets are used to check for a leak between the toilet tank and bowl.
- Toilet Flapper: Water treatment processes, toilet bowl cleaners, and high water pressure can cause replaceable toilet parts, such as the toilet flapper, to disintegrate. This item should be used to replace an existing toilet flapper if black “goo” is found to be present.
- Kitchen Faucet Aerator: By introducing air into the stream, this aerator provides an even spray pattern while saving water.
- Rain Gauge: This gauge assists the resident in determining how to adjust an outdoor irrigation schedule according to season and recent rainfall.
- Bathroom Faucet Aerator: By introducing air into the stream, the aerator provides an even spray pattern while saving water.

### 2. Water Conservation Rebate Program

#### Program Eligibility and Guidelines

##### ***Eligibility:***

- All purchases must be made after March 1, 2010.
- Participant must currently own their home and have a City of Plano water utility account in good standing for the property where installation of qualifying item occurred.
- Eligibility is limited to residential homes only; commercial buildings are not eligible.
- To meet eligibility guidelines, items must be purchased from a retailer located within the City of Plano.
- The City of Plano reserves the right to terminate or modify the water conservation rebate program at any time.

##### ***Process:***

- Resident mails voucher (toilet program) or application (rain barrel and rain/freeze sensor program) to City of Plano Water Conservation Rebate Program: 4200 W. Plano Parkway, Plano, TX 75093

- Completed voucher or application must be received by the City of Plano within 120 days of purchase of eligible water conserving item.
- Utility credits will be processed in the order they are received on a first-come first-served basis.
- The City issues a credit on resident's utility bill within 30 days of receipt of voucher

### **WaterSense Approved, High Efficiency Toilets (HET's)**

#### ***Eligibility:***

- Only new, qualifying WaterSense high efficiency models of toilets (HET) will be eligible for utility credit.
- New high efficiency qualifying toilet (0.8-1.6 gallons per flush) must replace a low efficiency toilet (approximately 3-7 gallons per flush). Residence must not already have high efficiency toilets (HET's) installed.
- A list of qualifying toilets can be found online at [www.livegreeninplano.com](http://www.livegreeninplano.com)

#### ***Process:***

- Resident must first purchase and install qualified toilet from local retailer
- Morrison Supply has agreed to verify replacement of high flow toilet with the new HET and to collect the old toilet for recycling.
- Resident must contact Morrison Supply within 30 days of installation (no longer than 120 days from date of purchase) to verify installation.
- Morrison Supply will collect the old toilet within 30 days and issue the resident a voucher for credit on their water utility bill.
  - \$100 credit for 1<sup>st</sup> toilet
  - \$75 credit for 2<sup>nd</sup> toilet
  - \$50 credit for 3<sup>rd</sup> toilet
- Resident will complete voucher and send to City of Plano Water Conservation Rebate Program: 4200 W. Plano Parkway, Plano, TX 75093

### **Rain/Freeze Sensor**

#### ***Eligibility:***

- New irrigation systems are not eligible for this program.
- Irrigation system must not already have a rain and freeze sensor device installed.
- Only new, qualifying models of rain and freeze sensors will be eligible for rebate. A list of approved sensors can be found on [www.livegreeninplano.com](http://www.livegreeninplano.com) website.
- The City of Plano does not require an irrigation permit to retrofit an irrigation system for a rain and freeze sensor.

#### ***Process:***

- Resident must select, purchase, and install rain/freeze sensor from qualifying list.
- Rain/Freeze Sensor Applications are available online at [www.livegreeninplano.com](http://www.livegreeninplano.com)

- Resident must mail in rebate application, proof of purchase, and proof of installation no later than 120 days from date of purchase. If sensor is not installed by a professional irrigation contractor, resident must submit photographic proof of installation.
- Resident will send completed application to City of Plano Water Conservation Rebate Program: 4200 W. Plano Parkway, Plano, TX 75093
- The City of Plano will issue a \$50 water utility credit to resident's utility bill.
- If required documentation has not been provided or if proof of installation cannot be determined, rebate will be denied.

### **Rain Barrels**

- The City of Plano will issue a \$25 water utility credit for a rain barrel installation. Credits are limited to two installations per household.
- Resident must provide proof of purchase or proof of enrollment in Rain Barrel-making Workshop offered through City of Plano or Texas AgriLife.
- Must provide proof of installation in the form of invoice from installer or photograph of installed rain barrel at residence.
- Rain Barrel Rebate Applications are available online at [www.livegreeninplano.com](http://www.livegreeninplano.com).
- Completed applications must be received by the City of Plano within 120 days of purchase of rain barrel or within 120 days of rain barrel workshop attendance.
- If required documentation has not been provided or if proof of installation cannot be determined, rebate will be denied.
- Applications should be sent to City of Plano Water Conservation Rebate Program: 4200 W. Plano Parkway, Plano, TX 75093

**APPENDIX G  
TCEQ WATER CONSERVATION IMPLEMENTATION REPORT**

	<p><b>Texas Commission on Environmental Quality</b></p> <p><b>Water Conservation Implementation Report</b></p> <p>This report must be completed by entities that are required to submit a water conservation plan to the TCEQ in accordance with Title 30 Texas Administrative Code, Chapter 288. Please complete this report and submit it to the TCEQ. If you need assistance in completing this form, please contact the Resource Protection Team in the Water Supply Division at (512) 239-4691.</p>
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**Entity Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**Form Completed By:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**I. WATER USES**

Indicate the type(s) of water uses (example: municipal, industrial, or agricultural).

\_\_\_\_\_ Use

\_\_\_\_\_ Use

\_\_\_\_\_ Use

**II. WATER CONSERVATION MEASURES IMPLEMENTED**

Provide the water conservation measures and the dates the measures were implemented.

Description of Water Conservation Measure: \_\_\_\_\_

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

Description of Water Conservation Measure: \_\_\_\_\_

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

Description of Water Conservation Measure: \_\_\_\_\_

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

Description of Water Conservation Measure: \_\_\_\_\_

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

Description of Water Conservation Measure: \_\_\_\_\_

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

Description of Water Conservation Measure: \_\_\_\_\_

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

Description of Water Conservation Measure: \_\_\_\_\_

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

Description of Water Conservation Measure: \_\_\_\_\_

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

Description of Water Conservation Measure: \_\_\_\_\_

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

**III. TARGETS**

- A. Provide the **specific and quantified five and ten-year targets** as listed in water conservation plan for previous planning period.

5-Year Specific/Quantified Target: \_\_\_\_\_

Date to achieve target: \_\_\_\_\_

10-Year Specific/Quantified Target: \_\_\_\_\_

Date to achieve target: \_\_\_\_\_

- B. State if these targets in the water conservation plan are being met.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- C. List the **actual amount of water saved**.

\_\_\_\_\_

\_\_\_\_\_

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- D. If the targets are not being met, provide an explanation as to why, including any progress on the targets.

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**APPENDIX H**  
**ILLEGAL WATER CONNECTIONS AND THEFT OF WATER ORDINANCE**  
**Ordinance No. 62-3-3**

Sec. 21-17. Miscellaneous offenses relating to waterworks system.

It shall be unlawful for any person to do, commit or assist in committing any of the following things or acts in the city:

- (1) Opening or closing any fire hydrant, or lifting or removing any covers of any gate valves or shut-offs connected with the waterworks system of the city, without the permission of the superintendent of the water department, except in case of fire, and then under the direction of officers of the fire department. It shall be an exception however, that a property owner or occupant may access the property's water meter box for the sole purpose of turning water on or off at the city valve;
  - (2) Interfering with, destroying, defacing, impairing, injuring, or wantonly forcing open any gate or door, or in any way whatsoever destroying, injuring, or defacing any part of any engine house, reservoir, standpipe, elevated tank, building, or appurtenances, fences, trees, shrubs, or fixtures or property appertaining to the waterworks system;
  - (3) Going upon or ascending the stairway or steps of any elevated water tank or standpipe of the waterworks system, except by permission of the waterworks superintendent;
  - (4) Placing any telegraph, telephone, electric light pole, or any obstruction whatsoever within ten (10) feet of any fire hydrant;
  - (5) Resorting to any fraudulent device or arrangement for the purpose of procuring water for himself or others from private connections or premises contrary to city regulation or ordinances;
  - (6) Interfering with or injuring any reservoir, tank, fountain, hydrant, pipe, cock, valve, or other apparatus pertaining to the waterworks system, or turning on or shutting off without authority the water in any street hydrant or other water fixture, or hitching or tying any animal thereto;
  - (7) Making or permitting to be made any connection with the main or service pipe of the waterworks system or turning on or using the water of such system without first obtaining a permit therefor;
  - (8) Covering over or concealing from view any water valve box, service or meter box;
  - (9) Removing any water meter that has been placed by the city, or changing, interfering with or tampering with any water meter in any manner; this paragraph shall not apply to employees of the city, when acting in their official capacity;
  - (10) Turning on the water supply to any building or to any supply pipe where the supply has been turned off for the nonpayment of the monthly water charges or for the violation of any rule or ordinance governing the waterworks system.
- (Ord. No. 62-3-3, § 12-12-2, 3-12-62; 92-11-22, § I, 11-9-92)

Sec. 21-18. Connection--Permit.

It shall be unlawful for any person to make any connection to the mains or pipes of the waterworks system of the city unless a permit authorizing such connection has been issued by the city secretary. Application for such permit shall be filed with the city secretary. Such application shall state fully the several and various uses for which water is wanted, giving the name of the owner of the property, the number of the lot and block, the name of the street and the house number. If the application is approved, the city secretary shall issue the permit.

(Ord. No. 62-3-3, § 12-12-3, 3-12-62)

**APPENDIX I  
WATER RATE STRUCTURE**

Ordinance 2009-2-15 provides an increasing block rate structure and lists the minimum charge and base charges for all tiers for the residential and commercial/industrial water rates. The Plano water rate structure is as follows:

RESIDENTIAL Minimum Charge - Meter Size		
Meter Size	Water	Sewer
5/8 and 3/4	\$15.07	\$12.24
1 inch	\$15.07	\$12.24
1-1/2 inch	\$66.68	\$12.24
2 inch	\$.105.24	\$12.24

**RESIDENTIAL CONSUMPTION CHARGES**

WATER	
First 1,000 gallons	Included in minimum meter charge
1,001-5,000 gallons	\$0.35 per 1,000 gallons
All over 5,000 gallons	\$1.79 per 1,000 gallons
All over 20,000 gallons for water consumed April 1 through October 31 (on all meters, including separately metered irrigation use systems)	\$3.57 per 1,000 gallons

SEWER	
First 1,000 gallons	Included in minimum meter charge
All over 1,000 gallons	\$4.26 per 1,000 gallons
<b><u>Winter Quarter Averaging</u></b> - Sewer charges on residential accounts are billed based on the Winter Quarter Averages of three consecutive winter periods.	

NON-RESIDENTIAL Minimum Charge - Meter Size		
Meter Size	Water	Sewer
5/8 and 3/4	\$15.07	\$12.24
1 inch	\$34.04	\$23.88
1-1/2 inch	\$66.68	\$43.19
2 inch	\$105.24	\$66.42
3 inch	\$208.02	\$128.28
4 inch	\$323.76	\$197.84
6 inch	\$645.12	\$391.19
8 inch	\$1030.75	\$582.11
10 inch	\$1,480.79	\$893.86

#### NON-RESIDENTIAL CONSUMPTION CHARGES

Water	
First 1,000 gallons	Included in minimum meter charge
1,001-5,000 gallons	\$0.35 per 1,000 gallons
All over 5,000 gallons	\$1.79 per 1,000 gallons
<b>Separately metered irrigation use systems</b> All over 20,000 gallons Consumed April 1 thru October 31 (summer)	\$3.57 per 1,000 gallons

Sewer	
First 1,000 gallons	Included in minimum meter charge
All over 1,000 gallons	\$4.26 per 1,000 gallons

Maximum charge (cap) for Evaporative Cooling Towers (separately metered) and Commercial Swimming Pools is 12,000 gallons.

There is no sewer charge for separately metered landscape irrigation systems.

**APPENDIX J  
ADOPTION OF WATER MANAGEMENT PLAN  
Resolution No.**

(Pages 58-59 Reserved for Signed Resolution  
Adopting Water Management Plan)



**APPENDIX K**  
**DROUGHT CONTINGENCY & WATER EMERGENCY RESPONSE ORDINANCE**  
**Ordinance No. 2009-10-18**

ORDINANCE NO. 2009-10-18

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, REPEALING ORDINANCE NO. 2006-11-18 IN ITS ENTIRETY, WHICH WAS CODIFIED AS CHAPTER 21, ARTICLE II, DIVISION 4, DROUGHT CONTINGENCY PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF PLANO; ADOPTING A NEW DROUGHT CONTINGENCY PLAN TO BE CODIFIED AS CHAPTER 21, ARTICLE II, DIVISION 4 OF THE CODE OF ORDINANCES OF THE CITY OF PLANO; ESTABLISHING PROCEDURES AND CRITERIA FOR DECLARING A WATER EMERGENCY AND IMPLEMENTING AND TERMINATING DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES DURING DROUGHT RESPONSE STAGES; ESTABLISHING ADMINISTRATIVE REMEDIES AND CRIMINAL PENALTIES FOR VIOLATING THE RESTRICTIONS AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE; AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, in August, 2004, the North Texas Municipal Water District ("NTMWD") developed a model drought contingency plan in accordance with state law and has requested all member cities to adopt this plan; and

WHEREAS, a public hearing was conducted on May 22, 2006, to require input from the public on this drought ordinance plan; and

WHEREAS, on May 22, 2006, by Ordinance No. 2006-5-23, the City Council of the City of Plano adopted a Drought Contingency Plan to be implemented in the event of a water shortage, such Ordinance was codified as Division 4, Article II, Chapter 21 of the City of Plano Code of Ordinances; and

WHEREAS, NTMWD prepared a model drought contingency and water emergency response plan in March 2008, to address current Texas Commission on Environmental Quality ("TCEQ") requirements and to replace the plan dated August 2004, and revised in April 2006; and

WHEREAS, the City of Plano has reviewed the model plan and determined those elements and activities to be included in it plan;

WHEREAS, the City Council for the City of Plano, Texas ("City Council") has determined that the current drought contingency plan created by City Ordinance No. 2006-11-18 should be repealed in its entirety and replaced with this ordinance; and

**WHEREAS**, the City Council hereby finds and determines that the repeal of the previous drought contingency plan and the enactment of this drought contingency plan is in the best interest of the City of Plano and its citizens and should be adopted as set forth below.

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

**Section I.** Ordinance No. 2006-5-23 duly passed approved by the City Council of the City of Plano, Texas, on May 22, 2006, and Ordinance No. 2007-3-10 is hereby repealed in its entirety and replaced by this ordinance.

**Section II.** The Drought Contingency Plan which follows the NTMWD model and complies with the regulations and requirements of the Texas Water Code and TCEQ are hereby adopted and codified as Division 4, Drought Contingency Plan, of Article II, Water, of Chapter 21, Utilities of the Code of Ordinances of the City of Plano shall read as follows:

**“DIVISION 4: DROUGHT CONTINGENCY PLAN”**

**Sec. 21-53. Purpose and Scope**

(a) The North Texas Municipal Water District (NTMWD) supplies treated water to the City of Plano, as well as other member cities and customers. A model drought contingency plan was developed by NTMWD in accordance with the regulations and requirements of the Texas Administration Code ("TAC") and the Texas Commission on Environmental Quality ("TCEQ") and consultation with its member cities. The NTMWD model plan calls for member cities and customers to adopt similar criteria and procedures for declaring a water emergency and implementing drought or emergency response stages as used by NTMWD. Member cities and customers may also adopt more stringent drought stages than NTMWD if conditions warrant. The following ordinance is written in accordance with TAC and the NTMWD's model drought contingency plan.

(b) There is hereby established a City of Plano Drought Contingency Plan (in this division called "the Plan") to provide procedures for:

- (1) Conserving the available water supply in times of drought and emergency;
- (2) Maintaining supplies for domestic water use, sanitation, and fire protection;
- (3) Protecting and preserving public health, safety, and welfare;

- (4) Minimizing the adverse impacts of water supply shortages; and
  - (5) Minimizing the adverse impacts of emergency water supply conditions.
- (c) The plan applies to:
- (1) All persons and premises within the city using water from the city's water system ("the system");
  - (2) All wholesale contract customers; and
  - (3) All retail customers who live in unincorporated areas within the city's extraterritorial jurisdiction and are served by the system.

**Sec. 21-54. Exemption**

The governmental use of water for essential services such as police, fire, and emergency services which is necessary to preserve or protect the health, safety and welfare of the citizens of Plano are exempt from any and all restrictions or mandates set forth in the Plan.

**Sec. 21-55. Definitions**

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*'Customer'* means a person, company or other entity connected to the City's water system and contracting with the City of Plano to receive potable water service.

*'Low Flow Irrigation'* means irrigation systems using devices and components that emit water at a low volume and may be designed for specific types of plant material. These irrigation devices or components limit the amount and location of water being applied. Examples include micro-irrigation (emitters and drip tubes), irrigation (bubbler and low flow spray) heads used for watering trees, soaker hoses, etc.

*'Foundation'* means area that includes first 24" of soil from foundation slab.

*'General emergency'* means a condition in which the existing or projected water supply available to the city is not anticipated to meet the normal water requirements of metered water users. This condition may be the result of factors including, but

not limited to, natural emergency conditions (i.e., drought, etc.) and/or a failure of the city's or its supplier's water distribution systems.

*'Landscape'* means natural plant materials around buildings or on grounds (i.e., trees, shrubbery, grasses and flowers) but excludes athletic fields and high use areas.

*'Landscape beds'* means plants and shrubs that are separated from turf.

*'North Texas Municipal Water District'* or "NTMWD" refers to the North Texas Municipal Water District.

*'Plan'* refers to the City of Plano Drought Contingency Plan.

*'Person'* means owner, occupant, or person in control of the premises or a person authorized by the owner, occupant, or person in control of the premises.

*'Potable water'* means any public water supply, which has been investigated and approved by the TCEQ as satisfactory for drinking, culinary and domestic purposes.

*'Public Health and Safety'* means such amount of water as necessary to sustain human life, reasonable standards of hygiene and sanitation, and fire suppression.

*'Putting Green'* means the ground that is specially prepared for putting. The putting green is typically defined by a fine bladed grass that requires an extremely high level of maintenance to provide a smooth surface for rolling the ball when putting.

*'System'* means the City of Plano water works system and shall include, but not be limited to, all reservoirs, storage tanks, elevated tanks, pipelines, pumps, hydrants, meters, valves, connections, engines, and all other property and machinery used in connection with the City's water works system.

*'Tee Box'* means the rectangular area considered the starting place for the hole to be played. The tee box is typically defined by a grass that requires a very high level of maintenance and mowed at a low height to provide a consistent surface to begin play on the hole.

*'Athletic Fields'* means turf or play surfaces that are provided by government agencies for public or non-profit sporting activities and events. The athletic field is typically defined by a grass that requires a very high level of maintenance and mowed at a low height to provide a consistent and safe play surface.

*'High Use Areas'* means publicly owned properties that have irrigated surfaces where there is a high volume of public use and there may be a significant increase in risk and liability if surfaces are not minimally irrigated to mitigate safety hazards to users caused by lack of water.

*'Ornamental Fountains'* means water features used for aesthetic or cosmetic purposes only that must use, or be refilled with, potable water. This shall not include pond aerifiers and other water recycling devices used to mitigate stagnant conditions in lakes, ponds, or other natural bodies of water.

*'Central Controlled Irrigation Systems'* means large scale, technically advanced systems used to water large or multiple sites from a central location. This "Smart" technology can monitor and adapt system operation and irrigation run times in response to conditions in the system or surrounding areas. (weather conditions, pipe breaks, etc.) These systems may also be easily programmed to reduce flow rates or the amount of water applied to meet required reduction percentages and provide historical data or reports.

#### **Sec. 21-56. Presumption**

For purposes of enforcement of administrative remedies and criminal penalties under this ordinance, it shall be presumed that the person in actual control of the watering or irrigation devices for a premise is responsible for any violations of this ordinance. The requirement of a culpable mental state is expressly waived for any administrative or criminal penalty or remedy.

#### **Sec. 21-57. Authority to Declare Water Emergency**

(a) The City Manager or the official designee may order the implementation of a drought or water emergency response stage when one or more of the trigger conditions for that stage are met. The following actions will be taken when a drought or water emergency response stage is initiated:

- (1) The public will be notified in accordance with Sec. 21.58.
- (2) NTMWD will be notified by e-mail with a follow-up letter or fax that provides details of the reasons for initiation of the drought/water emergency response stage.
- (3) If any mandatory provisions of the drought contingency and water emergency response plan are activated, the City of Plano will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within five (5) business days.

(b) Drought contingency/water emergency response stages imposed by NTMWD action may be initiated by the City of Plano. For trigger conditions internal to the City of Plano, the City Manager or official designee may decide not to order the implementation of a drought response stage or water emergency even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for this decision should be documented.

(c) In the event of a city-wide emergency, the order shall be made by public announcement in the City within twenty-four (24) hours of implementation. In the event of an emergency of limited geographically extent, door-to-door notification shall be made by door hangers and/or in person.

**Sec. 21-58. Notification and Termination of Water Emergency**

(a) Notification of Water Emergency – The City of Plano will inform and educate the public about the drought contingency and water emergency response plan by the following means:

- (1) Preparing a bulletin describing the plan and making it available at city hall and other appropriate locations.
- (2) Making the plan available to the public through the City's Web site.
- (3) Including information about the drought contingency and water emergency response plan on the City's Web site.
- (4) Notifying local organizations, schools, and civic groups that staff are available to make presentations on the drought contingency and water emergency response section of the Water Management Plan (usually in conjunction with presentations on water conservation programs).
- (5) At any time that the drought contingency and water emergency response plan is activated or the drought stage or water emergency response stage changes, the City of Plano will notify local media of the issues, the drought response stage or water emergency response stage (if applicable), and the specific actions required of the public. The information will also be publicized on the City's Web site. Utility Bill inserts and direct mail to each utility customer will also be used as appropriate.

(b) Violations Following Notification - No criminal citation or administrative fee for violating any of the water use restrictions set forth in Drought or Emergency Response Stages 2, 3 or 4 will be issued until the notice of a water emergency or notice of

drought response stage has been published in at least one issue of a newspaper in general circulation in the City of Plano.

Sec. 21-59. Initiation and Termination of Drought or Emergency Response Stages

A drought is defined as an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources, in this case reservoirs, to be depleted. In the absence of drought response measures, water demands tend to increase during a drought due to the need for additional outdoor irrigation. The severity of a drought depends on the degree of depletion of supplies and on the relationship of demand to available supplies. The NTMWD considers a drought to end when all of its supply reservoirs refill to the conservation storage pool.

(a) Initiation of a Drought or Emergency Response Stage – The City Manager or Deputy City Manager in his absence is authorized to initiate a drought or emergency response stage when one or more of the criteria applicable to that stage are triggered.

(b) Notification to Public – The following actions will be taken to notify the public when a drought emergency response stage is initiated or raised.

- (1) The public will be notified of the implementation or amendment of a drought or emergency response stage in the manner set forth in Sec. 21-58 above;
- (2) Wholesale customers and the NTMWD will be notified by telephone with a follow-up letter, e-mail or facsimile transmission;
- (3) If any mandatory provisions of the drought or emergency response contingency plan are activated, notification will be sent to the Executive Director of the TCEQ within five (5) business days:

(c) Drought or Emergency Response Stages Imposed by NTMWD – The City Manager or his authorized designee may elect not to implement a drought or emergency response stage depending on all relevant factors. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for this decision should be documented.

(d) Termination of a Drought or Emergency Response Stage – The drought or emergency response stage shall remain in effect until the City Manager or Deputy City Manager in his absence determines that the conditions that triggered the drought response stage have been alleviated or no longer exist or lake levels established by NTMWD for termination are met.

(e) Notification of Public – The following actions will be taken to notify the public when a drought or emergency response stage is terminated or lowered:

- (1) The public will be notified of the termination or lowering of a drought or emergency response stage in the manner provided in Sec. 21-58 herein;
- (2) Wholesale customers and the NTMWD will be notified by telephone with a follow-up letter, e-mail, or facsimile transmission;
- (3) If any mandatory provisions of the drought response contingency plan are terminated, the Executive Director of the TCEQ will be notified within five (5) business days.

**Sec. 21-59.1 Initiation and Termination Conditions for Stage 1**

The NTMWD has initiated Stage 1, which may be initiated due to one or more of the following:

- (1) The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 1.
- (2) Water demand is projected to approach the limit of the permitted supply.
- (3) The storage in Lavon Lake is less than 65 percent of the total conservation pool capacity.
- (4) NTMWD's storage in Jim Chapman Lake is less than 65 percent of NTMWD's total conservation pool capacity.
- (5) The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a mild drought.
- (6) NTMWD has concern that Lake Texoma, the East Fork Raw Water Supply Project, or some other NTMWD source may be limited in availability in the next six (6) months.
- (7) NTMWD water demand exceeds 90 percent of the amount that can be delivered to customers for three (3) consecutive days.
- (8) Water demand for all or part of NTMWD's delivery system approaches delivery capacity because delivery capacity is inadequate.

- (9) NTMWD's supply source becomes contaminated.
- (10) NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- (11) Plano's water demand exceeds 90 percent of the amount that can be delivered to customers for three (3) consecutive days.
- (12) Plano's water demand for all or part of the delivery system approaches delivery capacity because delivery capacity is inadequate.
- (13) Plano's supply source becomes contaminated.
- (14) Plano's water supply system is unable to deliver water due to the failure or damage of major water system components.
- (15) Other criteria as determined by the City of Plano.

(b) Stage 1 may terminate when NTMWD terminates its Stage 1 condition or when the circumstances that caused the initiation of Stage 1 no longer prevail.

**Sec. 21-59.2 Goals for Use Reduction and Actions Available Under Stage 1**

(a) Stage 1 is intended to raise public awareness of potential drought or water emergency problems. The goal for water use reduction under Stage 1 is a **two (2) percent reduction** in the amount of water produced by NTMWD.

(b) The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary:

- (1) Request voluntary reductions in water use by the public and by wholesale customers.
- (2) Emphasize City's water conservation policy of restricting landscape and lawn irrigation from 10 AM to 6 PM beginning April 1 through October 31.
- (3) Increase public education efforts on ways to reduce water use.
- (4) Review the problems that caused the initiation of Stage 1.
- (5) Intensify efforts on leak detection and repair.
- (6) Reduce non-essential city government water use. (Examples include street cleaning, vehicle washing, operation of ornamental fountains, etc.)

- (7) Notify major water users and work with them to achieve voluntary water use reductions.
- (8) Reduce city government irrigation water use to meet or exceed reduction goal for the stage.
- (9) Prohibit watering areas that have been overseeded with cool season grasses (such as rye grass or other similar grasses) except for golf courses, athletic fields, erosion protection, public use areas related to public safety, and for locations using on-site well water or properly permitted on-site creek withdrawals.
- (10) Increase notification and enforcement measures to prohibit use of poorly maintained irrigation systems and correct fugitive water issues.

**Sec. 21-59.3 Initiation and Termination Conditions for Stage 2**

(a) The NTMWD has initiated Stage 2, which may be initiated due to one or more of the following:

- (1) The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 2.
- (2) Water demand is projected to approach the limit of the permitted supply.
- (3) The storage in Lavon Lake is less than 55 percent of the total conservation pool capacity.
- (4) NTMWD's storage in Jim Chapman Lake is less than 55 percent of NTMWD's total conservation pool capacity.
- (5) NTMWD has concern that Lake Texoma, the East Fork Raw Water Supply Project, or some other NTMWD source may be limited in availability in the next 3 months.
- (6) NTMWD water demand exceeds 95 percent of the amount that can be delivered to customers for three consecutive days.
- (7) NTMWD water demand for all or part of the delivery system equals delivery capacity because delivery capacity is inadequate.
- (8) NTMWD's supply source becomes contaminated.

- (9) NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- (10) Plano's water demand exceeds 95 percent of the amount that can be delivered to customers for three consecutive days.
- (11) Plano's water demand for all or part of the delivery system equals delivery capacity because delivery capacity is inadequate.
- (12) Plano's supply source becomes contaminated.
- (13) Plano's water supply system is unable to deliver water due to the failure or damage of major water system components.
- (14) Other criteria as determined by the City of Plano.

(b) Stage 2 may terminate when NTMWD terminates its Stage 2 condition or when the circumstances that caused the initiation of Stage 2 no longer prevail.

**Sec. 21-59.4 Goals for Use Reduction and Actions Available Under Stage 2**

(a) The goal for water use reduction under Stage 2 is a **five (5) percent reduction** in the amount of water produced by NTMWD. If circumstances warrant or if required by NTMWD, the City Manager or official designee can set a goal for greater water use reduction.

(b) The City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary.

- (1) Continue or initiate any actions available under Stage 1.
- (2) Notify wholesale customers of actions being taken and request them to implement similar procedures.
- (3) Initiate engineering studies to evaluate alternatives should conditions worsen.
- (4) Further accelerate public education efforts on ways to reduce water use.
- (5) Further reduce non-essential city government water use. (Examples include street cleaning, vehicle washing, operation of ornamental fountains, etc.)

- (6) Encourage the public to wait until the current drought or emergency situation has passed before establishing new landscaping.
- (7) Prohibit the use of treated water to fill or refill residential, amenity, and any other natural or manmade ponds. A pond is considered to be a still body of water with a surface area of five hundred (500) square feet or more.

(c) The following measures impose mandatory requirements on customers. **The City of Plano must notify TCEQ and NTMWD within five (5) business days if these measures are implemented.**

- (1) Limit landscape watering with sprinklers or irrigation systems to no more than two (2) days per week. Exceptions are as follows:
  - (i) The exemption for new sodded grass areas shall not exceed thirty (30) consecutive days from the Certificate of Occupancy date, Temporary Certificate of Occupancy date, or Certificate of Completion date for new home or building construction and shall not exceed forty-five (45) consecutive days from the time of placement of newly seeded, hydro seeded, hydro mulched, or sprigged areas in open space, common areas, or right-of-ways. This exemption shall also apply to turf renovation at athletic fields and high use areas. This exemption does not waive the requirement for compliance with other water use restrictions in the Plan. Should an exemption need to extend past these time periods, the property owner must request a variance under Sec. 21-60.2.
  - (ii) Locations using on-site well water or properly permitted creek withdrawals.
  - (iii) Registered and properly functioning central controlled irrigation system and low flow irrigation systems. Government agencies watering athletic fields, high use areas, or any other public grounds that are heavily used by the public during evening or morning hours are exempt from this watering schedule; however, public irrigation systems will be programmed to meet overall water use reduction goals of the stage. Running government irrigation systems for maintenance, testing, and calibration purposes at any time is also exempt; provided there is a maintenance technician on-site while the system is running.
- (2) Landscape watering shall comply with the following mandatory watering schedule. Watering shall take place on the days indicated based upon the location of the service address as indicated on the Watering Zone Map attached hereto as "Exhibit A."

Zone	Morning Watering Time 2:00 AM to 9:59 AM	Evening Watering Time 6:01 PM to 10:00 PM
1	Monday	Thursday
2	Friday	Tuesday
3	Saturday	Wednesday
4	Thursday	Monday
5	Tuesday	Friday
6	Wednesday	Saturday

**Note:** Landscape watering will be enforced as follows:

**2:00 a.m. to 9:59 a.m. on assigned day watering is allowed;**  
**10:00 a.m. to 5:59 p.m. – watering is not allowed;**  
**6:00 p.m. to 9:59 p.m. on assigned day watering is allowed;**  
**10:00 p.m. to 1:59 a.m. – watering is not allowed.**

**Except as otherwise provided herein, landscape watering is prohibited on Sunday.**

- (3) Prohibit planting of cool season grasses (such as rye grass or other similar grasses) that intensify cool season water requirements.

**Sec. 21-59.5 Initiation and Termination Conditions for Stage 3**

(a) The NTMWD has initiated Stage 3, which may be initiated due to one or more of the following:

- (1) The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 3.
- (2) Water demand is projected to approach or exceed the limit of the permitted supply.
- (3) The storage in Lavon Lake is less than forty-five (45) percent of the total conservation pool capacity.
- (4) NTMWD’s storage in Jim Chapman Lake is less than forty-five (45) percent of NTMWD’s total conservation pool capacity.
- (5) The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a Moderate drought. (Measures required by SRA under a

Moderate drought designation are similar to those under NTMWD's Stage 3).

- (6) The supply from Lake Texoma, the East Fork Raw Water Supply Project, or some other NTMWD source has become limited in availability.
- (7) NTMWD water demand exceeds ninety-eight (98) percent of the amount that can be delivered to customers for three (3) consecutive days.
- (8) NTMWD water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- (9) NTMWD's supply source becomes contaminated.
- (10) NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- (11) Plano's water demand exceeds ninety-eight (98) percent of the amount that can be delivered to customers for three (3) consecutive days.
- (12) Plano's water demand for all or part of the delivery system exceeds delivery capacity because delivery capacity is inadequate.
- (13) Plano's supply source becomes contaminated.
- (14) Plano's water supply system is unable to deliver water due to the failure or damage of major water system components.
- (15) Other criteria as determined by the City of Plano.

(b) Stage 3 may terminate when NTMWD terminates its Stage 3 condition or when the circumstances that caused the initiation of Stage 3 no longer prevail.

#### **Sec. 21-59.6 Goals for Use Reduction and Actions Available Under Stage 3**

(a) The goal for water use reduction under Stage 3 is a **ten (10) percent reduction** in the amount of water obtained from NTMWD. If circumstances warrant or if required by NTMWD, the City Manager or official designee can set a goal for a greater water use reduction.

(b) The City Manager or official designee must implement any action(s) required by NTMWD. In addition, the City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary.

- (1) Continue or initiate any actions available under Stages 1 and 2.
- (2) Notify wholesale customers of actions being taken and request them to implement similar procedures.
- (3) Implement viable alternative water supply strategies.

(c) The following measures impose mandatory requirements on customers. **The City of Plano must notify TCEQ and NTMWD within five (5) business days if these measures are implemented.**

- (1) Initiate mandatory water use restrictions as follows:
  - (i) Prohibit hosing of paved areas, buildings, or windows., (Pressure washing of impervious surfaces is allowed) except for outdoor public restrooms, pavilions and shelters, where public health, safety, and welfare may be compromised by unsanitary conditions if the facilities cannot be cleaned.
  - (ii) Prohibit operation of all ornamental fountains or other amenity impoundments to the extent they use treated water.
  - (iii) Prohibit washing or rinsing of vehicles by hose except with a hose end cutoff nozzle.
- (2) Limit landscape watering with sprinklers or irrigation systems at each service address to **once every seven (7) days**. Landscape watering shall comply with the following mandatory watering schedule. Watering shall take place on the day indicated based upon the location of the service address as indicated on the Watering Zone Map attached hereto as "Exhibit B."

Zone	Collection Day
1	Monday
2	Tuesday
3	Wednesday
4	Thursday
5	Friday
6	Saturday

All customers, residential and commercial, will be allowed to water as delineated by zones. Exceptions are as follows:

- (i) Foundations, new landscaping, new plantings (first year) of shrubs and trees may be watered within a ten (10) foot radius of their trunk for up to two (2) hours on any day by a hand-

- held hose, a soaker hose, or a dedicated zone using a low flow irrigation system.
- (ii) Prohibit watering of golf courses using treated water, except as needed to keep greens and tee boxes alive.
  - (iii) Government agencies watering athletic fields, high use areas, or any other public grounds that are heavily used by the public during evening or morning hours are exempt from this watering schedule; however, public irrigation systems will be programmed to meet overall water use reduction goals of the stage, and comply with watering schedules where feasible. Running government irrigation systems for maintenance, testing, and calibration purposes at any time is also exempt; provided there is a maintenance technician on-site while the system is running.
  - (iv) Locations using other sources of water supply for irrigation may irrigate without restrictions.
  - (v) Low flow irrigation systems may irrigate without restrictions.
- (3) Limit landscape watering with sprinklers or irrigation systems between November 1 and March 31 to once every two weeks. An exception is allowed for landscape associated with new construction as noted in (2)(i) above.
  - (4) Prohibit hydro seeding, hydro mulching, and sprigging.
  - (5) Existing swimming pools may not be drained and refilled (except to replace normal water loss).
  - (6) Consider a rate surcharge as requested by NTMWD.
  - (7) Initiate a rate surcharge for all water use over a certain level.
  - (8) If NTMWD has imposed a reduction in water available to Member Cities and Customers, impose the same percent reduction on wholesale customers.

**Sec. 21-59.7 Initiation and Termination Conditions for Stage 4**

(a) The NTMWD has initiated Stage 4, which may be initiated due to one or more of the following:

- (1) The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 4.

- (2) Water demand is projected to approach or exceed the limit of the permitted supply.
- (3) The storage in Lavon Lake is less than thirty-five (35) percent of the total conservation pool capacity.
- (4) NTMWD's storage in Jim Chapman Lake is less than thirty-five (35) percent of NTMWD's total conservation pool capacity.
- (5) The Sabine River Authority has indicated that its Upper Basin water supplies used by NTMWD (Lake Tawakoni and/or Lake Fork) are in a severe drought or Emergency.
- (6) The supply from Lake Texoma, the East Fork Raw Water Supply Project, or some other NTMWD source has become severely limited in availability.
- (7) NTMWD water demand exceeds the amount that can be delivered to customers.
- (8) NTMWD water demand for all or part of the delivery system seriously exceeds delivery capacity because the delivery capacity is inadequate.
- (9) NTMWD's supply source becomes contaminated.
- (10) NTMWD's water supply system is unable to deliver water due to the failure or damage of major water system components.
- (11) Plano's water demand exceeds the amount that can be delivered to customers.
- (12) Plano's water demand for all or part of the delivery system seriously exceeds delivery capacity because the delivery capacity is inadequate.
- (13) Plano's supply source becomes contaminated.
- (14) Plano's water supply system is unable to deliver water due to the failure or damage of major water system components.
- (15) Plano is unable to recover water storage of one hundred (100) percent in all storage facilities within a twenty-four (24) hour period.
- (16) Plano's individual plan may be implemented if other criteria dictate.

(b) Stage 4 may terminate when NTMWD terminates its Stage 4 condition or when the circumstances that caused the initiation of Stage 4 no longer prevail.

**Sec. 21-59.8 Goals for Use Reduction and Actions Available Under Stage 4**

(a) The goal for water use reduction under Stage 4 is a **reduction of whatever amount is necessary** in the amount of water obtained from NTMWD. If circumstances warrant or if required by NTMWD, the City Manager or official designee can set a goal for a greater water use reduction.

(b) The City Manager or official designee must implement any action(s) required by NTMWD. In addition, the City Manager or official designee may order the implementation of any of the actions listed below, as deemed necessary.

- (1) Continue or initiate any actions available under Stages 1, 2, and 3.
- (2) Notify wholesale customers of actions being taken and require them to implement similar procedures.
- (3) Implement viable alternative water supply strategies.

(c) The following measures impose mandatory requirements on customers. **The City of Plano must notify TCEQ and NTMWD within five (5) business days if these measures are implemented.**

- (1) Prohibit the irrigation of new landscaping using treated water.
- (2) Prohibit washing of vehicles except as necessary for health, sanitation, or safety reasons.
- (3) Prohibit commercial and residential landscape watering, except that foundations and trees (within a ten foot radius of their trunk) may be watered for two (2) hours on any day with a hand-held hose, a soaker hose, or a dedicated zone using a low flow irrigation system. Central controlled irrigation systems and low flow irrigation systems are **not** exempt from this requirement. Water may not be trucked or otherwise transported into the City for irrigation purposes.
- (4) Prohibit the permitting of private pools. Pools already permitted may be completed and filled with water. Existing private and public pools may add water to maintain pool levels but may not be drained and refilled.
- (5) Require all commercial water users to reduce water use by a percentage established by the City Manager or official designee.
- (6) If NTMWD has imposed a reduction in water available to Member Cities and Customers, impose the same percent reduction on wholesale customers.

**Sec. 21-60. Procedures for Granting Variances to the Plan**

(a) The City Manager or official designee may grant temporary variances for existing water uses otherwise prohibited under this drought contingency and water emergency response plan if one or more of the following conditions are met:

- (1) Failure to grant such a variance would cause an emergency condition adversely affecting health, sanitation, or fire safety for the public or the person or entity requesting the variance.
- (2) Compliance with this plan cannot be accomplished due to technical or other limitations.
- (3) Alternative methods that achieve the same level of reduction in water use can be implemented.

(b) Variances shall be granted or denied at the discretion of the City Manager or official designee. All petitions for variances should be in writing and addressed to the Director of Public Works and Engineering. All petitions should include the following information:

- (1) Name and address of the petitioners
- (2) Purpose of water use
- (3) Specific provisions from which relief is requested
- (4) Detailed statement of the adverse effect of the provision from which relief is requested
- (5) Description of the relief requested
- (6) Period of time for which the variance is sought
- (7) Alternative measures that will be taken to reduce water use
- (8) Other pertinent information.

(c) Variances are considered temporary and must be submitted for reconsideration should the Drought and Emergency Response Stage elevate from the stage in which the temporary variance was approved to any higher stage of response.

**Sec. 21-61. Criminal Penalty**

Any person, firm or corporation who violates any term or provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. These criminal penalties may be imposed in addition to any Administrative or Civil Remedy listed herein. Each day a violation continues shall constitute a separate offense. The requirement of a culpable mental state is expressly waived for criminal prosecution purposes.

**Sec. 21-62. Administrative Remedies for Violations**

The following administrative remedies are available to the City in cases of noncompliance with the provisions of this ordinance. These administrative remedies may be assessed in addition to any criminal penalty assessed for a violation of this ordinance. Each day a violation continues shall constitute a separate violation for purposes of assessing administrative remedies. The requirement of a culpable mental state is expressly waived for administrative remedies.

In the event that any person violates the provisions of this ordinance, the Director of Public Works & Engineering or his designee, shall give notice to such person setting forth the evidence of noncompliance with the restrictions outlined in stages 2, 3 and 4.

**(a) In-Ground Irrigation Systems Violations****(1) Notification of Violation**

- (i) Placement of a notice flag on the premises to advise the person his double check device has been turned off and locked; and
- (ii) The City will install a locking device on the person's double check valve to the irrigation system; and
- (iii) Notice to be sent by letter delivered by United States Postal Service addressed to the person as recorded in the city's customer and utility billing records notifying that the irrigation system has been turned off and locked. The letter shall advise the person of the assessment of administrative remedies and fees. The letter shall advise the person the procedures for payment of the administrative fees and the procedure for requesting a hearing to contest the assessment of the administrative remedies.

**(2) Remedy**

- (i) The administrative penalty is one hundred fifty dollars (\$150) per occurrence when paid at Customer and Utility Services.

**(b) Violations for Systems Without Double-Check Valves or In-Ground Irrigation Systems****(1) Violation Notification**

- (i) Placement of a notice flag on the premises to advise the person he was in violation of watering restrictions.

- (ii) Notice shall be sent by letter delivered by United States Postal Service addressed to the person as recorded in the city's customer and utility billing records notifying the person of the violation. The letter shall advise the person of the assessment of administrative fees. The letter shall advise the person the procedures for payment of the administrative fees and the procedure for requesting a hearing to contest the assessment of the administrative remedies.

(2) Remedy

- (i) The administrative penalty is one hundred fifty dollars (\$ 150.00) per occurrence when paid at Customer & Utility Services.

(c) Procedures for Paying Administrative Penalties or Requesting a Hearing on the Fees

- (1) Personal appearance by the person listed on the city's Customer & Utility Services billing records is required to re-establish service to the irrigation system. The person's government issued photo identification must be provided at time of payment or upon request for a hearing.
- (2) A person may request a hearing to protest the assessment of any administrative penalty. To request a hearing, the owner must make the request in person to the City of Plano Public Works Department within fifteen (15) business days from the date on the written notice of violation.
- (3) The Public Works Operations Manager or his designee shall conduct the hearing. The Manager shall evaluate all information offered by the petitioner at the hearing. The person making the request for a hearing shall bear the burden of proof to show why, by a preponderance of the evidence, the administrative remedy should not be assessed. The Manager will provide a decision at the time of the hearing or within three (3) business days following the conclusion of the hearing.
- (4) Payment of any penalty assessed at the hearing must be made within seven (7) business days of the decision from the hearing. Any penalty not paid within this time limit shall be added to the person's next water billing cycle;

- (5) A person may appeal the decision from the hearing to the office of the Director of Public Works & Engineering or his designee. The Director or his designee shall hear the appeal;
  - (6) The request for an appeal must be filed in writing with the office of the Director of Public Works & Engineering within three (3) business days from the notice being given by the Manager.
  - (7) The Director or his designee shall render a decision at the time of the appeal or within three (3) business days from the conclusion of the appeal.
  - (8) A person may elect to pay the administrative penalty without requesting a hearing. Any penalty not paid within fifteen (15) business days from the date on the written notice shall be added to the person's next water billing cycle.
  - (9) Unpaid penalties related to the Drought Contingency Plan can result in the termination of the domestic water services in accordance with City of Plano Code Chapter 21, Article IV, Service Charges Generally, Section 21-131(d) and the established policies and procedures of the Customer and Utility Services Department.
- (d) Re-establishment of service to double checks that have been locked-off.
- (1) The administrative penalty is to be paid at City of Plano Customer & Utility Services. The locking device will be removed within three (3) working days after notice of payment is received from Customer & Utility Services.
  - (2) Request for same day service to unlock double check will require an additional fee of forty dollars (\$40) to be paid in advance at Customer & Utility Services.
- (e) It shall be unlawful for a person to remove through the use of any means or otherwise cause damage to a lock that has been placed on a backflow prevention device by the director or his designee pursuant to this section.
- (f) *Administrative remedy for customers outside city.* The Director of Public Works & Engineering shall advise wholesale water customers outside the city limits receiving water service from the city of actions taken under the plan by telephone and/or by letter. Noncompliance with any requirement in any stage may result in termination of service and removal of meter. Prior to such termination, the wholesale water customer shall be given notice of the city's intent to terminate service and shall have five (5)

business days from the mailing of such notice to appeal the decision to the Director. Notice shall be sufficient if sent by certified mail to the last known address of the customer. If service is terminated, customer shall be liable for all costs of reinstallation. Termination of service to a wholesale water customer under this provision is subject also to the terms of any written contract between the city and the customer.”

**Section III.** All wholesale water contracts entered into or renewed after adoption of this ordinance, including contract extensions, shall include a provision that requires all wholesale water customers of the City to comply with the provisions of this ordinance.

**Section IV.** This plan shall be coordinated with the Region C Water Planning Group and with North Texas Municipal Water District, as required by TCEQ, to insure consistency with the appropriate approved regional water plan.

**Section V.** All provisions of the ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed upon the effective date of this Ordinance, and all other provisions of the ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section VI.** It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

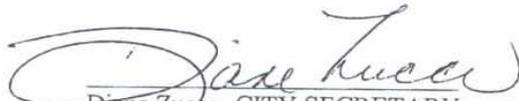
**Section VII.** The repeal of any ordinance or part of any ordinance effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as affecting any rights of the municipality under any section or provision of any ordinance at the time of passage this Ordinance.

**Section VIII.** This Ordinance shall become effective from and after its passage and publication as required by law.

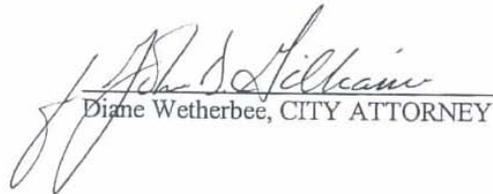
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, on this the 26th day of October, 2009.

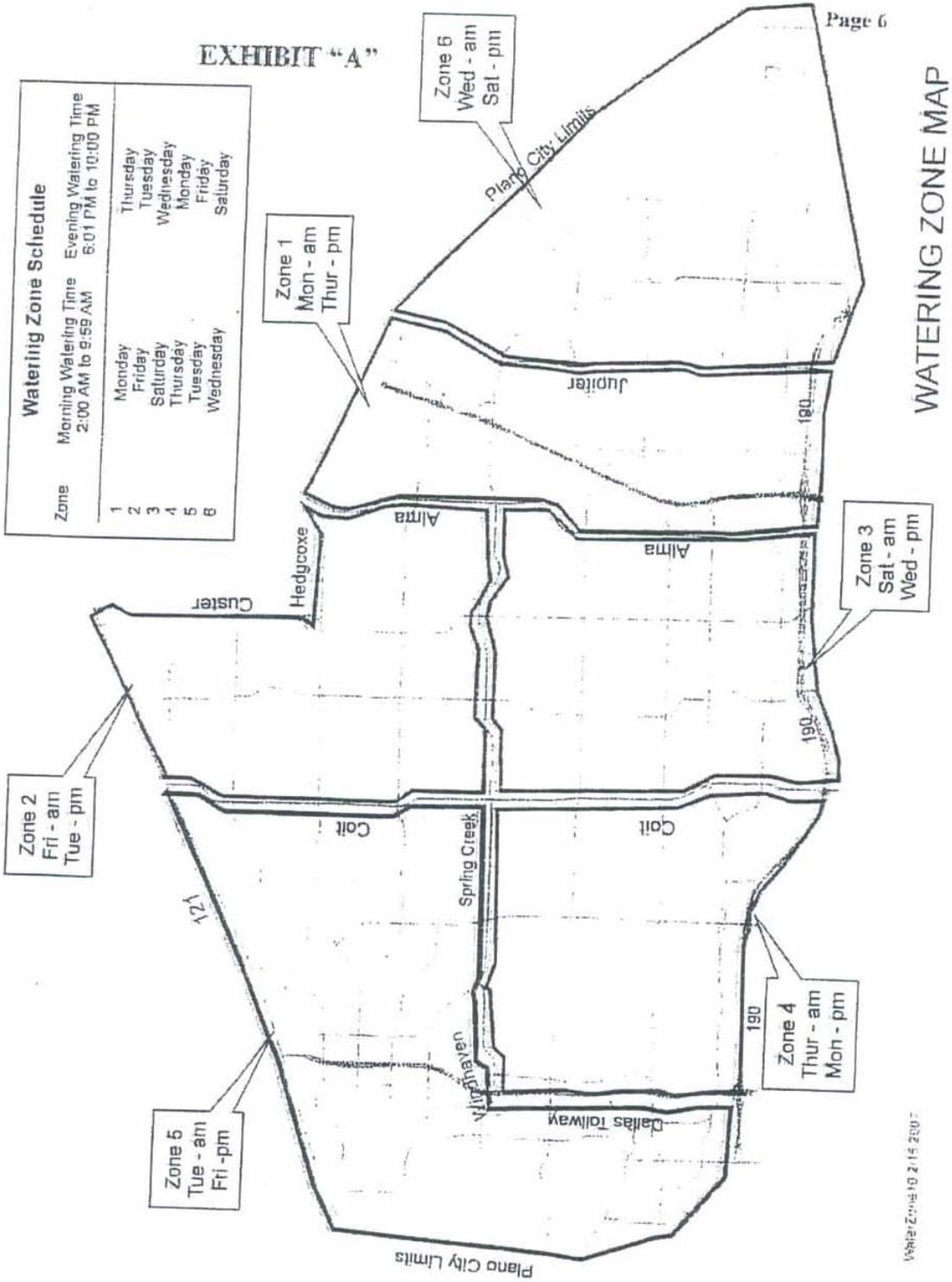
  
Phil Dyer, MAYOR

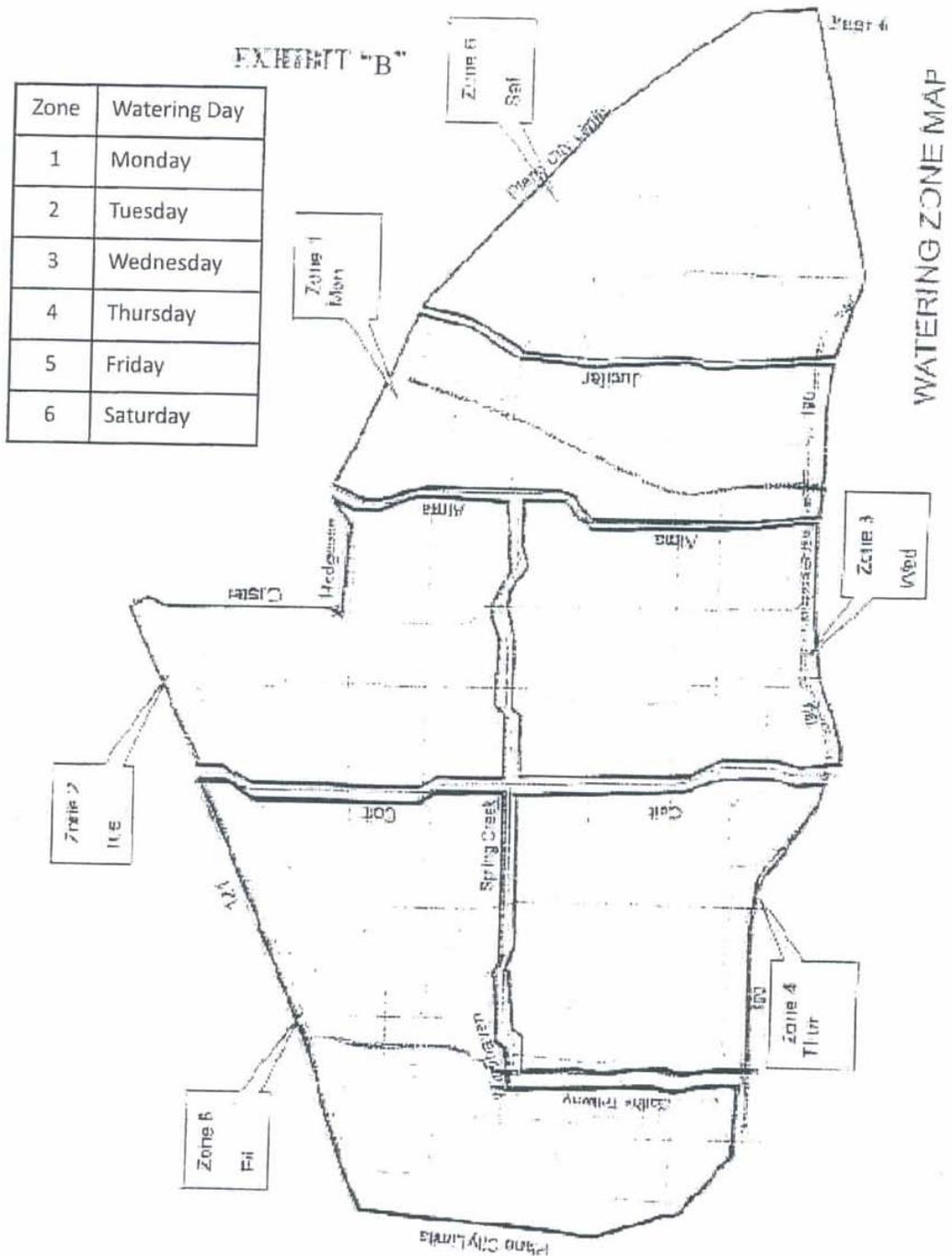
ATTESTED TO:

  
Diane Zuoco, CITY SECRETARY

APPROVED AS TO FORM:

  
Diane Wetherbee, CITY ATTORNEY





**APPENDIX L  
PLUMBING CODE ORDINANCE  
Ordinance No. 2008-12-4**

ORDINANCE NO. 2008-12-4

AN ORDINANCE OF THE CITY OF PLANO AMENDING CHAPTER SIX, BUILDING AND BUILDING REGULATIONS, WITH THE ADDITION OF ARTICLE XIII, IRRIGATION SYSTEMS, TO ESTABLISH THE MINIMUM STANDARDS FOR INSTALLATION OF IRRIGATION SYSTEMS WITHIN THE CITY LIMITS OF THE CITY; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Plano has determined that water conservation and environmental protection are important issues and concerns affecting the city; and,

WHEREAS, properly-installed irrigation systems will conserve water, help avoid wasteful use, and improve the overall quality of life for the citizens of Plano; and

WHEREAS, during the 2007 legislative session, the Texas Legislature adopted House Bill 1656; and

WHEREAS, House Bill 1656 amended Chapter 401 of the Texas Local Government Code to require a city with a population of over 20,000 or more to regulate the installation of irrigation systems within the corporate limits of the city and

WHEREAS, the provisions herein are necessary to promote and protect the health, safety, and welfare of the public by creating an urban environment that is protective of the city's water supply and provides an enhanced quality of life for the citizens of the City of Plano.

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

**Section I. Article XIII, Irrigation Systems of Chapter Six of the Code of Ordinances is hereby adopted and shall read in its entirety as follows:**

**ARTICLE XIII IRRIGATION SYSTEMS**

**Sec. 6-561 Definitions**

The following words and terms have the following meanings, unless the context clearly indicates otherwise.

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- (1) **Air gap separation (AG)**--A complete physical separation between the free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel.
- (2) **Atmospheric Vacuum Breaker (AVB)**—An assembly containing a float check, a check seat, and an air inlet port. Atmospheric Vacuum Breakers shall not be subjected to back pressure situations.
- (3) **Auxiliary Water Supply**- Any water supply other than the City of Plano's approved public water supply, including water from another public water supply or from a natural source including, but not limited to, wells, cisterns, springs, rivers, streams, used waters, or industrial fluids.
- (4) **Backflow prevention**--The mechanical prevention of reverse flow, or back siphonage, of nonpotable water from an irrigation system into the potable water source.
- (5) **Backflow prevention assembly**—An assembly which, when properly installed between the City water supply system and the terminus or point of ultimate use will prevent backflow. Examples of such include, but are not limited to, reduced pressure backflow assemblies, double check valve assemblies, pressure vacuum breakers, and air gap separation.
- (6) **City**- The City of Plano, Texas and its duly authorized representatives.
- (7) **Commission** – The Commission on Environmental Quality.
- (8) **Completion of irrigation system installation**--When the landscape irrigation system has been installed, all minimum standards met, all tests performed, and the irrigator is satisfied that the system is operating correctly.
- (9) **Consulting**--The act of providing advice, guidance, review or recommendations related to landscape irrigation systems.
- (10) **Cross-connection**—A physical connection between a public water system and either another supply of unknown or questionable quality, any source which may contain contaminating or polluting substances, or any source of water treated to a lesser degree than approved or auxiliary water supply source in the treatment process.
- (11) **Design**--The act of determining the various elements of a landscape irrigation system that will include, but not be limited to, elements such as collecting site specific information, defining the scope of the project, defining plant watering needs, selecting and laying out emission devices, locating system components, conducting hydraulics calculations, identifying any local

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regulatory requirements, or scheduling irrigation work at a site. Completion of the various components will result in an irrigation plan.

(12) **Design pressure**--The pressure that is required for an emission device to operate properly. Design pressure is calculated by adding the operating pressure necessary at an emission device to the total of all pressure losses accumulated from an emission device to the water source.

(13) **Double Check Valve (DC)**—An assembly composed of two independently acting, approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient-seated test cocks.

(14) **Emission device**--Any device that is contained within an irrigation system and that is used to apply water. Common emission devices in an irrigation system include, but are not limited to, spray and rotary sprinkler heads, and drip irrigation emitters.

(15) **Employed**--Engaged or hired to provide consulting services or perform any activity relating to the sale, design, installation, maintenance, alteration, repair, or service to irrigation systems. A person is employed if that person is in an employer-employee relationship as defined by Internal Revenue Code, 26 United States Code Service, §3212(d) based on the behavioral control, financial control, and the type of relationship involved in performing employment related tasks.

(16) **Head-to-head spacing**--The spacing of spray or rotary heads equal to the manufacturers published radius of the head.

(17) **Health hazard**—A cross connection, potential cross connection, or other situation involving any substance that could cause death, illness, spread of disease, or has a high probability of causing such effects if introduced into the potable drinking water supply.

(18) **Hydraulics**--The science of dynamic and static water; the mathematical computation of determining pressure losses and pressure requirements of an irrigation system.

(19) **Inspector**--A licensed plumbing inspector, water district operator, other governmental entity, or irrigation inspector who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor.

(20) **Installer**--A person who actually connects an irrigation system to a private or public raw or potable water supply system or any water supply, who is licensed according to Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

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(21) **Irrigation inspector**--A person who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor and is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(22) **Irrigation plan**--A scaled drawing of a landscape irrigation system which lists required information, the scope of the project, and represents the changes made in the installation of the irrigation system.

(23) **Irrigation services**--Selling, designing, installing, maintaining, altering, repairing, servicing, permitting, providing consulting services regarding, or connecting an irrigation system to a water supply.

(24) **Irrigation system**--An assembly of component parts that is permanently installed for the controlled distribution and conservation of water to irrigate any type of landscape vegetation in any location, and/or to reduce dust or control erosion. This term does not include a system that is used on or by an agricultural operation as defined by Texas Agricultural Code, §251.002.

(25) **Irrigation technician**--A person who works under the supervision of a licensed irrigator to install, maintain, alter, repair, service or supervise installation of an irrigation system, including the connection of such system in or to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations).

(26) **Irrigation zone**--A subdivision of an irrigation system with a matched precipitation rate based on plant material type (such as turf, shrubs, or trees), microclimate factors (such as sun/shade ratio), topographic features (such as slope) and soil conditions (such as sand, loam, clay, or combination) or for hydrological control.

(27) **Irrigator**--A person who sells, designs, offers consultations regarding, installs, maintains, alters, repairs, services or supervises the installation of an irrigation system, including the connection of such system to a private or public, raw or potable water supply system or any water supply, and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30.

(28) **Irrigator-in-Charge**--The irrigator responsible for all irrigation work performed by an exempt business owner, including, but not limited to obtaining permits, developing design plans, supervising the work of other irrigators or irrigation technicians, and installing, selling, maintaining, altering, repairing, or servicing a landscape irrigation system.

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(29) **Landscape irrigation**--The science of applying the necessary amount of water to promote or sustain healthy growth of plant material or turf.

(30) **License**--An occupational license that is issued by the commission under Title 30, Texas Administrative Code, Chapter 30 to an individual that authorizes the individual to engage in an activity that is covered by Title 30, Texas Administrative Code, Chapter 30.

(31) **Mainline**--A pipe within an irrigation system that delivers water from the water source to the individual zone valves.

(32) **Maintenance checklist**--A document made available to the irrigation system's owner or owner's representative that contains information regarding the operation and maintenance of the irrigation system, including, but not limited to: checking and repairing the irrigation system, setting the automatic controller, checking the rain or moisture sensor, cleaning filters, pruning grass and plants away from irrigation emitters, using and operating the irrigation system, the precipitation rates of each irrigation zone within the system, any water conservation measures currently in effect from the water purveyor, the name of the water purveyor, a suggested seasonal or monthly watering schedule based on current evapotranspiration data for the geographic region, and the minimum water requirements for the plant material in each zone based on the soil type and plant material where the system is installed.

(33) **Major maintenance, alteration, repair, or service**--Any activity that involves opening to the atmosphere the irrigation main line at any point prior to the discharge side of any irrigation zone control valve. This includes, but is not limited to, repairing or connecting into a main supply pipe, replacing a zone control valve, or repairing a zone control valve in a manner that opens the system to the atmosphere.

(34) **Master valve**--A remote control valve located after the backflow prevention device that controls the flow of water to the irrigation system mainline.

(35) **Matched precipitation rate**--The condition in which all sprinkler heads within an irrigation zone apply water at the same rate.

(36) **New installation**--An irrigation system installed at a location where one did not previously exist.

(37) **Non-health hazard**--A cross-connection or potential cross connection involving any substance that generally would not be a health hazard but would constitute a nuisance, or be aesthetically objectionable, if introduced into the potable water supply.

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(38) **Non-potable water**—A water supply, which has not been approved, for human consumption by the commission.

(39) **Pass-through contract**--A written contract between a contractor or builder and a licensed irrigator or exempt business owner to perform part or all of the irrigation services relating to an irrigation system.

(40) **Potable water**—Any public water supply which has been investigated and approved by the commission as satisfactory for drinking, culinary and domestic purposes.

(41) **Pressure Vacuum Breaker**—An assembly which contains an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve, with properly located resilient-seated test cocks and tightly closing resilient-seated shutoff valves attached at each end of the assembly. Pressure vacuum breakers shall not be subjected to back pressure situations.

(42) **Reclaimed water**--Domestic or municipal wastewater which has been treated to a quality suitable for beneficial use, such as landscape irrigation.

(43) **Records of landscape irrigation activities**—The irrigation plans, contracts, warranty information, invoices, copies of permits, and other documents that relate to the installation, maintenance, alteration, repair, or service of a landscape irrigation system.

(44) **Reduced Pressure Principle Backflow Prevention Assembly (RP)** – an assembly containing two independently acting approved check vales together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The unit includes properly located resilient-seated test cocks and two tightly-closing resilient seated shutoff valves at each end of the assembly.

(45) **Static water pressure**--The pressure of water when it is not moving.

(46) **Supervision**--The on-the-job oversight and direction by a licensed irrigator who is fulfilling his or her professional responsibility to the client and/or employer in compliance with local or state requirements. Also a licensed installer working under the direction of a licensed irrigator or beginning January 1, 2009, an irrigation technician who is working under the direction of a licensed irrigator to install, maintain, alter, repair or service an irrigation system.

(47) **Water conservation**--The design, installation, service, and operation of an irrigation system in a manner that prevents the waste of water, promotes the most efficient use of water, and

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applies the least amount of water that is required to maintain healthy individual plant material or turf, reduce dust, and control erosion.

(48) **Zone flow**--A measurement, in gallons per minute or gallons per hour, of the actual flow of water through a zone valve, calculated by individually opening each zone valve and obtaining a valid reading after the pressure has stabilized. For design purposes, the zone flow is the total flow of all nozzles in the zone at a specific pressure.

(49) **Zone valve**--An automatic valve that controls a single zone of a landscape irrigation system.

**Sec. 6-562 Valid License Required**

Any person who connects an irrigation system to the water supply within the city must hold a valid irrigation license, as defined by Chapter 30, Title 30 of the Texas Administrative Code and required by Chapter 1903 of the Texas Occupations Code, or a Texas State Plumbing License.

*Exception*

A property owner is not required to be licensed in accordance with Texas Occupations Code, Title 12, §1903.002(c)(1) if he or she is performing irrigation work in a building or on a premises owned or occupied by the person as the person's home. A home or property owner who installs an irrigation system must meet the standards contained in Title 30, Texas Administrative Code, Chapter 344 regarding spacing, water pressure, spraying water over impervious materials, rain or moisture shut-off devices or other technology, backflow and isolation valves. The city may, at any point, adopt more stringent requirements for a home or property owner who installs an irrigation system (see Texas Occupation Code § 1903.002 for other exemptions to the licensing requirement)

**Sec. 6-563 Permit Required**

It shall be unlawful for any person to install or cause to be installed, or to permit any person to install an irrigation system, or to make any alterations, additions or changes to an irrigation system, without first having procured a permit to do so from the building official. Any plan approved for a permit must be in compliance with the requirements of this chapter.

*Exemptions:*

1. *An irrigation system that is an on-site sewage disposal system, as defined by Section 355.002 Health and Safety Code; or*
2. *An irrigation system used on or by an agricultural operation as defined by Section 251.002, Agriculture Code; or*

3. *An irrigation system connected to a groundwater well used by the property owner for domestic use.*

**Sec. 6-564 Backflow Prevention Methods and Devices**

(a) Any irrigation system that is connected to the potable water supply must be connected through a backflow prevention method approved by the Texas Commission on Environmental Quality (TCEQ). The backflow prevention device must be approved by the American Society of Sanitary Engineers; or the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California; or any other laboratory that has equivalent capabilities for both the laboratory and field evaluation of backflow prevention assemblies. The backflow prevention device must be installed in accordance with the laboratory approval standards or if the approval does not include specific installation information, the manufacturer's current published recommendations.

(b) If conditions that present a health hazard exist, one of the following methods must be used to prevent backflow:

- (1) An air gap may be used if:
  - (A) there is an unobstructed physical separation; and
  - (B) the distance from the lowest point of the water supply outlet to the flood rim of the fixture or assembly into which the outlet discharges is at least one inch or twice the diameter of the water supply outlet, whichever is greater.
- (2) Reduced pressure principle backflow prevention assemblies may be used if:
  - (A) the assembly is installed with the termination point a minimum of twelve (12) inches above finished grade in a location that will ensure that the assembly will not become submerged; and
  - (B) drainage is provided for any water that may be discharged through the assembly relief valve.
- (3) Pressure vacuum breakers may be used if:
  - (A) no back-pressure condition will occur; and
  - (B) the device is installed at a minimum of 12 inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler.
- (4) Atmospheric vacuum breakers may be used if:
  - (A) no back-pressure will be present;
  - (B) there are no shutoff valves downstream from the atmospheric vacuum breaker;
  - (C) the device is installed at a minimum of six inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler;
  - (D) there is no continuous pressure on the supply side of the atmospheric vacuum breaker for more than 12 hours in any 24-hour period; and
  - (E) a separate atmospheric vacuum breaker is installed on the discharge side of each irrigation control valve, between the valve and all the emission devices that the valve controls.

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(c) Backflow prevention assemblies used in applications designated as health hazards must be tested upon installation and annually thereafter.

(d) If there are no conditions that present a health hazard, double check valve backflow prevention assemblies may be used to prevent backflow if the device is tested upon installation and test cocks are used for testing only.

(e) If a double check valve is installed below ground:

- (1) test cocks must be plugged, except when the double check valve is being tested;
- (2) test cock plugs must be threaded, water-tight, and made of non-ferrous material;
- (3) a y-type strainer is installed on the inlet side of the double check valve;
- (4) there must be a clearance between any fill material and the bottom of the double check valve to allow space for testing and repair; and
- (5) there must be space on the side of the double check valve to test and repair the double check valve.

(f) If an existing irrigation system without a backflow-prevention assembly requires major maintenance, alteration, repair, or service, the system must be connected to the potable water supply through an approved, properly installed backflow prevention method before any major maintenance, alteration, repair, or service is performed.

(g) The irrigator shall ensure the backflow prevention device is tested prior to being placed into service and the test results provided to the local water purveyor and the irrigation system's owner or owner's representative within ten business days of testing of the backflow prevention assembly.

(h) The City is not responsible for any pressure loss created by the installation of a backflow assembly.

**Sec 6-565 Specific Conditions and Cross-Connection Control**

(a) Before any chemical is added to an irrigation system connected to the potable water supply, the irrigation system must be connected through a reduced pressure principle backflow prevention assembly or air gap.

(b) Connection of any auxiliary water supply to an irrigation system that is connected to the potable water supply can only be done if the irrigation system is connected to the potable water supply through a reduced pressure backflow prevention assembly or an air gap separation.

(c) Irrigation system components with chemical additives induced by aspiration, injection, or emission system connected to any potable water supply must be connected through a reduced pressure principle backflow assembly.

(d) If an irrigation system is designed or installed on a property that is served by an on-site sewage facility, as defined in Chapter 285 of Title 30, Texas Administrative Code, then:

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- (1) all irrigation piping and valves must meet the separation distances from the On-Site Sewage Facilities system as required for a private water line in Texas Administrative Code, Title 30, Section 285.91(10);
- (2) any connections using a private or public potable water source that is not the city's potable water system must be connected to the water source through a reduced pressure principle backflow prevention assembly as defined in Texas Administrative Code, Title 30, Section 344.50; and
- (3) any water from the irrigation system that is applied to the surface of the area utilized by the On-Site Sewage Facility system must be controlled on a separate irrigation zone or zones so as to allow complete control of any irrigation to that area so that there will not be excess water that would prevent the On-Site Sewage Facilities system from operating effectively.

**(e) Quick couplers or hose connections of any type installed within the irrigation system shall require the proper installation of a reduced pressure backflow prevention assembly. The assembly shall be tested upon installation and annually thereafter.**

**Sec. 6-566 Water Conservation**

All irrigation systems shall be designed, installed, maintained, altered, repaired, serviced, and operated in a manner that will promote water conservation as defined in the Definitions section of this ordinance.

**Sec. 6-567 Irrigation Plan Design: Minimum Standards**

(a) An irrigator shall prepare an irrigation plan for each site where a new irrigation system will be installed. A paper or electronic copy of the irrigation plan must be on the job site at all times during the installation of the irrigation system. A drawing showing the actual installation of the system is due to each irrigation system owner after all new irrigation system installations. During the installation of the irrigation system, variances from the original plan may be authorized by the licensed irrigator if the variance from the plan does not:

- (1) diminish the operational integrity of the irrigation system;
- (2) violate any requirements of this ordinance; and
- (3) go unnoted in red on the irrigation plan.

(b) The irrigation plan must include complete coverage of the area to be irrigated. If a system does not provide complete coverage of the area to be irrigated, it must be noted on the irrigation plan.

(c) All irrigation plans used for construction must be drawn to scale. The plan must include, at a minimum, the following information:

- (1) the irrigator's seal, signature, and date of signing;

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- (2) all major physical features and the boundaries of the areas to be watered;
- (3) a North arrow;
- (4) a legend;
- (5) the zone flow measurement for each zone;
- (6) location and type of each:
  - (A) controller;
  - (B) sensor (for example, but not limited to, rain, moisture, wind, flow, or freeze);
- (7) location, type, and size of each:
  - (A) water source, such as, but not limited to a water meter and point(s) of connection;
  - (B) backflow prevention assembly;
  - (C) water emission device, including, but not limited to, spray heads, rotary sprinkler heads, quick-couplers, bubblers, drip, or micro-sprays;
  - (D) valve, including but not limited to, zone valves, master valves, and isolation valves;
  - (E) pressure regulation component; and
  - (F) main line and lateral piping.
- (8) the scale used; and
- (9) the design pressure.

**Sec. 6-568 Design and Installation: Minimum Requirements**

- (a) No irrigation design or installation shall require the use of any component, including the water meter, in a way which exceeds the manufacturer's published performance limitations for the component.
- (b) Spacing.
  - (1) The maximum spacing between emission devices must not exceed the manufacturer's published radius or spacing of the device(s). The radius or spacing is determined by referring to the manufacturer's published specifications for a specific emission device at a specific operating pressure.
  - (2) New irrigation systems shall not utilize above-ground spray emission devices in landscapes that are less than 48 inches not including the impervious surfaces in either length or width and which contain impervious pedestrian or vehicular traffic surfaces along two or more perimeters. If pop-up sprays or rotary sprinkler heads are used in a new irrigation system, the sprinkler heads must direct flow away from any adjacent surface and shall not be installed closer than four inches from a hardscape, such as, but not limited to, a building foundation, fence, concrete, asphalt, pavers, or stones set with mortar.
  - (3) Narrow paved walkways, jogging paths, golf cart paths or other small areas located in cemeteries, parks, golf courses or other public areas may be exempted from this requirement if the runoff drains into a landscaped area.

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(c) Water pressure. Emission devices must be installed to operate at the minimum and not above the maximum sprinkler head pressure as published by the manufacturer for the nozzle and head spacing that is used. Methods to achieve the water pressure requirements include, but are not limited to, flow control valves, a pressure regulator, or pressure compensating spray heads.

(d) Piping. Piping in irrigation systems must be designed and installed so that the flow of water in the pipe will not exceed a velocity of five feet per second for polyvinyl chloride (PVC) pipe.

(e) Irrigation Zones. Irrigation systems shall have separate zones based on plant material type, microclimate factors, topographic features, soil conditions, and hydrological requirements.

(f) Matched precipitation rate. Zones must be designed and installed so that all of the emission devices in that zone irrigate at the same precipitation rate.

(g) Irrigation systems shall not spray water over surfaces made of concrete, asphalt, brick, wood, stones set with mortar, or any other impervious material, such as, but not limited to, walls, fences, sidewalks, streets, etc.

(h) Master valve. When provided, a master valve shall be installed on the discharge side of the backflow prevention device on all new installations.

(i) PVC pipe primer solvent. All new irrigation systems that are installed using PVC pipe and fittings shall be primed with a colored primer prior to applying the PVC cement in accordance with the International Plumbing Code (Section 605).

(j) Rain or moisture shut-off devices or other technology. All new automatically controlled irrigation systems must include sensors or other technology designed to inhibit or interrupt operation of the irrigation system during periods of moisture or rainfall. Rain or moisture shut-off technology must be installed according to the manufacturer's published recommendations. Repairs to existing automatic irrigation systems that require replacement of an existing controller must include a sensor or other technology designed to inhibit or interrupt operation of the irrigation system during periods of moisture or rainfall

(k) Isolation valve. All new irrigation systems must include an isolation valve between the water meter and the backflow prevention assembly.

(l) Depth coverage of piping. Piping in all irrigation systems must be installed according to the manufacturer's published specifications for depth coverage of piping.

(1) If the manufacturer has not published specifications for depth coverage of piping, the piping must be installed to provide minimum depth coverage of six inches of select backfill,

ORDINANCE NO. 2008-12-4

between the top of the pipe and the natural grade of the topsoil. All portions of the irrigation system that fail to meet this standard must be noted on the irrigation plan. If the area being irrigated has rock at a depth of six inches or less, select backfill may be mounded over the pipe. Mounding must be noted on the irrigation plan and discussed with the irrigation system owner or owner's representative to address any safety issues.

(2) If a utility, man-made structure or roots create an unavoidable obstacle, which makes the six-inch depth coverage requirement impractical, the piping shall be installed to provide a minimum of two inches of select backfill between the top of the pipe and the natural grade of the topsoil.

(3) All trenches and holes created during installation of an irrigation system must be backfilled and compacted to the original grade.

(m) Wiring irrigation systems.

(1) Underground electrical wiring used to connect an automatic controller to any electrical component of the irrigation system must be listed by Underwriters Laboratories as acceptable for burial underground.

(2) Electrical wiring that connects any electrical components of an irrigation system must be sized according to the manufacturer's recommendation.

(3) Electrical wire splices which may be exposed to moisture must be waterproof as certified by the wire splice manufacturer.

(4) Underground electrical wiring that connects an automatic controller to any electrical component of the irrigation system must be buried with a minimum of six inches of select backfill.

(n) Water contained within the piping of an irrigation system is deemed to be non-potable. No drinking or domestic water usage, such as, but not limited to, filling swimming pools or decorative fountains, shall be connected to an irrigation system. If a hose bib (an outdoor water faucet that has hose threads on the spout) is connected to an irrigation system for the purpose of providing supplemental water to an area, the hose bib must be installed using a quick coupler key on a quick coupler installed in a covered purple valve box and the hose bib and any hoses connected to the bib must be labeled "non potable, not safe for drinking." An isolation valve must be installed upstream of a quick coupler connecting a hose bib to an irrigation system.

(o) Beginning January 1, 2010, either a licensed irrigator or a licensed irrigation technician shall be on-site at all times while the landscape irrigation system is being installed. When an irrigator is not onsite, the irrigator shall be responsible for ensuring that a licensed irrigation technician is on-site to supervise the installation of the irrigation system.

**Sec. 6-569 Completion of Irrigation System Installation**

Upon completion of the irrigation system, the irrigator or irrigation technician who provided supervision for the on-site installation shall be required to complete four items:

- (1) A final "walk through" with the irrigation system's owner or the owner's representative to explain the operation of the system;
- (2) The maintenance checklist on which the irrigator or irrigation technician shall obtain the signature of the irrigation system's owner or owner's representative and shall sign, date, and seal the checklist. If the irrigation system's owner or owner's representative is unwilling or unable to sign the maintenance checklist, the irrigator shall note the time and date of the refusal on the irrigation system's owner or owner's representative's signature line. The irrigation system owner or owner's representative will be given the original maintenance checklist and a duplicate copy of the maintenance checklist shall be maintained by the irrigator. The items on the maintenance checklist shall include but are not limited to:
  - (A) the manufacturer's manual for the automatic controller, if the system is automatic;
  - (B) a seasonal (spring, summer, fall, winter) watering schedule based on either current/real time evapotranspiration or monthly historical reference evapotranspiration (historical ET) data, monthly effective rainfall estimates, plant landscape coefficient factors, and site factors;
  - (C) a list of components, such as the nozzle, or pump filters, and other such components; that require maintenance and the recommended frequency for the service; and
  - (D) the statement, "This irrigation system has been installed in accordance with all applicable state and local laws, ordinances, rules, regulations or orders. I have tested the system and determined that it has been installed according to the Irrigation Plan and is properly adjusted for the most efficient application of water at this time."
- (3) A permanent sticker which contains the irrigator's name, license number, company name, telephone number and the dates of the warranty period shall be affixed to each automatic controller installed by the irrigator or irrigation technician. If the irrigation system is manual, the sticker shall be affixed to the original maintenance checklist. The information contained on the sticker must be printed with waterproof ink and include:
- (4) The irrigation plan indicating the actual installation of the system must be provided to the irrigation system's owner or owner representative.

**Sec. 6-570 Maintenance, Alteration, Repair, or Service of Irrigation Systems**

(a) The licensed irrigator is responsible for all work that the irrigator performed during the maintenance, alteration, repair, or service of an irrigation system during the warranty period. The irrigator or business owner is not responsible for the professional negligence of any other irrigator who subsequently conducts any irrigation service on the same irrigation system.

(b) All trenches and holes created during the maintenance, alteration, repair, or service of an irrigation system must be returned to the original grade with compacted select backfill.

(c) Colored PVC pipe primer solvent must be used on all pipes and fittings used in the maintenance, alteration, repair, or service of an irrigation system in accordance with the International Plumbing Code (Section 605).

(d) When maintenance, alteration, repair or service of an irrigation system involves excavation work at the water meter or backflow prevention device, an isolation valve shall be installed, if an isolation valve is not present.

**Sec 6-571 Reclaimed Water**

*Reclaimed water may be utilized in landscape irrigation systems if:*

- (1) there is no direct contact with edible crops, unless the crop is pasteurized before consumption;*
- (2) the irrigation system does not spray water across property lines that do not belong to the irrigation system's owner;*
- (3) the irrigation system is installed using purple components;*
- (4) the domestic potable water line is connected using an air gap or a reduced pressure principle backflow prevention device, in accordance with §290.47(i) of this title (relating to Appendices);*
- (5) a minimum of an eight inch by eight inch sign, in English and Spanish, is prominently posted on/in the area that is being irrigated, that reads, "RECLAIMED WATER – DO NOT DRINK" and "AGUA DE RECUPERACIÓN – NO BEBER"; and*
- (6) backflow prevention on the reclaimed water supply line shall be in accordance with the regulations of the city's water provider.*

**Sec. 6-572 Items not covered by this ordinance**

Any item not covered by this ordinance and required by law shall be governed by the Texas Occupations Code, the Texas Water Code, Title 30 of the Texas Administrative Code, and any other applicable state statute or TCEQ rule.

**Sec. 6-573 Fees**

Prior to issuance of a permit the applicant shall pay a permit fee in accordance with the City of Plano Building Inspections Fee Schedule as adopted by the city council, as it exists or may be amended.

**Sec. 6-574 Enforcement**

(a) The city shall have the power to administer and enforce the provisions of this chapter as may be required by governing law. Any person, firm, corporation or agent who shall violate a provision of this code, or fails to comply therewith, or with any of the requirements thereof, is subject to suit for injunctive relief as well as prosecution for criminal violations.

(b) Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinance for each offense. Every day a violation continues shall constitute a separate offense. An offense under this chapter is a Class C misdemeanor.

(c) Nothing in this chapter shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this chapter and to seek remedies as allowed by law, including, but not limited to the following:

- (1) Injunctive relief to prevent specific conduct that violates the ordinance or to require specific conduct that is necessary for compliance with the ordinance; and
- (2) Other available relief.

**Section II.** All provisions of the Code of Ordinances of the City of Plano in conflict with the provision of this Ordinance are hereby repealed, and all other provision of the Code of Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section III.** It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

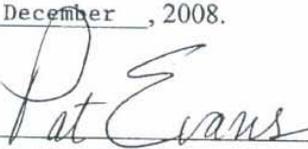
**Section IV.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

ORDINANCE NO. 2008-12-4

**Section V.** Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinance for each offense. Every day a violation continues shall constitute a separate offense.

**Section VI.** This Ordinance shall become effective from and after its passage and publication as required by law.

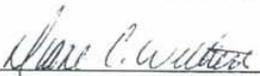
DULY PASSED AND APPROVED on this, the 8<sup>th</sup> day of December, 2008.

  
\_\_\_\_\_  
Pat Evans, MAYOR

ATTEST:

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

APPROVED AS TO FORM:

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

APPENDIX M  
FUGITIVE WATER ORDINANCE  
Ordinance No. 86-6-15  
WATER WASTE ORDINANCE

ORDINANCE NO. 86-6-15

**AN ORDINANCE OF THE CITY OF PLANO, TEXAS,  
ESTABLISHING A POLICY FOR PROHIBITING WATER WASTE  
AND EXCESS WATER FLOW; PROVIDING FOR EXEMPTIONS;  
PROVIDING FOR PENALTIES AND SUSPENSION OF SERVICE;  
PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE  
DATE; AND ESTABLISHING PROCEDURES.**

**WHEREAS**, the City of Plano, Texas has developed a Water Conservation Plan, and

**WHEREAS**, water resources available to the City be put to the maximum beneficial use

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

Section I. Declaring a Nuisance Condition to Exist.

The flow of excess landscape water, fugitive water, and water wastage from any water supply, transport, or delivery system installation of facility onto adjacent property or public right-of-way of the City of Plano is hereby declared a nuisance.

Section II. Definitions For purposes of this ordinance, the following definitions apply:

- A. "Waste" shall mean the non-beneficial use of water supplied by the municipal water supply system.
- B. "Fugitive Water" shall mean the pumping, flow, release, escape, or leakage of any water from any pipe, valve, faucet, connection, diversion, well, from any water supply, transport, storage disposal or delivery system of a facility onto adjacent property or the public right-of-way.
- C. "Non-beneficial Uses" include but are not restricted to the following:
  - 1. Landscape water applied in such a manner, rate and/or quantity that it regularly overflows the landscaped area being watered and runs onto adjacent property or public right-of-way.

2. Landscape water which leaves a sprinkler system or other application device in such a manner or direction as to spray onto adjacent property or public right-of-way.
  3. Washing down of hard surfaces such as parking lots, aprons, pads, driveways or other surfaced areas when water is applied in sufficient quantity to flow from that surface onto adjacent property or the public right-of-way.
- D. "Public Right-Of-Way" shall mean paved or unpaved streets, alleys, drainage, or other public easements and lined or unlined drainage channels, which comprise the municipal storm drainage system.
- E. "Responsible Party" shall mean the owner, manager, supervisor, or person in charge of the property, facility or operation during the period of time the violation(s) are observed.

Section III. Waste Water Prohibited After the effective date of this ordinance, no person, firm, corporation, or municipal facility or operation shall waste, cause or permit to be wasted any water furnished by the municipal water supply system of the City of Plano.

Section IV. Fugitive Water Flow Prohibited After the effective date of this ordinance, no person, firm, corporation, municipal, or other government facility or operation shall cause or permit the flow of excess or fugitive water onto adjacent property or public right-of-way.

Section V. Exemptions

- A. "Fugitive Water" shall not include:
1. Storm run-off allowed under provisions of City Council <sup>Ordinance 79-4-10</sup> Resolution( ) ~~or ( )~~.
  2. Flow resulting from temporary water supply system failures or malfunctions.
  3. Flow resulting from other emergencies.
- B. "Waste" shall not include:
1. Flow resulting from fire fighting or routine inspection of fire hydrants or from training activities.
  2. Water applied to abate spills of flammable or otherwise hazardous materials.
  3. Water applied to prevent or abate health, safety, or accident hazards when alternate methods are not available.
  4. Water which reaches or flows onto adjacent property or public right-of-way when caused by vandalism, wind, or other uncontrollable circumstances or condition.
  5. Flow resulting from a routine inspection or maintenance of the municipal water supply system.
  6. Occasional flow resulting from commercial or individual residential applications such as washing of vehicles, boats, or municipal flushing of streets.
  7. Water used by the Traffic Engineering Division, City of Plano, in the course of installation or maintenance of traffic flow control devices.
  8. Water by contractors or utilities in saw-cutting of pavement, compaction, or other uses required under terms of their contract.

Section VI. Administration of the Ordinance. The City Manager, or in his absence the Assistant City Manager, shall be responsible for the enforcement of this ordinance. He shall prescribe policies, rules, or regulations to carry out the intent and purpose of the ordinance.

A. SUSPENSION OF SERVICE. On determination by City Staff that a health or safety hazard exists, and failure by the responsible party to abate the nuisance, municipal water service may be suspended at the discretion of the City Manager.

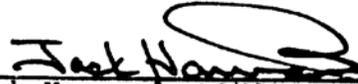
B. VARIANCES. A variance may be issued by the City Manager provided that all options for abatement through modified water management have been exhausted. The variance may be issued for a period not to exceed one year and shall stipulate both corrective measures and a schedule for completion.

Section VII. Penalty. Any responsible party who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

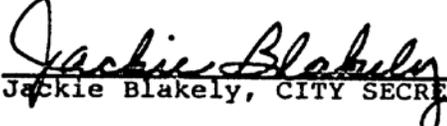
Section VIII. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence or section of this ordinance shall be declared unconstitutional or invalid by any judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this ordinance; and the City Council hereby declares it would have passed the remaining portions even though it had known the affected parts would be held unconstitutional.

Section IX. This ordinance shall become effective immediately from and after its passage and publication as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THIS THE 9th DAY OF June, 1986.

  
\_\_\_\_\_  
Jack Harvard, MAYOR

ATTEST:

  
\_\_\_\_\_  
Jackie Blakely, CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Gary F. Chatham, CITY ATTORNEY



**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:		3/8/10		
Department:		Finance		
Department Head		Denise Tacke		
Agenda Coordinator (include phone #): <b>Katherine Crumbley - x-7479</b>				
<b>CAPTION</b>				
A resolution of the City Council of the City of Plano, Texas, approving the Investment Portfolio Summary for the quarter ending December 31, 2009; 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>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> This item has no fiscal impact				
<b>SUMMARY OF ITEM</b>				
Quarterly Investment report ending December 31,2009				
List of Supporting Documents: Investment Portfolio Summary			Other Departments, Boards, Commissions or Agencies	

**A Resolution of the City Council of the City of Plano, Texas, approving the Investment Portfolio Summary for the quarter ending December 31, 2009; and providing an effective date.**

**WHEREAS**, the City Council has been presented the City of Plano's Investment Portfolio Summary for the Quarter Ending December 31, 2009 of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Investment Portfolio Summary"); and

**WHEREAS**, the Public Funds Investment Act at Texas Government Code, Section 2256.023, requires the investment officer to present a written report of the investment portfolio to the governing body and chief executive officer of an investing entity not less than quarterly; and

**WHEREAS**, upon full review and consideration of the Investment Portfolio Summary, and all matters attendant and related thereto, the City Council is of the opinion that the same should be approved.

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

**Section I.** The City of Plano's Investment Portfolio Summary for the Quarter Ending December 31, 2009, 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, is hereby in all things approved.

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

**DULY PASSED AND APPROVED** this the 8<sup>th</sup> day of March, 2010.

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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

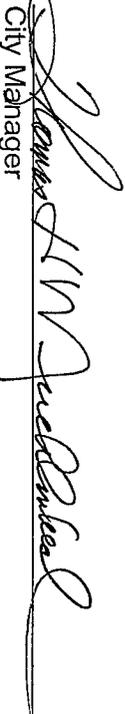
# City of Plano

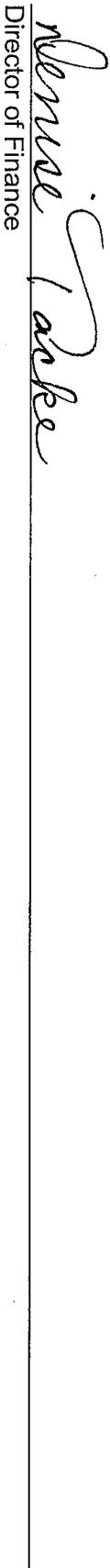
## INVESTMENT PORTFOLIO SUMMARY

For the Quarter Ended

December 31, 2009

The investment portfolio of the City of Plano is in compliance with the Public Funds Investment Act and the City's Investment Policy and strategies.

  
City Manager

  
Director of Finance

  
Treasurer

**Strategy Summary:**

The Federal Open Market Committee decided January 28, 2010 to keep its target range for the federal funds rate at 0 to 1/4 percent. The Committee continues to anticipate that economic conditions are likely to warrant exceptionally low levels of the federal funds rate for some time. (The federal funds rate is the interest rate banks charge each other for loans).

Information received since the Committee met in December suggests that the economy has weakened further. Industrial production, housing starts, and employment have continued to decline steeply, as consumers and businesses have cut back spending. Furthermore, global demand appears to be slowing significantly. Conditions in some financial markets have improved, in part reflecting government efforts to provide liquidity and strengthen financial institutions; nevertheless, credit conditions for households and firms remain extremely tight. The Committee anticipates that a gradual recovery in economic activity will begin later this year, but the downside risks to that outlook are significant. (3)

The Federal Reserve Board announced on February 18, 2010 that in light of continued improvement in financial market conditions it had unanimously approved several modifications to the terms of its discount window lending programs. Like the closure of a number of extraordinary credit programs earlier this month, these changes are intended as a further normalization of the Federal Reserve's lending facilities. The modifications are not expected to lead to tighter financial conditions for households and businesses and do not signal any change in the outlook for the economy or for monetary policy, which remains about as it was at the January meeting of the Federal Open Market Committee (FOMC). The changes to the discount window facilities include Board approval of requests by the boards of directors of the 12 Federal Reserve Banks to increase the primary credit rate (generally referred to as the discount rate) from 1/2 percent to 3/4 percent. This action is effective on February 19. (The discount rate is the interest rate the central bank charges depository institutions that borrow reserves from it).

**Quarter End Results by Investment Category:**

Asset Type	December 31, 2009		September 30, 2009		
	Ave. Yield	End Book Value	End Market Value	End Book Value	End Market Value
Pools/NOW Accounts	0.28%	46,692,983.72	46,692,983.72	44,045,858.00	44,045,858.00
Certificates of Deposit	1.12%	71,199,000.00	71,199,000.00	80,199,000.00	80,199,000.00
FHLB Notes	1.23%	120,748,348.36	121,274,121.87	120,850,860.78	121,606,906.25
FHLMC Notes	1.14%	60,181,077.28	60,169,181.10	60,378,685.94	60,451,189.00
FNMA Notes	1.61%	13,406,205.08	13,445,106.25	13,435,031.77	13,501,700.00
<b>Totals</b>		<b>312,227,614.44</b>	<b>312,780,392.94</b>	<b>318,909,436.49</b>	<b>319,804,653.25</b>

**Average Yield (1):**

Total Portfolio 1.06%

**Fiscal Year-to-Date Average Yield (2):**

Total Portfolio 1.06%

**This Quarter:**

Rolling Three Month Treasury Yield	0.06%
Rolling Six Month Treasury Yield	0.16%
TexPool Yield	0.21%

**Last 12 Months:**

Rolling Three Month Treasury Yield	0.15%
Rolling Six Month Treasury Yield	0.28%
TexPool Yield	0.42%

**Investment Earnings (4):**

\$ 552,216 Quarter  
\$ 552,216 Fiscal Year To Date

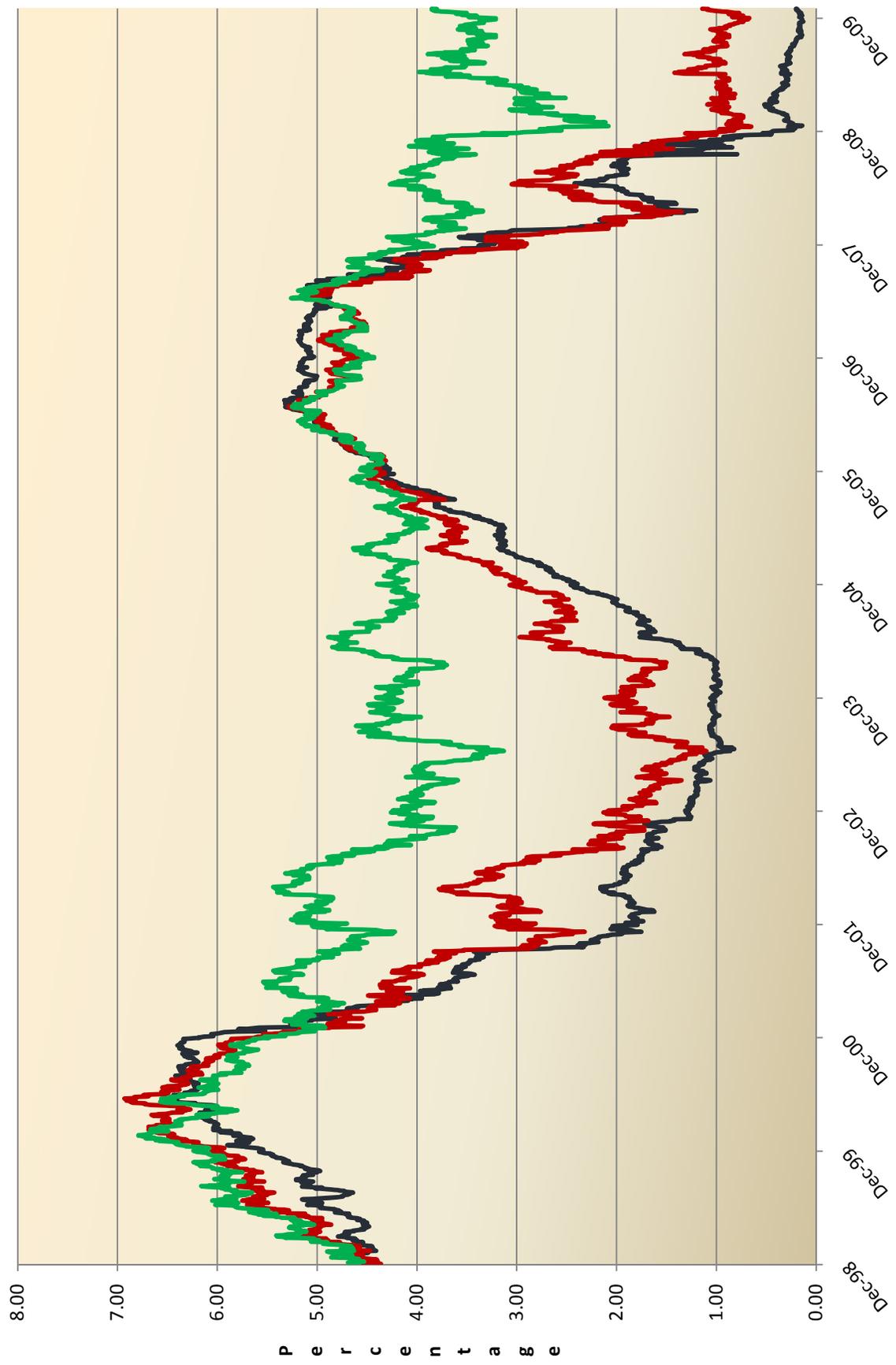
(1) Average Yield calculated using quarter end report yields and adjusted book values does not reflect a total return analysis or account for advisory fees.

(2) Fiscal Year-to-Date Average Yields calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

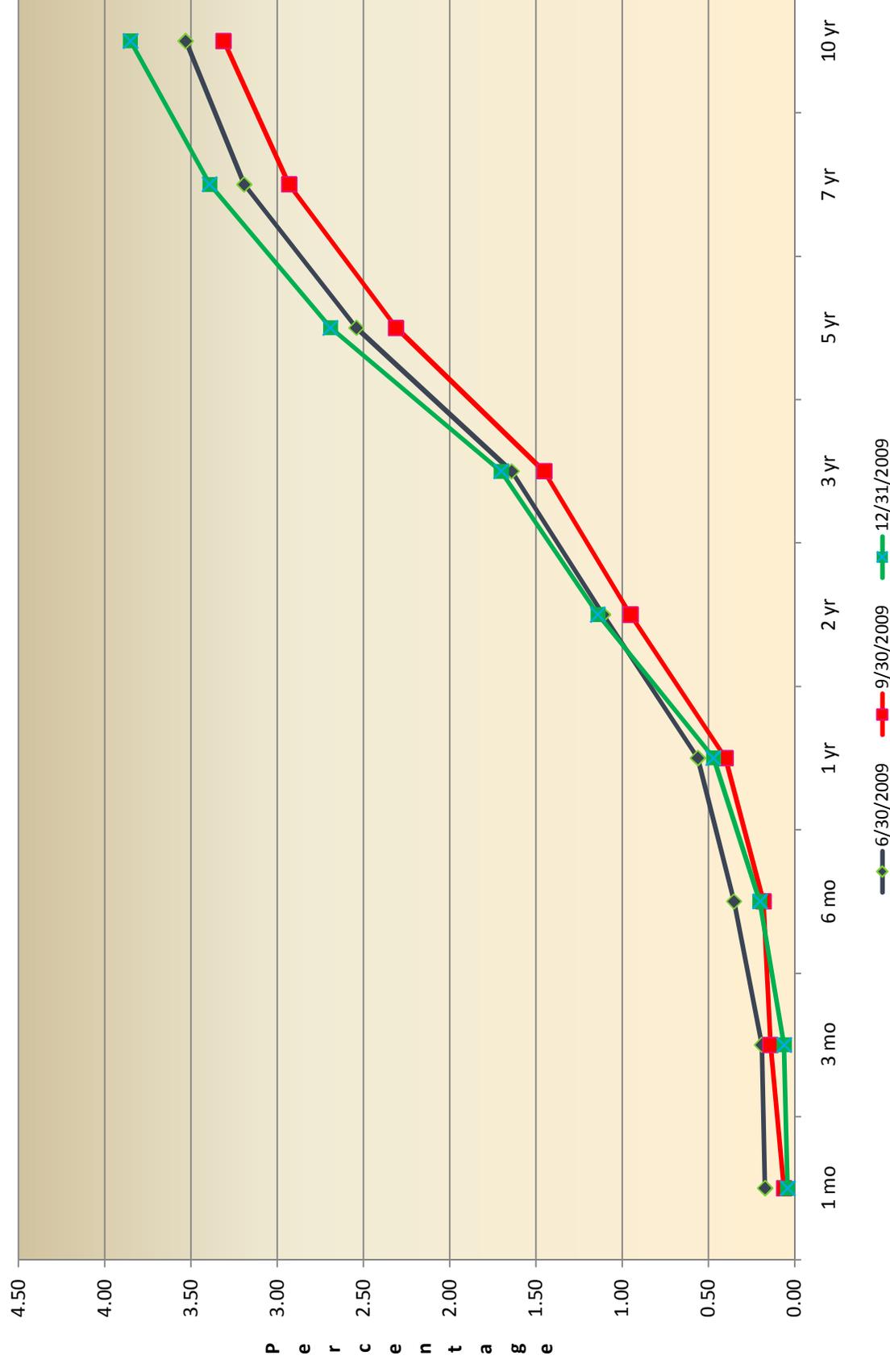
(3) Source: Federal Reserve Press Release.

(4) Interest earnings are obtained from the general ledger - Interest plus/minus Gain or Loss on Investments plus/minus Unrealized Gain or Loss.

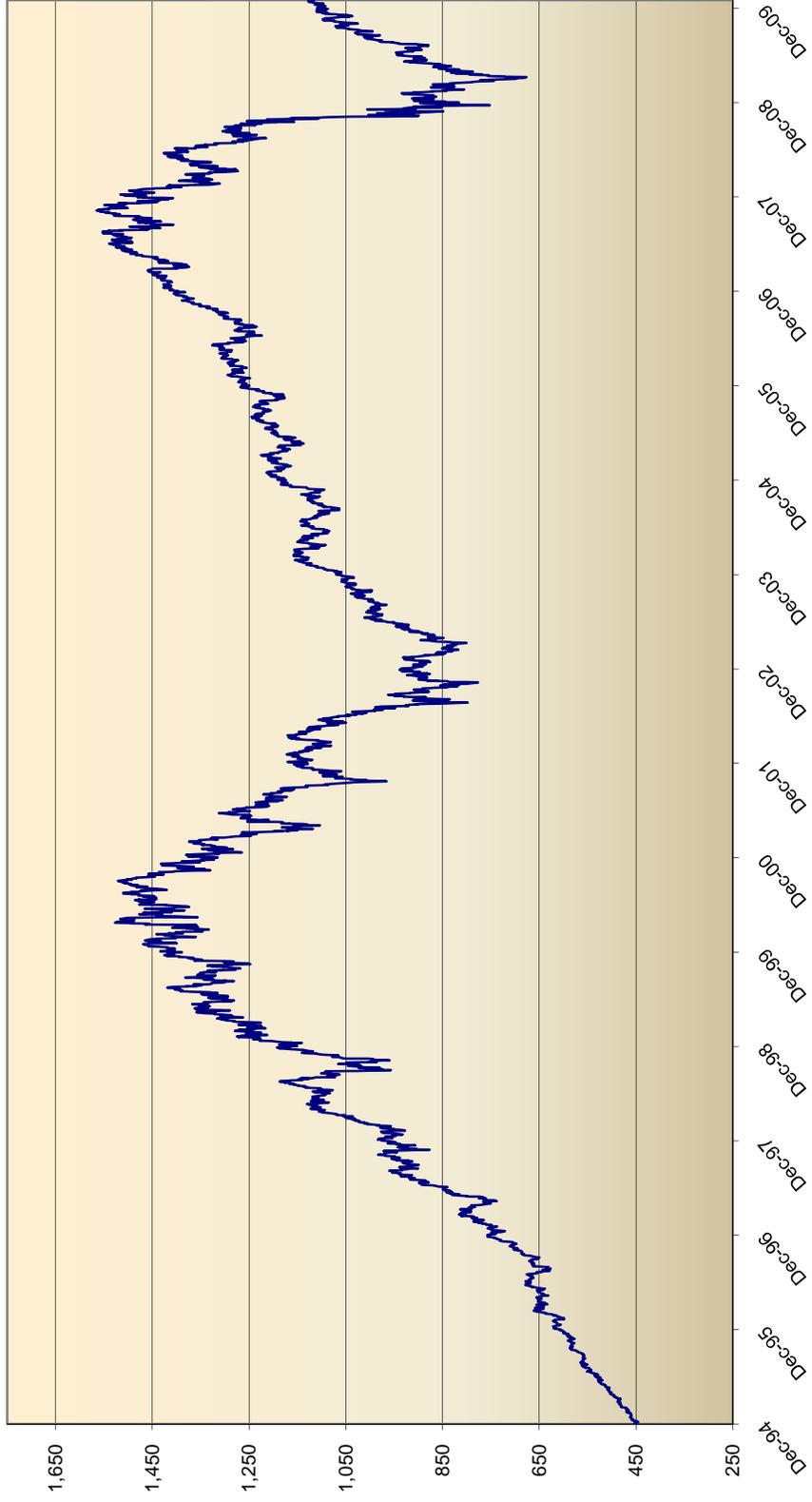
# US Treasury Historical Yields



# Treasury Yield Curves



# S&P 500



**Detail of Security Holdings**  
**December 31, 2009**

By Sector

Security Description	Coupon/ YTM	Maturity Date	Settlement Date	Call Date	Par Value	Purchased Value	Adjusted Book Value	Market Price	Market Value	Life (mo)	Yield
Legacy NOW Account	0.32%	01/01/10	12/31/09		27,209,812.21	27,209,812.21	27,209,812.21	1.000	27,209,812.21	0.03	0.32%
TexPool	AAA	01/01/10	12/31/09		3,145,182.19	3,145,182.19	3,145,182.19	1.000	3,145,182.19	0.03	0.21%
Texas Daily	AAA	01/01/10	12/31/09		16,337,989.32	16,337,989.32	16,337,989.32	1.000	16,337,989.32	0.03	0.23%
Certificate of Deposit	1.94%	01/28/10	01/29/09		2,000,000.00	2,000,000.00	2,000,000.00	1.000	2,000,000.00	0.92	1.94%
Certificate of Deposit	1.90%	02/10/10	04/16/09		97,000.00	97,000.00	97,000.00	1.000	97,000.00	1.34	1.90%
Certificate of Deposit	1.40%	03/18/10	03/19/09		5,000,000.00	5,000,000.00	5,000,000.00	1.000	5,000,000.00	2.52	1.40%
Certificate of Deposit	1.45%	04/27/10	04/27/09		245,000.00	245,000.00	245,000.00	1.000	245,000.00	3.84	1.45%
Certificate of Deposit	1.05%	05/06/10	05/07/09		2,000,000.00	2,000,000.00	2,000,000.00	1.000	2,000,000.00	4.13	1.05%
Certificate of Deposit	1.25%	05/25/10	05/26/09		246,000.00	246,000.00	246,000.00	1.000	246,000.00	4.75	1.25%
Certificate of Deposit	1.69%	05/27/10	05/27/09		240,000.00	240,000.00	240,000.00	1.000	240,000.00	4.82	1.69%
Certificate of Deposit	0.74%	05/27/10	05/27/09		10,000,000.00	10,000,000.00	10,000,000.00	1.000	10,000,000.00	4.82	0.74%
Certificate of Deposit	1.15%	05/27/10	05/27/09		247,000.00	247,000.00	247,000.00	1.000	247,000.00	4.82	1.15%
Certificate of Deposit	1.55%	05/28/10	05/28/09		11,000,000.00	11,000,000.00	11,000,000.00	1.000	11,000,000.00	4.85	1.55%
Certificate of Deposit	2.30%	06/02/10	06/02/09		240,000.00	240,000.00	240,000.00	1.000	240,000.00	5.02	2.30%
Certificate of Deposit	2.20%	07/03/10	06/03/09		244,000.00	244,000.00	244,000.00	1.000	244,000.00	6.03	2.20%
Certificate of Deposit	1.60%	07/10/10	07/10/09		7,000,000.00	7,000,000.00	7,000,000.00	1.000	7,000,000.00	6.26	1.60%
Certificate of Deposit	0.65%	07/29/10	07/30/09		4,000,000.00	4,000,000.00	4,000,000.00	1.000	4,000,000.00	6.89	0.65%
Certificate of Deposit	1.16%	08/26/10	08/27/09		18,000,000.00	18,000,000.00	18,000,000.00	1.000	18,000,000.00	7.80	1.16%
Certificate of Deposit	1.50%	12/01/10	06/01/09		245,000.00	245,000.00	245,000.00	1.000	245,000.00	10.98	1.50%
Certificate of Deposit	1.25%	10/16/10	10/16/09		245,000.00	245,000.00	245,000.00	1.000	245,000.00	9.48	1.25%
Certificate of Deposit	0.80%	05/12/11	11/13/09		150,000.00	150,000.00	150,000.00	1.000	150,000.00	16.30	0.80%
Certificate of Deposit	0.45%	03/14/10	12/14/09		10,000,000.00	10,000,000.00	10,000,000.00	1.000	10,000,000.00	2.39	0.45%
FHLC Notes	AAA	03/02/10	05/04/09		2,700,000.00	2,708,024.40	2,701,620.82	0.998	2,703,375.00	2.00	0.64%
FHLC Notes	AAA	03/16/10	05/04/09		8,500,000.00	8,534,000.00	8,508,069.62	0.998	8,515,937.50	2.46	0.64%
FHLC Notes	AAA	05/14/10	05/06/09		2,000,000.00	2,085,800.00	2,030,823.59	0.975	2,034,375.00	4.39	0.66%
FHLC Notes	AAA	07/30/10	02/25/09		21,015,778.77	21,015,778.77	21,006,402.54	1.005	21,111,562.50	6.92	1.25%
FHLC Notes	AAA	09/30/10	03/02/09		36,000,000.00	36,000,000.00	36,000,000.00	1.006	36,225,000.00	8.95	1.42%
FHLC Notes	AAA	10/08/10	04/08/09		20,000,000.00	20,000,000.00	20,000,000.00	1.005	20,106,250.00	9.21	1.25%
FHLC Notes	AAA	11/15/10	06/25/09		6,000,000.00	6,010,560.00	6,006,631.18	1.000	6,011,250.00	10.46	0.92%
FHLC Notes	AAA	05/13/11	07/30/09		1,000,000.00	1,083,680.00	1,063,915.09	0.986	1,068,437.50	16.33	1.25%
FHLC Notes	AAA	06/10/11	07/31/09		12,000,000.00	12,388,355.47	12,300,846.80	0.995	12,330,000.00	17.25	1.36%
FHLC Notes	AAA	07/18/11	08/05/09		5,630,000.00	5,605,228.00	5,610,377.24	1.005	5,635,278.12	18.49	1.35%
FHLC Notes	AAA	08/11/11	09/21/09		5,500,000.00	5,523,038.71	5,519,661.48	1.002	5,532,656.25	19.28	1.15%
FHLC Notes	AAA	04/30/10	04/09/09		17,000,000.00	17,365,511.39	17,113,630.48	0.988	17,154,062.50	3.93	0.83%
FHLC Notes	AAA	06/28/10	05/11/09		11,000,000.00	11,272,030.00	11,117,901.62	0.988	11,140,349.00	5.87	0.68%
FHLC Notes	AAA	03/16/11	07/27/09	03/16/10	23,000,000.00	23,185,691.88	23,136,858.34	0.994	23,057,316.00	14.43	1.50%
FHLC Notes	AAA	04/20/11	06/26/09	04/20/10	5,700,000.00	5,728,500.00	5,720,418.55	0.999	5,720,052.60	15.57	1.47%
FHLC Notes	AAA	05/05/11	07/30/09		3,000,000.00	3,121,266.90	3,092,268.29	0.992	3,097,401.00	16.07	1.18%
FNMA Notes	AAA	08/12/10	06/15/09		3,000,000.00	3,086,145.00	3,045,618.16	0.989	3,053,437.50	7.34	0.75%
FNMA Notes	AAA	02/07/11	02/07/06	08/07/06	1,000,000.00	994,375.00	998,758.56	1.054	1,047,812.50	13.21	5.18%
FNMA Notes	AAA	04/01/11	06/26/09	04/01/10	3,810,000.00	3,844,977.02	3,834,766.34	0.995	3,826,668.75	14.95	1.52%
FNMA Notes	AAA	04/08/11	06/26/09	04/08/10	5,500,000.00	5,538,050.49	5,527,062.02	0.996	5,517,187.50	15.18	1.48%
<b>TOTAL</b>					<b>\$ 311,231,983.72</b>	<b>\$ 312,982,996.75</b>	<b>\$ 312,227,614.44</b>		<b>\$ 312,780,392.94</b>	<b>9.77</b>	<b>1.06%</b>

(1) **Weighted average life** - For purposes of calculating weighted average life bank, pool, and money market investments are assumed to mature the next business day.

(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month issued for bank, pool, and money market investments.

**Detail of Security Holdings**  
**December 31, 2009**

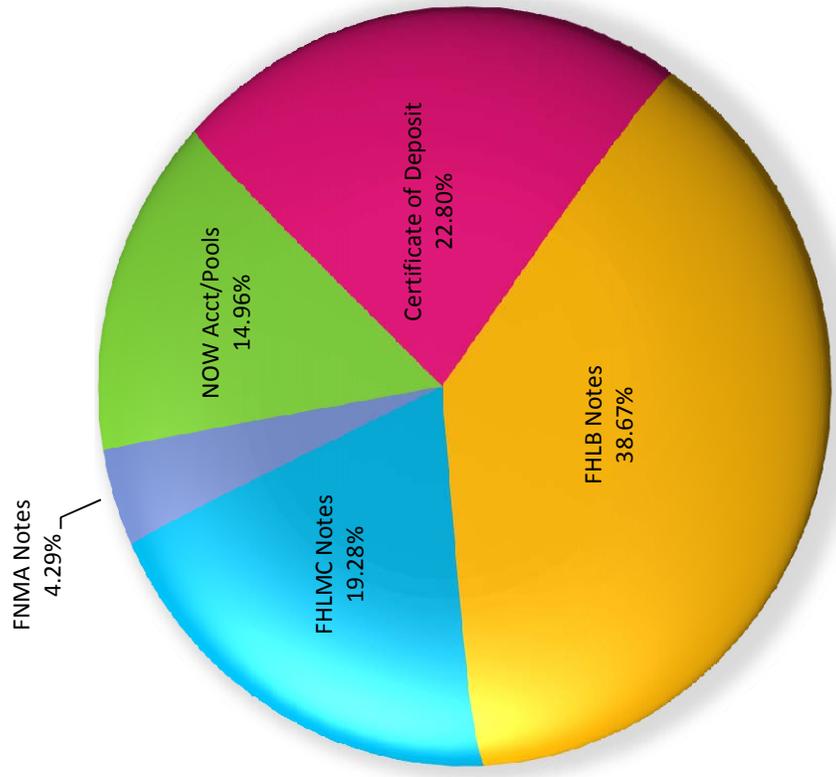
**By Maturity**

Security Description	Coupon/ YTM	Ratings	Maturity Date	Settlement Date	Call Date	Par Value	Purchased Value	Adjusted Book Value	Market Price	Market Value	Life (mo)	Yield
Legacy NOW Account	0.32%		01/01/10	12/31/09		27,209,812.21	27,209,812.21	27,209,812.21	1.000	27,209,812.21	0.03	0.32%
TexPool	0.21%	AAA	01/01/10	12/31/09		3,145,182.19	3,145,182.19	3,145,182.19	1.000	3,145,182.19	0.03	0.21%
Texas Daily	0.23%	AAA	01/01/10	12/31/09		16,337,989.32	16,337,989.32	16,337,989.32	1.000	16,337,989.32	0.03	0.23%
Certificate of Deposit	1.94%		01/28/10	01/29/09		2,000,000.00	2,000,000.00	2,000,000.00	1.000	2,000,000.00	0.92	1.94%
Certificate of Deposit	1.90%		02/10/10	04/16/09		97,000.00	97,000.00	97,000.00	1.000	97,000.00	1.34	1.90%
FHLB Notes	1.00%	AAA	03/02/10	05/04/09		2,701,620.82	2,701,620.82	2,701,620.82	0.998	2,703,375.00	2.00	0.64%
Certificate of Deposit	0.45%		03/14/10	12/14/09		10,000,000.00	10,000,000.00	10,000,000.00	1.000	10,000,000.00	2.39	0.45%
FHLB Notes	1.10%	AAA	03/16/10	05/04/09		8,534,000.00	8,534,000.00	8,508,069.62	0.998	8,515,937.50	2.46	0.64%
Certificate of Deposit	1.40%		03/18/10	03/19/09		5,000,000.00	5,000,000.00	5,000,000.00	1.000	5,000,000.00	2.52	1.40%
Certificate of Deposit	1.45%		04/27/10	04/27/09		245,000.00	245,000.00	245,000.00	1.000	245,000.00	3.84	1.45%
FHLMC Notes	2.88%	AAA	04/30/10	04/09/09		17,365,511.39	17,113,630.48	17,113,630.48	0.988	17,154,062.50	3.93	0.83%
Certificate of Deposit	1.05%		05/06/10	05/07/09		2,000,000.00	2,000,000.00	2,000,000.00	1.000	2,000,000.00	4.13	1.05%
FHLB Notes	4.88%	AAA	05/14/10	05/06/09		2,000,000.00	2,085,800.00	2,030,823.59	0.975	2,034,375.00	4.39	0.66%
Certificate of Deposit	1.25%		05/25/10	05/26/09		246,000.00	246,000.00	246,000.00	1.000	246,000.00	4.75	1.25%
Certificate of Deposit	1.69%		05/27/10	05/27/09		240,000.00	240,000.00	240,000.00	1.000	240,000.00	4.82	1.69%
Certificate of Deposit	0.74%		05/27/10	05/27/09		10,000,000.00	10,000,000.00	10,000,000.00	1.000	10,000,000.00	4.82	0.74%
Certificate of Deposit	1.15%		05/27/10	05/27/09		247,000.00	247,000.00	247,000.00	1.000	247,000.00	4.82	1.15%
Certificate of Deposit	1.55%		05/28/10	05/28/09		11,000,000.00	11,000,000.00	11,000,000.00	1.000	11,000,000.00	4.85	1.55%
Certificate of Deposit	2.30%		06/02/10	06/02/09		240,000.00	240,000.00	240,000.00	1.000	240,000.00	5.02	2.30%
FHLMC Notes	2.88%	AAA	06/28/10	05/11/09		11,000,000.00	11,272,030.00	11,117,901.62	0.988	11,140,349.00	5.87	0.68%
Certificate of Deposit	2.20%		07/03/10	06/03/09		244,000.00	244,000.00	244,000.00	1.000	244,000.00	6.03	2.20%
Certificate of Deposit	1.60%		07/10/10	07/10/09		7,000,000.00	7,000,000.00	7,000,000.00	1.000	7,000,000.00	6.26	1.60%
Certificate of Deposit	0.65%		07/29/10	07/30/09		4,000,000.00	4,000,000.00	4,000,000.00	1.000	4,000,000.00	6.89	0.65%
FHLB Notes	1.30%	AAA	07/30/10	02/25/09		21,015,778.77	21,006,402.54	21,006,402.54	1.005	21,111,562.50	6.92	1.25%
FNMA Notes	3.25%	AAA	08/12/10	06/15/09		3,000,000.00	3,086,145.00	3,045,618.16	0.989	3,053,437.50	7.34	0.75%
Certificate of Deposit	1.16%		08/26/10	08/27/09		18,000,000.00	18,000,000.00	18,000,000.00	1.000	18,000,000.00	7.80	1.16%
FHLB Notes	1.42%	AAA	09/30/10	03/02/09		36,000,000.00	36,000,000.00	36,000,000.00	1.006	36,225,000.00	8.95	1.42%
FHLB Notes	1.25%	AAA	10/08/10	04/08/09		20,000,000.00	20,000,000.00	20,000,000.00	1.005	20,106,250.00	9.21	1.25%
Certificate of Deposit	1.25%		10/16/10	10/16/09		245,000.00	245,000.00	245,000.00	1.000	245,000.00	9.48	1.25%
FHLB Notes	1.05%	AAA	11/15/10	06/25/09		6,010,560.00	6,006,631.18	6,011,250.00	1.000	6,011,250.00	10.46	0.92%
Certificate of Deposit	1.50%		12/01/10	06/01/09		245,000.00	245,000.00	245,000.00	1.000	245,000.00	10.98	1.50%
FNMA Notes	5.05%	AAA	02/07/11	02/07/06	08/07/06	1,000,000.00	994,375.00	998,758.56	1.054	1,047,812.50	13.21	5.18%
FHLMC Notes	2.00%	AAA	03/16/11	07/27/09	03/16/10	23,000,000.00	23,185,691.88	23,136,858.34	0.994	23,057,316.00	14.43	1.50%
FNMA Notes	2.05%	AAA	04/01/11	06/26/09	04/01/10	3,810,000.00	3,844,977.02	3,834,766.34	0.995	3,826,668.75	14.95	1.52%
FNMA Notes	1.88%	AAA	04/08/11	06/26/09	04/08/10	5,500,000.00	5,538,050.49	5,527,062.02	0.996	5,517,187.50	15.18	1.48%
FHLMC Notes	1.75%	AAA	04/20/11	06/26/09	04/20/10	5,700,000.00	5,728,500.00	5,720,418.55	0.999	5,720,052.60	15.57	1.47%
FHLMC Notes	3.50%	AAA	05/05/11	07/30/09		3,000,000.00	3,121,266.90	3,092,268.29	0.992	3,097,401.00	16.07	1.18%
Certificate of Deposit	0.80%		05/12/11	11/13/09		150,000.00	150,000.00	150,000.00	1.000	150,000.00	16.30	0.80%
FHLB Notes	6.50%	AAA	05/13/11	07/30/09		1,000,000.00	1,083,680.00	1,063,915.09	0.986	1,068,437.50	16.33	1.25%
FHLB Notes	3.13%	AAA	06/10/11	07/31/09		12,000,000.00	12,388,355.47	12,300,846.80	0.995	12,330,000.00	17.25	1.36%
FHLB Notes	1.13%	AAA	07/18/11	08/05/09		5,630,000.00	5,605,228.00	5,610,377.24	1.005	5,635,278.12	18.49	1.35%
FHLB Notes	1.38%	AAA	08/11/11	09/21/09		5,500,000.00	5,523,038.71	5,519,661.48	1.002	5,532,656.25	19.28	1.15%
<b>TOTAL</b>						<b>\$ 311,231,983.72</b>	<b>\$ 312,982,996.75</b>	<b>\$ 312,227,614.44</b>		<b>\$ 312,780,392.94</b>	<b>9.77</b>	<b>1.06%</b>

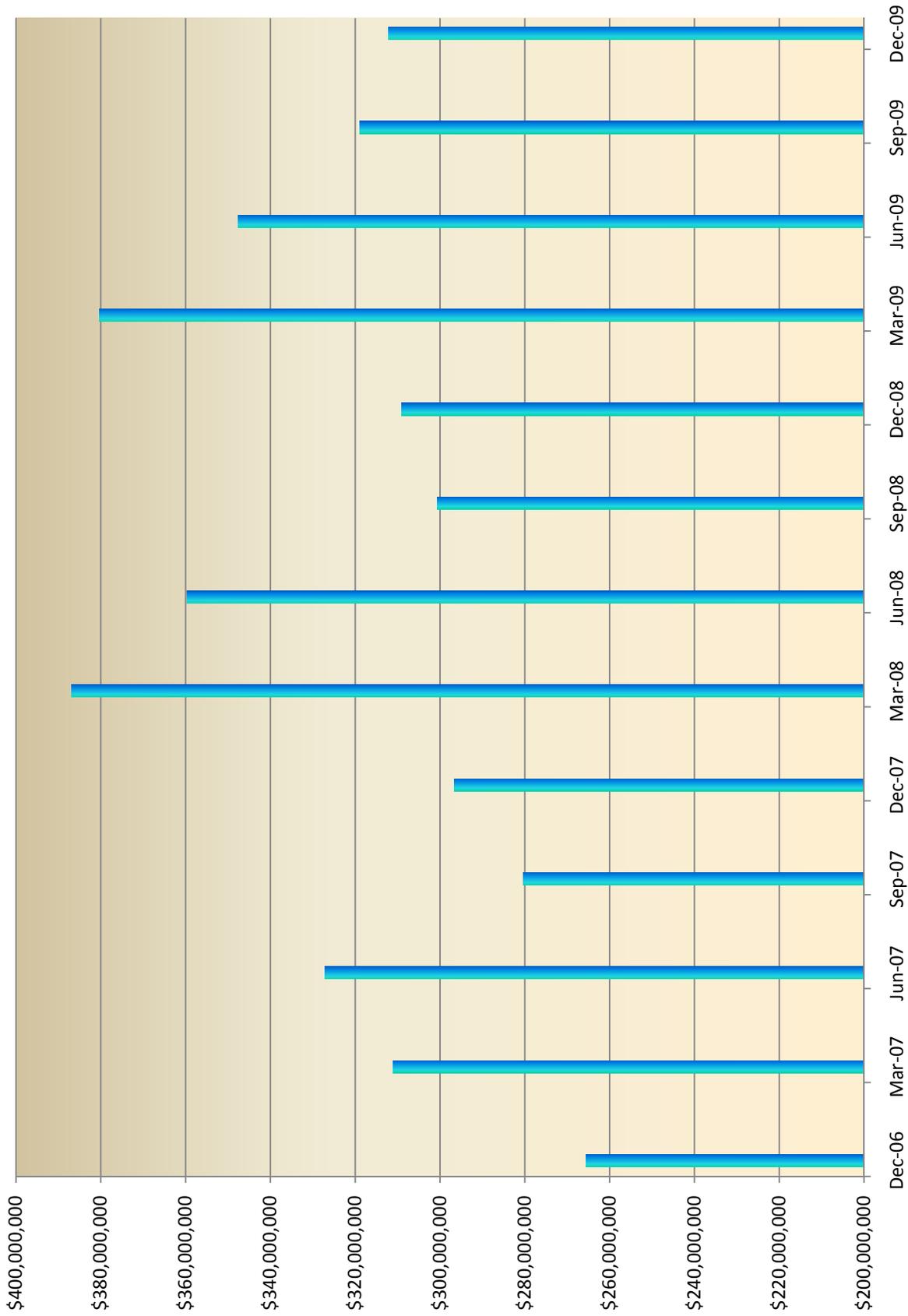
(1) **Weighted average life** - For purposes of calculating weighted average life bank, pool, and money market investments are assumed to mature the next business day.

(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month issued for bank, pool, and money market investments.

# Portfolio Composition 12/31/09



# Quarter End Book Value



# Adjusted Book Value Comparison

Security Description	Coupon/ Yield	Maturity Date	September 30, 2009			December 31, 2009		
			Par Value	Adjusted Book Value	Maturity/Call/ Adjustment	Purchase/ Adjustment	Par Value	Adjusted Book Value
Legacy NOW Account	0.32%	01/01/10	22,570,084.10	22,570,084.10	-	4,639,728.11	27,209,812.21	27,209,812.21
TexasPool	0.21%	01/01/10	3,143,518.62	3,143,518.62	-	1,663.57	3,145,182.19	3,145,182.19
Texas Daily	0.23%	01/01/10	18,332,255.28	18,332,255.28	-	-	16,337,989.32	16,337,989.32
Certificate of Deposit	1.75%	10/16/09	245,000.00	245,000.00	-	-	-	-
Certificate of Deposit	0.90%	10/22/09	5,000,000.00	5,000,000.00	-	-	-	-
Certificate of Deposit	0.90%	11/12/09	4,000,000.00	4,000,000.00	-	-	-	-
Certificate of Deposit	0.90%	11/13/09	150,000.00	150,000.00	-	-	-	-
Certificate of Deposit	3.09%	12/11/09	10,000,000.00	10,000,000.00	-	-	-	-
Certificate of Deposit	1.94%	01/28/10	2,000,000.00	2,000,000.00	-	-	2,000,000.00	2,000,000.00
Certificate of Deposit	1.90%	02/10/10	97,000.00	97,000.00	-	-	97,000.00	97,000.00
Certificate of Deposit	0.45%	03/14/10	-	-	-	10,000,000.00	-	-
Certificate of Deposit	1.40%	03/18/10	5,000,000.00	5,000,000.00	-	-	10,000,000.00	10,000,000.00
Certificate of Deposit	1.45%	04/27/10	245,000.00	245,000.00	-	-	5,000,000.00	5,000,000.00
Certificate of Deposit	1.05%	05/06/10	2,000,000.00	2,000,000.00	-	-	245,000.00	245,000.00
Certificate of Deposit	1.25%	05/25/10	246,000.00	246,000.00	-	-	2,000,000.00	2,000,000.00
Certificate of Deposit	1.69%	05/27/10	240,000.00	240,000.00	-	-	246,000.00	246,000.00
Certificate of Deposit	0.74%	05/27/10	10,000,000.00	10,000,000.00	-	-	240,000.00	240,000.00
Certificate of Deposit	1.15%	05/27/10	247,000.00	247,000.00	-	-	10,000,000.00	10,000,000.00
Certificate of Deposit	1.55%	05/28/10	11,000,000.00	11,000,000.00	-	-	247,000.00	247,000.00
Certificate of Deposit	2.30%	06/02/10	240,000.00	240,000.00	-	-	11,000,000.00	11,000,000.00
Certificate of Deposit	2.20%	07/03/10	244,000.00	244,000.00	-	-	240,000.00	240,000.00
Certificate of Deposit	1.60%	07/10/10	7,000,000.00	7,000,000.00	-	-	244,000.00	244,000.00
Certificate of Deposit	0.65%	07/29/10	4,000,000.00	4,000,000.00	-	-	7,000,000.00	7,000,000.00
Certificate of Deposit	1.16%	08/26/10	18,000,000.00	18,000,000.00	-	-	4,000,000.00	4,000,000.00
Certificate of Deposit	1.25%	10/16/10	-	-	-	245,000.00	245,000.00	245,000.00
Certificate of Deposit	1.50%	12/01/10	245,000.00	245,000.00	-	-	18,000,000.00	18,000,000.00
Certificate of Deposit	0.80%	05/12/11	-	-	-	150,000.00	245,000.00	245,000.00
FHLB Note	1.00%	03/02/10	2,700,000.00	2,704,065.34	(2,444.52)	-	150,000.00	150,000.00
FHLB Note	1.10%	03/06/10	8,500,000.00	8,517,968.32	(9,898.70)	-	2,700,000.00	2,701,620.82
FHLB Note	4.88%	05/14/10	2,000,000.00	2,051,986.06	(21,162.47)	-	8,500,000.00	8,508,069.62
FHLB Note	1.30%	07/30/10	21,009,194.22	21,009,194.22	(2,791.68)	-	2,000,000.00	2,030,823.59
FHLB Note	1.42%	09/30/10	36,000,000.00	36,000,000.00	-	-	21,000,000.00	21,006,402.54
FHLB Note	1.25%	10/08/10	20,000,000.00	20,000,000.00	-	-	36,000,000.00	36,000,000.00
FHLB Note	1.05%	11/15/10	6,000,000.00	6,008,543.64	(1,912.46)	-	20,000,000.00	20,000,000.00
FHLB Note	6.50%	05/13/11	1,000,000.00	1,075,722.70	(11,807.61)	-	6,000,000.00	6,006,631.18
FHLB Note	3.13%	06/10/11	12,000,000.00	12,353,466.36	(52,619.56)	-	1,000,000.00	1,063,915.09
FHLB Note	1.13%	07/18/11	5,630,000.00	5,607,176.37	(3,076.29)	3,200.87	12,000,000.00	12,300,846.80
FHLB Note	1.38%	08/11/11	5,500,000.00	5,522,737.77	(87,116.74)	-	5,630,000.00	5,610,377.24
FHLB Note	2.88%	04/30/10	17,000,000.00	17,200,747.22	(60,597.47)	-	5,500,000.00	5,519,661.48
FHLB Note	2.88%	06/28/10	11,000,000.00	11,178,499.09	(28,615.85)	-	17,000,000.00	17,113,630.48
FHLB Note	2.00%	03/16/11	23,000,000.00	23,165,474.19	(3,954.76)	-	11,000,000.00	11,117,901.62
FHLB Note	1.75%	04/20/11	5,700,000.00	5,724,373.31	(17,323.84)	-	23,000,000.00	23,136,858.34
FHLB Note	3.50%	05/05/11	3,000,000.00	3,109,592.13	(18,736.01)	-	5,700,000.00	5,720,418.55
FNMA Note	3.25%	08/12/10	3,000,000.00	3,064,354.17	(4,996.73)	283.41	3,000,000.00	3,092,268.29
FNMA Note	5.05%	02/07/11	1,000,000.00	998,475.15	-	-	1,000,000.00	3,045,618.16
FNMA Note	2.05%	04/01/11	3,810,000.00	3,839,763.07	(5,377.36)	-	3,810,000.00	998,758.56
FNMA Note	1.88%	04/08/11	5,500,000.00	5,532,439.38	-	-	3,810,000.00	3,834,766.34
<b>TOTAL</b>			<b>\$ 317,584,858.00</b>	<b>\$ 318,909,436.49</b>	<b>\$ (21,721,698.01)</b>	<b>\$ 15,039,875.96</b>	<b>\$ 311,231,983.72</b>	<b>\$ 312,227,614.44</b>

# Market Value Comparison

Security Description	Coupon/ Yield	Maturity Date	September 30, 2009			December 31, 2009		
			Par Value	Market Value	Change (1)	Par Value	Market Value	
Legacy NOW Account	0.32%	01/01/10	22,570,084.10	22,570,084.10	4,639,728.11	27,209,812.21	27,209,812.21	
TexPool	0.21%	01/01/10	3,143,518.62	3,143,518.62	1,663.57	3,145,182.19	3,145,182.19	
Texas Daily	0.23%	01/01/10	18,332,255.28	18,332,255.28	(1,994,265.96)	16,337,989.32	16,337,989.32	
Certificate of Deposit	1.75%	10/16/09	245,000.00	245,000.00	(245,000.00)	-	-	
Certificate of Deposit	0.90%	10/22/09	5,000,000.00	5,000,000.00	(5,000,000.00)	-	-	
Certificate of Deposit	0.90%	11/12/09	4,000,000.00	4,000,000.00	(4,000,000.00)	-	-	
Certificate of Deposit	0.90%	11/13/09	150,000.00	150,000.00	(150,000.00)	-	-	
Certificate of Deposit	3.09%	12/11/09	10,000,000.00	10,000,000.00	(10,000,000.00)	-	-	
Certificate of Deposit	1.94%	01/28/10	2,000,000.00	2,000,000.00	-	2,000,000.00	2,000,000.00	
Certificate of Deposit	1.90%	02/10/10	97,000.00	97,000.00	-	97,000.00	97,000.00	
Certificate of Deposit	0.45%	03/14/10	-	-	10,000,000.00	10,000,000.00	10,000,000.00	
Certificate of Deposit	1.40%	03/18/10	5,000,000.00	5,000,000.00	-	5,000,000.00	5,000,000.00	
Certificate of Deposit	1.45%	04/27/10	245,000.00	245,000.00	-	245,000.00	245,000.00	
Certificate of Deposit	1.05%	05/06/10	2,000,000.00	2,000,000.00	-	2,000,000.00	2,000,000.00	
Certificate of Deposit	1.25%	05/25/10	246,000.00	246,000.00	-	246,000.00	246,000.00	
Certificate of Deposit	1.69%	05/27/10	240,000.00	240,000.00	-	240,000.00	240,000.00	
Certificate of Deposit	0.74%	05/27/10	10,000,000.00	10,000,000.00	-	10,000,000.00	10,000,000.00	
Certificate of Deposit	1.15%	05/27/10	247,000.00	247,000.00	-	247,000.00	247,000.00	
Certificate of Deposit	1.55%	05/28/10	11,000,000.00	11,000,000.00	-	11,000,000.00	11,000,000.00	
Certificate of Deposit	2.30%	06/02/10	240,000.00	240,000.00	-	240,000.00	240,000.00	
Certificate of Deposit	2.20%	7/3/2010	244,000.00	244,000.00	-	244,000.00	244,000.00	
Certificate of Deposit	1.60%	07/10/10	7,000,000.00	7,000,000.00	-	7,000,000.00	7,000,000.00	
Certificate of Deposit	0.65%	07/29/10	4,000,000.00	4,000,000.00	-	4,000,000.00	4,000,000.00	
Certificate of Deposit	1.16%	08/26/10	18,000,000.00	18,000,000.00	-	18,000,000.00	18,000,000.00	
Certificate of Deposit	1.25%	10/16/10	-	-	245,000.00	245,000.00	245,000.00	
Certificate of Deposit	1.50%	12/01/10	245,000.00	245,000.00	-	245,000.00	245,000.00	
Certificate of Deposit	0.80%	05/12/11	-	-	150,000.00	150,000.00	150,000.00	
FHLB Note	1.00%	03/02/10	2,700,000.00	2,707,593.75	(4,218.75)	2,700,000.00	2,703,375.00	
FHLB Note	1.10%	03/06/10	8,500,000.00	8,531,875.00	(15,937.50)	8,500,000.00	8,515,937.50	
FHLB Note	4.88%	05/14/10	2,000,000.00	2,055,625.00	(21,250.00)	2,000,000.00	2,034,375.00	
FHLB Note	1.30%	07/30/10	21,000,000.00	21,170,625.00	(59,062.50)	21,000,000.00	21,111,562.50	
FHLB Note	1.42%	09/30/10	36,000,000.00	36,303,750.00	(78,750.00)	36,000,000.00	36,225,000.00	
FHLB Note	1.25%	10/08/10	20,000,000.00	20,137,500.00	(31,250.00)	20,000,000.00	20,106,250.00	
FHLB Note	1.05%	11/15/10	6,000,000.00	6,011,250.00	-	6,000,000.00	6,011,250.00	
FHLB Note	6.50%	05/13/11	1,000,000.00	1,082,500.00	(14,062.50)	1,000,000.00	1,068,437.50	
FHLB Note	3.13%	06/10/11	12,000,000.00	12,408,750.00	(78,750.00)	12,000,000.00	12,330,000.00	
FHLB Note	1.13%	07/18/11	5,630,000.00	5,647,593.75	(12,315.63)	5,630,000.00	5,635,278.12	
FHLB Note	1.38%	08/11/11	5,500,000.00	5,549,843.75	(17,187.50)	5,500,000.00	5,532,656.25	
FHLB Note	2.88%	04/30/10	17,000,000.00	17,255,000.00	(100,937.50)	17,000,000.00	17,154,062.50	
FHLB Note	2.88%	06/28/10	11,000,000.00	11,203,357.00	(63,008.00)	11,000,000.00	11,140,349.00	
FHLB Note	2.00%	03/16/11	23,000,000.00	23,136,022.00	(78,706.00)	23,000,000.00	23,057,316.00	
FHLB Note	1.75%	04/20/11	5,700,000.00	5,738,361.00	(18,308.40)	5,700,000.00	5,720,052.60	
FHLB Note	3.50%	05/05/11	3,000,000.00	3,118,449.00	(21,048.00)	3,000,000.00	3,097,401.00	
FNMA Note	3.25%	08/12/10	3,000,000.00	3,071,250.00	(17,812.50)	3,000,000.00	3,053,437.50	
FNMA Note	5.05%	02/07/11	1,000,000.00	1,057,500.00	(9,687.50)	1,000,000.00	1,047,812.50	
FNMA Note	2.05%	04/01/11	3,810,000.00	3,838,575.00	(11,906.25)	3,810,000.00	3,826,668.75	
FNMA Note	1.88%	04/08/11	5,500,000.00	5,534,375.00	(17,187.50)	5,500,000.00	5,517,187.50	
<b>TOTAL</b>			<b>\$ 317,584,858.00</b>	<b>\$ 319,804,653.25</b>	<b>\$ (7,024,260.31)</b>	<b>\$ 311,231,983.72</b>	<b>\$ 312,780,392.94</b>	

(1) Does not include interest.

**Allocation**

**December 31, 2009**

Book Value	% Equity in		Book Value
	Treasury Pool	Fund Allocation	
General Fund	13.75%	42,919,445.53	
Debt Service Funds	5.37%	16,762,497.08	
Capital Projects Funds	38.81%	121,160,759.36	
Enterprise Funds	12.02%	37,526,120.44	
Special Revenue Funds	8.03%	25,076,385.15	
Internal Service Funds	15.73%	49,102,142.56	
Fiduciary Funds	6.30%	19,680,264.31	
<b>Totals</b>	<b>100.00%</b>	<b>312,227,614.44</b>	

Market Value	% Equity in		Market Value
	Treasury Pool	Fund Allocation	
General Fund	13.75%	42,995,431.59	
Debt Service Funds	5.37%	16,792,173.98	
Capital Projects Funds	38.81%	121,375,266.54	
Enterprise Funds	12.02%	37,592,557.98	
Special Revenue Funds	8.03%	25,120,781.25	
Internal Service Funds	15.73%	49,189,074.68	
Fiduciary Funds	6.30%	19,715,106.93	
<b>Totals</b>	<b>100.00%</b>	<b>312,780,392.94</b>	

Allocations are based upon fund equity in the Treasury Pool at the end of the period.



**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:		3/8/2010		
Department:		Legal		
Department Head		Diane Wetherbee		
Agenda Coordinator (include phone #): <b>Lynne Jones - 7109</b>				
<b>CAPTION</b>				
A Resolution of the City Council of the City of Plano, Texas, appointing James D. Shields and Lori Leu to serve for two year terms as investigators as required by Section 2-104 of the Code of Conduct of the City of Plano; 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>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
BALANCE	0	0	0	<b>0</b>
FUND(S):				
COMMENTS:				
<b>SUMMARY OF ITEM</b>				
This Resolution approves the appointment of James D. Shields and Lori Leu to serve as investigators in determining violations of the Code of Conduct by a City official in the event the Council deems a full investigation is required.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Memo		n/a		

## MEMORANDUM

**DATE:** February 15, 2010  
**TO:** Honorable Mayor and Members of Council  
**FROM:** Diane C. Wetherbee, City Attorney  
**SUBJECT:** **Ethics Investigators**

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Section 2-104 of the Code of Conduct of the City of Plano provides for a panel of attorneys to serve as individual investigators to determine violations of the Code of Conduct by a City official. These investigators serve a two year term.

The two attorneys scheduled to be reappointed this year have informed me that they no longer reside in the City of Plano. My custom is to nominate attorneys who live in the City.

I have contacted Mr. James D. Shields of Shields, Britton and Fraser and Ms. Lori Leu of James and Leu and asked them to serve as investigators for the period February 2010 through February 2012, and both have agreed. Attached is a short biography of each of the attorneys. Both Mr. Shields and Ms. Leu live and office in Plano. These nominations are submitted for your approval.

If you have any questions or need additional information on this process, please feel free to contact me.

Attachment

c: Thomas H. Muehlenbeck, City Manager (w/attach)



**James D. Shields, Shareholder**

5401 Village Creek Drive  
Plano, TX 75093  
(972) 267-3467 Telephone  
(972) 788-4332 Facsimile  
[jimshields@sbflegal.com](mailto:jimshields@sbflegal.com)

**Primary Areas of Concentration**

- Corporate and commercial litigation
- Contract, real estate and insurance litigation

**Activities and Affiliations**

- Member of the Dallas and American Bar Associations
- Licensed to practice law in:
  - All state and county courts in the State of Texas
  - United States District Courts for the Northern, Eastern, and Western Districts of Texas

**Education**

- Law Degree:
  - St. Mary's University School of Law in San Antonio, 1983
  - Associate Member and Editor of St. Mary's University Law Journal
  - Order of the Barristers
- Undergraduate Degree in Language Arts:
  - St. Mary's University, 1980

## LORI A. LEU

## BIOGRAPHY

### PRACTICE AREAS

- ELDER LAW
- ESTATE PLANNING
- GUARDIANSHIP
- PROBATE & ESTATE ADMINISTRATION

### RELATED RESOURCES

*"Lori is the type of attorney other attorneys will call when we need her expertise. She has the intellect to handle complex matters, plus the ethical standards that let you know the client will always be first."*

*- David M.*



Growing up in a small town in Kansas, strong values and ties to the community were instilled in Lori Leu. After practicing as a civil litigation attorney for more than 20 years, Lori longed to focus on a practice area that would more directly benefit members of the community in which she lives. While searching for direction, Lori was approached by family members with questions regarding elder law issues. She then realized that assisting individuals who most need advice, especially when faced with confusing, and sometimes overwhelming issues, was the calling she was seeking. As a result, Lori changed her practice to focus on legal issues affecting seniors and long-term planning, from simple wills to more complicated estate planning, financing of long-term care, including Medicaid eligibility, advance directives, guardianships, and estate administration.

Lori graduated from Kansas State University with an honors degree in Interdisciplinary Social Sciences, *summa cum laude*, in 1984. She continued on to receive her law degree from Harvard University in 1987, and is licensed to practice in Texas, Kansas, and Missouri. Lori lives with her husband and two children in Plano, Texas.

*Certified by the State Bar of Texas under Probate Code Section 646 to serve as an Ad Litem in guardianship proceedings.*

#### Memberships

College of the State  
Bar of Texas  
Collin County Bar Association  
Estate Planning & Probate  
Section - Treasurer and  
Board of Directors  
Dallas Bar Association

Dallas Bar Foundation - Fellow  
Estate Planning Council of North Texas  
Kansas Bar Association  
Missouri Bar Association  
Plano Bar Association  
State Bar of Texas

**A Resolution of the City Council of the City of Plano, Texas, appointing James D. Shields and Lori Leu to serve for two year terms as investigators as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date.**

**WHEREAS**, pursuant to Sec. 2-104 of the Code of Ordinances, the City Council shall appoint attorneys to serve as investigators in determining violations of the Code of Conduct of the City of Plano by a City official; and

**WHEREAS**, James D. Shields and Lori Leu have agreed to serve as investigators for a two year period from February, 2010 to February, 2012.

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

**Section I.** James D. Shields and Lori Leu are hereby appointed by the City Council to serve as investigators in determining violations of the Code of Conduct of the City of Plano by a City official.

**Section II.** This Resolution shall become effective immediately after its passage.

**DULY PASSED AND APPROVED** this the 8<sup>th</sup> day of March, 2010.

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

ATTEST:

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

APPROVED AS TO FORM:

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



**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:		03/08/10		
Department:		Budget & Research		
Department Head		Karen Rhodes-Whitley		
Agenda Coordinator (include phone #): <b>Casey Srader, x5152</b>				
<b>CAPTION</b>				
<p>An Ordinance of the City of Plano, Texas, transferring the sum of \$92,349 from the General Fund unappropriated fund balance to the General Fund operating appropriation for fiscal year 2009-10 for the purpose of providing additional funds for the estimated costs associated with conducting a runoff election on March 27, 2010 to fill the vacant Place 3 City Council position; amending the budget of the City and Ordinance 2009-9-13, Section 1, Item "A" to reflect the actions 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>2009-10</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	198,673,823	0	<b>198,673,823</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	92,349	0	<b>92,349</b>
<b>BALANCE</b>	0	198,766,172	0	<b>198,766,172</b>
<b>FUND(S):     GENERAL FUND</b>				
<p><b>COMMENTS:</b> Supplemental appropriations approved to date for the General Fund, including this item, total \$172,152. The current General Fund balance supports this supplemental appropriation in the amount of \$92,349. There is a companion agenda item in the amount of \$80,544 for Award of Contract to the Elections Administrator of Collin County, Texas.</p> <p><b>STRATEGIC PLAN GOAL:</b> Conducting a Runoff Election relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
Supplemental Appropriation No. 3				
<p>Whereas no one person received a majority of votes cast in the Special Election held on January 30, 2010, this supplemental appropriation will allow the City to conduct a Runoff Election to fill the vacant Place 3 City Council position. This supplemental appropriation will cover all estimated costs associated with conducting an unbudgeted Runoff Election. The supplemental amount of \$92,349 includes contractual costs to the Elections Administrator of Collin County, Texas, in the amount of \$80,544 and facility costs to PISD in the estimated amount of \$11,805.</p>				



# CITY OF PLANO COUNCIL AGENDA ITEM

List of Supporting Documents: Supplemental Appropriation Log Summary of Costs for City of Plano - Contract Costs and PISD Facility Costs	Other Departments, Boards, Commissions or Agencies

**An Ordinance of the City of Plano, Texas, transferring the sum of \$92,349 from the General Fund unappropriated fund balance for Fiscal Year 2009-10 to the General Fund operating appropriation for the purpose of providing additional funding for the estimated costs associated with conducting a Runoff Election on March 27, 2010 to fill the vacant Place 3 City Council position; amending the budget of the City and Ordinance 2009-9-13, as amended, to reflect the actions 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 2009-10 setting the appropriations for the General Fund at \$198,673,823; and

**WHEREAS**, no one person received a majority of votes cast in the Special Election held on January 30, 2010, additional funding is required in order for the City of Plano to provide funding for unbudgeted costs related to a necessary Runoff Election; and

**WHEREAS**, the City Council deems it to be in the best interest of the City of Plano and its citizens to expend public funds for estimated costs associated with conducting a Runoff Election; and

**WHEREAS**, such necessary and essential costs cannot be fully met through appropriations in the existing budget; and

**WHEREAS**, the City Council now finds that additional appropriations to the General Fund Operating Appropriation should be made in order to provide additional funding for this Runoff Election, 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 estimated sum of NINETY TWO THOUSAND THREE HUNDRED FORTY NINE DOLLARS (\$92,349) is hereby transferred from the General Fund unappropriated fund balance to the General Fund operating appropriation.

**SECTION II.** The budget of the City of Plano for Fiscal Year 2009-10 as adopted by Ordinance No. 2009-9-13 is amended to reflect the action taken herein.

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

SECTION IV. This supplemental appropriation Ordinance No. 3 shall become effective immediately from and after the date of its passage.

**DULY PASSED AND APPROVED THIS THE 8<sup>th</sup> DAY OF MARCH,  
2010.**

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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 2009-10  
SUPPLEMENTAL APPROPRIATIONS**

<b>Description</b>	<b>Department</b>	<b>Amount</b>
Supplemental Appropriation for Special Election for City Council Place 3.	City Secretary	79,954
Supplemental Appropriation for Runoff Election for City Council Place 3.	City Secretary	92,349
<b>TOTAL GENERAL FUND APPROPRIATIONS</b>		<b>\$ 172,303</b>
<b>TOTAL CATV 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>
Supplemental Appropriation for Plano Convention Center market study.	Conv. & Visitors Bureau	49,000
<b>TOTAL CONVENTION &amp; TOURISM FUND APPROPRIATIONS</b>		<b>\$ 49,000</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>\$ 221,303</b>

## SUMMARY OF COSTS FOR CITY OF PLANO

<b>SUPPLY COST</b>	\$2,400.60
<b>EQUIPMENT RENTAL COST</b>	\$18,385.28
<b>EARLY VOTING</b>	\$23,464.00
<b>ELECTION DAY</b>	\$6,622.00
<b>ADMINISTRATIVE EXPENSES</b>	\$213.00
<b>TABULATION/CENTRALIZED COSTS</b>	\$22,137.00
Total	\$73,221.88
10% Administrative Fee	<u>\$7,322.19</u>
<b>Grand Total</b>	<b>\$80,544.07</b>
<b>90% Deposit Due 03/05/10</b>	<b>\$72,489.66</b>





**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		03/08/2010		
Department:		City Secretary		
Department Head		Diane Zucco		
Agenda Coordinator (include phone #): <b>Sharon Kotwitz X7120</b>				
<b>CAPTION</b>				
An ordinance of the City of Plano, Texas adopting and enacting Supplement Number 89 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; 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>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
BALANCE	0	0	0	<b>0</b>
<b>FUND(s):</b>				
<b>COMMENTS:</b> this item has no fiscal impact.				
<b>SUMMARY OF ITEM</b>				
Adoption of this ordinance enables this supplement to be admissible in court.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	

**An ordinance of the City of Plano, Texas adopting and enacting Supplement Number 89 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date.**

**WHEREAS**, the City Council of the City of Plano, Texas adopted a new Code of Ordinances upon adoption of Ordinance No. 87-3-14, on March 9, 1987; and

**WHEREAS**, Sections V and VI of Ordinance No. 87-3-14 provide for amendment to said Code of Ordinances; and

**WHEREAS**, the Code of Ordinances of the City of Plano, Texas has been revised by previous amendments duly passed as individual ordinances by the City Council and such amendments are reflected on Supplement Number 89; and

**WHEREAS**, the City Council wishes to adopt the ordinance codification version appearing in Supplement Number 89 of the Plano Code of Ordinances in order for the printed Code form to be considered identical to the original ordinance and to eliminate any confusion or differences in the format of the original ordinance.

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

**Section I.** The City Council hereby adopts the printed Code form of the ordinances contained in Supplement Number 89 as prepared by the codifier.

**Section II.** This Ordinance shall become effective immediately upon its passage.

**DULY PASSED AND APPROVED** this the 8th day of March, 2010.

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

ATTEST:

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

APPROVED AS TO FORM:

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



**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:		03/08/2010		
Department:		Planning/Community Services		
Department Head		Phyllis Jarrell		
Agenda Coordinator (include phone #): <b>Evelyn Trull EXT 7566</b>				
<b>CAPTION</b>				
Public Hearing and Consideration of a Resolution of the City Council of the City of Plano, Texas, adopting the Consolidated Housing and Community Development Plan for 2010-2014 outlining the use of Community Development Block Grant funds and HOME Investment Partnership funds provided by the U.S. Department of Housing and Urban Development; 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:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
<b>BALANCE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>FUND(s):</b> CDBG GRANT FUND				
<b>COMMENTS:</b> Approval of the 2010-14 Consolidated Plan does not have a direct financial impact, but does make the City of Plano eligible to receive Federal Funds.				
<b>STRATEGIC PLAN GOAL:</b> The Consolidated Plan relates to the City's Goal of Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
The Community Services division of the Planning Department has been working with BBC Research and Consulting since October 2009 to prepare this five-year planning document, namely the 2010-14 Consolidated Plan. This plan is required by the U.S. Department of Housing and Urban Development (HUD) as a precursor to receiving federal funds. The City must complete this plan if it wishes to remain an entitlement jurisdiction, receiving annually more than \$1.7 million in HUD funding.				
List of Supporting Documents: Resolution, Staff report		Other Departments, Boards, Commissions or Agencies Community Relations Commission, Approved 5-0		

CITY OF PLANO  
COMMUNITY RELATIONS COMMISSION

February 9, 2010

**Agenda Item No. 4**

**Public Hearing:** Review and Consideration of 2010-14 Consolidated Plan

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**DESCRIPTION:**

The Community Relations Commission will consider the proposed 2010-14 Consolidated Plan.

**REMARKS:**

Over the past several months the City's Community Services staff has been working with BBC Research and Consulting to prepare a five-year planning document, namely the 2010-14 Consolidated Plan. This plan is required by the U.S. Department of Housing and Urban Development (HUD) as a precursor to receiving federal funds. The City must complete this plan if it wishes to remain an entitlement jurisdiction, receiving annually more than \$1.7 million in HUD funding.

The Consolidated Planning Process included a week of public input from citizens and stakeholders within the community, December 7 – 11, 2009. From that input and extensive research on housing and community development trends, BBC completed an assessment of community needs. Those needs were prioritized and have been molded into a Strategic Plan, providing guidance to the community in allocating CDBG and HOME funds for the next five years. The resulting Consolidated Plan consists primarily of the HUD Five-Year Strategic Plan tool, supported by the research documents and community input utilized in the planning process.

The strategies and objectives for 2010-14 provide more flexibility for the City to fund a variety of needed community programs, such as economic development and neighborhood revitalization. However, the prioritization of objectives still emphasizes core values of providing safe housing and funding social services, especially for special needs populations. Additionally, the City has placed the required numeric outcomes prominently in the text, to place more emphasis on these outcomes by which progress is reported semi-annually to HUD.

Staff requests that the Commission review and consider these documents. If the Commission finds the plan appropriate, they should make a recommendation to the Council regarding adoption of the 2010-14 Consolidated Plan.

**RECOMMENDATIONS:**

Recommended that the Commission advise adoption of the 2010-14 Consolidated Plan to the City Council as presented.

**A Resolution of the City Council of the City of Plano, Texas, adopting the Consolidated Housing and Community Development Plan for 2010-2014 outlining the use of Community Development Block Grant funds and HOME Investment Partnership funds provided by the U.S. Department of Housing and Urban Development; and providing an effective date.**

**WHEREAS**, the City of Plano receives Community Development Block Grant funds and HOME Investment Partnership funds from the U.S. Department of Housing and Urban Development (HUD); and

**WHEREAS**, as a condition of receiving said funds, HUD requires the City to develop and adopt a Consolidated Housing and Community Development Plan (Consolidated Plan) for the use of said funds; and

**WHEREAS**, the City of Plano also engaged the services of BBC Research and Consulting to develop the Consolidated Plan; and

**WHEREAS**, the Community Relations Commission conducted two public hearings on November 12, 2009 and February 9, 2010, to obtain citizen comments during the preparation of the plan; and

**WHEREAS**, BBC Research also conducted two public forums on December 8, 2009, one public forum on December 9, 2009, and two public forums on December 10, 2009, to obtain citizen comments during the preparation of the plan; and

**WHEREAS**, upon reviewing the input from BBC Research and Consulting and the public, the Community Relations Commission recommends approval of the Consolidated Plan; and

**WHEREAS**, the City Council held a public hearing on March 8, 2010, to receive comments from the public relating to the Consolidated Plan; and

**WHEREAS**, the City Council is of the opinion that the goals of the Consolidated Plan should be adopted to guide the use of the Community Development Block Grant and HOME Investment Partnership funds.

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

**Section I.** The facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

**Section II.** The 2010-2014 Housing and Community Development Plan, attached as Exhibit A, is hereby adopted.

**DULY PASSED AND APPROVED THIS THE 8TH DAY OF MARCH, 2010.**

\_\_\_\_\_  
Phil Dyer, Mayor

**ATTEST:**

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

Approved as to form:

\_\_\_\_\_  
Diane C. Wetherbee, City Attorney



**City of Plano, Texas**  
**2010-2014 Consolidated Plan**

**Prepared for**

City of Plano  
Community Services Division  
1520 Avenue K  
Plano, Texas 75074

**Prepared by**

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# **INTRODUCTION**

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# INTRODUCTION

## **Purpose of the Consolidated Plan**

Beginning in fiscal year 1995, the U.S. Department of Housing and Urban Development (HUD) required local communities and states to prepare a Consolidated Plan in order to receive federal housing and community development funding. The Consolidated Plan is a collaborative process where a community establishes a unified vision for housing and community development actions. It offers local jurisdictions the opportunity to shape federal block grant housing and community development programs into effective, coordinated neighborhood and community development strategies. It also creates the opportunity for strategic planning and citizen participation to take place in a comprehensive context, and to reduce duplication of effort at the local level.

The purpose of this Consolidated Plan is:

1. To identify the City of Plano's housing and community development (including neighborhood and economic development) needs, priorities, strategies, objectives and five year outcomes; and
2. To stipulate how funds will be allocated to housing and community development activities over the next five years.

This report is the 2010-2014 Five Year Consolidated Plan for the City of Plano (city). It will be effective for a five-year time period beginning on October 1, 2010, and terminating on September 30, 2015.

The City of Plano is a participating jurisdiction and receives entitlement grants from HUD. The entitlement grants the city receives include the Community Development Block Grant (CDBG) and the HOME Investment Partnerships Program (HOME). These resources will enable the city to achieve the strategies and objectives outlined in this Consolidated Plan.

While completing the Consolidated Plan the city is required by federal law that housing and community development grant funds primarily benefit low and moderate income persons in accordance with the following HUD objectives:

- Providing decent housing;
- Establishing and maintaining a suitable living environment; and
- Providing expanded economic opportunities.

## **Included in the City of Plano's Consolidated Plan**

Included in this Consolidated Plan is the City of Plano's Five Year Strategic Plan for program years 2010-2014. The strategic plan lays out a specific course of action the city will follow over the next five years to address its priority housing and community development needs. It is the means to analyze the full local context and the linkages to the larger region, while building on local assets and

coordinating a response to the needs of the community. The strategic plan also sets forth program strategies, objectives and five year outcomes and benchmarks for measuring progress. In so doing, it helps the City of Plano and its citizens keep track of results and learn what works.

Additionally, the Consolidated Plan includes quantitative and qualitative research completed to help the city determine its priority housing and community development needs. These priority needs are the guiding force behind the development of the five year strategies, objectives and outcomes. The research findings are included throughout the Five Year Strategic Plan section, while the detailed research is included in the appendices attached to this Plan. The appendices include the following:

- **Citizen Participation Plan.** The Citizen Participation Plan outlines the procedure the city will follow to encourage citizens to participate in the development of the Consolidated Plan, the annual Action Plans, any substantial amendments to the Consolidated Plan, and the Consolidated Annual Performance and Evaluation Report.
- **Citizen Participation Materials.** The Citizen Participation Plan process materials include the Housing and Community Development Needs Survey instrument, the public and focus group meeting materials and promotional flyers.
- **Citizen Participation Input and Comments.** Additionally, input on housing and community development needs as identified by citizens, public service agencies and government officials through stakeholder consultation, public meetings, a survey and a review of community development resources is included in Appendix C.
- **City of Plano Housing and Community Development Priority Needs, Strategies, Objectives and Outcomes.** A comprehensive list of the city's priority needs and five year strategies, objectives and outcomes.
- **Community and Housing Market Profile.** A discussion of the demographic and economic trends in the City of Plano, along with a detailed analysis of the city's housing market. These help set the context for the housing and community development needs and strategies discussed in the strategic plan.
- **Housing and Non-Housing Needs for Special Needs Populations.** An evaluation of the housing and non-housing needs of special needs populations in the City of Plano.
- **HUD Tables.** Finally, a series of tables, as required by HUD, identify the priority (including the relative priority if any) given to each category of needs for the period of time as designated in the strategic plan portion of this document.

**CITY OF PLANO, TEXAS  
FIVE YEAR STRATEGIC PLAN**

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# City of Plano, Texas Five Year Strategic Plan

This document includes Narrative Responses to specific questions that grantees of the Community Development Block Grant, HOME Investment Partnership, Housing Opportunities for People with AIDS and Emergency Shelter Grants Programs must respond to in order to be compliant with the Consolidated Planning Regulations.

## GENERAL

### Executive Summary

*The Executive Summary is required. Include the objectives and outcomes identified in the plan and an evaluation of past performance.*

#### 5 Year Strategic Plan Executive Summary:

The City of Plano has established the following strategies, objectives and outcomes to guide its Consolidated Plan for program years 2010 to 2014.

### DECENT HOUSING

**Strategy DH:** Encourage the provision of decent, safe and affordable housing for low and moderate income and special needs residents.

- **Objective DH-1.1 (Affordability):** Continue to preserve and enhance existing housing stock through home rehabilitation.

*DH-1.1 five year outcomes:*

- Provide programs to rehabilitate and improve the existing stock of homes occupied by low and moderate income owners.
  - *Outcome/five year goal:* 95 units
- Continue to offer and market programs to rehabilitate and improve existing rental stock occupied by low and moderate income renters.
  - *Outcome/five year goal:* 10 meetings and/or speaking engagements specifically to market the rehabilitation program to landlords with low and moderate tenants

- **Objective DH-1.2 (Affordability):** Continue to create affordable homeownership opportunities through homeownership assistance, new construction and/or acquisition and rehabilitation of land and properties for income qualifying households.

*DH-1.2 five year outcomes:*

- Provide assistance to homebuyers with downpayment assistance, closing cost assistance, and/or homebuyer education and counseling.
  - *Outcome/five year goal:* 60 units

- Consider sale of publicly owned land to affordable housing developers. Inventory available parcels and evaluate their feasibility for affordable housing development.
  - *Outcome/five year goal:* Develop map of vacant parcels by zoning district for affordable housing developers
- **Objective DH-1.3 (Affordability):** Increase and support affordable rental housing opportunities in Plano.
  - DH-1.3 five year outcomes:*
    - Continue to support the efforts of the Plano Housing Authority (PHA) to maintain affordable housing developments and issue Housing Choice Vouchers.
      - *Outcome/five year goal:* Complete 5 annual environmental reviews for PHA Capital Funding
      - *Outcome/five year goal:* Certify PHA initiatives as compliant with the Consolidated Plan as needed
    - Support applications for and the development of Low Income Housing Tax Credit (LIHTC) projects.
      - *Outcome/five year goal:* Completed on an as needed basis

### **SUITABLE LIVING ENVIRONMENT**

**Strategy SL:** Improve and maintain suitable living environments by supporting and enhancing public facilities, public services and infrastructure for low income persons, special needs populations and neighborhoods in need of revitalization.

- **Objective SL-2.1 (Availability/Accessibility):** Develop and upgrade public facilities and infrastructure to help lower income persons, those with special needs and neighborhoods in need.
  - SL-2.1 five year outcomes:*
    - Support and assist with the creation of additional shelter, supportive services, and transitional housing for homeless and under-housed.
      - *Outcome/five year goal:* 100 people
      - *Outcome/five year goal:* Certify local agency initiatives as compliant with the Consolidated Plan, as needed
    - Continue to assist with housing accessibility modifications for elderly and disabled residents within the City of Plano.
      - *Outcome/five year goal:* 5 housing units

- **Objective SL-2.2 (Availability/Accessibility):** Fund public service activities serving primarily lower income persons and those with special needs.

*SL-2.2 five year outcomes:*

- Provide support to organizations that engage in public services for Plano residents, especially special needs populations, including but not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth.
  - *Outcome/five year goal:* 4,625 individuals
- Assist homeless supportive services across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention.
  - *Outcome/five year goal:* 100 families
  - *Outcome/five year goal:* Participate and fund annual Collin County Homeless PIT survey: 5 units

- **Objective SL-3 (Sustainability):** Support the rehabilitation/revitalization of aging neighborhoods through a mixture of infrastructure improvements, home and business rehabilitation, code enforcement, and expanding economic opportunities.

*SL-3 five year outcomes:*

- Actively pursue and track neighborhood well being by focusing resources on areas of greatest opportunity for improvement.
  - *Outcome/five year goal:* 3 neighborhoods showing measureable improvements

## **ECONOMIC OPPORTUNITIES**

**Strategy EO:** Encourage economic opportunities that promote private investment for low and moderate income persons and area workforce.

- **Objective EO-2 (Availability/Accessibility):** Create and/or expand opportunities for small businesses and/or microenterprises.

*EO-2 five year outcomes:*

- Support activities that provide job training and assist with job/small business creation.
  - *Outcome/five year goal:* 50 people

## **OTHER**

**Strategy O:** Continue program planning and administration that supports all of the above strategies and objectives.

- **Objective O-1:** Use CDBG and HOME funds to coordinate, monitor and implement the Consolidated Plan objectives according to HUD.
  - *Outcome/five year goal:* Create Action Plan and CAPER documents acceptable to HUD: 10 units

**Past performance.** The City of Plano met and exceeded ten of the seventeen objectives listed within the first four years of the 2005-2009 Consolidated Plan period. The objectives that have been met or exceeded include: new Section 8 units; apartment rehabilitation; rent and utility assistance; assistance for elderly persons; homeless services; youth services; literacy training; transportation assistance; and health care. The city anticipates to meet two of the remaining unmet objectives by the end of the 2005-2009 Consolidated Plan period.

### ***Goal 1. Affordable Single Family Housing:***

- The city had set a five year goal to assist with 35 new infill housing units; as of the end of 2008 the city had assisted with the creation of 19 infill units. The city does not anticipate to meet its five year goal due to the lack of available land.
- A goal to acquire/rehabilitate 25 housing units was set for the 2005-2009 Consolidated Plan, at the end of the 2008 Action Plan year 7 housing units had been acquired/rehabilitated. The city does not anticipate to meet its five year goal due to the fact that the city has only one designated Community Housing Development Organization (CHDO).
- One hundred first time homebuyers were planned to be assisted during the five year period; 69 of those homebuyers had been assisted by the end of the 2008 program year. By the of the 2009 Action Plan year the city anticipates to have assisted an additional 31 homebuyers, which meets the five year goal.

### ***Goal 2. Affordable Rental Housing:***

- The city set a five year goal to assist with 100 new Section 8 units, during the first four years of the Consolidated Plan the city had already met its goal and had assisted 236 units.
- The city does not expect to meet the goal of creating 1,000 new Low Income Housing Tax Credit (LIHTC) units by the end of the Consolidated Plan period. As stated in the 2005-2009 Consolidated Plan, the city continued to support private developers who wished to utilize LIHTC to create affordable housing in the City of Plano. However, no grant applications were submitted to request city funds for use in the development of LIHTC units during the 2005-2009 Consolidated Plan years.
- Four LIHTC developments, 865 LIHTC units in total, are located within the city. Of the four developments, two developments (490 units) were built during the 2005 and 2006 calendar years.

**Goal 3. Preserve Existing Housing:**

- A goal of rehabilitating 125 homes was set as a five year goal; at the end 2008 the city had rehabilitated 111 units and the city expects to meet the five year goal by the end of 2009.
- A goal to reconstruct 10 housing units was set for the 2005-2009 Consolidated Plan period; currently the city has assisted with 6 reconstructions. The city does not anticipate it will meet its five year goal.
- The city has met and exceeded its goal to rehabilitate 300 apartment units over the previous five years. At the end of the 2008 Action Plan year the city had rehabilitated 494 units.

**Goal 4. Special Needs Assistance:**

- The city established a five year goal to provide assistance for 16 new homeless units and the city assisted in the development of 24 new homeless units.
- The city has met and exceeded its five year goal to assist 675 households with rent & utility assistance (emergency financial assistance). As of the end of 2008 the city had assisted over 11,000 households with emergency rent and utility assistance.
- The city has more than doubled its five year goal of assisting 2,000 elderly persons. During the first four years of the 2005-2009 Consolidated Plan the city had assisted 5,278 elderly persons.
- A five year goal to assist 250 persons living with AIDS was set for 2005-2009, as of the 2008 program year 136 persons with AIDS had been assisted. The city does not anticipate to meet the five year goal due to an increase of additional outside agency support being provided to this population. Therefore the city has chosen to refocus these funds to address the needs of other special needs populations.
- The city has met and exceeded its five year goal to support homeless services for 1,000 people. Just under 14,000 persons had been assisted with homeless services during program years 2005 to 2008.

**Goal 5. Low Income Service Needs:**

- As of the end of program year 2008 the city had already met and exceeded its five year goal to assist 2,000 youth with services. During the first four years of the Consolidated Plan the city had assisted 8,136 youth with services.
- The city established a five year goal to provide literacy training for 750 people and by the end of the fourth year the city had exceeded that goal by providing 865 persons with literacy training.
- The city has met and exceeded its five year goal to support health care services for 500 low income special needs persons. During the first four years of the 2005-2009 Consolidated Plan 21,370 persons received health care services.
- A five year goal to assist 500 persons with transportation assistance was set for 2005-2009; currently 507 persons had been assisted. Therefore the city has met the five year goal.

Overall, the City of Plano is on target to meet the majority of Consolidated Plan goals by the end of its final year of the 2005-2009, Five Year Consolidated Plan; program year 2009.

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## Strategic Plan

Due every three, four, or five years (length of period is at the grantee's discretion) no less than 45 days prior to the start of the grantee's program year start date. HUD does not accept plans between August 15 and November 15.

### Mission:

This Strategic Plan is part of the five year City of Plano Consolidated Plan and Action Plans, covering program years 2010-2014.

## General Questions

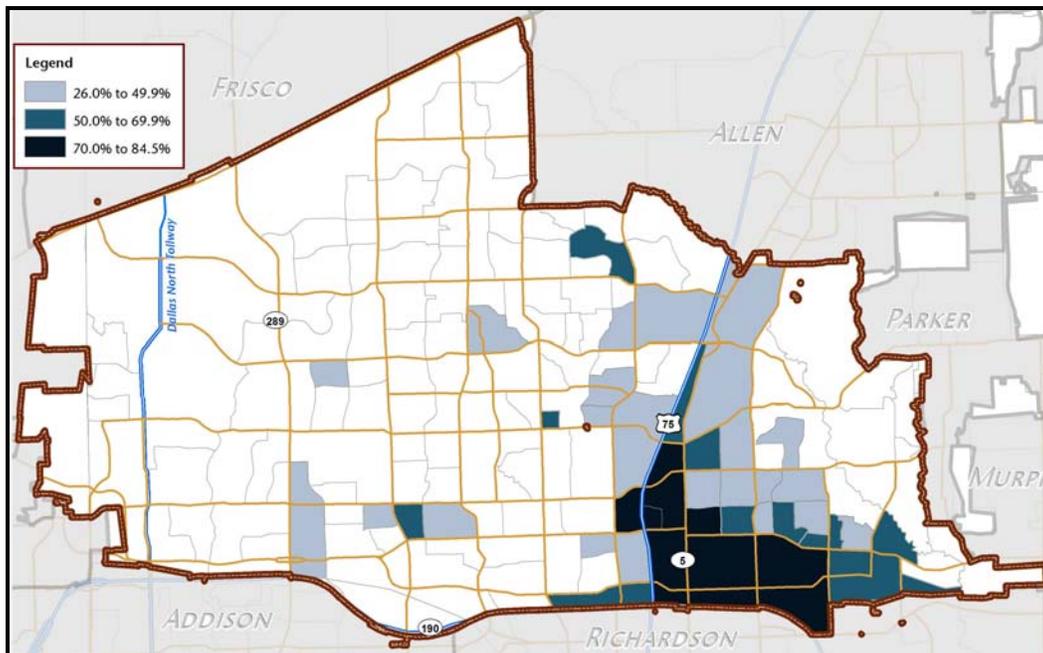
1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed.
2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) and the basis for assigning the priority (including the relative priority, where required) given to each category of priority needs (91.215(a)(2)). Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.
3. Identify any obstacles to meeting underserved needs (91.215(a)(3)).

### 5 Year Strategic Plan General Questions response:

**1. Geographic Areas.** The City of Plano will provide direct assistance to limited clientele populations and will direct assistance to low to moderate income Block Groups in the city. In addition, the city is able to complete projects that provide an area benefit according to the most current low and moderate income (LMI) map, as provided by HUD and the Census. The following exhibit shows the LMI areas within the city by Census Block Group. LMI areas are defined as those in which more than 26 percent of households are low to moderate income, using HUD's definition of LMI.

#### Exhibit 1.

#### Percentage of Population that is Low to Moderate Income by Block Group, City of Plano



Source: U.S. Department of Housing & Urban Development.

**2. Geographic allocation.** The city's primary method of allocating CDBG and HOME dollars is to assist low to moderate income and special needs populations. The city does not currently have geographic target areas as defined by HUD. Instead the city offers programs to assist those who qualify regardless of where they reside. However, in the future the city may offer activities that qualify as an area benefit.

To the extent that specific geographic areas have greater needs than other areas in the city and/or if service and housing organizations are located in certain areas, those areas may receive a larger proportionate share of the funding.

**3. Obstacles to meeting underserved needs.** The primary obstacle to meeting underserved needs is insufficient financial resources and operating funds. When appropriate the city may pursue potential funding resources to help meet these needs. Funding applications for other resources from other agencies will be supported. Funding resources will continue to be leveraged when possible by the city. When appropriate, funds provided to projects and programs will be in the form of loans and repayments will revolve to serve the greatest possible number of households over time.

To assist in filling this gap, the city funds the Buffington Community Services Grant (BCSG) through general funds. Historically the majority of BCSG funds have been used to provide emergency services to Plano residents such as food, shelter, clothing, and preventative healthcare assistance. Though the City does not have a low to moderate income level requirement for BCSG funds, the majority of BCSG agencies report that they only assist those that are low income.

In sum, despite cooperation from the community and city, with limited resources and the high cost of housing and service provision, the dollars available to address needs are small relative to total needs.

## **Managing the Process (91.200 (b))**

1. *Lead Agency. Identify the lead agency or entity for overseeing the development of the plan and the major public and private agencies responsible for administering programs covered by the consolidated plan.*
2. *Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.*
3. *Describe the jurisdiction's consultations with housing, social service agencies, and other entities, including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons.*

*\*Note: HOPWA grantees must consult broadly to develop a metropolitan-wide strategy and other jurisdictions must assist in the preparation of the HOPWA submission.*

## **5 Year Strategic Plan Managing the Process response:**

The implementation of Plano's 2010-2014 Consolidated Plan, required by HUD, will be done in collaboration with city agencies, other public institutions, nonprofit organizations and private industry.

**1. Lead agency.** The Planning Department's Community Services Division of the City of Plano is the lead agency and administers the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs. The Plano Housing Authority (PHA) oversees public housing.

The Community Services Division works closely with the citizens, City Council, the Community Relations Commission (CRC), the Planning Department and many other city departments.

The City Council has appointed the CRC to make recommendations to the Council regarding housing and community development policies and funding.

Some projects will be done in-house, while others will be contracted out to other agencies that have expertise in those particular areas. These agencies might include but are not limited to non-profit organizations, for-profit organizations, faith-based organizations, other city departments, other public agencies, and homeless and housing consortia. Because the city uses a competitive application process, the specific agencies will not be known until each year's applications are evaluated and approved.

**2. Development of the plan.** The City of Plano contracted with BBC Research & Consulting, a housing, economics and planning firm based in Denver, to assist in developing and preparing the 2010-2014 Consolidated Plan. BBC assisted in crafting and managing the public participation process, provided data and information for the Consolidated Plan, coordinated all input and prepared the final draft.

**3. Consultations.** In order to obtain a comprehensive assessment of the needs and priorities within the community, the Consolidated Plan process included consultation with the citizens, service providers and coordination of efforts of civic leaders. Input provided by and the work of the Community Relations Commission created a base for the Consolidated Plan.

Citizen participation is another important part of the Consolidated Plan including developing and amending the Plan, as well as commenting on program performance. As a part of the Consolidated Plan process information on housing and community development needs of Plano citizens was gathered through: a housing and community development needs survey; four public meetings; a stakeholder focus group and stakeholder/key person interviews. A 30-day public comment period is being held from February 2, 2010 ending on March 8, 2010, which will allow the public to review and comment on the draft 2010-2014 Consolidated Plan. During this public comment period, a public hearing was held on February 9, 2010 in front of the Community Relations Commission to present the draft plan and to receive comments on the draft plan. After reviewing and editing the draft plan, city staff will submit the revised draft to City Council for approval at an additional public hearing on March 8, 2010 at 7:00 pm.

## **Citizen Participation (91.200 (b))**

- 1. Provide a summary of the citizen participation process.*
- 2. Provide a summary of citizen comments or views on the plan.*

3. *Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.*
4. *Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.*

*\*Please note that Citizen Comments and Responses may be included as additional files within the CPMP Tool.*

### **5 Year Strategic Plan Citizen Participation response:**

**1. Citizen participation process.** The City of Plano goes to every effort to gain citizens' input on the Consolidated Plan. The City Council appoints an advisory board called the Community Relations Commission (CRC) made up of representatives from the community. The CRC meets as needed and advises the City Council on housing and community development policy, funding, and needs.

The City of Plano conducted a citizen participation process to elicit input regarding housing and community development needs. That process consisted of four major parts:

- A Housing and Community Development Needs Survey available in English and Spanish was distributed to libraries, recreation centers and other locations throughout the city. Additionally, an online version of the survey was available to complete on the city's home page from November 23 to December 23, 2009;
- Four public meetings and one stakeholder focus group were held throughout the city during the development of the Consolidated Plan. Flyers advertising the meetings were widely distributed to the community and were available in English and Spanish. Translation services were also made available for all public meetings and at one public meeting Mandarin translation was provided;
- Thirteen interviews with key persons/groups who are knowledgeable about the housing and community development needs in the city were conducted; and
- Two public hearings held during the 30-day public period.

In addition, all public meeting participants who provided contact information were notified in writing or by email of the availability of the draft Plan and were encouraged to provide their comments. The draft Plan will be available to be reviewed at the Municipal Center and will be available to download on the city's website. Copies will also be made available to citizens at their request.

The city will hold a public hearing, on February 9, 2010 to discuss the draft Plan. The meeting will be held at the City Municipal Center, 1520 Avenue K, in front of the CRC. After reviewing and editing the draft Plan, city staff will submit the revised draft to City Council for approval at an additional public hearing on March 8, 2010 at 7:00 pm. All written comments provided during the Consolidated Plan process are considered in preparing the final Consolidated Plan. All of the comments received—both verbal and written—were summarized or appended to the Consolidated Plan, unless otherwise requested by the commenter.

Appendix A, Appendix B and Appendix C provides the City of Plano's Citizen Participation Plan, public meeting materials and public comments received prior to and during the 30-day public comment period.

**2. Summary of citizen comments.** Citizen comments were received during Consolidated Plans' citizen participation efforts as part of the public meetings, resident survey, key person interviews and focus group. A complete summary of citizen comments is provided in Appendix C of the Consolidated Plan.

The comments received during the public input process held for the Consolidated Plan are summarized below using the following categories: housing, economic development, community development/public services and special needs populations.

- **Housing.** With respect to the housing needs of low to moderate income populations, participants prioritized the need for home rehabilitation including energy efficiency improvements and emergency repairs. More affordable rental units was another need often mentioned. Stakeholders were in agreement that demand for affordable rental housing in the community vastly exceeds the available supply. Affordable homes to buy for families who work in Plano and cannot afford to live in Plano was another need mentioned.
- **Community development/public services/infrastructure.** Participants identified a range of community development, public service and infrastructure needs. Improvements to sidewalks, lighting, pedestrian and transit accessibility and general aging infrastructure improvements were needs mentioned by participants. Revitalization of deteriorating neighborhoods, especially on the east side of Plano, was mentioned frequently during the meetings. Seniors who attended the public meetings noted the need for public transportation, which includes DART, buses and vans as important. Needed public services included healthcare services, especially preventative healthcare. The need to continue to fund supportive services was another need mentioned during key person interviews.
- **Economic development.** Job creation and retention was the highest ranking need according to survey respondents. Encouraging small business development was another priority participants identified, along with the need to revitalize deteriorating strip malls and support commercial façade improvements.
- **Special needs populations.** Overall, emergency and transitional housing and affordable housing were the biggest issues for all special needs populations in Plano. Seniors, the homeless, persons with disabilities and at-risk youth were the primary special needs populations discussed.
  - With respect to seniors, affordable housing and supportive services were the predominant needs participants identified.
  - As to the community's homeless population, the creation of a homeless shelter with supportive services (a campus) and transitional housing was mentioned by the community service providers as a top need.
  - Quality, cost effective housing for persons who are disabled (to ease the burden on families) is needed. Additionally, there is a need for a multi-purpose center targeting people with disabilities, providing recreation, day habitation, services and information.
  - Emergency and/or transitional housing for at-risk youth, especially youth ages 18 to 20 years, along with supportive services. Survey respondents also rated services and facilities for abuse/neglected children as a top priority.

**3. Efforts to broaden citizen participation.** The City of Plano made a very concerted effort to encourage participation by minorities, non-English speaking populations, persons with disabilities and persons who are low income in the Consolidated Plan. The public meetings held to collect public input were held at various locations in the city. All of these locations were accessible to persons with disabilities and accessible by public transportation. Translation services were made available to the public and at one public meeting Mandarin translation was provided for a participant.

Flyers announcing the public meetings were posted throughout the city and were available in English and Spanish. The flyers were distributed to organizations serving special needs populations, local businesses and faith-based organizations in low income neighborhoods.

To solicit input during the Plan development period the city also hosted a survey (in English and Spanish) on the city's website, which residents were able to access to provide their input on housing and community development needs in their community. Hard copies of the survey were also available to complete.

During the public comment period, the Consolidated Plan will be made available on the city website, at the Planning Department and by direct request.

**4. Public comments not accepted.** During the 30-day public comment period from February 2, 2010 to March 8, 2010, all comments will be accepted in person and by mail.

## **Institutional Structure (91.215 (i))**

- 1. Explain the institutional structure through which the jurisdiction will carry out its consolidated plan, including private industry, non-profit organizations, and public institutions.*
- 2. Assess the strengths and gaps in the delivery system.*
- 3. Assess the strengths and gaps in the delivery system for public housing, including a description of the organizational relationship between the jurisdiction and the public housing agency, including the appointing authority for the commissioners or board of housing agency, relationship regarding hiring, contracting and procurement; provision of services funded by the jurisdiction; review by the jurisdiction of proposed capital improvements as well as proposed development, demolition or disposition of public housing developments.*

### **5 Year Strategic Plan Institutional Structure response:**

**1. Institutional structure.** The City of Plano will implement the Consolidated Plan by using the Community Services Division as the lead agency. The Community Services Division is the local government entity specifically responsible for carrying out housing and community development activities. The city will also partner with many nonprofit, for-profit and quasi governmental entities to carry out the strategies and activities of the Consolidated Plan, including the Community Relations Commission (CRC), City Council, the Plano Housing Authority, the Collin County Homeless Coalition, faith-based organizations, etc.

The Community Services Division works to preserve Plano neighborhoods and improve the quality of life of residents by operating housing assistance, day labor, and neighborhood enhancement programs, as well as managing grant funds for non-profit housing and human service agencies. The Community Services Division proposes housing and community development policy and serves as a source of funds and technical assistance to other entities within the community who work in the housing and community development field. As a part of the annual CDBG and HOME allocation process the city holds public meetings where the residents and service providers of Plano provide input concerning the priority needs of the community. The Community Services Division reviews the applications with the priority needs of the Consolidated Plan and the needs of the community in mind, and funding recommendations are then made to the community.

The Community Services Division also administers the Buffington Community Services Grant (BCSG), which is funded from city general funds. These funds supplement the lack of federal funds available to help obtain Consolidated Plan goals. The majority of this grant is used to provide emergency services to Plano residents such as food, shelter, clothing, and preventative healthcare assistance. Though the City does not have a low to moderate income level requirement for BCSG funds, the majority of BCSG agencies report that they only assist those that are low income.

***Coordination with City Council and Community Relations Commission.*** The Community Relations Commission (CRC) serves as a hearing board to address significant issues as approved or directed by the City Council. The CRC oversees the administration of funds received from the U.S. Department of Housing and Urban Development's (HUD's) CDBG and HOME program as well as the City of Plano's BCSG. They also review and make recommendations to the City Council concerning issues related to human/social needs and significant community problems which could impact the quality of life within the community.

The CRC is an 8-member board appointed by the City Council for 2-year terms. The CRC meets on an as needed basis.

The City Council assists in the Consolidated Plan process by providing input on the needs of the community during the development of the Consolidated Plan, and also by reviewing and approving the final Consolidated Plan.

***Public and private partnerships.*** The Community Services Division works with non-profits, for-profits, faith-based organizations and public agencies to achieve the Consolidated Plan's established strategies, objectives and outcomes. The two key roles these outside agencies serve are:

1. They receive funds through the competitive allocation process to serve low income and special needs populations throughout the community.
2. They provide a resource for needs assessments, networking and communication of services to low income or homeless clients.

Institutional structure is being developed through financial assistance from CDBG, HOME and Buffington Community Services Grants. Coordination between public and private housing agencies and social service agencies is an ongoing process through participation in the Collin County Social Services Association and the Collin County Homeless Coalition.

The Collin County Social Services Association is a professional association of social service agencies in or serving Collin County residents. The Collin County Homeless Coalition is a collaborative effort of individuals and agencies who address the challenges of homelessness in the community. These organizations typically meet on a monthly basis to share information, ask advice, identify needs and resources, and provide the public information on affordable housing, public services and homeless issues through events during the year. The Community Services Division has representatives on both coalitions and is an active participant in their activities.

The Community Services Division also draws on public agencies as resources or partners for housing and economic development programs and to better serve the low income community. These partnering agencies include local libraries, schools and universities, state agencies, faith-based organizations, lenders, developers and the local housing authority.

**2. Strengths and gaps of the system.** The City of Plano has developed partnerships with outside agencies and non-profits to provide residents with the needed services. The city will use these partnerships to help achieve the goals and objectives in this Consolidated Plan.

The strengths of this system include the flexibility of the city's zoning code, which allows for residential units in a retail zoned area. This zoning accommodates and supports affordable housing development. Additionally, Plano has an engaged community who is supportive, both financially and with their time, to the betterment of the community as a whole.

Gaps in the delivery system for the institutional structure outlined above include a need for better coordination to avoid duplication of efforts and a continued emphasis on communication with other organizations. Another gap is due to the limitations of Texas State Law, which does not allow for inclusionary zoning.

As the lead agency in developing the Consolidated Plan, the Community Services Division will continue to involve all sectors throughout the planning process each year. The benefits of having a good organizational structure enhance collaboration and on-going communication. While all funds are allocated according to federal, state and local program requirements, dialogue with agencies, advisory committees, subrecipients and the general public assure implementation of strategies, objectives and priority programs.

**3. Coordination with the Plano Housing Authority.** The local housing authority for Plano is set up as a separate entity from the city. The Mayor appoints a five-member Board of Commissioners and one or more City Council members act as liaisons. The housing authority also reports to City Council annually to provide updates. The Plano Housing Authority (PHA) acts as an independent agency and their decisions as to hiring, contracting, procurement, and planning do not have to be approved by the City Council.

The PHA consults with the city in preparing their five year plan for HUD and the PHA looks to the current Consolidated Plan for the development of this plan. Additionally the city provides environmental reviews and compliance for the preparation of the PHA's Capital Plan. The PHA is also able to request funding for programs through the city's annual allocation process and it has received funding in the past.

The city will work cooperatively and support the housing authority and non-profit agencies to overcome any gaps in the institutional structure.

## Monitoring (91.230)

1. *Describe the standards and procedures the jurisdiction will use to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.*

### 5 Year Strategic Plan Monitoring response:

**1. Monitoring standards and procedures.** The Community Services Division is responsible for performance of the City of Plano's Consolidated Plan and annual Action Plans, which cover the CDBG and HOME federal grants. An integral part of the monitoring responsibilities is to monitor subrecipients and ensure that the activities being performed and goals are being met, and all requirements of the programs are being fulfilled.

The purpose of monitoring activities funded by HUD and the City of Plano are to see that the activity is successfully carried out and to ensure compliance with all applicable regulations. Where the activity is to be performed by a subrecipient, developer or CHDO, a contract between the agency and the city is signed. The contract specifies what will be done with the money allocated, and the rules and regulations which apply. In addition, city staff will meet with the agencies prior to the start of the grant year to explain the required record-keeping.

To ensure that HOME and CDBG funds for affordable housing are committed and spent in a timely manner, the city will review monthly the progress of expenditures. In situations where the expenditures are not timely, staff will work with the subrecipient, developer or CHDO to rectify the situation.

The monitoring process consists of the following steps:

1. Notification of subrecipient, developer or CHDO of scheduled monitoring visit.
2. Entrance conference with agency staff, to explain what will be done during the visit.
3. Review of documents justifying expenditures and work completed or in progress, to determine the quality of the work and whether it complies with regulations and codes.
4. Where appropriate, review of income qualification documents.
5. Review of HOME match documentation.
6. Exit conference to report tentative conclusions and findings to the agency staff.
7. Written follow up detailing any problems found and asking for a response explaining how the problems will be corrected.
8. When necessary, additional follow up visit to see that problems have been corrected, including re-inspection for cited corrections in housing units.

In most cases, monitoring visits will be conducted when work is complete. However, in some cases, particularly with new subrecipients or CHDOs, more frequent monitoring visits will be conducted.

HOME funds are not currently used for tenant based rental assistance, and therefore there will be no requirement to monitor for long-term compliance with property standards.

## Priority Needs Analysis and Strategies (91.215 (a))

1. *Describe the basis for assigning the priority given to each category of priority needs.*
2. *Identify any obstacles to meeting underserved needs.*

### 5 Year Strategic Plan Priority Needs Analysis and Strategies response:

**1. Priority needs basis.** The priority needs and strategies for the City of Plano Five Year Consolidated Plan for 2010-2014 were developed based on the findings from both quantitative research (housing market analysis and demographic analysis) and qualitative research (survey, public meetings, focus group and key person interviews).

The priority housing needs were determined based on the number of households who were cost burdened, living in substandard and overcrowded conditions, and/or who could not afford homeownership. The priority needs for special needs populations and community development were derived through non-profit public participation process, in addition to needs identified through key person interviews, community meetings and the Housing and Community Development Needs Survey.

For housing and community development programs, the following priority needs ranking has been developed according to the following HUD-specified ranking:

- **High Priority:** Activities to address this need are considered essential. Appropriate federal grant funds will be provided to approved projects when funds are available.
- **Medium Priority:** Needs are documented and are considered important. If funds are available, activities to address this need may be funded by the City during the five year period. Also, the City may take other actions to help this group locate other sources of funds.
- **Low Priority:** The City is not expected to directly fund activities using funds to address this need during the five year period, but applications for federal assistance by other entities might be supported and found to be consistent with this Plan.
- **No Such Need:** The City finds there is no need or that this need is already substantially addressed. The City will not support other entities' applications for federal assistance for activities where no such need has been identified.

Priority needs are the needs identified during the public input process and the quantitative analysis, as well as the needs that the City Council and staff have targeted as priorities in the City of Plano.

A complete list of the City of Plano's priority needs is located in Appendix D.

**2. Obstacles.** As discussed throughout this Plan, the greatest obstacle to meeting underserved needs is lack of funding and operation funds. The city has few, if any, institutional, political and systemic barriers to meeting the identified needs.

## Lead-based Paint (91.215 (g))

1. Estimate the number of housing units that contain lead-based paint hazards, as defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, and are occupied by extremely low-income, low-income, and moderate-income families.
2. Outline actions proposed or being taken to evaluate and reduce lead-based paint hazards and describe how lead based paint hazards will be integrated into housing policies and programs, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.

### 5 Year Strategic Plan Lead-based Paint response:

**1. Estimate number of units at risk of lead-based paint hazards.** The City of Plano assumes there is a risk of lead-based paint if units were constructed prior to 1978.

If (as HUD estimates) 90 percent of the pre-1940 units in Plano are at risk of containing lead paint, 80 percent of the units built between 1940 and 1960 are at risk and 62 percent of units built between 1960 and 1979 are at risk as well, then it is estimated 13,260 Plano housing units (13 percent of all housing units) may contain lead paint. The following exhibit displays this calculation for Plano.

**Exhibit 2.  
Housing Units at Risk of Lead-Based Paint, City of Plano, 2008**

Year Housing Unit Was Built	Number of Housing Units	Estimated Percentage at Risk	Estimated Number of Housing Units at Risk
1939 and earlier	42	90%	38
1940 to 1960	1,081	80%	865
1960 to 1979	19,931	62%	12,357
<b>Total</b>	<b>21,054</b>		<b>13,260</b>

Source: "Technical Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing" – HUD and U.S. Census Bureau 2008 American Community Survey.

Ultimately, the extent to which lead paint is a hazard in these homes depends on if there has been mitigation (e.g., removal, repainting) and how well the units have been maintained. Inadequately maintained homes and apartments are more likely to suffer from a range of lead hazard risks, including chipped and peeling paint and weathered window surfaces. Therefore, it is assumed that lower income households have fewer resources to maintain their homes and may be at higher risk for lead hazards. As a result, based on 2008 data on household income, the year housing units were built and HUD's estimates of risk by year built, about 4,800 of the city's low and moderate income households could live in units built before 1980 containing lead-based paint and be at higher risk for lead-based paint hazards.

Please see Appendix E for a more detailed discussion of the estimate of lead-based paint hazards faced by extremely low income, low income, and moderate income households.

**2. Actions to reduce lead-based paint.** HUD has regulations to protect children from the hazards of lead-based paint in federally funded projects. HUD continues to provide training for compliance with these regulations. Staff from the city's Community Services Division have attended trainings, received lead-based paint certifications and is currently in compliance with these regulations.

Lead-based paint hazards are addressed through the Housing Rehabilitation program and the HOME acquisition/rehabilitation program. As homes enter these programs, they are evaluated for lead paint and, when necessary, such hazards are mitigated. Actions taken to reduce lead-based paint will be conducted in accordance with HUD's lead-based paint regulations. In addition, homes to be purchased through the First-Time Homebuyer Program that fail the required visual paint inspection will be tested for lead paint. If lead paint is present, the owner will be informed of the appropriate requirements to respond to the lead paint, and the purchase will not proceed with federal funds unless and until interim controls are completed.

## HOUSING

### Housing Needs (91.205)

\*Please also refer to the Housing Needs Table in the Needs.xls workbook

1. *Describe the estimated housing needs projected for the next five year period for the following categories of persons: extremely low-income, low-income, moderate-income, and middle-income families, renters and owners, elderly persons, persons with disabilities, including persons with HIV/AIDS and their families, single persons, large families, public housing residents, victims of domestic violence, families on the public housing and section 8 tenant-based waiting list, and discuss specific housing problems, including: cost-burden, severe cost- burden, substandard housing, and overcrowding (especially large families).*
2. *To the extent that any racial or ethnic group has a disproportionately greater need for any income category in comparison to the needs of that category as a whole, the jurisdiction must complete an assessment of that specific need. For this purpose, disproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least ten percentage points higher than the percentage of persons in the category as a whole.*

#### 5 Year Strategic Plan Housing Needs response:

**1. Housing needs.** The following provides an estimate of current and projected housing needs for renters, owners and special needs populations.

#### ***Projected needs for 2014:***

##### **Renters:**

***Extremely low income.*** Analysis completed for the Consolidated Plan found 4,188 renters earning less than \$20,000 per year were cost burdened. If the city maintains its current household growth, extremely low income renters experience the same growth as the city overall, this need will increase to 4,744 renters in 2014.

***Very low income.*** Current need is 5,781; future need estimated is 6,549.

***Low income.*** Current need is 2,656; future need estimated is 3,009.

***Moderate income.*** Current need is 625; future need estimated is 708.

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**Owners:**

***Extremely low income.*** Analysis completed for the Consolidated Plan found 2,284 owners earning less than \$20,000 per year were cost burdened. If the city maintains its current household growth, extremely low income owners experience the same growth as the city overall, this need will increase to 2,587 owners in 2014.

***Very low income.*** Current need is 2,270; future need estimated is 2,571.

***Low income.*** Current need is 2,572; future need estimated is 2,914.

***Moderate income.*** Current need is 1,763; future need estimated is 1,997.

**Special Needs Populations:**

***Elderly.*** Table 2A, the Housing Needs Table in Appendix G, completed for the Plan indicates that there is not adequate housing to serve the city's elderly population currently and comments from the citizen participation process also stated there were not enough affordable senior housing units to meet demand. Home maintenance can be a burden for many moderate and low income elderly homeowners, especially for elderly people on fixed incomes who need help with small repairs and major maintenance items, such as roof, furnace and air conditioning repairs. In 2008, 38 percent of the city's elderly households, or 4,314 households, were cost burdened (paying more than 30 percent of their annual incomes in housing costs).

Future needs will depend on the growth of this cohort – and the units to serve them.

***Persons with disabilities.*** Persons with disabilities are more likely to have lower incomes and live in poverty than people without disabilities. Finding housing that is affordable, has needed accessibility improvements and is conveniently located near transit and other needed services is often very challenging for persons with disabilities. There are potentially 6,578 residents in Plano with ambulatory difficulty that could make traditional living arrangements difficult. This need is likely to increase with Plano' aging population.

***Female headed households.*** There are currently 1,800 female headed households living in poverty in Plano. If those households grow in accordance with recently experienced population growth in Plano, that number could reach 2,040 by 2014.

***Public housing residents/Section 8 voucher holders.*** The waiting list for families wanting Housing Choice Vouchers was 585 in December 2009; the waiting list for PHA units was 43 families. The last time the PHA wait lists were open was in September 2007. At that time the PHA signed up approximately 1,200 families within a four hour period. The wait lists are purged, meaning the families on the lists are contacted to see if they would like to remain on the list (if not then they are removed), in January and August of each year. The approximate length of the wait for PHA units could be 2 years or longer. The length of wait for the vouchers can be longer than the 2 year wait for public housing units. The PHA has not issued new vouchers for at least one year. Wait lists are opened as needed to insure that eligible applicants are processed and available to occupy vacated housing units and for the issue of Section 8 Housing Choice Vouchers. They typically open ever 2 to 3 years. These low income renters represent those renters with some of the greatest housing needs in Plano, since their other housing options are very limited.

Additionally, the PHA has recently been receiving an average of 15 to 20 calls or emails a week requesting assistance. The majority of these families have never previously applied for social service assistance and are people who have recently lost their jobs and had mortgages foreclosed. These requests are coming from an entirely different part of the population who commonly do not need assistance.

Therefore the projected housing need for public housing residents is most likely greater than 1,200 families with this number continually increasing as the weekly requests for assistance carry on.

The housing market analysis (included in Appendix E), in addition to Table 2A, the Housing Needs Tables (included in Appendix G), of the Consolidated Plan contain more detail of estimates of housing needs, projections of future needs and disproportionate need. Additionally, Appendix F discusses the housing and supportive service needs of special needs populations in more detail.

**2. Racial or ethnic group need.** According to 2008 ACS data, about 1.9 percent of housing units (or 1,779 households) were overcrowded in Plano; this is lower than the 4.8 percent of the State's housing units that were overcrowded. Hispanic or Latino households were more likely to be living in overcrowded condition when compared to White alone, Not Hispanic or Latino households. Approximately 8.5 percent (833 households) of Hispanic or Latino were overcrowded compared to 0.6 percent (380 households) of White alone, not Hispanic or Latino households. Asian alone households also had a higher percentage of households that were overcrowded compared to White alone, not Hispanic or Latino households, 4.6 percent of Asian households, or 625 households, were overcrowded. The higher prevalence of overcrowding could be because of a preference for an extended family to occupy one housing unit, lower average incomes held by certain ethnic groups, or a greater likelihood of ethnic groups living in smaller rental properties.

A comparison was also conducted between renters and owners of Hispanic descent (one of the predominant minority populations in the Plano area), African Americans and Asians (also currently a predominant minority population in Plano) and the population as a whole for Plano. Using 2000 Comprehensive Housing Affordability Strategy (CHAS) data, the percentage of households with housing problems (as defined by HUD) for all households was compared to Hispanic, African American and Asian households. In 2000, the percentage of Hispanic households with housing problems was 49 percent. This compared with 23.5 percent of all households with housing problems—a difference of 25.5 percentage points. The other minority populations had differences of less than 10 percentage points when compared to all households.

Additionally, an examination of CHAS data for 2000 was done to see if any disproportionate need exists for any race at any income level compared to the needs of that category as a whole.

- ***Household income less than 30 percent of MFI***—A disproportionate need was found for all Hispanic households. The percentage of Hispanic households with housing problems was 94 percent. This compared with 79 percent of all households with housing problems, a difference of 15 percentage points. The other minority populations had differences of less than 10 percentage points when compared to all households.

- **Households income 30 to 50 percent of MFI**—No disproportionate need exists for any race or ethnicity for this income compared to the needs of that category as a whole.
- **Household income 50 to 80 percent of MFI**—No disproportionate need exists for any race or ethnicity for this income compared to the needs of that category as a whole.

### **Priority Housing Needs (91.215 (b))**

1. *Identify the priority housing needs and activities in accordance with the categories specified in the Housing Needs Table (formerly Table 2A). These categories correspond with special tabulations of U.S. census data provided by HUD for the preparation of the Consolidated Plan.*
2. *Provide an analysis of how the characteristics of the housing market and the severity of housing problems and needs of each category of residents provided the basis for determining the relative priority of each priority housing need category.*

*Note: Family and income types may be grouped in the case of closely related categories of residents where the analysis would apply to more than one family or income type.*

3. *Describe the basis for assigning the priority given to each category of priority needs.*
4. *Identify any obstacles to meeting underserved needs.*

### **5 Year Strategic Plan Priority Housing Needs response:**

**1. and 2. Priority housing needs.** The housing market analysis revealed renters earning less than \$25,000 per year have a difficult time finding affordable rental units. An estimated 6,847 renters and owners in Plano have extremely low incomes and are cost burdened. An estimated 25 percent of homes for sale or sold were affordable to renter households who earn at least \$50,000. Therefore, households who earn \$35,000 to \$50,000 would benefit from programs such as downpayment assistance, homebuyer education and credit counseling to help get them into homes (as identified in the Housing Market Analysis).

The city's current demographic composition and the housing market analysis indicate a prioritization on rehabilitation programs, particularly for seniors to make necessary improvements (including accessibility) on homes. Given the home prices in Plano, there is also a need to continue to create and maintain affordable rental stock. However, the City of Plano is nearly built out, which provides very little or no opportunity for new affordable housing units in new developments. This lack of opportunity for new affordable development increases the importance of the need for home maintenance of existing rental stock.

Please see Table 2A, the Housing Needs Table in Appendix G, for the city's objectives in addressing housing needs from 2010 to 2014.

Given the top needs identified by the market analysis and during the public input process, the city has developed the following priorities for funding housing requests over the course of the Consolidated Plan:

- Programs to rehabilitate and improve the existing stock of homes occupied by low and moderate income owners. (High)
- Assistance to homebuyers with downpayment assistance, closing cost assistance, and/or homebuyer education and counseling. (High)

- Housing accessibility modifications for elderly and disabled residents within the City of Plano. (High)
- Inventory available parcels and evaluate their feasibility for affordable housing development. (Medium)
- Support the efforts of the Plano Housing Authority (PHA) to maintain affordable housing developments and issue Housing Choice Vouchers. (Medium)

**3. Basis for assigning priority.** The priority needs and strategies were developed based on the findings from both quantitative research (Housing Market Analysis) and qualitative research (public and nonprofit meetings, survey and key person interviews). The priority housing needs were determined based on the number of households who were cost burdened, living in substandard and overcrowded conditions, and/or who could not afford homeownership. The priority needs for special needs populations and community development were derived through non-profit public participation process, in addition to needs identified through key person interviews, community meetings and the Housing and Community Development Needs Survey.

**4. Obstacles.** As discussed throughout this Plan, the greatest obstacle to meeting underserved needs is lack of funding and operations funds. The city has few, if any, institutional, political and systemic barriers to meeting the identified needs.

## Housing Market Analysis (91.210)

*\*Please also refer to the Housing Market Analysis Table in the Needs.xls workbook*

- 1. Based on information available to the jurisdiction, describe the significant characteristics of the housing market in terms of supply, demand, condition, and the cost of housing; the housing stock available to serve persons with disabilities; and to serve persons with HIV/AIDS and their families. Data on the housing market should include, to the extent information is available, an estimate of the number of vacant or abandoned buildings and whether units in these buildings are suitable for rehabilitation.*
- 2. Describe the number and targeting (income level and type of household served) of units currently assisted by local, state, or federally funded programs, and an assessment of whether any such units are expected to be lost from the assisted housing inventory for any reason, (i.e. expiration of Section 8 contracts).*
- 3. Indicate how the characteristics of the housing market will influence the use of funds made available for rental assistance, production of new units, rehabilitation of old units, or acquisition of existing units. Please note, the goal of affordable housing is not met by beds in nursing homes.*

### 5 Year Strategic Plan Housing Market Analysis responses:

**1. Significant characteristics of housing market.** An analysis of the City of Plano's housing market revealed the following highlights:

- The city's poorest households (earning less than \$25,000 per year) cannot find affordable rental housing in Plano's market. In 2008, about 6,390 renter households—20 percent all renter households—earned less than \$25,000. At most these households could afford to pay \$625 per month in rent and utilities without being cost burdened. There are approximately 2,822 affordable units available to households in this income range, leaving a shortage of 3,568 rental units.

- The Census estimates that in 2008, 45 percent of Plano’s households who rent their homes were cost burdened. This is equivalent to 14,278 households. An estimated 96 percent of renter households (excluding those renters whose income was not computed) earning less than \$20,000 per year paid more than 30 percent of their monthly income toward rent and utilities, meaning they were cost burdened.
- According to MLS data, the median for sale or sale price for homes during 2008 and 2009 was \$210,900. Households would need to earn an annual income of at least \$60,900 to afford the median price of these homes with current interest rates at 6.0 percent, pay for utilities and taxes to not be cost burdened. An estimated 37 percent of Plano’s renters (12,170 households) and 80 percent of owners (50,057 households) could afford to purchase the median priced home without being cost burdened.
- An estimated 25 percent of homes sold were affordable to households who earn at least \$50,000. Therefore, households who earn \$35,000 to \$50,000 would benefit from programs such as downpayment assistance, homebuyer education and credit counseling to help get them into homes.
- According to the Census, 23 percent of Plano’s households who own their own homes were cost burdened. This is equivalent to 14,487 households. Cost burden is very high among Plano’s lowest income homeowners—100 percent of owners earning less than \$20,000 per year who have a mortgage were cost burdened in 2008 (1,458 households) and 97 percent of homeowners earning between \$20,000 and \$35,000 were cost burdened (1,902 households). In addition, 826 owner households who earn less than \$20,000 and who do not have a mortgage were cost burdened.

Please see Appendix E (includes the housing market analysis) for a detailed assessment of the housing market in Plano, along with an identification of housing needs. Appendix F (Housing and Non-Housing Needs Assessment for Special Needs Populations) provides a description of special populations needs and assisted housing programs.

**2. Income restricted units.** There are currently an estimated 2,651 subsidized units located in Plano, 43 percent of which are Housing Choice Vouchers. An estimated 306 units’ affordability requirements are currently set to expire over the next three years. However, most of these contracts have previously been renewed and there is no expectation they will be lost from the assisted housing inventory.

The following exhibit lists the income restricted units located in the City of Plano.

**Exhibit 3.  
Affordable Housing Units, City of Plano**

Name	Number of Assisted Units	Current Year to Expire	Unit Description	Address
Scattered Site (PHA)	24		Single Family Homes	Locations Vary
Housing Choice Vouchers (PHA)	842		Vary	Locations Vary
Housing Choice Vouchers (Ported in)	306		Vary	Locations Vary
Collin County Community Homes	8	2010	Disabled	3020 Dartmouth Drive
Evergreen at Plano Parkway	250		Elderly	2900 W. Plano Parkway
Garden Gate Apartments	240		General	1201 Legacy Drive
Pioneer Place Senior Housing	60	2011	Elderly	1928 Avenue K
Plano Community Homes I	72	2011	Elderly	1612 Avenue L
Plano Community Homes II	57	2012	Elderly	1612 Avenue L
Plano Community Homes III	60	2016	Elderly	3905 American Drive
Plano Community Homes IV	60	2010	Elderly	3925 American Drive
Plano Community Homes V	47	2010	Elderly	3915 American Drive
The Plaza at Chase Oaks	240		Elderly	NEQ of Chase Oaks Blvd and Legacy
Tuscany Villas	90		Elderly	7200 Blk of Chase Oaks Blvd.
Villas of Mission Bend	101		Elderly	1201 Medical Ave.
Windhaven Apartments	194			Parkwood Blvd.
<b>Total Assisted Units</b>	<b>2,651</b>			

Source: U.S. Department of Housing and Urban Development, Texas Department of Housing and Community Affairs and the Plano Housing Authority.

Please see the Extremely Low Income Populations discussion of Appendix F (Housing and Non-Housing Needs Assessment for Special Needs Populations) for a more detailed discussion of assisted housing and at-risk properties.

**3. Housing market influence of funds.** The findings of the Housing Market Analysis will be used to guide the city to direct funds to the greatest housing needs during the next five years.

These findings influenced the city’s prioritization of funding:

- Age of stock—older homes tend to have more condition problems and are more likely to contain materials such as lead paint. About 20 percent of Plano’s housing units were built before 1980 and only 42 units were built before 1940. Most of the aging housing stock is located in the older parts of Plano. If homes are not rehabbed and minor repairs done the housing stock will decline more quickly.
- Householders age 45 to 64, often referred to as Baby Boomers, account for 41 percent (38,868) of all householder in Plano. An additional 12 percent (11,260) of households are senior citizens, age 65 and older. Nine percent of Baby Boomer households and 21 percent of senior households have household incomes under \$25,000. Many of these will need assistance (either now or in the future) maintaining their homes.

- The largest rental gap in Plano, which insinuates that demand is greater than supply, exists for households earning less than \$25,000 per year. Plano has 6,390 renter households; however, there are approximately 2,822 rental units available for those households, indicating that many households are spending more than 30 percent of their household income on rental housing, which makes them cost burdened.
- The desirability and limited land supply in Plano make it a higher cost community. As such, renter households need to earn an income of \$65,000 or more before half of the homes for sale are available to them in Plano.

### **Specific Housing Objectives (91.215 (b))**

1. *Describe the priorities and specific objectives the jurisdiction hopes to achieve over a specified time period.*
2. *Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.*

### **5 Year Strategic Plan Specific Housing Objectives response:**

**1. Housing strategy, objectives and five year outcomes.** Specific housing objectives for the 2010-2014 Consolidated Plan include:

#### **DECENT HOUSING**

**Strategy DH:** Encourage the provision of decent, safe and affordable housing for low and moderate income and special needs residents.

- **Objective DH-1.1 (Affordability):** Continue to preserve and enhance existing housing stock through home rehabilitation.

#### ***DH-1.1 five year outcomes:***

- Provide programs to rehabilitate and improve the existing stock of homes occupied by low and moderate income owners.
  - *Outcome/five year goal:* 95 units
- Continue to offer and market programs to rehabilitate and improve existing rental stock occupied by low and moderate income renters.
  - *Outcome/five year goal:* 10 meetings and/or speaking engagements specifically to market the rehabilitation program to landlords with low and moderate tenants

- **Objective DH-1.2 (Affordability):** Continue to create affordable homeownership opportunities through homeownership assistance, new construction and/or acquisition and rehabilitation of land and properties for income qualifying households.

#### ***DH-1.2 five year outcomes:***

- Provide assistance to homebuyers with downpayment assistance, closing cost assistance, and/or homebuyer education and counseling.
    - *Outcome/five year goal:* 60 units
-

- Consider sale of publicly owned land to affordable housing developers. Inventory available parcels and evaluate their feasibility for affordable housing development.
  - *Outcome/five year goal:* Develop map of vacant parcels by zoning district for affordable housing developers
- **Objective DH-1.3 (Affordability):** Increase and support affordable rental housing opportunities in Plano.

***DH-1.3 five year outcomes:***

- Continue to support the efforts of the Plano Housing Authority (PHA) to maintain affordable housing developments and issue Housing Choice Vouchers.
  - *Outcome/five year goal:* Complete 5 annual environmental reviews for PHA Capital Funding
  - *Outcome/five year goal:* Certify PHA initiatives as compliant with the Consolidated Plan as needed
- Support applications for and the development of Low Income Housing Tax Credit (LIHTC) projects.
  - *Outcome/five year goal:* Completed on an as needed basis

**2. Resources.** A variety of financial resources are available to address the priority housing needs and specific housing objectives identified in the Strategic Plan. The following is a brief summary of some of the resources that can be utilized either directly through the city or through other private entities.

***Federal resources*** include HOME Investment Partnerships Program (HOME), Community Development Block Grant (CDBG) program, HUD Section 8 Housing Choice Voucher program, the Department of Energy Grant and the Homelessness Prevention and Rapid Re-housing Program.

***State resources*** may primarily include funds from the Texas Department of Housing and Community Affairs, Community Services Block Grant, Comprehensive Energy Assistance Program and Weatherization Assistance Program. Additionally, the city takes an opportunistic approach with state funding in that if something applicable to the city's needs becomes available, the city may decide to apply.

***Local resources*** may include Property Assessed Clean Energy financing, should the city choose to become engaged in this program.

***Organizational resources*** are as important as financial resources in ensuring that housing and homeless assistance projects and activities will be carried out successfully. Primary resources in this category include governmental agencies, community-based non-profits, faith-based organizations and members of the private sector. Three important organizations that assist in the rehabilitation and construction of affordable homes in the City of Plano include Plano Housing Corporation (Plano's sole CHDO), Habitat for Humanity of South Collin County and Christ United Methodist's "House on the Corner" program.

## Needs of Public Housing (91.210 (b))

*In cooperation with the public housing agency or agencies located within its boundaries, describe the needs of public housing, including the number of public housing units in the jurisdiction, the physical condition of such units, the restoration and revitalization needs of public housing projects within the jurisdiction, and other factors, including the number of families on public housing and tenant-based waiting lists and results from the Section 504 needs assessment of public housing projects located within its boundaries (i.e. assessment of needs of tenants and applicants on waiting list for accessible units as required by 24 CFR 8.25). The public housing agency and jurisdiction can use the optional Priority Public Housing Needs Table (formerly Table 4) of the Consolidated Plan to identify priority public housing needs to assist in this process.*

### 5 Year Strategic Plan Needs of Public Housing response:

**Needs of Public Housing.** According to families on the waiting lists for public housing and Housing Choice Vouchers (HCV), the greatest need for subsidized housing were renters who earned 30 to 50 percent of AMI (moderate income). Among population groups, families with children and African American households experienced the greatest need for public housing.

As of December 2009, Plano had 24 public housing units, 842 HCVs administered by PHA and an additional 306 HCVs within the city that were administered by other housing authorities. These units were reported to be in suitable living condition.

Access to public housing units is in demand. There were 43 families on the public housing waiting list and 585 on the HCV waiting lists as of December 2009. According to 2009 PHA Plan, households on the wait lists for public housing and HCV included: 74 percent were families with children, 73 percent were African American, and 77 percent were households earning between 30 and 50 percent of the AMI.

The last time the PHA wait lists were open was in September 2007. At that time the PHA signed up approximately 1,200 families within a four hour period. The wait lists are purged, meaning the families on the lists are contacted to see if they would like to remain on the list (if not, then they are removed), in January and August of each year. The approximate length of the wait for PHA units could be 2 years or longer. The length of wait for the vouchers can be even longer than the 2 year wait for public housing units. The PHA has not issued new vouchers for at least one year. Wait lists are opened as needed to insure that eligible applicants are processed and available to occupy vacated housing units and for the issue of Section 8 Housing Choice Vouchers. They typically open ever 2 to 3 years. These low income renters represent those renters with some of the greatest housing needs in Plano, since their other housing options are very limited.

Additionally, the PHA has recently been receiving an average of 15 to 20 calls or emails a week requesting assistance. The majority of these families have never previously applied for social service assistance and are people who have recently lost their jobs and mortgages foreclosed. These requests are coming from an entirely different part of the population who commonly do not need assistance.

Therefore the projected housing need for public housing residents is most likely greater than 1,200 families with this number continually increasing as the weekly requests for assistance carry on.

## Public Housing Strategy (91.210)

1. *Describe the public housing agency's strategy to serve the needs of extremely low-income, low-income, and moderate-income families residing in the jurisdiction served by the public housing agency (including families on the public housing and section 8 tenant-based waiting list), the public housing agency's strategy for addressing the revitalization and restoration needs of public housing projects within the jurisdiction and improving the management and operation of such public housing, and the public housing agency's strategy for improving the living environment of extremely low-income, low-income, and moderate families residing in public housing.*
2. *Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake to encourage public housing residents to become more involved in management and participate in homeownership. (NAHA Sec. 105 (b)(11) and (91.215 (k))*
3. *If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation. (NAHA Sec. 105 (g))*

### 5 Year Strategic Plan Public Housing Strategy response:

**1. and 2. Plano Housing Authority's strategy.** The Plano Housing Authority's mission is to provide affordable housing to low income families while offering opportunities that enable families to achieve self sufficiency.

PHA has several housing programs structured to serve the continuum of housing needs of low income residents in Plano. The PHA programs include: Section 8 Housing Choice Voucher program, Section 8 Homeownership Program, Family Self Sufficiency Program, public housing units and a Landlord Program. The Landlord Program assists landlords who would like to have their property included in the Section 8 program and those landlords that already have their property included in the Section 8 program who need assistance.

Additionally, the PHA requested an annual amount of \$68,223 (\$341,115 for five years) to complete their rehabilitation and improvement needs for their public housing three bedroom units. Common improvements include repairs to foundations, sidewalks, driveways, fences, siding and floor tile. Along with new oven ranges, refrigerators, Heating, Ventilating, and Air Conditioning (HVAC) systems and kitchen upgrades.

**3. Troubled.** The Plano Housing Authority is not currently designated as being troubled.

### Barriers to Affordable Housing (91.210 (e) and 91.215 (f))

1. *Explain whether the cost of housing or the incentives to develop, maintain, or improve affordable housing are affected by public policies, particularly those of the local jurisdiction. Such policies include tax policy affecting land and other property, land use controls, zoning ordinances, building codes, fees and charges, growth limits, and policies that affect the return on residential investment.*

2. Describe the strategy to remove or ameliorate negative effects of public policies that serve as barriers to affordable housing, except that, if a State requires a unit of general local government to submit a regulatory barrier assessment that is substantially equivalent to the information required under this part, as determined by HUD, the unit of general local government may submit that assessment to HUD and it shall be considered to have complied with this requirement.

## **5 Year Strategic Plan Barriers to Affordable Housing response:**

**1. Barriers to affordable housing.** Key persons interviewed and public meetings conducted as a part of the Consolidated Plan identified few barriers to affordable housing in Plano.

The top barriers identified by interviewees included the high cost of land and the lack of available land to develop affordable housing. In addition, as identified in the housing market analysis, lack of affordable housing is a barrier for households at low income levels. Another barrier to affordable housing included the limitations of Texas State Law, which does not allow for inclusionary zoning.

**2. Strategy to remove barriers.** The City has developed objectives to mitigate barriers to affordable housing, provided below.

### **DECENT HOUSING**

**Strategy DH:** Encourage the provision of decent, safe and affordable housing for low and moderate income and special needs residents.

- **Objective DH-1.1 (Affordability):** Continue to preserve and enhance existing housing stock through home rehabilitation.

#### ***DH-1.1 five year outcomes:***

- Provide programs to rehabilitate and improve the existing stock of homes occupied by low and moderate income owners.
  - *Outcome/five year goal:* 95 units
- Continue to offer and market programs to rehabilitate and improve existing rental stock occupied by low and moderate income renters.
  - *Outcome/five year goal:* 10 meetings and/or speaking engagements specifically to market the rehabilitation program to landlords with low and moderate tenants

- **Objective DH-1.2 (Affordability):** Continue to create affordable homeownership opportunities through homeownership assistance, new construction and/or acquisition and rehabilitation of land and properties for income qualifying households.

#### ***DH-1.2 five year outcomes:***

- Provide assistance to homebuyers with downpayment assistance, closing cost assistance, and/or homebuyer education and counseling.
  - *Outcome/five year goal:* 60 units

- Consider sale of publicly owned land to affordable housing developers. Inventory available parcels and evaluate their feasibility for affordable housing development.
  - *Outcome/five year goal:* Develop map of vacant parcels by zoning district for affordable housing developers
- **Objective DH-1.3 (Affordability):** Increase and support affordable rental housing opportunities in Plano.
  - DH-1.3 five year outcomes:***
    - Continue to support the efforts of the Plano Housing Authority (PHA) to maintain affordable housing developments and issue Housing Choice Vouchers.
      - *Outcome/five year goal:* Complete 5 annual environmental reviews for PHA Capital Funding
      - *Outcome/five year goal:* Certify PHA initiatives as compliant with the Consolidated Plan as needed
    - Support applications for and the development of Low Income Housing Tax Credit (LIHTC) projects.
      - *Outcome/five year goal:* Completed on an as needed basis

## HOMELESS

### Homeless Needs (91.205 (b) and 91.215 (c))

*\*Please also refer to the Homeless Needs Table in the Needs.xls workbook*

*Homeless Needs— The jurisdiction must provide a concise summary of the nature and extent of homelessness in the jurisdiction, (including rural homelessness and chronic homelessness where applicable), addressing separately the need for facilities and services for homeless persons and homeless families with children, both sheltered and unsheltered, and homeless subpopulations, in accordance with Table 1A. The summary must include the characteristics and needs of low-income individuals and children, (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered. In addition, to the extent information is available, the plan must include a description of the nature and extent of homelessness by racial and ethnic group. A quantitative analysis is not required. If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates.*

#### **5 Year Strategic Plan Homeless Needs response:**

**Homeless Strategy.** The city currently participates in the following regional committees to discuss and address homeless needs: the Collin County Homeless Coalition and the Metro Dallas Homeless Alliance.

In 2004, the City adopted a countywide plan entitled, "Homeward Bound, A Plan to End Chronic Homelessness in Collin County." This led to the awarding of two Housing and Urban Development (HUD) Continuum of Care Grants to obtain funding to implement the Plan. In 2009, the Continuum of Care awarded LifePath and Hope's Door \$400,545 to provide services to persons experiencing or at risk of homelessness.

The Collin County Homeless Coalition continues to discuss updating the countywide plan, and the city is playing an active role in this process.

As part of the city's Consolidated Plan, the city is committed to support and encourage the provision of supportive services which can be made available to homeless individuals and families to help prevent homelessness and to put families and individuals on the road to self-sufficiency.

For more detail please see the Homeless discussion of Housing and Non-Housing Needs Assessment for Special Needs Populations located in Appendix F and Table 1A, the Homeless Needs Table, located in Appendix G.

## Priority Homeless Needs

- 1. Using the results of the Continuum of Care planning process, identify the jurisdiction's homeless and homeless prevention priorities specified in Table 1A, the Homeless and Special Needs Populations Chart. The description of the jurisdiction's choice of priority needs and allocation priorities must be based on reliable data meeting HUD standards and should reflect the required consultation with homeless assistance providers, homeless persons, and other concerned citizens regarding the needs of homeless families with children and individuals. The jurisdiction must provide an analysis of how the needs of each category of residents provided the basis for determining the relative priority of each priority homeless need category. A separate brief narrative should be directed to addressing gaps in services and housing for the sheltered and unsheltered chronic homeless.*
- 2. A community should give a high priority to chronically homeless persons, where the jurisdiction identifies sheltered and unsheltered chronic homeless persons in its Homeless Needs Table - Homeless Populations and Subpopulations.*

### 5 Year Strategic Plan Priority Homeless Needs response:

Given the top needs identified by the special needs population analysis and during the public input process, the city has developed the following priorities for homeless and homeless prevention requests over the course of the Consolidated Plan:

- The creation of additional shelter, supportive services, and transitional housing for homeless and under-housed. (High)
- Housing accessibility modifications for elderly and disabled residents within the City of Plano. (High)
- Support to organizations that engage in public services for Plano residents, especially special needs populations, including but not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth. (High)
- Homeless supportive services across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention. (High)
- Support the efforts of the Plano Housing Authority (PHA) to maintain affordable housing developments and issue Housing Choice Vouchers. (Medium)

For additional information on homeless needs please see Table 1A, the Homeless Needs Table, in Appendix G and the comprehensive discussion of the needs of Persons who are Homeless in Appendix F of the Consolidated Plan.

### Homeless Inventory (91.210 (c))

*The jurisdiction shall provide a concise summary of the existing facilities and services (including a brief inventory) that assist homeless persons and families with children and subpopulations identified in Table 1A. These include outreach and assessment, emergency shelters and services, transitional housing, permanent supportive housing, access to permanent housing, and activities to prevent low-income individuals and families with children (especially extremely low-income) from becoming homeless. The jurisdiction can use the optional Continuum of Care Housing Activity Chart and Service Activity Chart to meet this requirement.*

#### 5 Year Strategic Plan Homeless Inventory response:

**Homeless Inventory.** A point-in-time (PIT) count completed in January 2009 was overseen by the Collin county Homeless Alliance. A total of 93 individuals were homeless in the City of Plano or had become homeless while living in Plano. Of these, 88 were staying in shelters and 5 were unsheltered. The PIT reported there were 17 homeless families with children.

**Exhibit 4.  
Homeless Population and Subpopulation, City of Plano, 2009**

Part 1: Homeless Population	Sheltered		Unsheltered	Total
	Emergency	Transitional		
Number of Families with Children (Family Households):	5	12	0	17
1. Number of Persons in Families with Children	20	40	0	60
2. Number of Single Individuals and Persons in Households without children	18	10	5	33
<b>(Add Lines Numbered 1 &amp; 2 Total Persons)</b>	<b>38</b>	<b>50</b>	<b>5</b>	<b>93</b>
Part 2: Homeless Subpopulations	Sheltered		Unsheltered	Total
a. Chronically Homeless	2			
b. Seriously Mentally Ill	9			
c. Chronic Substance Abuse	5			
d. Veterans	7			
e. Persons with HIV/AIDS	0			
f. Victims of Domestic Violence	19			
g. Unaccompanied Youth (Under 18)	17			

Source: Metro Dallas Homeless Alliance, 2009 Point-in-Time Count.

The PIT Count also included data on race and ethnicity of the homeless individuals (not including unaccompanied youth) and families. Of these households 33 percent were Caucasian (White), 28 percent Hispanic/Latino, 23 percent African American, 3 percent American Indian and the remaining 15 percent classified themselves as other or did not answer the question.

Homeless shelters can include emergency overnight housing and longer-term transitional housing. The following exhibit shows the shelters, the number of beds they provide and the type of shelter located in Collin County, which includes Plano. There are also additional facilities throughout the Dallas region that serve homeless residents needing immediate housing.

**Exhibit 5.  
Housing for Persons Experiencing Homelessness, Collin County**

Agency	Population	Beds	Type	City
CITY House	18-23 years	12	Transitional	Plano
	Newborn to 17 years	24	Safe home for CPS cases	Plano
Hope's Door	Domestic Violence	19	Emergency	Plano
	Domestic Violence	24	Transitional	Plano
	Domestic Violence	12	Transitional - Short Term	Plano
LifePath Systems	Persons with Mental Illness	8	Permanent Supported	
The Samaritan Inn	Individuals and Families	160	Transitional (can do Emergency)	McKinney
	Individuals and Families	10	Transitional Apartments	Scattered in McKinney
<b>Total Beds</b>		<b>269</b>		

Source: Metro Dallas Homeless Alliance and homeless housing providers.

There is one homeless shelter, one emergency youth shelter and one domestic violence emergency shelter located in Collin County. The Samaritan Inn, located in McKinney, provides individuals and families transitional and emergency housing and supportive services. Services include teaching self-sufficiency and life skills to assist the needs of people, during, and after a homeless situation.

Hope's Door is a shelter and counseling center that offers comprehensive programs and services that are designed to help break the cycle of domestic abuse. Hope's Door provides emergency and transitional shelter and direct intervention and prevention services to families affected by domestic abuse in Collin County, Dallas County, and surrounding areas. Since 1989, Hope's Door has provided safe shelter for over 3,787 women and their children, and answered over 16,000 crisis line calls.

CITY House, located in Plano, runs a 12 bed transitional shelter for youth ages 18 to 23 years, a 24 bed safe home for children ages newborn to 17 who are Child Protective Services cases and also offers non-residential services for youth ages 16 to 23. The shelter serves youth in Collin County and the surrounding counties of Dallas, Tarrant, Kaufman, Denton and Rockwall. The safe home for newborns to 17 year olds, My Friend's House, recently opened in November 2009. My Friend's House provides a safe home for children who are under Child Protective Services. It has a focus on keeping sibling groups together and meeting the needs of children with special abilities and primary medical needs. The non-residential services, under the transitional living program, provides services to 16 to 23 year olds who need help transitioning to the responsibilities of adulthood. Services are provided to pregnant, parenting, and homeless young adults.

LifePath Systems provides treatment, support and planning assistance to North Texas residents with special needs. They offer a comprehensive system of care for individuals with mental illnesses, mental retardation and developmental delays. Recently LifePath Systems has also secured a federal grant and offers permanent supported housing for eight homeless individuals with mental illness.

A detailed description of the homeless population and homeless resources is provided in Appendix F of this report.

## Homeless Strategic Plan (91.215 (c))

1. *Homelessness— Describe the jurisdiction's strategy for developing a system to address homelessness and the priority needs of homeless persons and families (including the subpopulations identified in the needs section). The jurisdiction's strategy must consider the housing and supportive services needed in each stage of the process which includes preventing homelessness, outreach/assessment, emergency shelters and services, transitional housing, and helping homeless persons (especially any persons that are chronically homeless) make the transition to permanent housing and independent living. The jurisdiction must also describe its strategy for helping extremely low- and low-income individuals and families who are at imminent risk of becoming homeless.*
2. *Chronic homelessness—Describe the jurisdiction's strategy for eliminating chronic homelessness by 2012. This should include the strategy for helping homeless persons make the transition to permanent housing and independent living. This strategy should, to the maximum extent feasible, be coordinated with the strategy presented Exhibit 1 of the Continuum of Care (CoC) application and any other strategy or plan to eliminate chronic homelessness. Also describe, in a narrative, relationships and efforts to coordinate the Conplan, CoC, and any other strategy or plan to address chronic homelessness.*
3. *Homelessness Prevention—Describe the jurisdiction's strategy to help prevent homelessness for individuals and families with children who are at imminent risk of becoming homeless.*
4. *Institutional Structure—Briefly describe the institutional structure, including private industry, non-profit organizations, and public institutions, through which the jurisdiction will carry out its homelessness strategy.*
5. *Discharge Coordination Policy—Every jurisdiction receiving McKinney-Vento Homeless Assistance Act Emergency Shelter Grant (ESG), Supportive Housing, Shelter Plus Care, or Section 8 SRO Program funds must develop and implement a Discharge Coordination Policy, to the maximum extent practicable. Such a policy should include "policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons." The jurisdiction should describe its planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how the community will move toward such a policy.*

### 5 Year Homeless Strategic Plan response:

**1. Homelessness.** With regards to homelessness, chronic homeless and homeless prevention, the city will continue to work with homeless service providers to access funding opportunities for homeless services and permanent supportive housing for its homeless and chronically population, as well as with those populations currently at-risk of homelessness. The city will continue to participate in the Collin County Homeless Coalition and the Metro Dallas Homeless Alliance to ensure that plans to end chronic homelessness and homelessness prevention are being carried out.

For further detail please see Table 1A, the Homeless Needs Table, and the comprehensive discussion of the needs of Persons who are Homeless in Appendix F of the Consolidated Plan.

**Strategy SL:** Improve and maintain suitable living environments by supporting and enhancing public facilities, public services and infrastructure for low income persons, special needs populations and neighborhoods in need of revitalization.

- **Objective SL-2.1 (Availability/Accessibility):** Develop and upgrade public facilities and infrastructure to help lower income persons, those with special needs and neighborhoods in need.

***SL-2.1 five year outcomes:***

- Support and assist with the creation of additional shelter, supportive services, and transitional housing for homeless and under-housed.
  - *Outcome/five year goal:* 100 people
  - *Outcome/five year goal:* Certify local agency initiatives as compliant with the Consolidated Plan, as needed
- Continue to assist with housing accessibility modifications for elderly and disabled residents within the City of Plano.
  - *Outcome/five year goal:* 5 housing units

- **Objective SL-2.2 (Availability/Accessibility):** Fund public service activities serving primarily lower income persons and those with special needs.

***SL-2.2 five year outcomes:***

- Provide support to organizations that engage in public services for Plano residents, especially special needs populations, including but not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth.
  - *Outcome/five year goal:* 4,625 individuals
- Assist homeless supportive services across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention.
  - *Outcome/five year goal:* 100 families
  - *Outcome/five year goal:* Participate and fund annual Collin County Homeless PIT survey: 5 units

**2. Chronic homelessness.** In 2004, the City of Plano adopted the countywide plan, Homeward Bound: A Plan to End Chronic Homelessness in Collin County. The goals and strategies of this plan are as follows.

***BUILD THE ORGANIZATIONAL INFRASTRUCTURE PLAN FOR OUTCOMES  
MANAGE FOR RESULTS***

1. Establish a segment of the health and human services infrastructure in Collin County that is dedicated to the reduction of chronic homelessness through public and private partnerships to encourage effective and efficient use of resources.
  - a. Create the administration of the Collin County Plan to End Chronic Homelessness. Increase knowledge of needs and patterns of all subpopulations of chronic homeless individuals. Increase capacity in tracking the extent of chronic homelessness in Collin County.

- b. Build networking and problem-solving relationships among providers, funding entities, and advocates.
- c. Implement an educational campaign to increase understanding and public awareness, reduce stigma associated with chronic homelessness, and solicit county-wide support and interest in ending chronic homelessness in Collin County.

***CLOSE THE FRONT DOOR BY PREVENTING HOMELESSNESS***

- 2. Develop, implement, and sustain a comprehensive program of housing and client centered, recovery based, supportive services for persons with mental health and/or substance abuse disorders.
  - a. Expand case management programs to include chronic homeless assessments and the ability to extend time limits on services for those at risk of becoming homeless. Clients from Homeless Prevention Programs, the Samaritan Inn, Collin County Jail, Green Oaks (a Collin County inpatient psychiatric services provider), and the state mental hospital would be assessed for the need for more services.
  - b. Educate personnel who interact with the chronic homeless population concerning the characteristics of this population, including: Personnel from the Collin County Jail, Municipal Jails, Homeless Prevention Programs, the Samaritan Inn Homeless Shelter, and Police Officers.
  - c. Improve the collaboration with institutions to encourage effective and efficient use of resources: Collin County Jail, Municipal Jails, Mental Commitment Court, Green Oaks Mental Hospital, State Mental Hospitals, Dallas Area North Star Authority.

***OPEN THE BACK DOOR (INTERVENTION)***

- d. Provide basic needs (shelter, food, and safety) to chronic homeless persons.
- e. Provide treatment and services (mental health, substance abuse, transportation, employment) to chronic homeless persons.
- f. Create a Jail Diversion Program aimed at the appropriate placement of persons with mental illness who have entered the justice system.
- g. Increase funding and resources available to prevent, intervene, reduce, and eliminate chronic homelessness in Collin County.

**3. Homelessness prevention.** The city's homeless prevention strategy relies heavily on partnerships with local homeless and housing non-profit services providers. Supportive service funding received by the city is typically made available to these non-profit organizations through a competitive RFP process.

The city administers and funds a Homeless Prevention Program with CDBG. This program is subcontracted with a local non-profit.

The city also was allocated \$509,050 of Homelessness Prevention and Rapid Re-housing Program (HPRP) funds directly from HUD. HPRP is focused on housing for homeless and at-risk households and will provide temporary financial assistance and housing relocation and stabilization services to individuals and families who are homeless or would be homeless but for this assistance.

The Buffington Community Services Grants, provided from the city's general fund, has also funded multiple agencies on an annual basis to provide emergency rent and utility assistance.

**4. Institutional structure.** The city will continue to participate in the Collin County Homeless Coalition and Metro Dallas Homeless Alliance to ensure that plans to end chronic homelessness and homelessness prevention are being carried out. The Collin County Homeless Coalition continues to update the countywide plan, and the city will continue to play an active role in the process.

**5. Discharge Coordination Policy.** The City of Plano does not receive ESG funds directly from HUD. Therefore the discharge policy listed below follows the Metro Dallas Continuum of Care (CoC) Application.

**Foster Care:** The foster care system in Texas is woefully overloaded. However, it is policy and practice to prepare youth for discharge through the provision of independent living skills training and personal developmental opportunities while still in foster care such as the Preparation for Adult Living (PAL) Program. Discharge planning is the responsibility of the state case manager as well as the staff of any provider or foster home where the youth resides. Youth are eligible for Transitional Living Allowance (TLA) funding from child protective services and housing programs from the Transitional Living Program (TLP). Hopefully, the youth/young adult can return to their family; however, if housing is needed, the CoC endorses and agrees to the TLA and TLP programs being paired as appropriate so that the youth/young adult can be served or housed with a non-profit or faith-based organization within the community rather than being thrust immediately on their own. Some youth/young adults are eligible to receive Educational and Training Vouchers upon discharge.

**Health Care:** The CoC and local health facilities work together closely regarding discharge planning and have agreed that when a homeless or indigent patient is ready for discharge, a caseworker or discharge planner contacts the patient's family or relative and informs the family or relative about the patient's discharge date and time. They arrange for transportation and accommodation needs. If the patient has no family or relative, patients with limited income such as Social Security Income or Social Security Disability Insurance benefits are referred to housing through local room and board facilities or placed in low income apartments.

Persons with mental illness who are discharged from a psychiatric treatment facility are assigned to a mental health service provider for treatment. Providers are contacted by hospital social work staff to arrange intake appointments and provide transportation as necessary. As a last resort, caseworker or discharge planner would contact The Bridge Homeless Assistance Center, which has a special needs care area (16 beds) for medically fragile homeless individuals who need short-term care after their hospital stay before living independently. Staff at The Bridge then assist them to locate an appropriate TH or PH housing option and be placed on its waiting list.

**Mental Health:** It is the practice of Terrell State Hospital not to discharge to any facility that is not licensed. As a result, discharges are never made to the street or emergency shelters, as these are not licensed discharge locations. It is the responsibility of the Utilization Management (UM) staff at Terrell State Hospital and the Local Mental Health Authority (LMHA) to find appropriate placement for each patient. Appropriate discharge plans can include licensed boarding homes or care facilities or home placement, so long as the patient is under the care of an authorized physician.

**Corrections:** The Texas State Prison System houses a special Huntsville Placement & Release Unit (HPRU) which is tasked with ensuring that prisoners being released from custody are discharged to a specific location. This includes travel arrangements to the location of release, assurance that the releasee will be picked up at that location, and assurance that the releasee has a proper living arrangement. Most of the time, this is to a home or private residence, which a member of the HPRU will confirm with a member of the household prior to release. If the household refuses, the prisoner is released to a residential reentry center, which is pre-arranged and paid for by the State. Because this must be a pre-arranged placement, individuals are never knowingly released to the streets or McKinney-Vento eligible locations.

## Emergency Shelter Grants (ESG)

*(States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.*

### 5 Year Strategic Plan ESG response:

Not applicable for the City of Plano.

## COMMUNITY DEVELOPMENT

### Community Development (91.215 (e))

*\*Please also refer to the Community Development Table in the Needs.xls workbook*

1. *Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), – i.e., public facilities, public improvements, public services and economic development.*
2. *Describe the basis for assigning the priority given to each category of priority needs.*
3. *Identify any obstacles to meeting underserved needs.*
4. *Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.*

*NOTE: Each specific objective developed to address a priority need, must be identified by number and contain proposed accomplishments, the time period (i.e., one, two, three, or more years), and annual program year numeric goals the jurisdiction hopes to achieve in quantitative terms, or in other measurable terms as identified and defined by the jurisdiction.*

### 5 Year Strategic Plan Community Development response:

**1. Non-housing community development priority needs.** Priority community development needs include:

- An additional shelter, supportive services, and transitional housing for homeless and under-housed. (High)
- Support organizations that engage in public services for Plano residents, especially special needs populations, including but not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth. (High)

- Homeless supportive services across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention. (High)
- Rehabilitation/revitalization of aging neighborhoods through a mixture of infrastructure improvements, home and business rehabilitation, code enforcement, and expanding economic opportunities. (High)
- Activities that provide job training and assist with job/small business creation. (Medium)

Please see Table 2B, the Community Development Needs Table, in Appendix G for a complete list of the city's priority level for community development activities.

**2. Basis for assigning priority.** The city prioritized its community development activities largely in response to the needs identified during the public participation process, a process including a survey, public meetings, a focus group and stakeholder interviews.

**3. Obstacles.** As discussed throughout this Plan, the greatest obstacle to meeting underserved needs is lack of funding and operational funds.

**4. Specific long-term and short-term community development objectives.** Given the top needs identified, the city has developed the following strategies and objectives for funding community development requests over the course of the 2010-2014 Consolidated Plan:

#### **SUITABLE LIVING ENVIRONMENT**

**Strategy SL:** Improve and maintain suitable living environments by supporting and enhancing public facilities, public services and infrastructure for low income persons, special needs populations and neighborhoods in need of revitalization.

- **Objective SL-2.1 (Availability/Accessibility):** Develop and upgrade public facilities and infrastructure to help lower income persons, those with special needs and neighborhoods in need.

##### ***SL-2.1 five year outcomes:***

- Support and assist with the creation of additional shelter, supportive services, and transitional housing for homeless and under-housed.
  - *Outcome/five year goal:* 100 people
  - *Outcome/five year goal:* Certify local agency initiatives as compliant with the Consolidated Plan, as needed
- Continue to assist with housing accessibility modifications for elderly and disabled residents within the City of Plano.
  - *Outcome/five year goal:* 5 housing units

- **Objective SL-2.2 (Availability/Accessibility):** Fund public service activities serving primarily lower income persons and those with special needs.

***SL-2.2 five year outcomes:***

- Provide support to organizations that engage in public services for Plano residents, especially special needs populations, including but not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth.
  - *Outcome/five year goal:* 4,625 individuals
- Assist homeless supportive services across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention.
  - *Outcome/five year goal:* 100 families
  - *Outcome/five year goal:* Participate and fund annual Collin County Homeless PIT survey: 5 units

- **Objective SL-3 (Sustainability):** Support the rehabilitation/revitalization of aging neighborhoods through a mixture of infrastructure improvements, home and business rehabilitation, code enforcement, and expanding economic opportunities.

***SL-3 five year outcomes:***

- Actively pursue and track neighborhood well being by focusing resources on areas of greatest opportunity for improvement.
  - *Outcome/five year goal:* 3 neighborhoods showing measureable improvements

**ECONOMIC OPPORTUNITIES**

**Strategy EO:** Encourage economic opportunities that promote private investment for low and moderate income persons and area workforce.

- **Objective EO-2 (Availability/Accessibility):** Create and/or expand opportunities for small businesses and/or microenterprises.

***EO-2 five year outcomes:***

- Support activities that provide job training and assist with job/small business creation.
  - *Outcome/five year goal:* 50 people

**Antipoverty Strategy (91.215 (h))**

1. *Describe the jurisdiction's goals, programs, and policies for reducing the number of poverty level families (as defined by the Office of Management and Budget and revised annually). In consultation with other appropriate public and private agencies, (i.e. TANF agency) state how the jurisdiction's goals, programs, and policies for producing and preserving affordable housing set forth in the housing component of the consolidated plan will be coordinated with other programs and services for which the jurisdiction is responsible.*

2. *Identify the extent to which this strategy will reduce (or assist in reducing) the number of poverty level families, taking into consideration factors over which the jurisdiction has control.*

**5 Year Strategic Plan Antipoverty Strategy response:**

The City of Plano supports the reduction of households living in poverty by providing financial assistance to agencies from the CDBG, HOME and the Buffington Community Services Grants. The city will continue participating in the coordination between social service and private housing agencies through the Collin County Social Services Association and the Collin County Homeless Coalition.

Additional antipoverty services in Plano include:

- The Plano Housing Authority provides their residents a Family Self Sufficiency Program and their voucher holders a homeownership program.
- The Plano ISD Education Foundation offers a Family Literacy Program.

These services and the city's support and participation will provide households living in poverty an opportunity to obtain needed services, support and opportunities to help them pull themselves out of poverty.

**Low Income Housing Tax Credit (LIHTC) Coordination (91.315 (k))**

1. *(States only) Describe the strategy to coordinate the Low-income Housing Tax Credit (LIHTC) with the development of housing that is affordable to low- and moderate-income families.*

**5 Year Strategic Plan LIHTC Coordination response:**

Not applicable for the City of Plano.

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**NON-HOMELESS SPECIAL NEEDS**

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**Specific Special Needs Objectives (91.215)**

1. *Describe the priorities and specific objectives the jurisdiction hopes to achieve over a specified time period.*
2. *Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.*

**5 Year Non-homeless Special Needs Analysis response:**

**1. Special needs priorities and objectives.** The high priority special needs populations include but are not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth.

For additional information on special needs priorities please see Table 1B in Appendix G for the city's priorities for assisting non-homeless special needs populations.

The following are the city's strategies and objectives concerning special needs populations for the 2010-2014 Consolidated Plan:

### **DECENT HOUSING**

**Strategy DH:** Encourage the provision of decent, safe and affordable housing for low and moderate income and special needs residents.

- **Objective DH-1.1 (Affordability):** Continue to preserve and enhance existing housing stock through home rehabilitation.

***DH-1.1 five year outcomes:***

- Provide programs to rehabilitate and improve the existing stock of homes occupied by low and moderate income owners.
  - *Outcome/five year goal:* 95 units
- Continue to offer and market programs to rehabilitate and improve existing rental stock occupied by low and moderate income renters.
  - *Outcome/five year goal:* 10 meetings and/or speaking engagements specifically to market the rehabilitation program to landlords with low and moderate tenants

- **Objective DH-1.3 (Affordability):** Increase and support affordable rental housing opportunities in Plano.

***DH-1.3 five year outcomes:***

- Continue to support the efforts of the Plano Housing Authority (PHA) to maintain affordable housing developments and issue Housing Choice Vouchers.
  - *Outcome/five year goal:* Complete 5 annual environmental reviews for PHA Capital Funding
  - *Outcome/five year goal:* Certify PHA initiatives as compliant with the Consolidated Plan as needed
- Support applications for and the development of Low Income Housing Tax Credit (LIHTC) projects.
  - *Outcome/five year goal:* Completed on an as needed basis

### **SUITABLE LIVING ENVIRONMENT**

**Strategy SL:** Improve and maintain suitable living environments by supporting and enhancing public facilities, public services and infrastructure for low income persons, special needs populations and neighborhoods in need of revitalization.

- **Objective SL-2.1 (Availability/Accessibility):** Develop and upgrade public facilities and infrastructure to help lower income persons, those with special needs and neighborhoods in need.

***SL-2.1 five year outcomes:***

- Support and assist with the creation of additional shelter, supportive services, and transitional housing for homeless and under-housed.
  - *Outcome/five year goal:* 100 people
  - *Outcome/five year goal:* Certify local agency initiatives as compliant with the Consolidated Plan, as needed.
- Continue to assist with housing accessibility modifications for elderly and disabled residents within the City of Plano.
  - *Outcome/five year goal:* 5 housing units
- **Objective SL-2.2 (Availability/Accessibility):** Fund public service activities serving primarily lower income persons and those with special needs.

***SL-2.2 five year outcomes:***

- Provide support to organizations that engage in public services for Plano residents, especially special needs populations, including but not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth.
  - *Outcome/five year goal:* 4,625 individuals
- Assist homeless supportive services across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention.
  - *Outcome/five year goal:* 100 families
  - *Outcome/five year goal:* Participate and fund annual Collin County Homeless PIT survey: 5 units

**2. Available resources.** To achieve the objectives identified above, the city will use a combination of federal, state, and city funds.

## **Non-homeless Special Needs (91.205 (d) and 91.210 (d)) Analysis (including HOPWA)**

*\*Please also refer to the Non-homeless Special Needs Table in the Needs.xls workbook.*

1. *Estimate, to the extent practicable, the number of persons in various subpopulations that are not homeless but may require housing or supportive services, including the elderly, frail elderly, persons with disabilities (mental, physical, developmental, persons with HIV/AIDS and their families), persons with alcohol or other drug addiction, victims of domestic violence, and any other categories the jurisdiction may specify and describe their supportive housing needs. The jurisdiction can use the Non-Homeless Special Needs Table (formerly Table 1B) of their Consolidated Plan to help identify these needs.*

*\*Note: HOPWA recipients must identify the size and characteristics of the population with HIV/AIDS and their families that will be served in the metropolitan area.*

2. *Identify the priority housing and supportive service needs of persons who are not homeless but may or may not require supportive housing, i.e., elderly, frail elderly, persons with disabilities (mental, physical, developmental, persons with HIV/AIDS and their families), persons with alcohol or other drug addiction by using the Non-homeless Special Needs Table.*
3. *Describe the basis for assigning the priority given to each category of priority needs.*
4. *Identify any obstacles to meeting underserved needs.*
5. *To the extent information is available, describe the facilities and services that assist persons who are not homeless but require supportive housing, and programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing.*
6. *If the jurisdiction plans to use HOME or other tenant based rental assistance to assist one or more of these subpopulations, it must justify the need for such assistance in the plan.*

### **5 Year Non-homeless Special Needs Analysis response:**

**1. and 5. Estimate of special needs populations, facilities and services.** The city based its prioritization of assistance to special needs populations based on input from Plano residents and providers who represent these special needs populations. Please see Table 1B, the Non-homeless Special Needs Table, in Appendix G and Appendix F for a description of the numbers and needs of special needs populations residing in Plano. Appendix F also contains descriptions of the facilities, services and resources available to special needs populations.

**2. Priority housing and supportive service needs.** Prioritizing special needs populations to receive assistance is difficult to do, considering the needs are so great for all special needs populations. The city hopes to help as many persons with special needs as possible through the objectives provided on page 41, under the section, Specific Special Needs Objectives (91.215).

**3. Basis for priority.** The priority needs, strategies, objectives and outcomes were developed based on the findings from both quantitative research (Housing Market Analysis, Demographic Analysis and Special Needs Analysis) and qualitative research (public participation process). The public participation process included a survey, public meetings, a focus group and stakeholder interviews.

**4. Obstacles to meeting needs.** Organizations serving populations with special needs agreed that lack of affordable housing and supportive services—especially the lack of adequate funding to address the needs—were the largest obstacles to meeting the needs of special populations.

PHA has waiting lists for rental assistance vouchers or for affordable units they own and manage. For people who are elderly there is a lack of affordable housing options. For people with physical disabilities there is a lack of affordable *accessible* housing for rent or ownership. For people with mental disabilities, there are an insufficient number of affordable units with attendant supportive services.

## Housing Opportunities for People with AIDS (HOPWA)

\*Please also refer to the HOPWA Table in the Needs.xls workbook.

1. *The Plan includes a description of the activities to be undertaken with its HOPWA Program funds to address priority unmet housing needs for the eligible population. Activities will assist persons who are not homeless but require supportive housing, such as efforts to prevent low-income individuals and families from becoming homeless and may address the housing needs of persons who are homeless in order to help homeless persons make the transition to permanent housing and independent living. The plan would identify any obstacles to meeting underserved needs and summarize the priorities and specific objectives, describing how funds made available will be used to address identified needs.*
2. *The Plan must establish annual HOPWA output goals for the planned number of households to be assisted during the year in: (1) short-term rent, mortgage and utility payments to avoid homelessness; (2) rental assistance programs; and (3) in housing facilities, such as community residences and SRO dwellings, where funds are used to develop and/or operate these facilities. The plan can also describe the special features or needs being addressed, such as support for persons who are homeless or chronically homeless. These outputs are to be used in connection with an assessment of client outcomes for achieving housing stability, reduced risks of homelessness and improved access to care.*
3. *For housing facility projects being developed, a target date for the completion of each development activity must be included and information on the continued use of these units for the eligible population based on their stewardship requirements (e.g. within the ten-year use periods for projects involving acquisition, new construction or substantial rehabilitation).*
4. *The Plan includes an explanation of how the funds will be allocated including a description of the geographic area in which assistance will be directed and the rationale for these geographic allocations and priorities. Include the name of each project sponsor, the zip code for the primary area(s) of planned activities, amounts committed to that sponsor, and whether the sponsor is a faith-based and/or grassroots organization.*
5. *The Plan describes the role of the lead jurisdiction in the eligible metropolitan statistical area (EMSA), involving (a) consultation to develop a metropolitan-wide strategy for addressing the needs of persons with HIV/AIDS and their families living throughout the EMSA with the other jurisdictions within the EMSA; (b) the standards and procedures to be used to monitor HOPWA Program activities in order to ensure compliance by project sponsors of the requirements of the program.*
6. *The Plan includes the certifications relevant to the HOPWA Program.*

### **5 Year Strategic Plan HOPWA response:**

Not applicable for the City of Plano.

### **Specific HOPWA Objectives**

1. *Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by the strategic plan.*

### **5 Year Specific HOPWA Objectives response:**

Not applicable for the City of Plano.

## OTHER NARRATIVE

*Include any Strategic Plan information that was not covered by a narrative in any other section.*

### **OTHER**

**Strategy O:** Continue program planning and administration that supports all of the above strategies and objectives.

- **Objective O-1:** Use CDBG and HOME funds to coordinate, monitor and implement the Consolidated Plan objectives according to HUD.
  - *Outcome/five year goal:* Create Action Plan and CAPER documents acceptable to HUD: 10 units

**APPENDIX A.**  
**Citizen Participation Plan**

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## **APPENDIX A.**

### **Citizen Participation Plan**

The City of Plano’s Citizen Participation Plan is designed to encourage citizens to participate in the development of the Consolidated Plan, the annual Action Plans, any substantial amendments to the Consolidated Plan, and the Consolidated Annual Performance and Evaluation Report. The Plan is intended to specifically encourage participation by low and moderate income residents, including housing authority residents.

#### **A. Development of the Consolidated Plan (“Plan”)**

1. Prior to beginning preparation of the Plan, requests for citizen input regarding housing and community development needs will be published in the local newspaper of record.
2. The Community Relations Commission will hold at least one public hearing to obtain citizen comments regarding housing and community development needs.
3. After development of the first draft of the Plan, the Commission will hold a public hearing to review the draft and its recommendations.
4. The Commission will, in a public vote, recommend adoption of the Plan to the City Council.
5. At least 30 days after the Commission approves the plan, the City Council will hold an additional public hearing to consider the Plan and receive public comment. This 30-day period is reserved to provide time for additional citizens to comment on the recommended Plan. During this period, a summary of the Plan will be published in the official newspaper; the summary will describe the contents and purpose of the Plan, and include a list of locations where copies of the entire Plan may be examined.
6. The Commission and Council will consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the Plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the Plan.

#### **B. Development of the Action Plan**

The Action Plan includes the annual budget for the Community Development Block Grant (CDBG) and the HOME Investment Partnerships Program (HOME). This portion of the Consolidated Plan is prepared each year, as an amendment to the entire Plan. The Citizen Participation Plan for preparation of the Action Plan is as follows:

1. The City will publish a notice of funds availability approximately three to four weeks prior to the deadline for receipt of applications.

2. The City will publish the application on the city website for all organizations and individuals expressing an interest in applying for CDBG and HOME funds. The application will include information concerning eligible uses and program requirements for CDBG and HOME.
3. The Community Relations Commission will hold at least one public hearing to obtain citizen comment on the various applications for CDBG and HOME funding. At least 14 days prior to the public hearing a notice will be placed in the official newspaper. This notice will include the amount of assistance anticipated to be received, including grant funds and program income, and the range of activities which may be undertaken. The estimated amount that will benefit persons of low and moderate income will be included.
4. After the Commission makes its recommendation in an open public meeting, a period of 30 days will be made available for public comment. During this period, a summary of the Action Plan will be published in the official newspaper; the summary will describe the contents and purpose of the Action Plan, and include a list of locations where copies of the entire Action Plan may be examined. This notice will include the City Council's public hearing date set to review the Action Plan. Near the end of this period, the City Council will hold a public hearing to approve or disapprove the Action Plan.
5. The Commission and Council will consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the Action Plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the Action Plan.

### **C. Amendments to the Consolidated Plan**

A substantial amendment to the Plan is defined as deletion or addition of a Strategic Plan Goal, deletion or addition of a CDBG or HOME activity, a change to a CDBG or HOME activity which is not in keeping with the intent of the activity description in the Final Statement, or a change in funding of a particular activity which increases or decreases the amount spent by 25 percent of the total grant amount.

The Citizen Participation Plan for substantial amendments to the Plan is as follows:

1. A public hearing notice will be published in the official newspaper at least 14 days prior to consideration of the substantial amendment by the Community Relations Commission.
2. After the Commission makes its recommendation, a period of 30 days will be made available for public comment. Approximately at the end of this period, the City Council will hold a public hearing to approve or disapprove the amendment.
3. The Commission and Council will consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the substantial amendment. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the substantial amendment.

#### **D. Consolidated Annual Performance and Evaluation Report (CAPER)**

1. A notice of the CAPER availability will be published in the official newspaper to inform the public that the Community Relations Commission will be reviewing the CAPER.
2. After the notice is published, citizens will have a period of not less than 15 days to comment on the CAPER.
3. The Commission will review the CAPER in an open meeting and, accept comments from the public on the report.
4. The City Council will review the CAPER in an open meeting.
5. The Commission and Council will consider any comments or views of citizens received in writing, or orally at the open meeting, in reviewing the CAPER. A summary of these comments or views, and a summary of any comments or views shall be attached to the CAPER.

#### **E. Public Hearings and Meetings**

1. Public Hearings will be advertised in the official newspaper at least 14 days prior to the date of the hearing. The notice will contain sufficient information about the subject of the hearing to permit informed comment. The notice will be published in the body of the newspaper, and not in the legal notice section.
2. Hearings will be held at times and locations convenient to the potential and actual beneficiaries, and with accommodations for persons with disabilities. Meeting locations will be at handicap-accessible facilities located generally within or adjacent to low income neighborhoods. Meetings will be held at night, when people are not working. With 48 hours advance notice from the affected persons, the City will provide interpreters for residents who do not speak English.

**APPENDIX B.**  
**Citizen Participation Process Materials**

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# City of Plano Housing and Community Development Needs Survey

## City of Plano Residents, We Want to Hear From You!



The City is in the process of deciding how it will spend housing and community development money it receives from the federal government during the next five years (2010-2014). Your input about your community's needs will help guide how the City will spend these dollars. Your responses are anonymous and will be reported in group form only. Please assist us by completing this survey.

**Information:** For more information about how to stay involved in this planning process, please contact Shanette Brown at (972) 941-7322 or email shanetteb@plano.gov.

**As you complete this survey, please consider the needs in your community. Rate the level of need for each of the following items by checking or filling in the appropriate box. Please indicate whether the need is: 1 (low) to 4 (high)**

Check if it applies to you:  
 I am 62 years or older  
 I am disabled

Please provide the zip code of your residence: \_\_\_\_\_

	Low				Medium				High			
	1	2	3	4	1	2	3	4	1	2	3	4
<b>Businesses &amp; Jobs</b>												
Business Mentoring	<input type="checkbox"/>											
Commercial/Industrial Rehabilitation	<input type="checkbox"/>											
Employment Training	<input type="checkbox"/>											
Façade Improvements	<input type="checkbox"/>											
Job Creation/Retention	<input type="checkbox"/>											
Small Business Improvements	<input type="checkbox"/>											
Small Business Loans	<input type="checkbox"/>											
Start-up Business Assistance	<input type="checkbox"/>											
<b>Housing</b>												
ADA/Accessibility Improvements	<input type="checkbox"/>											
Affordable Rental Housing	<input type="checkbox"/>											
Energy Efficiency Improvements	<input type="checkbox"/>											
Fair Housing Services	<input type="checkbox"/>											
Home Maintenance Education	<input type="checkbox"/>											
Homeownership Assistance	<input type="checkbox"/>											
Housing for Disabled	<input type="checkbox"/>											
Housing for Family Unification	<input type="checkbox"/>											
Housing for Foster Youth	<input type="checkbox"/>											
Housing for Large Families	<input type="checkbox"/>											
Lead-based Paint Testing/Abatement	<input type="checkbox"/>											
Owner-Occupied Housing Rehabilitation	<input type="checkbox"/>											
Rental Housing Rehabilitation	<input type="checkbox"/>											
Rental Housing Subsidies	<input type="checkbox"/>											
Senior Housing	<input type="checkbox"/>											
Tenant/Landlord Counseling	<input type="checkbox"/>											
<b>Community Facilities</b>												
Abused/Neglected Children Facilities	<input type="checkbox"/>											
Centers for Disabled	<input type="checkbox"/>											
Child Care Centers	<input type="checkbox"/>											
Community Centers	<input type="checkbox"/>											
Domestic Violence Facilities	<input type="checkbox"/>											
Fire Stations & Equipment	<input type="checkbox"/>											
Health Care Facilities	<input type="checkbox"/>											
HIV/AIDS Facilities	<input type="checkbox"/>											
Homeless Shelters	<input type="checkbox"/>											
Libraries	<input type="checkbox"/>											
Parks & Recreation Facilities	<input type="checkbox"/>											
Senior Centers	<input type="checkbox"/>											
Youth Centers	<input type="checkbox"/>											
<b>Community Services</b>												
Abused /Neglected Children Services	<input type="checkbox"/>											
Child Care Services	<input type="checkbox"/>											
Crime Awareness Programs	<input type="checkbox"/>											
Domestic Violence Services	<input type="checkbox"/>											
Family Self-Sufficiency Services	<input type="checkbox"/>											
Health Services	<input type="checkbox"/>											
Legal Services	<input type="checkbox"/>											
Mental Health Services	<input type="checkbox"/>											
HIV/AIDS Services	<input type="checkbox"/>											
Homeless Services	<input type="checkbox"/>											
Senior Services	<input type="checkbox"/>											
<b>Community Services (cont'd)</b>												
Services for Disabled	<input type="checkbox"/>											
Substance Abuse Services	<input type="checkbox"/>											
Transportation Services	<input type="checkbox"/>											
Youth Services	<input type="checkbox"/>											
<b>Infrastructure</b>												
ADA/Accessibility Improvements	<input type="checkbox"/>											
Drainage Improvements	<input type="checkbox"/>											
Street/Alley Improvements	<input type="checkbox"/>											
Street Lighting	<input type="checkbox"/>											
Sidewalk Improvements	<input type="checkbox"/>											
Water/Sewer Improvements	<input type="checkbox"/>											
<b>Neighborhood Services</b>												
Cleanup of Abandoned Lots & Buildings	<input type="checkbox"/>											
Code Enforcement	<input type="checkbox"/>											
Graffiti Removal	<input type="checkbox"/>											
Parking Facilities	<input type="checkbox"/>											
Trash & Debris Removal	<input type="checkbox"/>											
Tree Planting	<input type="checkbox"/>											

**Please return the survey by mail, fax or by responding to the survey interactively online:**

**Mailing:** ATTN: Shanette Brown  
 Neighborhood Services Division Planning Dept.  
 City of Plano  
 1520 Avenue K  
 Plano, Texas 75074

**Fax:** (972) 461-6845  
**Email:** shanetteb@plano.gov  
**Website:** www.plano.gov

# Encuesta de Vivienda y Desarrollo Comunitario

## Residentes de Ciudad de Plano, Queremos Oír de Usted!



La ciudad esta comenzando el "Consolidated Plan 2010 – 2014." Esté determinará cómo los fondos Federales para desarrollo comunitario y vivienda serán utilizados. La participación de los ciudadanos es importante para determinar las necesidades y prioridades comunitarias de la ciudad de Plano. Su respuestas son anónimos y serán presentado en grupo. Por Favor, asistanos llenado esta encuesta. **Información:** Para mas informacion sobre el proceso urbanismo, por favor contacte a: Shanette Brown (972) 941-7322 o correo electronico: shanetteb@plano.gov.

**Cuando comience a llenar esta encuesta, por favor considere las necesidades en su comunidad y como pueden ser mejoradas. Asigne un nivel de valor a cada uno de los siguientes conceptos y rellene el círculo que mejor aplique. Cuando rellene los círculos, hágalo usando el rango de 1 al 4. El 1 indica lo que es menos necesitado, el 4 indica lo que es más necesitado**

Marque si aplica a usted:  
 Tengo 62 o más años de edad  
 Estoy discapacitado

Por favor, proporcione el Código Postal de su residencia: \_\_\_\_\_

	Bajo				Mediano				Alto			
	1	2	3	4	1	2	3	4	1	2	3	4
<b>Negocios y Trabajos</b>	<input type="checkbox"/>											
Mentores para Negocios	<input type="checkbox"/>											
Rehabilitación de Comercios/Industrias	<input type="checkbox"/>											
Entrenamiento para Empleo	<input type="checkbox"/>											
Mejoria de Fachadas	<input type="checkbox"/>											
Retención/Creación de Trabajos	<input type="checkbox"/>											
Mejoria para Pequeños Negocios	<input type="checkbox"/>											
Préstamos para Pequeños Negocios	<input type="checkbox"/>											
Asistencia en Empezar un Negocio	<input type="checkbox"/>											
<b>Vivienda</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<input type="checkbox"/>							
Mejoras ADA	<input type="checkbox"/>											
Asequible Viviendas Aquilado	<input type="checkbox"/>											
Mejoras para Ahorro de Energía	<input type="checkbox"/>											
Servicios de Vivienda Justa	<input type="checkbox"/>											
Educación para Mantenimiento del Hogar	<input type="checkbox"/>											
Asistencia en la Compra de Viviendas	<input type="checkbox"/>											
Vivienda para Discapacitados	<input type="checkbox"/>											
Vivienda para Unificación Familiar	<input type="checkbox"/>											
Vivienda para Jóvenes Adoptados	<input type="checkbox"/>											
Vivienda para Familias Grandes	<input type="checkbox"/>											
Prueba de Pintura Base de Plomo/Disminución	<input type="checkbox"/>											
Rehabilitación para Viviendas Propietario	<input type="checkbox"/>											
Rehabilitación para Viviendas Aquilado	<input type="checkbox"/>											
Subsidio para Viviendas Aquilado	<input type="checkbox"/>											
Viviendas para Personas de la Tercera Edad	<input type="checkbox"/>											
Inquilino/Casero Orientación	<input type="checkbox"/>											
<b>Servicios Comunitarios (continuo)</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<input type="checkbox"/>							
Servicios para Personas Discapacitadas	<input type="checkbox"/>											
Servicios Contra el Abuso de Sustancias	<input type="checkbox"/>											
Servicios de Transporte	<input type="checkbox"/>											
Servicios para Jóvenes	<input type="checkbox"/>											
<b>Infraestructura</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<input type="checkbox"/>							
Mejoras ADA	<input type="checkbox"/>											
Mejoras a Drenaje	<input type="checkbox"/>											
Mejoras a Calles/Callejones	<input type="checkbox"/>											
Alumbrado Publico	<input type="checkbox"/>											
Mejoras a Banquetas	<input type="checkbox"/>											
Mejoras al Sistema de Agua/Alcantarillado	<input type="checkbox"/>											
<b>Servicios de Vecindario</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<input type="checkbox"/>							
Limpieza de Lotes y EdificiosAbandonados	<input type="checkbox"/>											
Ejecución de Reglamentos	<input type="checkbox"/>											
Remoción de Graffiti	<input type="checkbox"/>											
Estacionamientos	<input type="checkbox"/>											
Remoción de Basura y Escombros	<input type="checkbox"/>											
Siembra de Arboles	<input type="checkbox"/>											

Por favor, devuelva la encuesta por correo, fax, o a la dirección de internet:

**Mail:** ATTN: Shanette Brown  
 Neighborhood Services Division Planning Dept.  
 City of Plano  
 1520 Avenue K  
 Plano, Texas 75074  
**Fax:** (972) 461-6845  
**Business Reply Envelope:** BBC Research & Consulting  
**Email:** shanetteb@plano.gov  
**Website:** www.plano.gov

# We Want To Hear From You

## Meeting Locations and Times

<b>Date:</b>	Tue. Dec. 8, 2009	Tue. Dec. 8, 2009	Wed. Dec. 9, 2009	Thur. Dec. 10, 2009
<b>Time:</b>	2:00pm – 4:00pm	6:30pm – 8:30pm	6:30pm – 8:30pm	6:30pm – 8:30pm
<b>Room:</b>	Thelma Rice–Sproles Program Room	Thelma Rice–Sproles Program Room	Art Room	Schimelpfenig Room
<b>Location:</b>	Harrington Library 1501 18th Street Plano, Texas 75074	Harrington Library 1501 18th Street Plano, Texas 75074	Carpenter Recreation Center 6701 Coit Road Plano, Texas 75024	Schimelpfenig Library 5024 Custer Road Plano, Texas 75023

\* The meetings are available to all persons regardless of disability. If you require assistance, please call 972-941-7151 at least 48 hours in advance of the scheduled meeting date. Spanish translation will be available upon request. Light snacks provided.



## Provide Your Input to Shape Our Community

### *Why does the City need your input?*

The City is starting its 2010-2014 Consolidated Plan process which will determine how housing and community development federal funds will be spent. Citizen participation is a vital step in determining the City of Plano's needs and priorities.

#### *Consolidated Plan Questions:*

If you are unable to attend a meeting, you may still provide comments. For more information about the Consolidated Plan process, please contact:

Shanette Brown, Community Services Division–Planning Department  
972-941-7151 ♦ shanetteb@plano.gov ♦ www.plano.gov

# Queremos Oír De Usted

## Ubicación y Hora de la Reunión

<b>Fecha:</b> Martes, 8 de Diciembre, 2009	Martes, 8 de Diciembre, 2009	Miércoles, 9 de Diciembre, 2009	Jueves, 10 de Diciembre, 2009
<b>Hora:</b> 2:00pm a 4:00pm	6:30pm a 8:30pm	6:30pm a 8:30pm	6:30pm a 8:30pm
<b>Sala:</b> Thelma Rice-Sproles Program Room	Thelma Rice-Sproles Program Room	Art Room	Schimelpfenig Room
<b>Ubicación:</b> Biblioteca Harrington 1501 18th Street Plano, Texas 75074	Biblioteca Harrington 1501 18th Street Plano, Texas 75074	Carpenter Centro Recreativo 6701 Coit Road Plano, Texas 75024	Schimelpfenig Biblioteca 5024 Custer Road Plano, Texas 75023

\* La reunión está abierta al público, incluyendo personas discapacitadas. Si Ud. necesita asistencia, llame al (972) 941-7151, por lo menos 48 horas antes de que empiece la reunión. Traducción al Español estará disponible si se solicita. Snacks serán proporcionados.



## Déanos sus Opiniones Acerca de Cómo Mejorar Nuestra Comunidad

### Por qué la Ciudad necesita sus opiniones?

La ciudad está comenzando el "Consolidated Plan 2010 – 2014." Este determinará cómo los fondos Federales para desarrollo comunitario y vivienda serán utilizados. La participación de los ciudadanos es importante para determinar las necesidades y prioridades comunitarias de la ciudad de Plano.

#### Preguntas del "Consolidated Plan":

Si no puede asistir a la reunión, usted aún puede darnos sus opiniones. Para más información sobre el proceso, por favor contacte a:

Shanette Brown, Division de Servicios Comunitarios –Departamento Urbanismo  
972-941-7151 ♦ shanetteb@plano.gov ♦ www.plano.gov



# We Want To Hear From You

## Special Needs Population Professional Focus Group

**Date:** Thursday December 10, 2009

**Time:** 10:00 am – 12:00 pm

**Location:** Plano Municipal Building  
1520 Avenue K  
Plano, Texas 75074

*\* The meeting is available to all persons regardless of disability. If you require assistance, please call 972-941-7151 at least 48 hours in advance of the scheduled meeting date. Spanish translation will be available upon request. Light snacks provided.*



## Provide Your Input to Shape Our Community

### *Why does the City need your input?*

The City is starting its 2010-2014 Consolidated Plan process which will determine how housing and community development federal funds will be spent. Citizen participation is a vital step in determining the City of Plano's needs and priorities.

#### *Consolidated Plan Questions:*

If you are unable to attend the meeting, you may still provide comments. For more information about the Consolidated Plan process, please contact:

Shanette Brown, Community Services Division–Planning Department  
972-941-7151 ♦ shanetteb@plano.gov ♦ www.plano.gov



# Queremos Oír De Usted

## Grupo de Enfoque Profesional sobre las Necesidades Especiales de la Población

**Fecha:** Jueves, 10 de Diciembre, 2009

**Hora:** 10:00 am a 12:00 pm

**Ubicación:** Edificio Municipal de Plano  
1520 Avenue K  
Plano, Texas 75074

*\* La reunión está abierta al público, incluyendo personas discapacitadas. Si Ud. necesita asistencia, llame al (972) 941-7151, por lo menos 48 horas antes de que empiece la reunión. Traducción al Español estará disponible si se solicita. Snacks serán proporcionados.*



## Démos sus Opiniones Acerca de Cómo Mejorar Nuestra Comunidad

### *Por qué la Ciudad necesita sus opiniones?*

La ciudad está comenzando el “Consolidated Plan 2010 – 2014.” Este determinará cómo los fondos Federales para desarrollo comunitario y vivienda serán utilizados. La participación de los ciudadanos es importante para determinar las necesidades y prioridades comunitarias de la ciudad de Plano.

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Shanette Brown, Division de Sevicios Comunitarios –Departamento Urbanismo  
972-941-7151 ♦ shanetteb@plano.gov ♦ www.plano.gov



## 2010-2014 Consolidated Plan & Analysis of Impediments to Fair Housing *Community Meetings*

Presented to:  
**City of Plano Residents**

**December 8, 9 and 10, 2009**

Presented by:  
Kathy Kugel, Associate  
Jason Steiert, Research Associate

**BBC**rch & Consulting  
RESEARCH &  
CONSULTING  
Creek North Drive  
Denver, Colorado 80209-3868  
1-800-748-3222  
www.bbcresearch.com



### Agenda

- **Introductions**
- **Background on the Consolidated Plan**
- **Plano's Consolidated Plan Activities**
- **Community input and comments**
- **Fair housing**

## Introductions

- **BBC Research & Consulting**

*Denver-based economic and public policy consulting firm*



- **Community Services Division**  
of the City of Plano Planning  
Department



2

## Why Are You Here?

- We need your help to develop ideas on what types of projects are needed and what the best use of the federal funds would be.
  - What do you think are the top housing concerns in your community?
  - What are the most important steps to help revitalize neighborhoods?
  - What steps can we take to help provide opportunities for low income residents?
  - What can the City do to develop or enhance community facilities and services?

3

## Purpose of the Consolidated Plan

In 1995, the U.S. Department of Housing and Urban Development (HUD) began requiring states and local communities to prepare a Consolidated Plan in order to receive federal housing and community development funding.

The purpose of the Consolidated Plan is:

- To identify a jurisdiction's housing and community development needs, priorities, goals and strategies; and
- To stipulate how Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) funds will be allocated to housing and community development needs in the community.

An Analysis of Impediments to Fair Housing Choice and a fair housing plan to address barriers must also be completed as part of a Consolidated Plan.

4

## Consolidated Plan Research Process

### ■ **Public participation:**

- Public forums
- Stakeholder focus group and interviews
- Draft hearing and comment period

### ■ **Data:**

- Demographic and socioeconomic analysis
- Housing market analysis
- Housing for special needs populations
- Housing and community development needs

### ■ **Draft plan and 30-day comment period for both:**

- Five-year Strategic Plan
- 2010 Action Plan

5

## What is the Community Development Block Grant Program (CDBG)?

- Administered by Community Services Division of the Planning Department
- The purpose of the Community Development Block Grant (CDBG) program is to revitalize low and moderate income neighborhoods, to expand affordable housing and economic opportunities and to improve community facilities and services.
- CDBG Objectives:
  - Assist low to moderate income residents
  - Prevention of slum and blight
  - Provide decent housing
  - Ensure suitable living environments
  - Support community development activities

6

## What is the HOME Investment Partnership Program (HOME)?

- Administered by Community Services Division of the Planning Department
- Allows communities to custom-design housing strategies
- Strengthen business/ government/non-profit partnerships
- Build capacity of community-based housing groups



7

## HUD Approved Consolidated Plan Activities

### ■ Housing Programs

- Rehabilitation programs
- Construction of new housing
- Homeownership assistance
- Accessibility improvements



### ■ Public Service Programs

- Public services for low income residents
- Non-Profit Organizations (e.g., Community, Senior and Day Care Centers)

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## HUD Approved Consolidated Plan Activities (cont'd)



### ■ Public facilities

- Public facilities and improvements (e.g., streetscape, sidewalks, community facilities like the Senior Center)
- Beautification projects (e.g., parks, playgrounds, tree removal)
- Acquisition of property

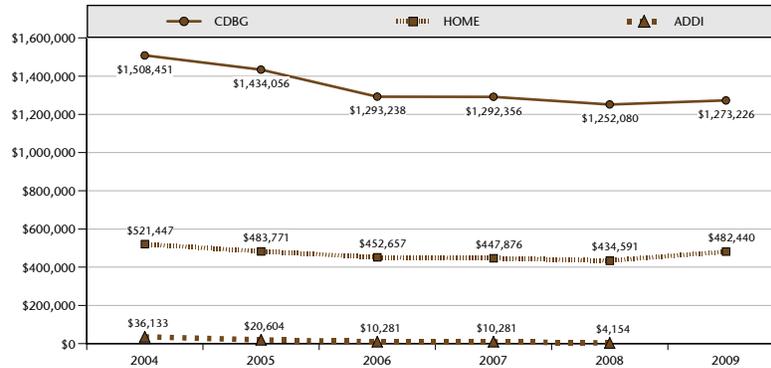
### ■ Economic development programs

- Technical assistance for small businesses

9

## Historical Amounts of Plano HUD Funds

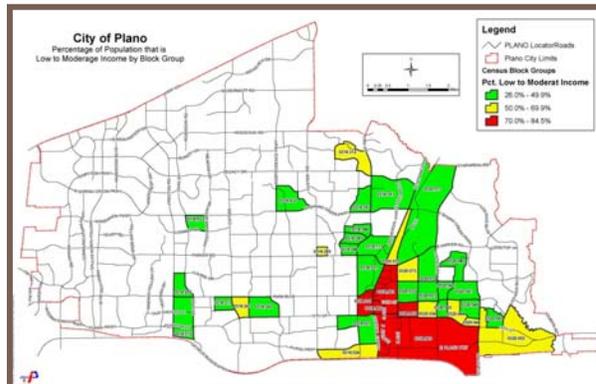
- HUD FY2008 CDBG Allocations was \$1,252,080
- FY2009 is \$1,273,226-up after years of modest declines
- The City also received \$482,440 of HOME funds in FY2009



10

## CDBG Low and Moderate Income Areas

This map indicates the percentage of households within each block group that earn 80% or less of the median family income (\$67,600).



11

## Plano's Previously Funded Activities



**New infill housing**



**Acquisition and/or rehabilitation of existing affordable housing**



**First time homebuyer assistance**

12

## Plano's Previously Funded Activities (cont'd)



- Provide assistance to the homeless and persons at risk of becoming homeless:
  - Short-term rent/mortgage and utility assistance
- Provide assistance to persons with HIV/AIDS
- Provide assistance to youth
- Public or non-profit facility construction and/or rehabilitation

13

## Who Lives in Plano?

- 2009 population: 263,800 (19% change from 2000)
  - 61% White
  - 6% African American
  - 16% Asian
  - 15% Hispanic (ethnicity)
- 2008 median household income: \$85,003  
2009 HUD median family income: \$67,600
- 32% of population are Young Adults (ages 25 to 44 years)
- 39% of households are households with children in 2008
  - In 2000, 44 percent of households had children
  - Between 2000 and 2008, households without children grew by 28%, while households with children only grew by only 4%

14

## Housing in Plano

- Tenure: 66% are homeowners  
34% are renters
- 2008 Median Owner-occupied Home Value: \$217,500
- 2008 Median Gross Rent: \$959
- 28,765 households in Plano were cost burdened in 2008
  - 14,278 renters (45% of renters)
  - 14,487 owners (23% of owners)

15

## Your Input! Needs and Prioritization



- Determine needs of low income and special needs populations in Plano
- Rate each need as high, medium or low priority

16

## Top 3 Housing and Community Development Needs of Plano Residents

### Community Development/Economic Development

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

### Housing

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

### Special Needs Populations

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

17

## Prioritize the Needs – High, Medium or Low Priority

- **High priority**—Activities to address this need will be funded by the city during the five-year period
- **Medium priority**—If funds are available, activities to address this need may be funded by the city during the five-year period. Also, the city may take other actions to help this group locate other sources of funds
- **Low priority**—The city will not directly fund activities using funds to address this need during the five-year period, but applications for federal assistance by other entities might be supported and found to be consistent with this Plan

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## What is Fair Housing?

### Fair Housing Act (FHA):

- Title VIII of the Civil Rights Act of 1968, prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex and national origin
- Amended in 1988 to prohibit discrimination on the basis of disability or familial status.
- Requires accessibility provisions in certain residential buildings ready for occupancy after March 1991

### Exemptions from FHA:

- Housing developments for seniors, housing strictly reserved for members of religious organizations or private clubs, multifamily housing of four units or less with the owner occupying one unit.

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## Protected Classes

- Race
- Color
- Sex
- Religion
- National origin/ancestry
- Disability
- Familial status



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## Examples of Prohibited Activities

- Refusing to rent or sell housing
- Imposing different terms or conditions on sale, rental, and/or financing
- Steering by Realtors
- Discriminatory advertising
- Refusing to make reasonable accommodations for persons with disabilities
- Not complying with accessibility standards for multifamily units built after 1991

21

## Violation or Not?

- |   | <u>Yes</u>               | <u>No</u>   |                          |                          |
|---|--------------------------|---|--------------------------|--------------------------|
| 1. A couple selling their home tells their real estate agent that they only want to sell their house to a Christian family. The real estate agent receives a call from another agent who is representing a Jewish family interested in looking at the home. The agent for the Christian couple refuses to show them the home. | <input type="checkbox"/> | <input type="checkbox"/>  |                          |                          |
| 2. <table border="1"><thead><tr><th>APARTMENT FOR RENT</th></tr></thead><tbody><tr><td>Two bedroom, nice, play area for children, laundry on-site, off-street parking. Near shopping/grocery. English speakers only.</td></tr></tbody></table>  | APARTMENT FOR RENT       | Two bedroom, nice, play area for children, laundry on-site, off-street parking. Near shopping/grocery. English speakers only. | <input type="checkbox"/> | <input type="checkbox"/> |
| APARTMENT FOR RENT  |                          |   |                          |                          |
| Two bedroom, nice, play area for children, laundry on-site, off-street parking. Near shopping/grocery. English speakers only.   |                          |   |                          |                          |

22

## Violation or Not? (continued)

- |   | <u>Yes</u>               | <u>No</u>                |
|---|--------------------------|--------------------------|
| 3. A single mother of a 13 year old made an appointment to look at an apartment for rent in a large apartment complex. The landlord met her at the apartment. When he discovered that she had a child, he told her he doesn't allow children in his apartment complex.  | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. An apartment building owner is renting to a tenant who uses a wheelchair. The building is old and does not have a wheelchair ramp.<br><br>The tenant asks if he could arrange to have a ramp built so he can get into the building more easily. The tenant has offered to pay for the ramp. The owner thinks a ramp will ruin the look of the building, so he refuses to have one built. | <input type="checkbox"/> | <input type="checkbox"/> |

23

## Fair Housing Survey

*Please complete the short survey concerning fair housing and turn it in before you leave.*

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## How Would You Spend the Money?

You have \$1,000,000 to improve housing and/or community development in Plano.

*Please use the worksheet we've circulated to identify these needs in Plano.*

25

## How to Participate in the Consolidated Plan Process

### Tell us what you think today!

- Turn in your worksheet and Fair Housing Survey
- Complete a Public Comment sheet
- Send an e-mail to:
  - [shanetteb@plano.gov](mailto:shanetteb@plano.gov); *or*
  - [kkugel@bbcresearch.com](mailto:kkugel@bbcresearch.com)

- Send a letter to:

City of Plano  
ATTN: Ms. Shanette Brown  
Community Services Division  
1520 Avenue K  
Plano, Texas 75074



# How would you spend the Federal grant dollars?

You have \$1 million to improve housing and/or community development conditions of residents in Plano.

Dollars	Activities	Priority Level (high, medium or low)
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	<b>TOTAL (Must add to \$1,000,000)</b>	_____

You can return this sheet at the meeting, fax it to 303.399.0448, or mail it to the following address:

Plano Consolidated Plan, c/o Kathy Kugel  
 BBC Research & Consulting  
 3773 Cherry Creek North Drive, Suite 850  
 Denver, CO 80209  
 kkugel@bbcresearch.com



## 2010-2014 Consolidated Plan *Public Hearing*

February 9, 2010

*Presented to:*

**Community Relations Commission**  
*and*  
**City of Plano Residents**

*Presented by:*

**Kathy Kugel, Associate**  
**BBC** BBC Research & Consulting  
RESEARCH & CONSULTING 3773 Cherry Creek North Drive  
Suite 850  
Denver, Colorado 80209-3868  
1-800-748-3222  
[www.bbcresearch.com](http://www.bbcresearch.com)

## Agenda

- **Introductions**
- **Background on the Consolidated Plan**
- **Presentation on research findings**
- **Priority Needs**
- **Five Year Strategies, Objectives and Outcomes**
- **Community comments**
- **Consolidated Plan calendar**

## Purpose of the Consolidated Plan

In 1995, the U.S. Department of Housing and Urban Development (HUD) began requiring states and local communities to prepare a Consolidated Plan in order to receive federal housing and community development funding.

The purpose of the Consolidated Plan is:

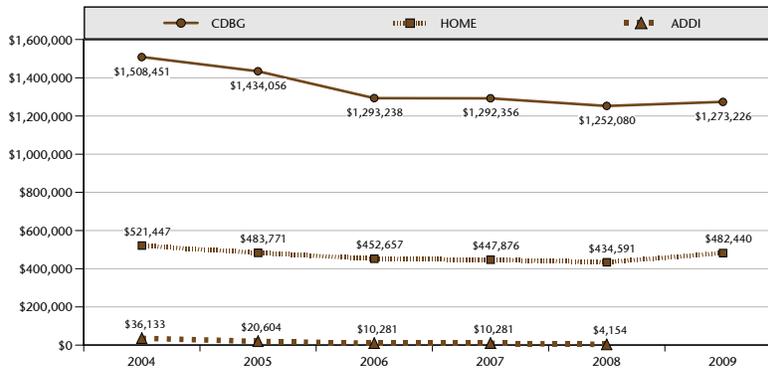
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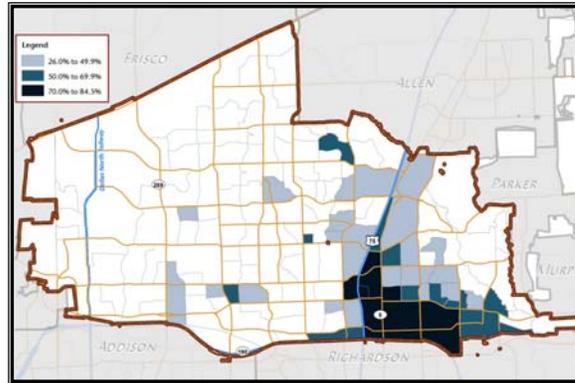
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- Strengthen business/government/non-profit partnerships
- Build capacity of community-based housing groups



5

## HUD Qualified Grant Service Areas

This map indicates the percentage of households within each block group that earn 80% or less of the Dallas metropolitan median family income (\$67,600).



6

## Plano's Previously Funded Activities

- New infill housing
- Acquisition and/or rehabilitation of existing affordable housing
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- Provide assistance to the homeless and persons at risk of becoming homeless:
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7

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- Draft hearing and comment period

### ■ Data:

- Demographic and socioeconomic analysis
- Housing market analysis
- Housing for special needs populations
- Housing and community development needs

### ■ Draft plan and 30-day comment period for both:

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- 2010 Action Plan

8

## Who Lives in Plano?

### ■ 2009 population: 263,800 (19% change from 2000)

- 61% White, Non-Hispanic
- 9% African American
- 17% Asian
- 15% Hispanic (ethnicity)

### ■ 2008 median household income: \$85,003 2008 median family income: \$102,275 2009 HUD median family income: \$67,600

### ■ 32% of population are young adults (ages 25 to 44 years)

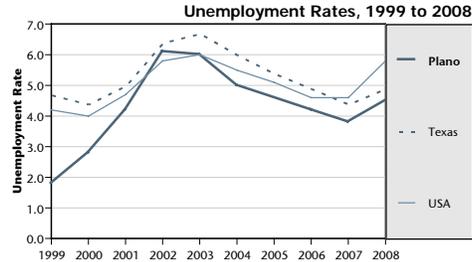
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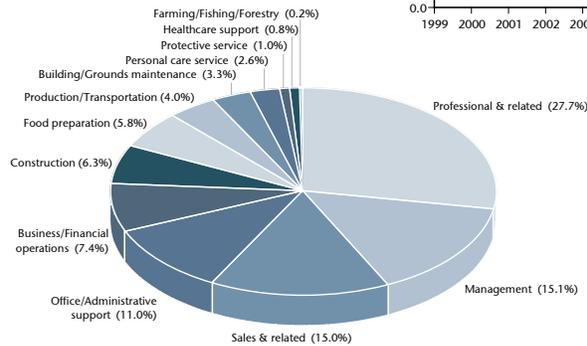
9

## Economic Indicators

- Plano's unemployment rate is up after years of stability



**Employment by Occupation, 2008**

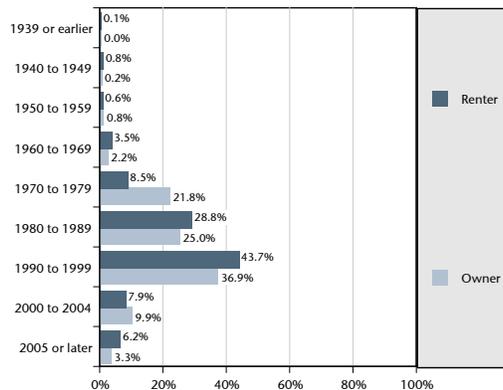


10

## Housing in Plano

- Tenure:
  - 66% are homeowners
  - 34% are renters
- Majority of housing units are single family detached homes: 67%
- Median year built:
  - Renter occupied units = 1992
  - Owner occupied units = 1990

**Percent of Owner- and Renter Occupied Units by Decade in Which Units Were Built, Plano, 2008**



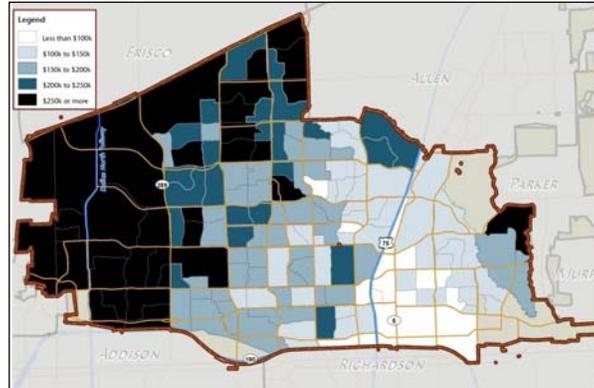
Source: U.S. Census Bureau 2008 American Community Survey.

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## Housing Cost and Affordability

- 2008 median value = \$217,500

Median Owner-Occupied Housing Units Value



Source: Claritas, 2009 estimates.

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## Housing Cost and Affordability

- Affordability of Median Gross Rent, 2008

Affordability	
Median gross rent	\$959
Income needed to afford median price	\$38,360
Number of <b>renters</b> who can afford to rent	20,113
Percent of <b>renters</b> who can afford to rent	62%

- Affordability of Median Priced Homes, City of Plano, 2008 and 2009

Affordability	
Median price of homes, MLS	\$210,900
Income needed to afford median price	\$60,900
Number of <b>renters</b> who can afford to buy	12,170
Percent of <b>renters</b> who can afford to buy	37%
Number of <b>owners</b> who can afford to buy	50,057
Percent of <b>owners</b> who can afford to buy	80%

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## Housing Cost and Affordability

- 28,765 households in Plano were cost burdened in 2008
  - 14,278 renters (45% of renters)
  - 14,487 owners (23% of owners)

Income Range	Renters		Owners	
	Households	Percent	Households	Percent
Less than \$20,000	4188	96%	2,284	92%
\$20,000 to \$34,999	5,781	94%	2,270	70%
\$35,000 to \$49,999	2,656	42%	2,572	76%
\$50,000 to \$74,999	1,098	16%	3,099	42%
\$75,000 or more	555	7%	4262	9%
<b>Total</b>	<b>14,278</b>	<b>45%</b>	<b>14,487</b>	<b>23%</b>

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## Public Input Process Top Needs

- **Housing:**
  - Home rehabilitation, including energy efficiency improvements
  - More affordable rental units
  - Affordable homes to buy
- **Community development/infrastructure/public services:**
  - Improvements to sidewalks, lighting, pedestrian and transit accessibility and general aging infrastructure improvements
  - Revitalization of deteriorating neighborhoods
  - Needed public services included healthcare and transportation services. The need to continue to fund supportive services was another need mentioned during key person interviews.

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## Public Input Process Top Needs (cont'd)

### ■ Economic development:

- Job creation and retention
- Encouraging small business development
- Revitalize deteriorating strip malls
- Support commercial façade improvements

### ■ Special needs populations:

- At-risk youth and abused/neglected children — emergency and/or transitional housing and services
- Disabled — quality, cost effective housing and a multi-purpose center
- Homeless — creation of a homeless shelter with supportive services and transitional housing
- Seniors — affordable housing and supportive services

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## City of Plano High Priority Needs

- **Rehabilitate** and improve the existing stock of homes occupied by low and moderate income owners.
- **Assistance to homebuyers** with downpayment assistance, closing cost assistance, and/or homebuyer education and counseling.
- **The creation of additional shelter**, supportive services, and transitional housing for homeless and under-housed.
- **Housing accessibility modifications** for elderly and disabled residents within the City of Plano.
- **Support organizations that engage in public services** for Plano residents, especially special needs populations, including but not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth.
- **Homeless supportive services** across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention.
- **Rehabilitation/revitalization of aging neighborhoods** through a mixture of infrastructure improvements, home and business rehabilitation, code enforcement, and expanding economic opportunities.

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## Five Year Strategies, Objectives and Outcomes

### **Decent Housing Strategy:**

Encourage the provision of decent, safe and affordable housing for low and moderate income and special needs residents.

- **Objective DH-1.1 (Affordability):** Continue to preserve and enhance existing housing stock through home rehabilitation.

#### ***DH-1.1 five year outcomes:***

- Provide programs to rehabilitate and improve the existing stock of homes occupied by low and moderate income owners.
  - *Outcome/five year goal:* 95 units
- Continue to offer and market programs to rehabilitate and improve existing rental stock occupied by low and moderate income renters.
  - *Outcome/five year goal:* 10 meetings and/or speaking engagements specifically to market the rehabilitation program to landlords with low and moderate income tenants.

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## Five Year Strategies, Objectives and Outcomes (cont'd)

- **Objective DH-1.2 (Affordability):** Continue to create affordable homeownership opportunities through homeownership assistance, new construction and/or acquisition and rehabilitation of land and properties for income qualifying households.

#### ***DH-1.2 five year outcomes:***

- Provide assistance to homebuyers with downpayment assistance, closing cost assistance, and/or homebuyer education and counseling.
  - *Outcome/five year goal:* 60 units
- Consider sale of publicly owned land to affordable housing developers. Inventory available parcels and evaluate their feasibility for affordable housing development.
  - *Outcome/five year goal:* Develop map of vacant parcels by zoning district for affordable housing developers.

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## Five Year Strategies, Objectives and Outcomes (cont'd)

- **Objective DH-1.3 (Affordability):** Increase and support affordable rental housing opportunities in Plano.

### ***DH-1.3 five year outcomes:***

- Continue to support the efforts of the Plano Housing Authority (PHA) to maintain affordable housing developments and issue Housing Choice Vouchers.
  - *Outcome/five year goal:* Complete 5 annual environmental reviews for PHA Capital Funding
  - *Outcome/five year goal:* Certify PHA initiatives as compliant with the Consolidated Plan as needed.
- Support applications for and the development of Low Income Housing Tax Credit (LIHTC) projects.
  - *Outcome/five year goal:* Completed on an as needed basis.

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## Five Year Strategies, Objectives and Outcomes (cont'd)

### **Suitable Living Environment Strategy:**

Improve and maintain suitable living environments by supporting and enhancing public facilities, public services and infrastructure for low income persons, special needs populations and neighborhoods in need of revitalization.

- **Objective SL-2.1 (Availability/Accessibility):** Develop and upgrade public facilities and infrastructure to help lower income persons, those with special needs and neighborhoods in need.

### ***SL-2.1 five year outcomes:***

- Support and assist with the creation of additional shelter, supportive services, and transitional housing for homeless and under-housed.
  - *Outcome/five year goal:* 100 families
  - *Outcome/five year goal:* Certify local agency initiatives as compliant with the Consolidated Plan, as needed.
- Continue to assist with housing accessibility modifications for elderly and disabled residents within the City of Plano.
  - *Outcome/five year goal:* 5 housing units

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## Five Year Strategies, Objectives and Outcomes (cont'd)

- **Objective SL-2.2 (Availability/Accessibility):** Fund public service activities serving primarily lower income persons and those with special needs.

### ***SL-2.2 five year outcomes:***

- Provide support to organizations that engage in public services for Plano residents, especially special needs populations, including but not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth.
  - Outcome/five year goal: 4,625 people
- Assist homeless supportive services across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention.
  - Outcome/five year goal: 100 families
  - Outcome/five year goal: Participate and fund annual Collin County Homeless PIT survey: 5 units

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## Five Year Strategies, Objectives and Outcomes (cont'd)

- **Objective SL-3 (Sustainability):** Support the rehabilitation/revitalization of aging neighborhoods through a mixture of infrastructure improvements, home and business rehabilitation, code enforcement, and expanding economic opportunities.

### ***SL-3 five year outcomes:***

- Actively pursue and track neighborhood well being by focusing resources on areas of greatest opportunity for improvement.
  - Outcome/five year goal: 3 neighborhoods showing measureable improvements

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## Five Year Strategies, Objectives and Outcomes (cont'd)

### **Economic Opportunity Strategy:**

Encourage economic opportunities that promote private investment for low and moderate income persons and area workforce.

- **Objective EO-2 (Availability/Accessibility):** Create and/or expand opportunities for small businesses and/or microenterprises.

#### ***EO-2 five year outcomes:***

- Support activities that provide job training and assist with job/small business creation.
  - Outcome/five year goal: 50 people

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## Five Year Strategies, Objectives and Outcomes (cont'd)

### **Other Strategy:**

Continue program planning and administration that supports all of the above strategies and objectives.

- **Objective O-1:** Use CDBG and HOME funds to coordinate, monitor and implement the Consolidated Plan objectives according to HUD.

- Outcome/five year goal: Create Action Plan and CAPER documents acceptable to HUD: 10 units

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## How to Comment on the Consolidated Plan

- Through March 8, 2010  
you may send email to... [shanetteb@plano.gov](mailto:shanetteb@plano.gov)

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- Send a letter to... Attn: Consolidated Plan  
Community Services Division  
City of Plano  
1520 Avenue K  
Plano, TX 75074

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- Access the Plan at... [www.plano.gov/Departments/  
Planning](http://www.plano.gov/Departments/Planning)

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## Consolidated Plan Calendar

- February 2 – March 8:** 30-day public comment period

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- February 9:** Community Relations Commission Public Hearing for Consolidated Plan

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- February 15:** Applications published

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- February 18 & 19:** Mandatory grant application meetings:  
Wednesday, February 17, 2010, 2:30 p.m.  
Building Inspections Training Room  
Friday, February 19, 2010, 9:30 a.m.  
Building Inspections Training Room

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- March 5:** Final day to submit grant early for review

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- March 8:** City Council Public Hearing to approve Consolidated Plan

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- March 18:** Grant applications due

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- June:** Analysis of Impediments to Fair Housing Choice (AI) draft complete

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- August:** Final date to submit Consolidated Plan, Action Plan and AI to HUD

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**APPENDIX C.**  
**Citizen Participation Input and Comments**

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## **APPENDIX C.**

### **Citizen Participation Input and Comments**

This section discusses Plano's housing and community development needs, as identified by citizens, public service agencies and government officials through stakeholder consultation, public meetings, a survey and a review of community development resources. The section also summarizes other non-housing areas that help make the city a desirable community to live. This section addresses the requirements of Sections 91.205, 91.210, and 91.215 of HUD's Consolidated Plan Regulations.

Appendix A of this report provides the City of Plano's Citizen Participation Plan and Appendix B provides the Housing and Community Development Needs Survey instrument, the public and focus group meeting materials and promotional flyers. Attached to this appendix are the public meeting sign-in sheets and notes from the meetings.

#### **Local Input on Housing and Community Development Needs**

The City of Plano conducted a citizen participation process to elicit input regarding housing and community development needs. That process consisted of three major parts:

- A Housing and Community Development Needs Survey was made available to residents of Plano during November and December 2009. The survey was distributed to libraries, recreation centers, and to service providers throughout Plano. An online version of the survey was also available on the city's website. The survey was available in English and Spanish.
- Public meetings including four public meetings and one stakeholder meeting were held during the development of the Consolidated Plan;
- Thirteen interviews with key persons or groups who are knowledgeable about housing and community development needs in the city, including city staff and elected city officials, were conducted; and
- Two public hearings held during the 30-day public period.

The 30-day comment period will begin on February 2, 2010 and end on March 8, 2010. The public will be asked to provide written public comments about the draft Consolidated Plan. In addition, all public meeting participants who provided contact information will be notified in writing or by email of the availability of the draft Plan and will be encouraged to provide their comments. During the 30-day public comment period, a public hearing will be held in front of the Community Resources Commission to receive comments on the draft Plan. After reviewing and editing the draft Plan, city staff will submit the revised draft to City Council for approval at an additional public hearing on March 8, 2010 at 7:00 pm.

**Summary of housing and community development needs.** The following includes Plano's top housing and community development needs, as identified by citizens, public service agencies and government officials through a resident survey, stakeholder consultation and public meetings.

**Housing needs.** Housing needs identified through the public participation process included the needs of low to moderate income populations: participants prioritized the need for home rehabilitation including energy efficiency improvements and emergency repairs. Participants responded that emergency rent, mortgage and utility assistance is needed to help prevent homelessness. Affordable rental units was another need mentioned and stakeholders were in agreement that demand for affordable rental housing in the community vastly exceeds the available supply. Affordable homes to buy for families who work in Plano and cannot afford to live in Plano was another need mentioned during the public participation process.

**Community development.** Participants identified a range of community development, public service and infrastructure needs. Safety improvements to sidewalks, lighting, pedestrian and transit accessibility improvement and general aging infrastructure improvements were mentioned as needs by participants. Revitalization of deteriorating neighborhoods, especially on the east side of Plano, was also frequently cited as a need during the meetings. Seniors who attended the public meetings noted the need for public transportation, which includes DART, buses and vans as important. Needed public services included healthcare services, especially preventative healthcare. The need to continue to fund supportive services was also mentioned by housing and community development professionals during the key person interviews.

**Economic development.** Job creation and retention was the highest ranking need according to survey respondents. Encouraging small business development was another priority public participants identified, along with the need to revitalize deteriorating strip malls and support commercial façade improvements.

**Special needs populations.** Overall, emergency and transitional housing and affordable housing were the biggest issues for all special needs populations in Plano. Seniors, the homeless, persons with disabilities and at-risk youth were the primary special needs populations discussed during the public participation process.

- With respect to seniors, affordable housing and supportive services were the predominant needs participants identified.
- As to the community's homeless population, the creation of a homeless shelter with supportive services (a campus) and transitional housing was mentioned by the community service providers as a top need.
- Quality, cost effective housing for persons who are disabled (to ease the burden on families) is needed. Additionally, there is a need for a multi-purpose center targeting people with disabilities, providing recreation, day habitation, services and information.
- Emergency and/or transitional housing for at-risk youth, especially youth ages 18 to 20 years, along with supportive services is needed. Survey respondents also rated services and facilities for abuse/neglected children as a top priority.

## Housing and Community Development Needs Survey

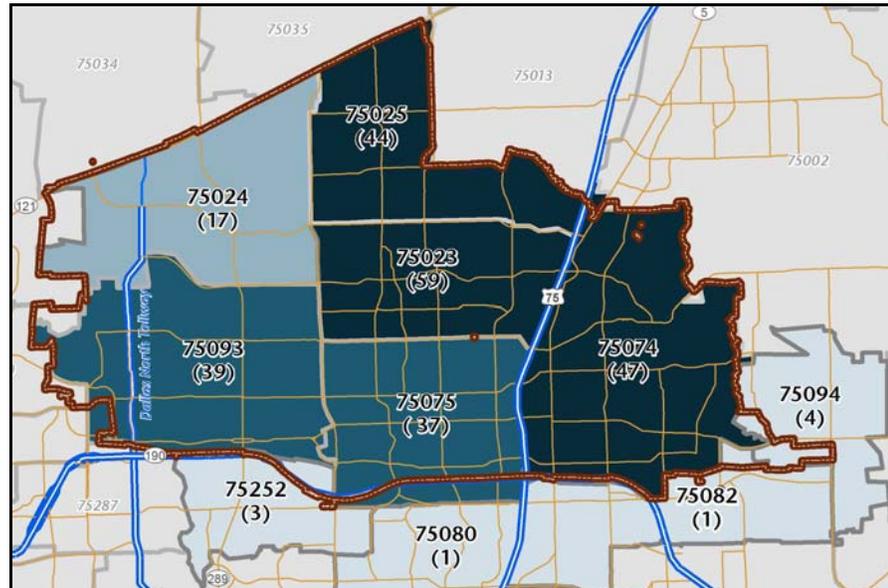
A survey was made available to the residents and stakeholders of the City of Plano on November 23, 2009. The survey was offered in English and Spanish. The respondents used the survey to indicate their local housing and community development needs. Categories of focus included: businesses and jobs, housing, community facilities, community services, infrastructure and neighborhood services. Survey respondents were asked to indicate need using a numbered ranking system; one indicating the lowest need and 4 indicating the highest need.

Between November 23 and December 23, 2009, a total of 261 residents and/or stakeholders responded to the surveys. The English survey had 260 respondents (10 responded via paper survey and 250 responded online) and the Spanish survey had one respondent. A copy of the survey is provided in Appendix B.

Respondents were asked to provide the zip code they reside in. As shown in the following map, almost one fourth of the respondents resided in zip code 75023 located in central Plano and one fifth resided east of Highway 75 in zip code 75074.

### Exhibit C-1. Zip Code of Residence for Survey Respondents

Source:  
City of Plano Housing and  
Community Development  
Needs Survey and BBC  
Research & Consulting.



**Demographic characteristics.** Before indicating community needs, respondents reported whether they were part of a unique demographic. This demographic question asked the respondent to identify if they were older than 62 years old or disabled. Eighteen percent of respondents reported they were 62 years or older and 8 percent replied they were disabled.

**Needs identification.** The survey asked respondents to rank—from 1 to 4 (1 being lowest need and 4 being highest)—the greatest needs in their communities. These needs were organized into the following categories:

- Businesses and jobs,
- Housing,
- Community facilities
- Community services,
- Infrastructure, and
- Neighborhood services.

**Business and jobs needs.** Among all survey respondents, the average business and jobs needs ranking was 2.70. The greatest identified need was for job creation/retention followed by employment training. The item with the lowest indicated need was business mentoring. Exhibit C-2 displays the average ranking for all businesses and jobs needs by HUD category.

**Exhibit C-2.  
Businesses and Jobs Needs,  
Housing and Community  
Development Needs Survey**

Source:  
City of Plano Housing and Community Development  
Needs Survey.

Businesses & jobs	Average Response Rate
Job Creation/Retention	3.38
Employment Training	2.81
Start-up Business Assistance	2.74
Small Business Loans	2.72
Commercial/Industrial Rehabilitation	2.52
Facade Improvements	2.42
Business Mentoring	2.28
<b>Total</b>	<b>2.70</b>

The average response rate among all survey respondents in the businesses and jobs category was 82 percent, the highest response rate among all categories.<sup>1</sup> The item with the highest response rate was job creation (85 percent) among all survey respondents.

**Housing needs.** The average housing needs ranking among all survey respondents was 2.52 (the lowest indicated need among all categories). Housing items with the greatest reported need was energy efficiency improvements, where 43 percent of the responses to this question rated this need as high. The need for senior housing and housing for persons with disabilities were the second and third highest rated needs. The items with the lowest reported needs were lead-based paint abatement, rental housing subsidies and housing for large families. Residents living east of Highway 75 in zip code 75074 also reported the greatest need as energy efficiency improvements. Exhibit C-3 displays the average ranking for all housing needs by HUD category.

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<sup>1</sup> The reported response rates indicate the relative interest of respondents regarding the issues. One would assume that a higher response rate indicates a greater interest in the issues however; there is a trend among respondents to answer fewer questions as the survey progressed. In this instance, the survey respondents may not necessarily be less interested in the topics, only the length of the survey.

**Exhibit C-3.  
Housing Needs, Housing and Community  
Development Needs Survey**

Source:  
City of Plano Housing and Community Development Needs Survey.

Housing	Average Response Rate
Energy Efficient Improvements	3.20
Senior Housing	2.99
Housing for Disabled	2.88
Home Maintenance Education	2.74
Affordable Rental Housing	2.67
Owner-Occupied Housing Rehab	2.56
Housing for Foster Youth	2.54
Fair Housing Services	2.52
Homeownership Assistance	2.52
ADA/Accessibility Improvements	2.45
Rental Housing Rehabilitation	2.40
Housing for Family Unification	2.31
Tenant/Landlord Counseling	2.27
Housing for Large Families	2.06
Rental Housing Subsidies	2.06
Lead-Based Paint Test/Abatement	2.06
<b>Total</b>	<b>2.52</b>

The average response rate among all survey respondents in the housing needs category was 76 percent. The item with the highest response rate was affordable rental housing (80 percent) among all survey respondents.

**Community facility needs.** Among all survey respondents, the average community facility needs ranking was 2.69. Survey respondents ranked centers for persons with disabilities with the highest level of need followed closely by facilities for abused/neglected children. The lowest indicated need was HIV/AIDS facilities. Exhibit C-4 displays the average ranking for all community facilities by HUD category.

**Exhibit C-4.  
Community Facility Needs, Housing and  
Community Development Needs Survey**

Source:  
City of Plano Housing and Community Development Needs Survey.

Community Facilities	Average Response Rate
Centers for Disabled	2.92
Abused/Neglected Children Facilities	2.91
Youth Centers	2.82
Senior Centers	2.80
Park & Recreational Facilities	2.79
Domestic Violence Facilities	2.77
Fire Stations & Equipment	2.76
Community Centers	2.75
Health Care Facilities	2.71
Libraries	2.58
Homeless Shelters	2.57
Child Care Centers	2.52
HIV/AIDS Facilities	2.06
<b>Total</b>	<b>2.69</b>

The average response rate among all survey respondents in the community facilities category was 77 percent.

**Community service needs.** Survey respondents reported an average ranking among community services of 2.74 (the highest indicated need among all categories). The item with the highest reported need was transportation services followed by senior services and services for persons with disabilities. The lowest need was for HIV/AIDS services. Exhibit C-5 displays the average ranking for all community services by HUD category.

**Exhibit C-5.  
Community Service Needs, Housing and  
Community Development Needs Survey**

Source:  
City of Plano Housing and Community Development Needs Survey.

Community Services	Average Response Rate
Transportation Services	3.03
Senior Services	2.98
Services for Disabled	2.98
Abused/Neglected Children Services	2.92
Health Services	2.89
Mental Health Services	2.87
Youth Services	2.85
Crime Awareness Programs	2.82
Domestic Violence Services	2.81
Family Self Sufficiency Services	2.66
Homeless Services	2.59
Child Care Services	2.54
Legal Services	2.50
Substance Abuse Services	2.46
HIV/AIDS Services	2.20
<b>Total</b>	<b>2.74</b>

The average response rate among all survey respondents in the community services category was 74 percent. The item with the highest response rate was mental health services (76 percent) among survey respondents.

**Infrastructure needs.** Among all survey respondents, the average infrastructure need ranking was 2.61. Survey respondents identified street lighting with the highest level of need. Exhibit C-6 displays the average ranking for all infrastructure improvements by HUD category.

**Exhibit C-6.  
Infrastructure Needs, Housing and  
Community Development Needs Survey**

Source:  
City of Plano Housing and Community Development Needs Survey.

Infrastructure	Average Response Rate
Street Lighting	2.79
Street/Alley Improvement	2.69
Water/Sewer Improvement	2.64
Sidewalk Improvements	2.60
Drainage Improvement	2.48
ADA/Accessibility Improvements	2.42
<b>Total</b>	<b>2.61</b>

The average response rate among all survey respondents in the infrastructure category was 75 percent. The item with the highest response rate among survey respondents was street lighting (76 percent).

**Neighborhood service needs.** Among neighborhood service needs, all survey respondents reported an average ranking of 2.63. The highest indicated need was for code enforcement followed by the trash and debris removal. Exhibit C-7 displays the average ranking for all community services by HUD category.

**Exhibit C-7.  
Neighborhood Service Needs, Housing  
and Community Development Needs  
Survey**

Source:  
City of Plano Housing and Community Development Needs Survey.

Neighborhood Services	Average Response Rate
Code Enforcement	2.81
Trash & Debris Removal	2.78
Tree Planting	2.72
Cleanup of Abandoned Lots and Buildings	2.72
Graffiti Removal	2.54
Parking Facilities	2.21
<b>Total</b>	<b>2.63</b>

The average response rate among all survey respondents in the community services category was 74 percent. All items had similar response rates, ranging from 72 percent to 75 percent.

**Summary of survey findings.** Coinciding with the recent increasing unemployment rate nationwide the residents of the City of Plano identified job creation and retention as the highest rated need of all the listed needs. Energy efficient improvements to housing was the second highest and transportation services was third. The following exhibit lists the highest rated needs for all housing and community development categories.

**Exhibit C-8.  
Top Rated Housing  
and Community  
Development Needs**

Source:  
City of Plano Housing and Community  
Development Needs Survey.

Need	Category	Average Response Rate
Job Creation/Retention	Businesses & Jobs	3.38
Energy Efficient Improvements	Housing	3.20
Transportation Services	Community Services	3.03
Senior Housing	Housing	2.99
Senior Services	Community Services	2.98
Services for Disabled	Community Services	2.98
Centers for Disabled	Community Facilities	2.92
Abused/Neglected Children Services	Community Services	2.92
Abused/Neglected Children Facilities	Community Facilities	2.91
Health Services	Community Services	2.89
Housing for Disabled	Housing	2.88
Mental Health Services	Community Services	2.87
Youth Services	Community Services	2.85
Crime Awareness Programs	Community Services	2.82
Youth Centers	Community Facilities	2.82
Domestic Violence Services	Community Services	2.81
Employment Training	Businesses & Jobs	2.81
Code Enforcement	Neighborhood Services	2.81
Senior Centers	Community Facilities	2.80
Street Lighting	Infrastructure	2.79

The senior population was cited as having needs for services and housing. Also important to respondents are services, facilities and housing for persons with disabilities, including mental health services. Additionally, younger members of the community were emphasized by the higher-than-average need rankings seen with services and facilities for neglected and abused children, as well as services and centers for youth.

**Public and Focus Group Meetings**

Four public meetings and one stakeholder focus group were held to receive public input into the Consolidated Plan. The public meetings were open to the general public and the focus group was targeted to housing and community development stakeholders who work with special needs populations in the community.

A total of 32 participants attended the public meetings and 32 attended the stakeholder focus group. Exhibit C-9 presents participation totals by meeting.

**Exhibit C-9.  
Public Meetings and Focus  
Group Meeting Participants,  
December 8-10, 2010**

	Participants
<b>Public Meetings</b>	
12/8/09, Harrington Library, 2:00 pm	9
12/8/09, Harrington Library, 6:30 pm	9
12/9/09, Carpenter Recreation Center, 6:30 pm	9
12/10/09, Schimelpfenig Library, 6:30 pm	5
<b>Stakeholder Focus Group</b>	
12/10/09, Plano Municipal Building, 10:00 am	32
<b>Total Participants</b>	<b>64</b>

Each meeting included a summary of the purpose of the Consolidated Plan, descriptions of the HUD programs administered by the city, a summary of how the city has historically allocated the HUD grants and exercises with feedback opportunities. The exercises were designed to get the participants to brainstorm community needs and prioritize the needs they believe the city should address. In addition, a worksheet was distributed during the meetings asking the participants to prioritize activities and allocate the funding of potential activities that could be undertaken with the HUD grants.

**Summary of needs and priorities from public meetings and focus group.** Meeting participants were asked to identify the top housing, community development and special needs population needs in their community. The following shows the top identified needs as suggested by the participants that attended the public meetings and focus group.

- **Housing.** Overall, participants mentioned the need to assist with home repairs and/or rehabilitation. Items mentioned, include emergency repairs, energy efficiency improvements and rehabilitation to assist the elderly and disabled populations. When participants were asked how they would spend the federal dollars, housing rehabilitation received the largest portion of the funds.
- **Economic development.** Encouraging small business development and job creation were economic development priorities participants identified. The need to revitalize deteriorating strip malls was also mentioned along with funding for commercial façade improvements.

- **Community development/Public services.** With respect to community development, revitalization of targeted neighborhoods, especially on the east side of Plano, was mentioned frequently during the meetings. Improvements to sidewalks, lighting, pedestrian and transit accessibility improvement and general aging infrastructure improvements were also mentioned as needs. Seniors who attended the public meetings noted the need for public transportation, which includes DART, buses and vans as important. Needed public services included healthcare services, especially preventative healthcare.
- **Special needs populations.** Overall, emergency and transitional housing and affordable housing were the biggest issues for all special needs populations in Plano.
  - Participants ranked the need for a complex that provides housing and services for persons experiencing homelessness. Transitional housing and prevention programs were also mentioned as needs, including the need of transitional housing for homeless families.
  - Developing affordable housing solutions for seniors, which may include adding to the affordable rental housing stock and providing emergency and supportive housing.
  - Quality, cost effective housing for persons who are disabled (to ease the burden on families) is needed. Additionally, there is a need for a multi-purpose center targeting people with disabilities, providing recreation, day habitation, services and information.
  - Emergency and/or transitional housing for youth, especially youth ages 18 to 20 years, along with supportive services is needed.
  - Participants encouraged support for non-traditional homeownership opportunities (a coop model) and jobs for women headed households with children.

A detailed summary of meeting notes is provided at the end of this appendix.

### **Key Persons Interviews**

In addition to public and focus group meetings discussed previously, 13 key persons or groups involved in housing and community development in Plano were interviewed to obtain their input on housing and community development needs. The interviews included housing and social service providers, housing and community development advocates, elected city officials and city staff. A list of the organizations represented by the interviews is provided in Exhibit C-10.

**Exhibit C-10.  
Organizations Who  
Participated in the  
Consolidated Plan Key  
Person Interviews**

Organization
City Manager, City of Plano
Collin County Association of Realtors
Community Services Division, City of Plano
First Time Homebuyer and HOME Coordinator, City of Plano
Habitat for Humanity of South Collin County, Texas
Members of City Council and Mayor, City of Plano
Metro Dallas Homeless Alliance
Plano Community Homes
Plano Housing Authority
Plano Housing Corporation
Property Standards, City of Plano
Rehabilitation Program, City of Plano
Student & Family Services, Plano Independent School District

The interviews provided information about the housing market in general, the top housing and community development needs in the city and the needs of special populations. The information from the interviews is summarized here and has been integrated into the other sections of the Consolidated Plan. They are listed in alphabetical order.

**High priority housing needs**

- Affordable rental units:
  - Need more affordable rental units in Plano.
  - Rental units affordable to low income households.
  - Rental subsidies for lower income households. Both waiting lists for public housing and vouchers are currently closed and people may have to wait up to two years to get a unit or voucher.
  - There are a large number of families who work in Plano and cannot afford to live in Plano, or else they spend too much on mortgage/rent or live with others.
  
- Home rehabilitation:
  - Accessible home rehabilitation for persons with disabilities.
  - Due to the current economy, the city’s Home Rehabilitation Program is seeing an increase of families who used to not qualify for the program now qualifying.
  - Extend the use of CDBG funds to be used for fence installation and repair for owner occupied homes.
  - There is also an increasing need from the aging population for home rehabilitation.
  - There is an aging housing stock in Plano where owners who rent their units just do the minimal upkeep so they pass code.

- Affordable owner occupied housing:
  - Need to encourage people to do renovations by providing incentives.
  - The demand may already be met through existing stock, we just need to rehabilitate the existing structures.
  - There are a large number of families who work in Plano and cannot afford to live in Plano, or else they spend too much on rent or live with others.
- Homeless shelter with supportive services (a campus) and transitional housing.
  - Currently the shelter in McKinney cannot house everyone in need.
  - Need more shelter beds for teenagers, adults and families.
  - Transitional housing for families.
- Senior housing:
  - Affordable housing for senior households earning 50 percent or below the median income.
  - Affordable housing with supportive services or at least assistance to find the needed services.
- Temporary housing assistance:
  - There has been an increase of housing assistance requests by people who have recently lost their jobs and have never asked for assistance before.
  - Short Term Rent, Mortgage, Utility assistance for female headed households with children who are becoming homeless without the assistance.

### **Barriers to affordable housing**

- High land costs.
- Not In Backyard (NIMBY)
- Unavailable land—land needs to be rezoned to facilitate a variety of infill housing.

### **High priority community development needs**

- Affordable health and mental health care:
  - Affordable health and mental health care for low and working class households, including services for children ages 1 to 10 years.
  - There are not enough mental health services available to meet the need.
  - Mental health services for the entire family.
- Economic development:
  - Economic development assistance that may include microenterprise assistance along Highway 75.
  - Small business loans targeted to the downtown area.

- Infrastructure:
  - Infrastructure improvements such as sidewalk improvements and pedestrian friendly enhancements.
  - An emphasis on safety.
  
- Neighborhood revitalization:
  - Neighborhood revitalization with housing rehabilitation.
  - Safety is important.
  - To assist city with getting cars off the streets, assist people with completing extended driveways.
  
- Public services:
  - Public services may include services to assist families with food, clothing, healthcare, etc.
  - Public services need more funding.
  - There is a high demand of funds for public services.
  - There is always a need for childcare, transportation, basic care items such as food and mental health services for the entire family.

### **Public Facilities and Infrastructure**

Improved public infrastructure (especially sidewalks and pedestrian road crossings) in the older areas of the city, along with proactive code enforcement were mentioned as important ways to improve neighborhoods and to prevent them from deteriorating further. Lighting improvements were also mentioned as a way to promote safety and better neighborhoods. Needed facilities that were mentioned during the public meetings, focus group and key person interviews include a homeless complex and a center for persons with disabilities.

The city has an active Property Standards Department who inspects residential, commercial and industrial districts for compliance with city code and zoning ordinances, and assist in the education of residents and business owners in code and ordinance matters. Property Standards also administers a Rental Inspection program. Top code violations include yard (high grass and weeds), junked vehicle, trash/debris and open storage violations.

The City of Plano's Parks and Recreation Department oversees approximately 70 parks throughout the community, along with four recreation centers. Each is unique in size and amenities and many include playground equipment, trails, picnic tables, shelters and restrooms. The city also provides six libraries located throughout the city.

## **Public Services**

Public services are an important need commonly mentioned by the public. During the public participation process for the Consolidated Plan the most common public service needs included increased health care and mental health services, transportation services, senior programs, services for persons with disabilities, youth programs, homeless services and shelters. Key person interviews revealed the need for more funding to assist public services. Employment training was also mentioned as is discussed below under the Economic Development section. Appendix F of this report goes into detail about services concerning the special needs populations of Plano.

## **Economic Development**

Economic development includes efforts that seek to improve the economic well being and quality of life for a community by creating and/or retaining jobs and supporting or growing incomes and the tax base. Economic development has not previously been a priority of the Community Services Division. However, with the current unstable economy in Plano and the nation, the need for jobs and business assistance has seen an increase. HUD requires that one job is either retained or created for every \$35,000 of CDBG funds used for a project.

During public participation process of the Consolidated Plan, participants mentioned job creation and/or retention, job training and small business loans/assistance as needs in their communities. The community would like to see deteriorating strip malls revitalized and funding for commercial façade improvements.

Economic development in the city continues through the Plano Economic Development Board. The Board was formed in 1984 to serve as the lead economic development agency for the City of Plano. Major employers in the Plano area include Bank of America Home Loan, JC Penny Corporate Headquarters and EDS (now HP Enterprise Services), which are the three largest employers. Several other national companies like Perot Systems, Alcatel, Frito Lay and Communications Health Corporation also make Plano's largest employer list.

## **Transportation**

The City of Plano offers access to air, light rail, public transit and roads. Plano is located 20 minutes north of downtown Dallas and is approximately 30 minutes away from DFW International Airport. East-West road access is provided by Sam Rayburn Tollway (State Highway 121) and State Highway 190 (George Bush Turnpike). Both roads serve as the city's north and south boundaries and provide access to Interstates 35 and 635 as well as DFW International airport. North-South access is available by Dallas North Tollway (DNT) and U.S. Highway 75 (Central Expressway).

Public transportation is an important part of a community to provide transportation to and from work and to services throughout the community. Plano, Dallas and much of the surrounding area are served by mass transit from Dallas Area Rapid Transit (DART). DART provides light rail, local and express bus service as well as HOV lanes. All DART buses and trains meet Americans with Disabilities Act (ADA) requirements, DART also offers Paratransit Services that provide curb-to-curb public transportation for people with disabilities who are unable to use DART's bus or rail services.

According to the Housing and Community Development Survey distributed during the development of the Consolidated Plan, the need for transportation services was rated as high priority need. Seniors who participated in the public meetings also rated public transportation (that includes DART, Bus and Vans) as important.

# **COMMUNITY MEETINGS AND PUBLIC HEARING**

## **Housing and Community Development Needs**

### **December 8, 2:00 pm, Harrington Library**

Top vote getters:

- Aging development improvement—sidewalks and lighting (mentioned Plano Community Homes) (6 votes)
- Public transportation (for Plano Community Homes-Seniors) that includes DART, Bus and Vans (5 votes)
- Neighborhood revitalization of older neighborhoods—Santa Fe Trail Neighborhood needs to repaved and other improvements (4 votes)
- Translation services available in city, especially for Asian languages (4 votes)

Common theme mentioned includes Neighborhood Revitalization, Aging Development Improvements and Deteriorating Shopping Centers.

### **Special Needs Populations:**

- Translation services available in city, especially for Asian languages (4 votes)

### **Community Development/Economic Development**

- Public transportation (for Plano Community Homes-Seniors) that includes DART, Bus and Vans (5 votes)
- Neighborhood revitalization of older neighborhoods—Santa Fe Trail Neighborhood needs to repaved and other improvements (4 votes)
- **Aging development improvement—sidewalks and lighting (mentioned Plano Community Homes) (6 votes)**
- Security cameras at Plano Community Homes for safety outside (2 votes)
- Yard maintenance assistance (1 vote)
- Deteriorating shopping centers—Economic Development assistance to assist businesses (2 votes)
- Downtown curb cuts are needed (1 vote)

### **Housing**

- There is a wait list for Senior Housing—need more rental units (3 votes)
- Educate and get the word out about Plano Community Homes and Plano Housing Authority (1 vote)
- Rental inspection program—want stronger regulations for multifamily units (2 votes)
- Sustainable housing (1 vote)

## **December 8, 6:30 pm, Harrington Library**

Top vote getter:

- Businesses—How do we keep them? Entrepreneurial (start-ups)/Incubator for small businesses (4 votes)

Common popular themes included the need for jobs, small business assistance, a place that can connect people to jobs services and big business to services and people, regulate slum landlords better, homeless prevention/transitional housing, assisting women with children and housing for low income seniors.

### **Community Development/Economic Development**

- Jobs (3 votes)
- **Businesses—How do we keep them? Entrepreneurial (start-ups)/Incubator for small businesses (4 votes)**
- Agency/Someone to coordinate with all community resources—including big businesses, jobs, services (3 votes)

### **Housing**

- Slum landlords—need stronger regulations, allow city to purchase properties (3 votes)
- Missing owners—difficulty finding owner of some properties/lots. Would like the property/lot acquired and rehabilitated (0 votes)
- A good use of the closed Housing Authority property (0 votes)
- Homelessness prevention/Transitional housing (3 votes)

### **Special Needs Populations**

- Women with children—non-traditional homeownership opportunities (a coop model) and jobs (3 votes)
- Low income senior housing—to age in place (3 votes)
- Homeless youth—Transitional Residency Program needs more beds (2 votes)

## **December 9, 6:30 pm, Recreation Center**

Top vote getter was home rehab focusing on energy efficiency.

Votes spread fairly evenly among listed needs. Common theme included revitalization/infrastructure improvements in targeted areas.

### **Community Development/Economic Development**

- Support/Encourage small business (1 vote)
- East Plano revitalization (establish a sense of community) (2 votes)
- Façade improvements (run down strip malls) (1 vote)
- Infrastructure improvements in targeted areas (2 votes)
- Job training (resume writing, etc.)

### **Housing**

- Retro-fit housing with energy efficient improvements and/or rehab (4 votes)

### **Special Needs Populations**

- Physical/Development Disability Community/Resource Center (2 votes)
- Food assistance/bank (1 vote)
- Healthcare—preventative (2 votes)
- Housing improvements for persons with disabilities (1/2 vote)
- Housing improvements for seniors (1/2 vote)
- Homeless shelter (1 vote)

## **December 10, 6:30 pm, Schimelphnig Library**

Homeless shelter/transitional housing especially for families received the top number of votes and was voted a high priority. Home repair and modifications received 2 votes but was voted to be a high priority.

### **Housing**

- Home repair and modifications for elderly and all households (2 votes) (High Priority)

### **Community Development/Economic Development**

- Sidewalk/pedestrian infrastructure improvements —example of problem area is 15<sup>th</sup> & Jupiter (1 vote) (Low Priority)
- Transit (DART) stop improvements (0 votes) (Low priority)
- Police enforcement of cars parking in driveways while blocking the sidewalks (0 votes) (Low priority)
- Bike trail connections to Dallas (2 votes) (Medium priority)

### **Special Needs Populations**

- ADA improvements at transit stops and just getting to bus stops in general (0 votes) (Medium priority)
- Homeless shelter for families and transitional housing (3 votes) (High priority)

## **February 9, 2010, 5:30 pm, Public Hearing, Community Relations Commission**

A Public Hearing for the draft Consolidated Plan was held in front of the Community Relations Commission. The following are questions and comments presented during the hearing:

- A question was asked if there was anything unique for Plano compared to other communities BBC has worked in. BBC mentioned the need to revitalize aging strip malls is unique to Plano.
- A comment was made asking about the average vs. the median of household income. Averages were not included in the study. However, it is believed that the average would be above the median. According to 2008 ACS, the average household income is \$108,774 and the median household income is \$85,003.
- A comment was made asking if there were too many strategies or not enough strategies for this funding.
- Several parents of children with disabilities attended the public hearing. One parent shared that she has a 25 year old child with disabilities and could not find a place for

her child to live. Living space is very difficult to find and there is a need for space to be donated. The state provides \$17-35/day to assist with living expenses, which goes toward staff time, rent and other daily expenses. Typically, a group home uses the social security income from 3-4 residents to pay for the mortgage, utilities, etc and this is usually not enough. Therefore parents must step in and fill that funding gap.

- Another attendee mentioned the need for a public facility for people with disabilities and is interested in beginning a dialogue to possibly find a public building that could be used.

**APPENDIX D.**  
**City of Plano Housing and  
Community Development Priority  
Needs, Strategies, Objectives and Outcomes**

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## **APPENDIX D.**

# **City of Plano Housing and Community Development Priority Needs, Strategies, Objectives and Outcomes**

The priority needs and strategies for the City of Plano Five Year Consolidated Plan for program years 2010-2014 were developed based on the findings from both quantitative research (housing market analysis, demographic analysis and special needs populations analysis) and qualitative research (survey, public meetings, focus group and key person interviews).

The priority housing needs were determined based on the number of households who were cost burdened, living in substandard and overcrowded conditions, and/or who could not afford homeownership. The priority needs for special needs populations and community development were derived through non-profit public participation process, in addition to needs identified through key person interviews, community meetings and the Housing and Community Development Needs Survey

These priority needs helped determine the city's five year strategies, objectives and outcomes.

### **Priority Needs**

Given the top needs identified by the quantitative analysis and qualitative analysis, including public input process, the city has developed the following priorities for funding housing and community development requests over the course of the Consolidated Plan.

#### **High priority needs:**

- Programs to rehabilitate and improve the existing stock of homes occupied by low and moderate income owners.
- Assistance to homebuyers with downpayment assistance, closing cost assistance, and/or homebuyer education and counseling.
- The creation of additional shelter, supportive services, and transitional housing for homeless and under-housed.
- Housing accessibility modifications for elderly and disabled residents within the City of Plano.
- Support organizations that engage in public services for Plano residents, especially special needs populations, including but not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth.
- Homeless supportive services across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention.

- Rehabilitation/revitalization of aging neighborhoods through a mixture of infrastructure improvements, home and business rehabilitation, code enforcement, and expanding economic opportunities.
- Use CDBG and HOME funds to coordinate, monitor and implement the Consolidated Plan objectives according to HUD.

**Medium priority needs:**

- Inventory available parcels and evaluate their feasibility for affordable housing development.
- Support the efforts of the Plano Housing Authority to maintain affordable housing developments and issue Housing Choice Vouchers.
- Activities that provide job training and assist with job/small business creation.

**Five Year Strategies, Objectives and Outcomes**

The City of Plano has established the following strategies, objectives and outcomes to guide its Consolidated Plan for program years 2010 to 2014.

**DECENT HOUSING**

**Strategy DH:** Encourage the provision of decent, safe and affordable housing for low and moderate income and special needs residents.

- **Objective DH-1.1 (Affordability):** Continue to preserve and enhance existing housing stock through home rehabilitation.

*DH-1.1 five year outcomes:*

- Provide programs to rehabilitate and improve the existing stock of homes occupied by low and moderate income owners.
  - *Outcome/five year goal: 95 units*
- Continue to offer and market programs to rehabilitate and improve existing rental stock occupied by low and moderate income renters.
  - *Outcome/five year goal: 10 meetings and/or speaking engagements specifically to market the rehabilitation program to landlords with low and moderate income tenants*

- **Objective DH-1.2 (Affordability):** Continue to create affordable homeownership opportunities through homeownership assistance, new construction and/or acquisition and rehabilitation of land and properties for income qualifying households.

*DH-1.2 five year outcomes:*

- Provide assistance to homebuyers with downpayment assistance, closing cost assistance, and/or homebuyer education and counseling.
  - *Outcome/five year goal: 60 units*

- Consider sale of publicly owned land to affordable housing developers. Inventory available parcels and evaluate their feasibility for affordable housing development.
  - *Outcome/five year goal:* Develop map of vacant parcels by zoning district for affordable housing developers
- **Objective DH-1.3 (Affordability):** Increase and support affordable rental housing opportunities in Plano.
 

*DH-1.3 five year outcomes:*

  - Continue to support the efforts of the Plano Housing Authority (PHA) to maintain affordable housing developments and issue Housing Choice Vouchers.
    - *Outcome/five year goal:* Complete 5 annual environmental reviews for PHA Capital Funding
    - *Outcome/five year goal:* Certify PHA initiatives as compliant with the Consolidated Plan as needed
  - Support applications for and the development of Low Income Housing Tax Credit (LIHTC) projects.
    - *Outcome/five year goal:* Completed on an as needed basis

## **SUITABLE LIVING ENVIRONMENT**

**Strategy SL:** Improve and maintain suitable living environments by supporting and enhancing public facilities, public services and infrastructure for low income persons, special needs populations and neighborhoods in need of revitalization.

- **Objective SL-2.1 (Availability/Accessibility):** Develop and upgrade public facilities and infrastructure to help lower income persons, those with special needs and neighborhoods in need.
 

*SL-2.1 five year outcomes:*

  - Support and assist with the creation of additional shelter, supportive services, and transitional housing for homeless and under-housed.
    - *Outcome/five year goal:* 100 people
    - *Outcome/five year goal:* Certify local agency initiatives as compliant with the Consolidated Plan, as needed
  - Continue to assist with housing accessibility modifications for elderly and disabled residents within the City of Plano.
    - *Outcome/five year goal:* 5 housing units
- **Objective SL-2.2 (Availability/Accessibility):** Fund public service activities serving primarily lower income persons and those with special needs.

**SL-2.2 five year outcomes:**

- Provide support to organizations that engage in public services for Plano residents, especially special needs populations, including but not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth.
  - *Outcome/five year goal:* 4,625 individuals
- Assist homeless supportive services across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention.
  - *Outcome/five year goal:* 100 families
  - *Outcome/five year goal:* Participate and fund annual Collin County Homeless PIT survey: 5 units

- **Objective SL-3 (Sustainability):** Support the rehabilitation/revitalization of aging neighborhoods through a mixture of infrastructure improvements, home and business rehabilitation, code enforcement, and expanding economic opportunities.

**SL-3 five year outcomes:**

- Actively pursue and track neighborhood well being by focusing resources on areas of greatest opportunity for improvement.
  - *Outcome/five year goal:* 3 neighborhoods showing measureable improvements

**ECONOMIC OPPORTUNITIES**

**Strategy EO:** Encourage economic opportunities that promote private investment for low and moderate income persons and area workforce.

- **Objective EO-2 (Availability/Accessibility):** Create and/or expand opportunities for small businesses and/or microenterprises.

**EO-2 five year outcomes:**

- Support activities that provide job training and assist with job/small business creation.
  - *Outcome/five year goal:* 50 people

**OTHER**

**Strategy O:** Continue program planning and administration that supports all of the above strategies and objectives.

- **Objective O-1:** Use CDBG and HOME funds to coordinate, monitor and implement the Consolidated Plan objectives according to HUD.
  - *Outcome/five year goal:* Create Action Plan and CAPER documents acceptable to HUD: 10 units

**APPENDIX E.**  
**Community and Housing Market Profile**

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## **APPENDIX E.**

# **Community and Housing Market Profile**

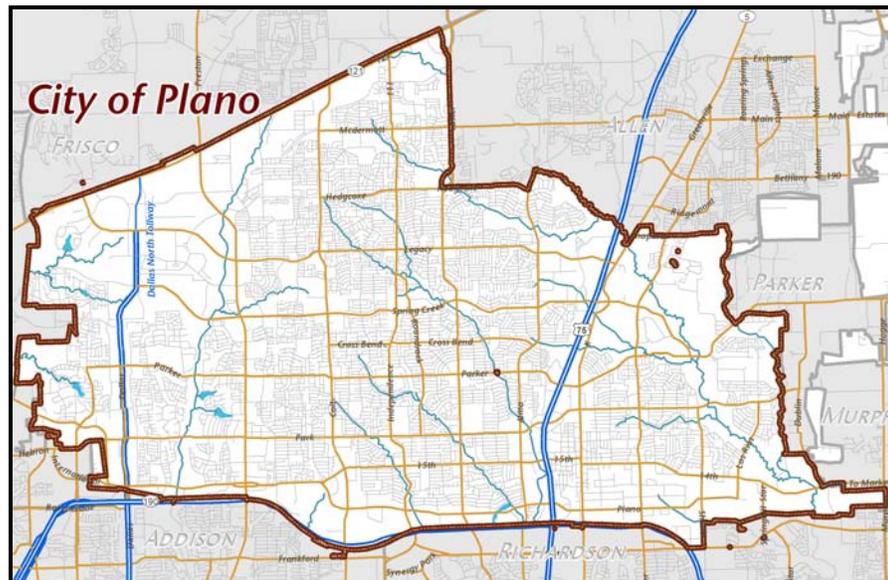
This appendix discusses the demographic and economic characteristics of the City of Plano and details trends over the period of 2000 to 2009. It also describes the characteristics of the housing market including development trends, the condition of housing and the affordability of rental and homeownership housing, and concludes with a summary of housing needs and projections in Plano. The contents of this section partially fulfill the requirements of Sections 91.205, 91.210 and 91.215 of HUD's Consolidated Plan Regulations.

A number of data sources are used in this analysis, including information from federal, state and local governmental agencies. Where possible, 2008 estimates from the U.S. Census Bureau's American Community Survey and 2000 U.S. Census data are used. A commercial data provider Claritas provides 2009 and 2014 projections. Both Census and Claritas data are available for population and housing unit counts, housing tenure (renter/owner), housing prices, as well as for other demographic characteristics that may affect community needs, such as race, age, and household type. Data from the U.S. Department of Housing & Urban Development (HUD) and Multiple Listing Service data for 2008 and 2009 is also consulted for the housing market analysis. Data from the City of Plano, the U.S. Bureau of Labor Statistics and the North Central Texas Council of Governments (NCTCOG) are also used. These data represent the most recent community and housing data available for the city at the time this report was prepared.

The geographic boundary for this analysis is the incorporated City of Plano.

### **Exhibit E-1. City of Plano, Texas**

Source:  
BBC Research and  
Consulting, 2009.



## Community Profile

**Population growth.** As the ninth most populous city in Texas,<sup>1</sup> the City of Plano has an estimated population of 268,433 in 2009. Population growth in Plano was strong from 2000 to 2009. The city's population increased by about 19 percent, or at a compound annual rate of 1.93 percent. This means that between 2000 and 2009, the City of Plano added an average of 4,641 residents per year. However, population growth in Plano was not as strong as Collin County and the Metroplex, where growth was 55 percent and 22 percent, respectively, during the same period.

### Exhibit E-2. Population Trends, 1990, 2000, 2009 and 2014

Source:  
U.S. Census Bureau 1990  
Census, 2000 Census, North  
Central Texas Council of  
Governments and Claritas,  
2009 estimates and 2014  
projections.

	1990	2000	2009	2014
<b>City of Plano</b>	<b>127,885</b>	<b>222,030</b>	<b>263,800</b>	<b>299,839</b>
Collin County	264,036	491,675	764,500	938,533
City of Dallas	1,007,618	1,188,580	1,306,350	1,308,259
Dallas-Ft. Worth Metroplex	3,885,415	5,221,801	6,348,826	7,045,456
State of Texas	16,986,510	20,851,820	24,588,107	26,815,035

As indicated in Exhibit E-2, the City of Plano is projected to grow by 14 percent between 2009 and 2014, or at a compound annual rate of 2.6 percent. This growth in Plano will outpace the growth of the Metroplex by almost 3 percentage points. Collin County growth rates are expected to slow, while still staying strong, between 2009 and 2014 to around 23 percent.

**Age distribution.** The median age of the residents in the City of Plano increased to 35.6 years in 2008 from 34.1 in 2000. Plano's 2008 median age was higher than Collin County's, which was 33.8 years. The state's median age was 33.2 years, lower than both the city and county's median ages.

In 2008, the largest percentage (37 percent) of Plano's residents were classified as Young Adults (those residents were aged between 25 and 44 years old.) Residents between the ages of 45 and 64 represented the second largest cohort at 23 percent of the city's total population. Exhibit E-3 compares the city's age distribution in 2000 and 2008.

### Exhibit E-3. Age Distribution, City of Plano, 2000 and 2008

Source:  
U.S. Census Bureau 2000  
Census and 2008 American  
Community Survey.

	2000		2008		2000 to 2008
	Number	Percent of Total	Number	Percent of Total	Percent Change
Preschool (Ages 0-4)	18,379	8%	17,605	7%	-4%
School Age (5-17)	45,367	20%	49,945	19%	10%
College Age (18-24)	15,498	7%	19,966	8%	29%
Young Adults (25-44)	81,119	37%	82,312	32%	1%
Middle Age (45-64)	50,756	23%	68,950	27%	36%
Senior Adults (65+)	10,911	5%	20,527	8%	88%
<b>Total</b>	<b>222,030</b>	<b>100%</b>	<b>259,305</b>	<b>100%</b>	<b>17%</b>
<b>Median Age (in years)</b>	<b>34.1</b>		<b>35.6</b>		<b>4%</b>

<sup>1</sup> Houston, San Antonio and Dallas are the three most populous cities in Texas, with 2.2 million, 1.35 million and 1.3 million residents respectively.

Compared to 2000, the city’s overall age distribution is older. From 2000 to 2008, the number of citizens in the Middle Age and Senior Adult age cohorts grew by 36 and 88 percent respectively, representing the two largest categorical increases. The only age category to decrease in size was Preschool children, which fell by four percent (or approximately 774 residents).

Because age cohorts vary in size from four to twenty years, comparisons among them are not always obvious. Exhibit E-4 presents the distribution of the population by age in Plano and identifies the average share of the population for each year in that particular category.

**Exhibit E-4.  
Distribution of Population by  
Year of Age, City of Plano, 2008**

Note:

Share by year gives the average percentage for an individual year within each age cohort.

For the share of the population for age 75 and over, a 20-year age cohort was used.

Source:

U.S. Census Bureau 2008 American Community Survey and BBC Research and Consulting.

	Share of Population	Share by Year
Preschool (Ages 0-4)	6.8%	1.7%
School Age (5-17)	19.3%	1.5%
College Age (18-24)	7.7%	1.0%
Young Adults (25-44)	31.7%	1.6%
Middle Age (45-64)	26.6%	1.3%
Senior Adults (65-74)	5.1%	0.5%
Seniors Adults (75+)	2.8%	0.1%

As seen in Exhibit E-4, residents ages 4 years and younger comprised the highest concentration of the city’s population (1.7 percent of the population is in each of the years between 0 and 4). This four-year age cohort comprised 7 percent of all Plano residents. The second highest concentration was the Young Adult age group at 1.6 percent of the population for each year; this age cohort comprised 32 percent of the entire Plano population.

Overall, Plano’s population is similar to that of the county, Metroplex and state as a whole. All have the highest proportion of residents in the Under 5 years of age group with Plano having the smallest annual share of 1.7 percent of residents in each of the years between 0 and 4, compared to 2.1 percent of residents per year for the Metroplex and the state.

As the city’s population ages, local demand for services such as senior centers, nursing homes, wheelchair and disabled accessible housing will increase. For example, homeownership rates in Plano decrease as the age of the homeowner increases: the homeownership rate for seniors aged 65 and older is 78 percent, while the homeownership rate for seniors aged 85 and older decreases to 48 percent. This is indicative of the future increase in demand for assisted living and senior centers in the city.

**Race and ethnicity.** Data on race and ethnicity requires clarification about how the U.S. Census Bureau collects and analyzes the data. The 2000 Census asked two different questions about race and ethnicity: the first question asked respondents to identify their race; the second asked whether the respondents were of Hispanic/Latino origin. The Census Bureau does not classify Hispanic/Latino as a race, but rather as an identification of origin and ethnicity. If a survey respondent reported Hispanic/Latino ethnicity but did not mark a specific race category, they are classified in the Some

Other Race category. Persons of Hispanic/Latino descent most commonly report their race as White or Some Other Race.<sup>2</sup>

According to 2009 Claritas data projections, 65 percent of Plano’s population consisted of persons who were White, 17 percent who were Asian and 9 percent were African American. The remaining 9 percent consisted mainly of persons who were Some Other Race (6 percent) and Two or More Races (3 percent). Hispanics or Latinos comprised around 15 percent of the population in 2009.

As shown in Exhibit E-5, every minority population has seen increases from 2000 to 2009. African Americans and Asians doubled their populations during this 9 year time period. The White population grew at the slowest rate, by only 1 percent. The Hispanic population also increased 76 percent from 2000 to 2009.

**Exhibit E-5.  
Population by Race and Ethnicity, City of Plano, 2000, 2009 and 2014**

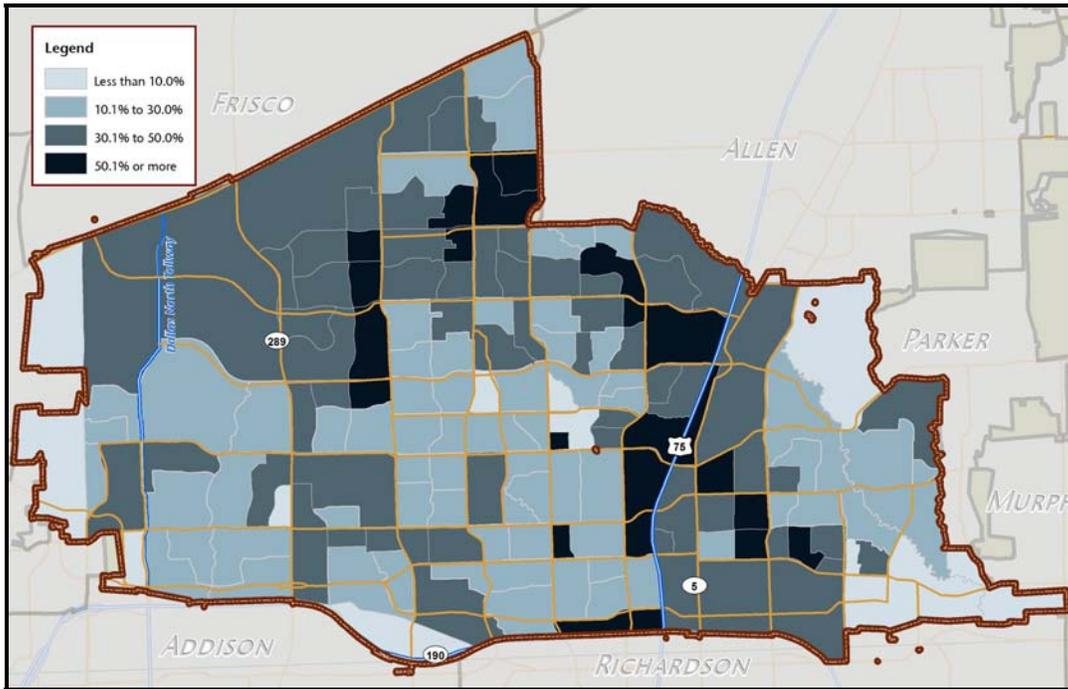
	2000	2009	2014	Percent of 2009 Population
<b>Race</b>				
American Indian and Alaska Native Alone	803	1,158	1,424	0%
Asian Alone	22,594	45,270	60,845	17%
Black or African American Alone	11,155	22,884	30,680	9%
Native Hawaiian and Other Pacific Islander Alone	98	185	253	0%
White Alone	173,761	174,763	175,050	65%
Some Other Race Alone	8,565	15,533	20,524	6%
Two or More Races	5,054	8,640	11,063	3%
<b>Ethnicity</b>				
Hispanic or Latino	22,357	39,424	51,177	15%
Not Hispanic or Latino	199,673	229,009	248,662	85%
<b>Total Population</b>	<b>222,030</b>	<b>268,433</b>	<b>299,839</b>	<b>100%</b>

Source: U.S. Census Bureau 2000 Census and Claritas 2009 estimates and 2014 projections.

Plano’s minority population is scattered throughout the city as shown in Exhibit E-6. Exhibit E-7 shows the Hispanic or Latino households are more commonly living in the southeastern parts of the city.

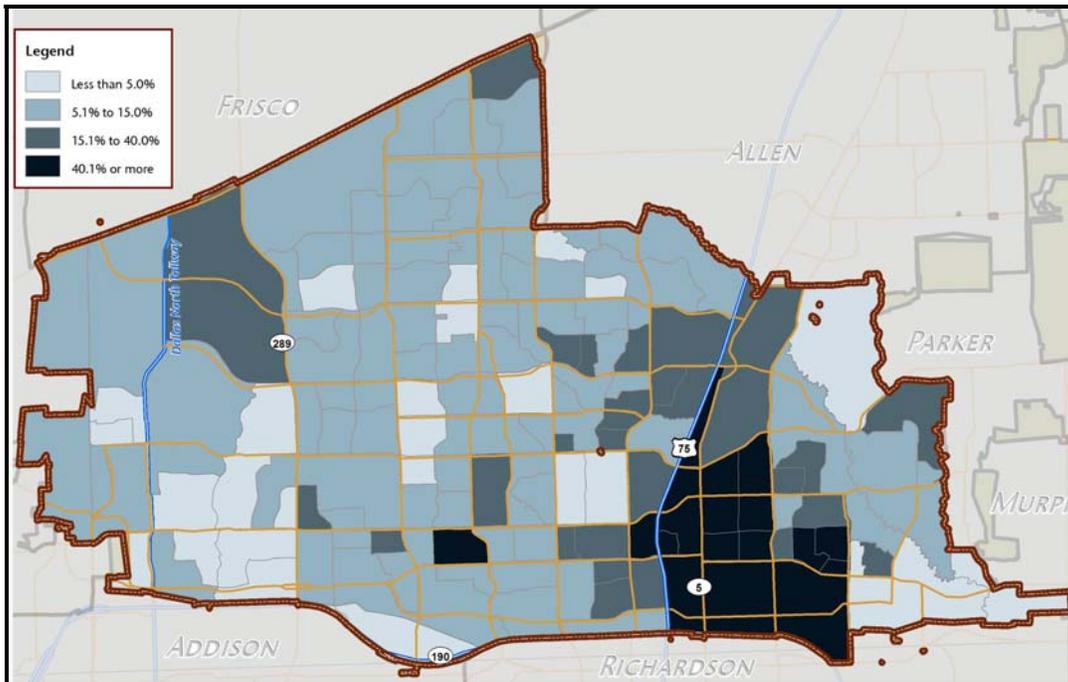
<sup>2</sup>The “Some Other Race” category includes all other responses not included in the “White,” “Black or African American,” “American Indian or Alaska Native” and “Asian” race categories. Respondents providing write-in entries such as Moroccan, South African, Belizean, or a Hispanic origin (for example, Mexican, Puerto Rican, or Cuban) are included in the “Some Other Race” category.

**Exhibit E-6.**  
**Percent of Population by Block Group that is Not White, City of Plano, 2009**



Source: Claritas 2009 estimates.

**Exhibit E-7.**  
**Percent of Population by Block Group that is Hispanic or Latino, City of Plano, 2009**



Source: Claritas 2009 estimates.

**Education.** The following uses two variables to measure the educational attainment of Plano’s population: the percentage of the population that is enrolled in school and the percentage with diplomas and/or degrees.

**School enrollment.** As of 2008, 29 percent of Plano’s population age 3 and over was enrolled in school, which is similar to the Metroplex and state’s enrollment percentage and higher than the City of Dallas’s percentage of 25 percent.

Seven percent of Plano’s population is enrolled in an undergraduate institution or graduate/professional school compared to 5 percent of the Metroplex’s enrolled population.

**Diplomas/degrees.** Plano’s 2008 population over the age of 25 was very well educated, with over 92 percent of all residents having completed high school and over 54 percent having earned a Bachelor’s degree. Only 8 percent of Plano’s residents over the age of 25 had not completed high school in 2008. Exhibit E-8 displays the educational attainment of Plano’s residents in 2008.

**Exhibit E-8.  
Highest Level of Educational  
Attainment for Population  
25 years and over, City of  
Plano, 2008**

Source:  
U.S. Census Bureau  
2008 American Community Survey.

	Number	Percent of Total
No schooling completed	1,474	1%
Less than 9th grade	5,164	3%
9th to 12th grade, no diploma	6,332	4%
High school graduate (includes equivalency)	23,405	14%
Some college, no degree	32,691	19%
Associate's degree	9,708	6%
Bachelor's degree	62,694	36%
Graduate or professional degree	30,321	18%
<b>Total</b>	<b>171,789</b>	<b>100%</b>

Compared to the state, Plano had a higher percentage of residents who had both completed high school (80 percent statewide compared to 92 percent) and who had earned a bachelor’s degree (25 percent statewide compared to 54 percent).

**Household composition.** The number of households in the City of Plano increased by about 15 percent from 2000 to 2008, or by approximately 14,300 households.<sup>3</sup> However, similarly to total population, Plano’s households grew at a slower rate than Collin County. From 2000 to 2008, Collin County’s households increased by almost 87,500, or at a rate of around 32 percent.

From 2000 to 2008, Plano’s average household size decreased from 2.73 to 2.71 persons. This average includes all households: one-person households, unrelated roommates and families. The average size for family households is larger at 3.27 persons, although this figure has dropped slightly since 1990 (3.28 persons).

Plano’s average household size is smaller when compared to the average household size of the Metroplex (2.84 persons) and Collin County (2.80 persons). According to the 2008 Census, the average household size of renters (2.24) in Plano was much smaller than the average household size of owners (2.96).

<sup>3</sup> A household includes all the people who occupy a housing unit as their usual place of residence.

Plano has 67,639 family households<sup>4</sup> making up 71 percent of all households in Plano. Compared to Collin County (73 percent), Plano had a slightly lower percentage of households that were families.

**Large households.** Large households, defined by the Census Bureau as having five or more persons in a household, made up 10 percent (9,553 households) of Plano households in 2008.

According to the 2008 Census, owner-occupied households were more likely to be large households when compared to renter households. About 12 percent of owner-occupied households (7,716 owners) were large households compared with 6 percent of renter households (1,837 renters).

According to the 2000 Census, households of Some Other Race had the highest rate of large households. Approximately 32 percent of Some Other Race households were large households. Households of Two or More races (17 percent), Native Hawaiian and other Pacific Islanders (16 percent), Asian (14 percent) and African American households (13 percent) had a higher rate of large households compared to the city overall. Twenty-eight percent of Hispanic/Latino households were large in 2000.

**Familial status.** In 2008, the majority of Plano households did not have children living with them (61 percent). Of households with children, the majority (78 percent or 28,909 households) were married-couple families. Exhibit E-9 shows the distribution of Plano households with and without children in 2008.

**Exhibit E-9.  
Household Composition,  
City of Plano, 2008**

Source:  
U.S. Census Bureau  
2008 American Community Survey.

	Number of Households	Percent of Households
<b>Households with children</b>	<b>36,890</b>	<b>39%</b>
Married couple	28,909	30%
Female householder	5,919	6%
Male householder	2,062	2%
<b>Households without children</b>	<b>58,314</b>	<b>61%</b>
Family household	30,749	32%
Non-family household	27,565	29%
<b>Total Households</b>	<b>95,204</b>	<b>100%</b>

There were a total of 7,981 single-parent households in Plano, representing 8 percent of total households and 22 percent of households with children. The vast majority of these households—74 percent or 5,919 households—were female householders.

<sup>4</sup> A family household is a group of two or more people who reside together and who are related by birth, marriage, or adoption.

**Linguistic isolation.** Within the City of Plano, 67 percent of the households spoke English, 12 percent spoke Spanish, another 12 percent spoke Asian and Pacific Island languages, 8 percent spoke other Indo-European languages and the remaining 2 percent spoke other languages as their primary language at home in 2008. Of the non-English speaking households, 25 percent, or 7,774 households, were linguistically isolated; while the Metroplex had 30 percent of their non-English speaking households linguistically isolated. The Census defines a linguistically isolated household as one in which no member 14 years old and over (1) speaks only English or (2) speaks a non-English language and speaks English "very well." In other words, all members 14 years old and over have at least some difficulty with English.

**Economic characteristics.** In 2008, 73 percent of Plano’s population over the age of 16 was considered “In the Labor Force”. This indicates those residents were currently employed, or unemployed but actively looking for a job. Of those in the labor force, approximately 5,542 were unemployed, representing 4 percent of the labor force and 3 percent of all Plano residents. Exhibit E-10 displays the labor force status for Plano’s residents aged 16 and older in 2008.

**Exhibit E-10.  
Labor Force Status for Population  
Age 16 and Over, City of Plano, 2008**

Note:  
There were no Plano residents in the Armed Forces.

Source:  
U.S. Census Bureau 2008 American Community Survey.

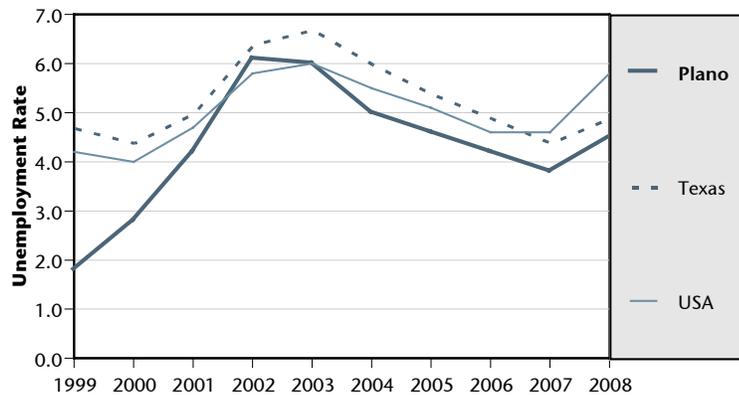
	Number	Percent of Total
<b>In Labor Force</b>	<b>145,969</b>	<b>73%</b>
Employed	140,427	70%
Unemployed	5,542	3%
<b>Not in Labor Force</b>	<b>53,363</b>	<b>27%</b>
<b>Total</b>	<b>199,332</b>	<b>100%</b>

Compared to the state and the nation, Plano has historically had a lower unemployment rate. Exhibit E-11 compares the annual unemployment rates of the city, the state and the nation from 1999 to 2008.

**Exhibit E-11.  
Unemployment Rates,  
1999 to 2008**

Note:  
Not seasonally adjusted unemployment rates.

Source:  
U.S. Bureau of Labor Statistics.



Preliminary estimates by the Bureau of Labor Statistics place Plano’s August 2009 unemployment rate at 7.4 percent, which is higher than in the past, but still low by national standards.

**Employment.** Of the 140,427 employed Plano residents in 2008, the largest percentage was employed in professional and related occupations (28 percent of all jobs). This includes doctors, attorneys and other high-salary jobs. Management occupations employed the second largest percentage of Plano residents (15 percent of all jobs). Exhibit E-12 displays employment by occupation for Plano’s labor force over the age of 16 in 2009.

**Exhibit E-12.  
Employment by  
Occupation for Labor  
Force over Age 16,  
City of Plano, 2008**

Source:  
U.S. Census Bureau  
2008 American Community Survey.

Occupations	Population Over Age 16	Percent of Total
Professional and related	38,845	27.7%
Management	21,142	15.1%
Sales and related	21,130	15.0%
Office and administrative support	15,380	11.0%
Business and financial operations	10,327	7.4%
Construction, extraction, maintenance, and repair	8,792	6.3%
Food preparation and serving related	8,202	5.8%
Production, transportation, and material moving	5,624	4.0%
Building and grounds cleaning and maintenance	4,623	3.3%
Personal care and service	3,642	2.6%
Protective service	1,343	1.0%
Healthcare support	1,166	0.8%
Farming, fishing, and forestry	211	0.2%
<b>Total</b>	<b>140,427</b>	<b>100%</b>

Exhibit E-13 below displays the ten largest employers in the Plano area.

**Exhibit E-13.  
Ten Largest Employers,  
City of Plano, 2008**

Note:  
\* Three different BOA Home Loans business locations in Plano were combined into one entry for the purposes of this table.

Source:  
North Central Texas Council of Governments.

Employer	Industry	Employees
Bank of America Home Loans (Formerly Countrywide Home Loans)	Finance	9,410 *
JC Penney (Corporate HQ)	Retail	5,100
EDS	Professional/Technical	5,000
Perot Systems	Professional/Technical	2,697
Alcatel	Manufacturing	2,023
Frito-Lay, Inc.	Manufacturing	2,000
CHC Acquisition Corp (Communications Health Corp)	Health Care	2,000
Presbyterian Hospital of Plano	Health Care	1,488
Capital One Auto Finance	Finance	1,415
Medical Center of Plano (HCA INC)	Health Care	1,348

The finance services company Bank of America Home Loans is the single largest employer in Plano; in 2008, the company had three different locations in Plano that employed an estimated 9,410 persons.

**Income.** Based on the large number of higher paying professional and management jobs found in Plano, it is not surprising that the median household income for the city in 2008 was \$85,003. This figure is significantly higher than the median household income for the Metroplex and the state, which was reported at \$56,377 and \$50,043, respectively, in 2008. Plano’s 2008 median household income was up from \$78,722 in 2000. This represents an increase of 8 percent in actual dollars from 2000 to 2008 and a decrease of 14 percent in dollars adjusted for inflation. This means that even though the median income increased, the increase was not greater than inflation.

In Plano, median family income grew from \$91,162 in 2000 to \$102,275 in 2008, which was an increase of 12 percent in actual dollars and a decrease of 10 percent in dollars adjusted for 2009 inflation.

Exhibit E-14 shows the median household income for 2000 and 2008. It also provides actual year dollar amounts and the dollar amounts adjusted for 2009 inflation.

**Exhibit E-14.  
Median Household  
Income, 2000 and  
2008**

Source:  
U.S. Census Bureau 2000 Census and  
2008 American Community Survey and  
the Bureau of Labor Statistics CPI  
Inflation Calculator.

	2000	2008	Percent Change 2000-2008
<b>Actual Year Dollars:</b>			
City of Plano	\$78,722	\$85,003	8%
Collin County	\$70,835	\$81,395	15%
City of Dallas	\$37,628	\$40,796	8%
Dallas-Fort Worth Metroplex	\$47,418	\$56,377	19%
State of Texas	\$39,927	\$50,043	25%
<b>2009 Inflation Adjusted Dollars:</b>			
City of Plano	\$98,731	\$85,266	-14%
Collin County	\$88,840	\$81,647	-8%
City of Dallas	\$47,192	\$40,922	-13%
Dallas-Ft. Worth Metroplex	\$59,470	\$56,551	-5%
State of Texas	\$50,075	\$50,198	0%

By tenure in 2008, the median income of owner-occupied households was \$109,047 and the median income of renter households was \$46,247. Therefore, in 2008, owner households earned approximately \$62,800 more than renters or more than double the income than renter households.

Exhibit E-15 shows the median household income for different life cycle stages for the City of Plano. Median household incomes for Plano reflect typical earning levels for the different stages of life.

**Exhibit E-15.  
Median Household Income  
During Different Life Cycle  
Stages, City of Plano, 2008**

Source:  
U.S. Census Bureau 2008 American  
Community Survey.

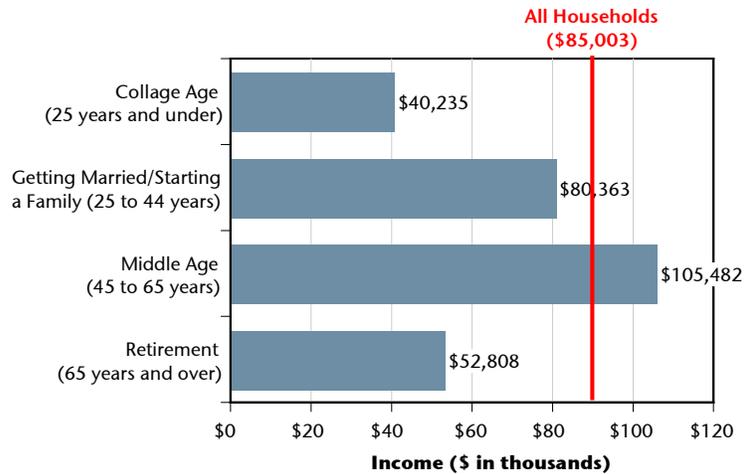
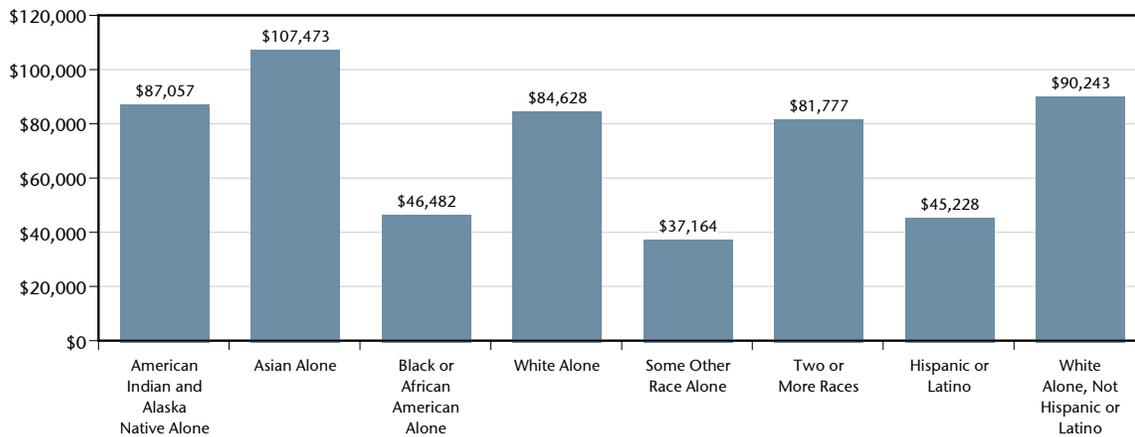


Exhibit E-16 compares the median household incomes for Plano by race and ethnicity. Asian households have the highest median, \$107,743, of all races in Plano.

**Exhibit E-16.  
Median Household Income by Race and Ethnicity, City of Plano, 2008**



Note: Native Hawaiian and Other Pacific Islander Alone had too few sample observations available to compute a standard error and thus the margin of error. A statistical test is not appropriate.

Source: U.S. Census Bureau 2008 American Community Survey.

Households defined as those of Some Other Race, Hispanic/Latinos and African Americans all earned a smaller median household income than the city as a whole. American Indian or Alaska Natives, Whites and those with Two or More Races had similar median household incomes to the city median, while Asians had earned a much higher median household income than the city overall.

Another way to look at household income is by income category (i.e., households earning less than \$15,000 per year, between \$35,000 and \$50,000 per year, etc.). According to the Census, 3 percent of Plano households (or 2,603 households) earned less than \$15,000 in 2008 and more than 18 percent earned less than \$35,000. The largest percentage of all households (22 percent) earned between \$100,000 and \$150,000 in 2008. An additional 22 percent of all households earned more than \$150,000 in 2008. Exhibit E-17 displays the income distribution of Plano households in 2008.

**Exhibit E-17.  
Household Income Distribution,  
City of Plano, 2008**

Source:  
U.S. Census Bureau 2008 American Community Survey.

	Households	Percent of Total
Less than \$10,000	2,603	3%
\$10,000 to \$14,999	2,281	2%
\$15,000 to \$24,999	5,657	6%
\$25,000 to \$34,999	6,485	7%
\$35,000 to \$49,999	7,177	8%
\$50,000 to \$74,999	14,203	15%
\$75,000 to \$99,999	14,190	15%
\$100,000 to \$149,999	20,174	22%
\$150,000 to \$199,999	9,074	10%
\$200,000 or more	10,779	12%
<b>Total</b>	<b>92,623</b>	<b>100%</b>

The majority of household income analysis, particularly for planning purposes, is based on the Area Median Income (AMI) as established by the U.S. Department of Housing and Urban Development. For 2009, the Dallas HUD Metro Fair Market Rent Area AMI equaled \$67,600. Using the household income distribution from Exhibit E-17 and the Dallas HMFA AMI of \$67,600, we can calculate the percentage of households classified as extremely low income (earning less than 30 percent of the AMI), very low income (earning 31 to 50 percent of AMI), low income (earning 51 to 80 percent of AMI) and moderate/upper income (earning 81 percent and higher of AMI). Exhibit E-18 displays this calculation by race and ethnicity.

**Exhibit E-18.  
Household Income Profile, City of Plano, 2008**

	Percent of All Households	Extremely Low Income (0-30% AMI)	Very Low Income (31-50% AMI)	Low Income (51-80% AMI)	Moderate/Upper Income (81%+ AMI)
<b>All Households</b>	<b>95,204</b>	<b>8.1%</b>	<b>9.0%</b>	<b>14.0%</b>	<b>68.9%</b>
<b>Race</b>					
American Indian and Alaska Native Alone	N/A	N/A	N/A	N/A	N/A
Asian Alone	14.3%	10.1%	5.4%	7.5%	77.0%
Black or African American Alone	6.5%	12.4%	22.3%	20.1%	45.2%
Native Hawaiian and Other Pacific Islander Alone	N/A	N/A	N/A	N/A	N/A
White Alone	77.3%	7.4%	8.4%	14.4%	69.7%
Some Other Race Alone	0.9%	N/A	N/A	N/A	N/A
Two or More Races	0.7%	N/A	N/A	N/A	N/A
<b>Ethnicity</b>					
Hispanic or Latino	10.3%	18.3%	15.7%	27.2%	38.7%
White Alone, Not Hispanic or Latino	68%	5.7%	7.7%	12.8%	73.8%

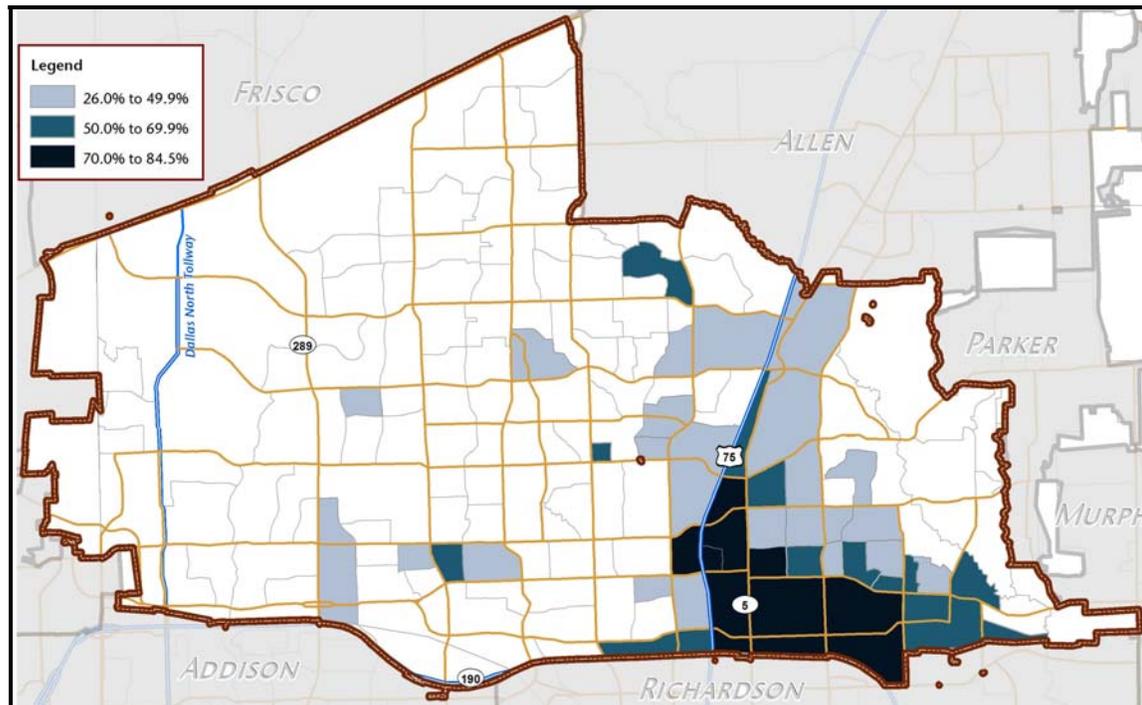
Note: Data for the races where N/A is used cannot be displayed because the number of sample cases is too small.

Source: U.S. Census Bureau 2008 American Community Survey and U.S. Department of Housing and Urban Development Income Limits 2009.

In 2008, 8.1 percent of Plano households were considered extremely low income and 9 percent were considered very low income (see top row of Exhibit E-15). However, a higher percentage of the city's Asian, African American and Hispanic/Latino households were classified as extremely low income than the city as a whole, earning less than 30 percent of the AMI (\$20,280) in 2008. Over half of all households classified as African American or Hispanic/Latino earned less than 80 percent of the AMI (\$54,080) in 2008. A majority of Asian and White, and White Alone, Not Hispanic/Latino households were classified as moderate income in 2008, earning more than 80 percent of the AMI. As shown in Exhibit E-18, income disparities are present in Plano when examined on a racial and ethnic basis.

Exhibit E-19 displays by block group the percent of the households who earns less than 80 percent of the HUD median family income. Block groups where more than 26 percent of the households earn less than 80 percent of the HUD MFI are considered low and moderate-income areas. These low- and moderate-income areas are primarily located in the eastern parts of the city.

**Exhibit E-19.**  
**Percentage of Population that is Low to Moderate Income by Block Group, City of Plano**



Source: U.S. Department of Housing & Urban Development.

**Below poverty level.** The Census Bureau uses the federal government's official poverty definition. To determine a person's poverty status, one compares the person's total family income with the poverty threshold appropriate for that person's family size and composition. If the total income of that person's family is less than the threshold appropriate for that family in the last 12 months, then the person is considered poor for that particular year, together with every member of his or her family. If a person is not living with anyone related by birth, marriage or adoption, then the person's own income is compared with the poverty threshold. The same procedure applies for calculating households in poverty.

At some point in 2008, 6.7 percent of all Plano residents experienced poverty; 45 percent of those residents experiencing poverty were under age 18 and 49 percent were between the ages of 18 and 64. Exhibit E-20 reports poverty by race and ethnicity by age for Plano.

**Exhibit E-20.  
Poverty Status in the Last 12 Months, City of Plano, 2008**

	All Persons	Asian Alone	African American Alone	White Alone	Hispanic or Latino	White, Not Hispanic or Latino
<b>Income at or below poverty level</b>	<b>6.7%</b>	<b>6.1%</b>	<b>13.2%</b>	<b>5.9%</b>	<b>18.1%</b>	<b>3.3%</b>
Under 18 years	3.0%	1.2%	8.0%	2.9%	10.9%	1.1%
8 to 64 years	3.2%	4.1%	5.3%	2.7%	7.0%	1.9%
65 years and over	0.4%	0.8%	0.0%	0.4%	0.2%	0.4%
<b>Income above poverty level</b>	<b>93.3%</b>	<b>93.9%</b>	<b>86.8%</b>	<b>94.1%</b>	<b>81.9%</b>	<b>96.7%</b>

Source: U.S. Census Bureau 2008 American Community Survey.

Similar to household incomes, a higher percentage of the city’s African American and Hispanic/Latino residents have experienced poverty in the last twelve months than the city’s residents overall. Hispanic/Latino residents under the age of 18 years experienced the highest incidence of poverty overall at 10.9 percent.

Poverty is of greater concern when it involves children because children living in poverty face more barriers to graduating from high school, securing jobs that pay a living wage and having household stability. Exhibit E-21 displays the incidence of poverty in Plano by family type and presence of children for 2008.

**Exhibit E-21.  
Poverty Status in Last 12 Months by Family Type, City of Plano, 2008**

Source:  
U.S. Census Bureau 2008  
American Community Survey.

	Families Below Poverty Level	Percent of Each Family Type
<b>Family Households</b>	<b>3,300</b>	<b>4.9%</b>
with related children under 5 years	285	5.4%
with related children under 18 years	2,683	7.3%
<b>Married Couple Family</b>	<b>1,332</b>	<b>2.3%</b>
with related children under 5 years	0	0.0%
with related children under 18 years	862	3.0%
<b>Female householder, no husband present</b>	<b>1,801</b>	<b>24.7%</b>
with related children under 5 years	285	45.4%
with related children under 18 years	1,654	27.9%

Just under 5 percent of all Plano families experienced poverty at some time in 2008. This percentage increases to 7 percent when examining families with related children under the age of 18 years and 5.4 percent of families with related children under the age of 5. Each of these three percentages are lower than the state as whole, with incidences of poverty in 12.4, 18.7 and 18.1 percent of such family types respectively. Single female householders with no husband present experienced a significantly higher incidence of poverty than all Plano families: in 2008, 24.7 percent of this family type experienced poverty at some point. Over 45 percent of all Plano female householders with no husband present and related children under the age of 5 experienced poverty in 2008. This is higher than the statewide incidence of 43.6 percent.

## Housing Market Analysis

**Housing supply.** Exhibit E-22 shows the estimated number of housing units for the City of Plano, the Metroplex and the State of Texas, according to U.S. Census Bureau.

**Exhibit 22.**  
**Households and Housing Units Estimate, 2000 and 2008**

	Households			Housing Units		
	2000	2008	Percent Change	2000	2008	Percent Change
City of Plano	80,916	95,204	18%	86,107	100,652	17%
Dallas Metroplex	1,906,764	2,182,455	14%	2,031,348	2,404,770	18%
State of Texas	7,393,354	8,422,249	14%	8,157,575	9,599,073	18%

Source: U.S. Census Bureau 2000 Census and 2008 American Community Survey.

Between 2000 and 2008, the number of housing units in Plano grew by 17 percent. This growth was slightly lower than the Metroplex and state overall. As shown in the Exhibit, the number of housing units in the Metroplex and state increased by 18 percent each from 2000 to 2008.

**Unit growth by type.** From 2000 to 2008, the number of housing units in Plano increased by 14,545 units, or approximately 17 percent. The biggest percentage increases were found in mobile homes and large multifamily complexes consisting of 10 to 19 units; the number of units of these types more than doubled from 2000 to 2008. This was offset by a decrease of units in the smallest and largest of the multifamily complexes (those with 9 or less and 50 or more units). The mid-sized multifamily complexes make up 16 percent of the city's units overall.

The number of single family detached units (the most predominant housing type in Plano) increased by 13 percent. Exhibit E-23 compares Plano’s housing units by type in 2000 and 2008.

**Exhibit E-23.  
Housing Units by Type,  
City of Plano, 2000 and  
2008**

Source:  
U.S. Census Bureau 2000 Census and  
2008 American Community Survey.

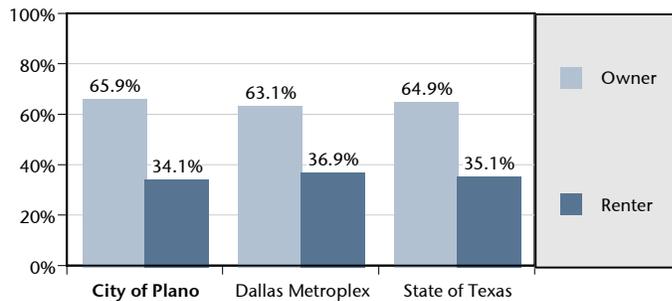
	2000	2008	Difference	Percent Change
1 unit detached	59,417	67,321	7,904	13%
1 unit attached	1,665	3,262	1,597	96%
2 units	362	246	(116)	-32%
3 or 4 units	2,874	1,766	(1,108)	-39%
5 to 9 units	6,461	6,265	(196)	-3%
10 to 19 units	5,379	12,404	7,025	131%
20 to 49 units	2,242	3,438	1,196	53%
50 units or more	7,096	4,820	(2,276)	-32%
Mobile home	412	863	451	109%
Boat, RV, van, etc.	199	267	68	34%
<b>Total Housing Units</b>	<b>86,107</b>	<b>100,652</b>	<b>14,545</b>	<b>17%</b>

**Vacancy rates.** Over 62 percent (62,742 units) of the city’s 100,652 housing units in 2008 were occupied by owners, 32 percent were occupied by renters and the remaining 5 percent were vacant units. The city’s vacancy rate was lower than that of the state (12 percent) and Metroplex (9 percent).

**Tenure.** Of all Plano housing units that were occupied in 2008, the Census estimates that 66 percent were owner occupied and the remaining 34 percent were renter occupied. This is about the same as the homeownership rate estimated for the State of Texas (65 percent) and the Metroplex (63 percent). Exhibit E-24 shows the homeownership and renter rates for the city, the Metroplex and the State of Texas.

**Exhibit E-24.  
Tenure Rates, 2008**

Source:  
U.S. Census Bureau 2008 American  
Community Survey.

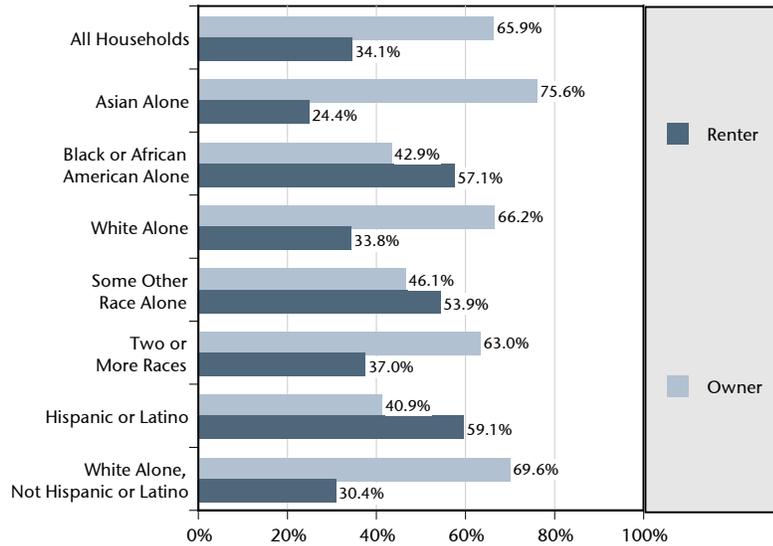


Family households were much more likely to be homeowners compared to non-family households: 77 percent of families were owners, while only 39 percent of non-family households (single people, unrelated people living together/roommates) were owners.

In 2008, White households made up the majority (77 percent) of the households in Plano. Concerning ethnicity, Hispanic and Latino households comprised 10 percent of households in Plano. Homeownership was highest among the city's Asian residents, with 76 percent of Asian households owning their houses. This compares to 43 percent of African American households who were owners. Hispanics had a homeownership rate of 41 percent. Exhibit E-25 presents homeownership and rental rates by race and ethnicity.

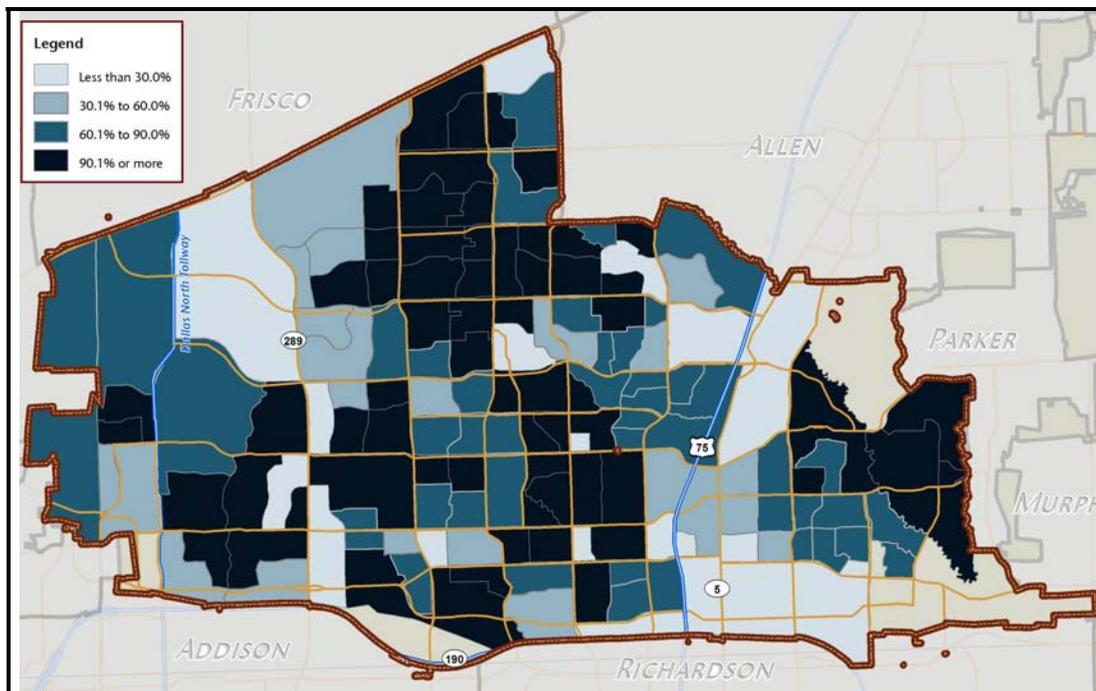
**Exhibit E-25.  
Tenure by Race  
and Ethnicity, City  
of Plano, 2008**

Source:  
U.S. Census Bureau 2008  
American Community Survey.



In 2009, the block groups with the highest percentage of owner occupied housing were scattered around the city as shown in the following map.

**Exhibit E-26.  
Percent of Owner Occupied Housing Units by Block Group, City of Plano, 2009**



Source: Claritas 2009 estimates.

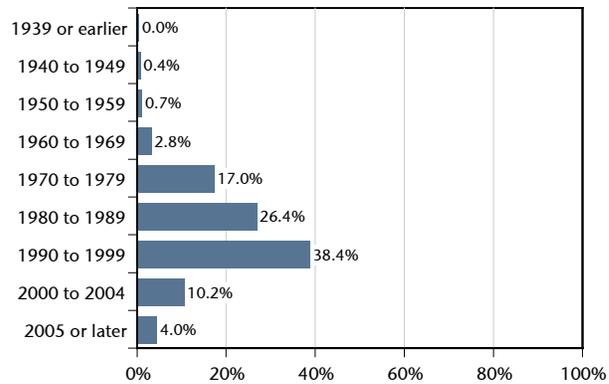
**Housing condition.** The following provides an overview of the condition of residential housing in Plano. It begins with an analysis of the age of the housing stock, and then discusses overcrowded housing, severely substandard units and lead-based paint risks.

**Age.** An important indicator of housing condition is the age of the home. Older houses tend to have more condition problems and are more likely to contain materials such as lead paint (see below). In areas where revitalization of older housing stock is active, many old houses may be in excellent condition; however, in general, condition issues are still most likely to arise in older structures.

According to Census, 53 percent of Plano’s housing units were built after 1990. Forty-three percent were built between 1970 and 1989. Less than one percent of the housing units were built before 1940, when the risk of lead-based paint is highest.<sup>5</sup> Exhibit E-27 presents the estimated age distribution of housing units in the City of Plano, the highest growth periods during the 1980s and 1990s.

**Exhibit E-27.  
Year Built of All Housing  
Units, City of Plano, 2008**

Source:  
U.S. Census Bureau 2008 American  
Community Survey.



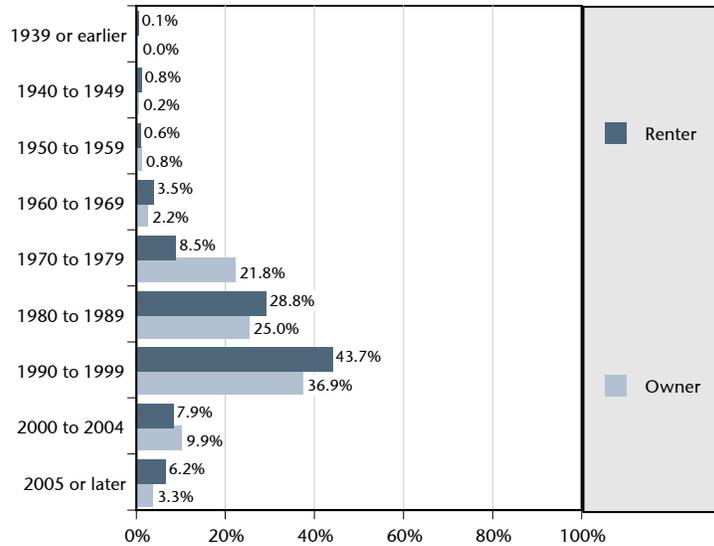
The City of Plano tends to have a younger housing stock when compared to the state’s housing stock overall. The median year housing units were built in Plano was 1991; the state’s median year built is approximately 10 years earlier at 1981.

Exhibit E-28 shows the type of ownership of housing units by year built as of 2008. As the Exhibit demonstrates, the largest percentage of Plano’s renter and owner occupied units were built in 1990-1999.

<sup>5</sup> Lead-based paint was banned from residential paint in 1978. Housing built before 1978 is considered to have some risk, but housing built prior to 1940 is considered to have the highest risk. After 1940, paint manufacturers voluntarily began to reduce the amount of lead they added to their paint. As a result, painted surfaces in homes built before 1940 are likely to have higher levels of lead than homes built between 1940 and 1978.

**Exhibit E-28.  
Percent of Owner- and  
Renter Occupied Units by  
Decade in Which Units  
Were Built, City of Plano,  
2008**

Source:  
U.S. Census Bureau 2008 American  
Community Survey.



**Overcrowded housing.** Overcrowding in housing can threaten public health, strain public infrastructure, and points to the need for affordable housing. The amount of living space required to meet health and safety standards is not consistently specified; measurable standards for overcrowding vary. According to HUD, the most widely used measure assumes that a home becomes unhealthy and unsafe where there are more than 1, or sometimes 1.5, household members per room.<sup>6</sup> Another frequently used measure is the number of individuals per bedroom, with a standard of no more than two persons per bedroom. Assisted housing programs usually apply this standard.

Approximately 1.9 percent of the city’s households—or about 1,779 households—live in overcrowded conditions; this is much lower than the 4.8 percent of the state’s housing units that were overcrowded. Just over 1 percent of owner occupied housing units (681 units) were overcrowded, compared to 3.4 percent of renter occupied units (1,098 units) that were overcrowded. Compared to the state, Plano’s prevalence of overcrowded owner and renter occupied households is lower.

Hispanic or Latino households were more likely to be living in overcrowded conditions when compared to White alone, not Hispanic or Latino households. Approximately 8.5 percent (833 households) of Hispanic or Latino households were overcrowded compared to 0.6 percent (380 households) of White alone, not Hispanic or Latino households.

**Severely substandard.** The 2008 Census reported that approximately 2,300 housing units in the city are considered severely substandard because they lacked either complete plumbing facilities<sup>7</sup> or complete kitchens.<sup>8</sup> Together, assuming no overlap, these units represented just 1 percent of the city’s total housing units in existence in 2008.

<sup>6</sup> The HUD American Housing Survey defines a room as an enclosed space used for living purposes, such as a bedroom, living or dining room, kitchen, recreation room, or another finished room suitable for year-round use. Excluded are bathrooms, laundry rooms, utility rooms, pantries, and unfinished areas.

<sup>7</sup> The data on plumbing facilities were obtained from both occupied and vacant housing units. Complete plumbing facilities include: (1) hot and cold piped water; (2) a flush toilet; and (3) a bathtub or shower. All three facilities must be located in the housing unit.

<sup>8</sup> A unit has complete kitchen facilities when it has all of the following: (1) a sink with piped water; (2) a range, or cook top and oven; and (3) a refrigerator. All kitchen facilities must be located in the house, apartment, or mobile home, but they need not

Exhibit E-29 presents the estimated number and percentage of homes in the city with substandard condition problems as of 2008. For the state overall, 1.8 percent of the housing stock was lacking complete plumbing facilities and 2.7 percent lacked complete kitchen facilities.

**Exhibit E-29.  
Housing Units Lacking Basic Amenities, City of Plano, 2008**

	Owner Occupied	Renter Occupied	Total Occupied	Vacant	All Housing Units
<b>Housing Units</b>	<b>62,742</b>	<b>32,462</b>	<b>95,204</b>	<b>5,448</b>	<b>100,652</b>
Lacking complete plumbing facilities	164	362	526	340	866
Lacking complete kitchen facilities	164	401	565	862	1,427
<b>Percent of Housing Units</b>	<b>62%</b>	<b>32%</b>	<b>95%</b>	<b>5%</b>	<b>100%</b>
Lacking complete plumbing facilities	0.3%	1.1%	0.6%	6.2%	0.9%
Lacking complete kitchen facilities	0.3%	1.2%	0.6%	15.8%	1.4%

Source: U.S. Census Bureau 2008 American Community Survey.

The 2008 Census also reported the number of housing units with “selected conditions.” The variable “Selected Conditions” is defined for owner and renter occupied housing units as having at least one of the following conditions: 1) lacking complete plumbing facilities; 2) lacking complete kitchen facilities; 3) units with 1.01 or more occupants per room (“overcrowded”); 4) selected monthly owner costs as a percentage of household income greater than 30 percent (“cost burdened owner”); and 5) gross rent as a percentage of household income greater than 30 percent (“cost burdened renter”).

About 28,000 of Plano’s housing units had one or more condition problems. Given the city’s small percentage of overcrowded and substandard units, these “condition” issues are largely related to affordability. Exhibit E-30 shows that rental units are much more likely to have two or more of the selected conditions than owner occupied units.

**Exhibit E-30.  
Selected Conditions  
by Tenure, City of  
Plano, 2008**

Source:  
U.S. Census Bureau 2008 American  
Community Survey.

	Owner Occupied	Renter Occupied	Total Occupied
<b>Housing Units</b>	<b>62,742</b>	<b>32,462</b>	<b>95,204</b>
No selected conditions	48,617	18,528	67,145
With one selected condition	13,629	12,930	26,559
With two or more selected conditions	496	1,004	1,500
<b>Percent of Housing Units</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
No selected conditions	77.5%	57.1%	70.5%
With one selected condition	21.7%	39.8%	27.9%
With two or more selected conditions	0.8%	3.1%	1.6%

**Lead-safe housing.** Pursuant to Section 91.215 of the Consolidated Plan regulations, the following contains an estimate of the number of housing units in the city that contain lead-based paint hazards and are occupied by the city’s low and moderate income families.

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be in the same room. A housing unit having only a microwave or portable heating equipment, such as a hot plate or camping stove, should not be considered as having complete kitchen facilities. An icebox is not considered to be a refrigerator.

***Problem with lead-based paint.*** Childhood lead poisoning is one of the major environmental health hazards facing American children today.

Children are exposed to lead poisoning through paint debris, dust and particles released into the air that settle onto the floor and windowsills and can be exacerbated during a renovation. The dominant route of exposure is from ingestion (not inhalation). Young children are most at risk because they have more hand-to-mouth activity and absorb more lead than adults. Data from the Texas Department of State Health Services show that 3,223 children under age 6 were tested for lead poisoning during 2008 in Collin County. As a result of these tests, 20 children in Collin County had elevated lead levels (10µg/dL) or 0.6 percent of the children tested. This is lower than the state average of 0.9 percent.

Excessive exposure to lead can slow or permanently damage the mental and physical development of children ages six and under. An elevated blood level of lead in young children can result in learning disabilities, behavioral problems, mental retardation and seizures. In adults, elevated levels can decrease reaction time, cause weakness in fingers, wrists or ankles and possibly affect memory or cause anemia. The severity of these results is dependent on the degree and duration of the elevated blood level of lead.

The primary treatment for lead poisoning is to remove the child from exposure to lead sources. This involves moving the child's family into temporary or permanent lead-safe housing. Lead-safe housing is the only effective medical treatment for poisoned children and is the primary means by which lead poisoning among young children can be prevented.

Housing built before 1978 is considered to have some risk, but housing built prior to 1940 is considered to have the highest risk. After 1940, paint manufacturers voluntarily began to reduce the amount of lead they added to their paint. As a result, painted surfaces in homes built before 1940 are likely to have higher levels of lead than homes built between 1940 and 1978. Lead-based paint was banned from residential use in 1978.

***Households with lead-based paint risk.*** Without conducting detailed environmental reviews of the city's housing stock, it is difficult to determine the number of households at risk of lead-based paint hazards. However, people living in substandard units or older housing and who are low income are more likely to be exposed to lead-based paint than higher income households living in newer or rehabilitated older housing.

Less than one half of a percent (42 housing units) of Plano's housing stock was built before 1940, when lead-based paint was most common. Another 1.1 percent (1,123 housing units) was built between 1940 and 1960, when lead-based paint was still used, but the amount of lead in the paint was being reduced. Finally, 19,931 Plano housing units (20 percent) were built between 1960 and 1979 as lead-based paint was phased out and eventually banned. Therefore, just under 21 percent of the housing stock in the City of Plano, or about 21,054 units, was built when lead-based paint was used, to some extent, in residential housing.

If (as HUD estimates) 90 percent of the pre-1940 units in Plano are at risk of containing lead paint, 80 percent of the units built between 1940 and 1960 are at risk and 62 percent of units built between 1960 and 1979 are at risk as well, then it is estimated 13,260 Plano housing units (13 percent) may contain lead paint. Exhibit E-31 displays this calculation.

**Exhibit E-31.  
Housing Units at Risk  
of Lead-based Paint, City  
of Plano, 2008**

Source:

“Technical Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing” – HUD and U.S. Census Bureau 2008 American Community Survey.

Year Housing Unit was Built	Number of Housing Units	Estimated Percentage at Risk	Estimated Number of Housing Units at Risk
1939 and earlier	42	90%	38
1940 to 1960	1,081	80%	865
1960 to 1979	19,931	62%	12,357
<b>Total</b>	<b>21,054</b>		<b>13,260</b>

Ultimately, the extent to which lead paint is a hazard in these homes depends on if there has been mitigation (e.g., removal, repainting) and how well the units have been maintained. Inadequately maintained homes and apartments are more likely to suffer from a range of lead hazard risks, including chipped and peeling paint and weathered window surfaces. Therefore, it is assumed that lower income households have fewer resources to maintain their homes and may be at higher risk for lead hazards. As a result, based on 2008 data on household income, the year housing units were built and HUD’s estimates of risk by year built, about 4,800 of the city’s low and moderate income households could live in units built before 1980 containing lead-based paint and be at higher risk for lead-based paint hazards.

**Housing affordability.** This section discusses housing costs in the Plano area—rental and homeownership. It uses the most recent and comprehensive market data available, including data from Richard Fricks, a Realtor at Keller Williams Realty, HUD and the U.S. Census’s 2008 American Community Survey.

**Defining affordability.** In the housing industry, housing affordability is commonly defined in terms of the proportion of household income that is used to pay housing costs. Housing is “affordable” if no more than 30 percent of a household’s gross monthly income is needed for rent, mortgage payments and utilities. When the proportion of household income needed to pay housing costs exceeds 30 percent, a household is considered “cost burdened.”

**Rental cost.** According to Census, the median gross rent in the City of Plano was \$959 in 2008. To afford this median rent and not be cost burdened, a household would need to earn about \$38,360 per year. According to Census, 62 percent of renter households could afford the city’s median rent.

If we add additional utility costs of \$200 per month to the median gross rent (for a median of \$1,159), then a household would need to earn \$46,360 per year to afford the median gross rent and the additional utilities.

HUD annually estimates Fair Market Rents (FMRs) by bedroom size (the FMRs include utility costs, except for telephones). FMRs determine the eligibility of rental housing units for the Section 8 Housing Assistance Payments program. HUD sets Fair Market Rents to assure that a sufficient supply of rental housing is available to program participants.

FMRs are available for the Metroplex and some are included in Exhibit E-32. As the exhibit shows, rents have increased very modestly for all units, with efficiency units experiencing the largest increase.

**Exhibit E-32.  
Fair Market  
Trends, Dallas  
HMFA, 2001 to  
2010**

Source:  
U.S. Department of Housing  
& Urban Development.

	Efficiency	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom
FY 2001	\$562	\$647	\$830	\$1,148	\$1,358
FY 2002	\$530	\$610	\$783	\$1,083	\$1,281
FY 2003	\$575	\$662	\$850	\$1,176	\$1,391
FY 2004	\$589	\$678	\$870	\$1,205	\$1,425
FY 2005	\$633	\$713	\$868	\$1,147	\$1,412
FY 2006	\$575	\$640	\$777	\$1,031	\$1,249
FY 2007	\$891	\$658	\$798	\$1,059	\$1,283
FY 2008	\$645	\$718	\$871	\$1,156	\$1,401
FY 2009	\$670	\$746	\$905	\$1,201	\$1,455
FY 2010	\$669	\$740	\$894	\$1,164	\$1,377
<b>Change from 2001 to 2010</b>	<b>\$107</b>	<b>\$93</b>	<b>\$64</b>	<b>\$16</b>	<b>\$19</b>
<b>Average annual increase</b>	<b>\$11.89</b>	<b>\$10.33</b>	<b>\$7.11</b>	<b>\$1.78</b>	<b>\$2.11</b>

Exhibit E-33 shows the incomes needed to afford the FMRs and the number of renter households earning enough to afford the FMRs. The majority of renters can afford efficiencies, one and 2 bedroom units; affording 3+ bedroom units is more challenging.

**Exhibit E-33.  
Fair Market Rents by Bedroom Size and Affordability, Dallas HMFA, 2010**

	Efficiency	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom
Fair Market Rent (FMR)	\$669	\$740	\$894	\$1,164	\$1,377
Annual income needed to afford FMR	\$26,760	\$29,600	\$35,760	\$46,560	\$55,080
Number of renter households able to afford FMR	25,274	23,987	21,216	16,633	13,773
Percent of renter households able to afford FMR	78%	74%	65%	51%	42%

Note: Fair Market Rent is for 2010; Household incomes for 2008.

Source: U.S. Department of Housing & Urban Development, U.S. Census Bureau 2008 American Community Survey and BBC Research & Consulting.

**Wage levels and rents.** Annually, the National Low Income Coalition produces a report called “Out of Reach,” which examines rental housing affordability for states, counties and key metropolitan areas.<sup>9</sup> The study determines how many hours a week a worker earning the minimum wage would need to work to afford median-priced rental units. The study also examines affordability for individuals whose sole source of income is Supplemental Security Income (SSI).

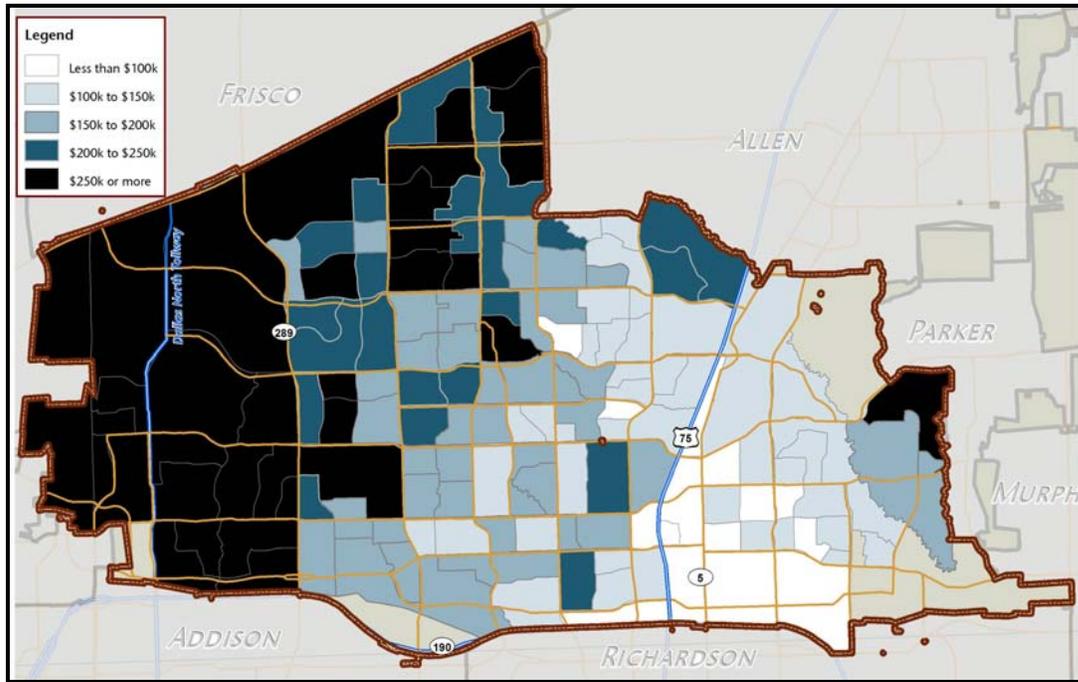
The Out of Reach study reports renters in Collin County earned a mean hourly wage of \$16.70. At this wage and assuming full-time work, a unit would be affordable if it rented for \$868 or less per month. The *actual* wage that a renter would have to earn to afford a market rate two-bedroom unit (\$905 per month) in the Dallas HMFA in 2009 was \$17.40—about \$0.71 more per hour than the mean hourly wage earned by renters in 2009. According to the report, 34 percent of Collin County renters are unable to afford a market rate two-bedroom unit. In addition, the study reports that a worker earning the minimum wage would have to work 106 hours per week to earn enough to afford a market rate two-bedroom unit. This is almost equivalent to working two and one half full-time jobs.

<sup>9</sup> The most recently available version of this report was published in 2009.

In addition, an individual earning SSI in Collin County (\$674 per month)<sup>10</sup> would only be able to afford a rental unit priced at \$202. A market rate studio in the Dallas HMFA would cost \$670 per month, significantly more than a unit affordable for SSI recipients in 2009.

**Costs of ownership.** According to Census, the median home value—the price at which half of the homes are valued less and half are valued more—of all owner occupied units in the City of Plano in 2008 was \$217,500. The following map shows the median home value by block group. Median values of \$100,000 or less are more common in the eastern part of the city.

**Exhibit E-34.**  
**Median Home Value by Block Group, City of Plano, 2009**



Source: Claritas 2009 estimates.

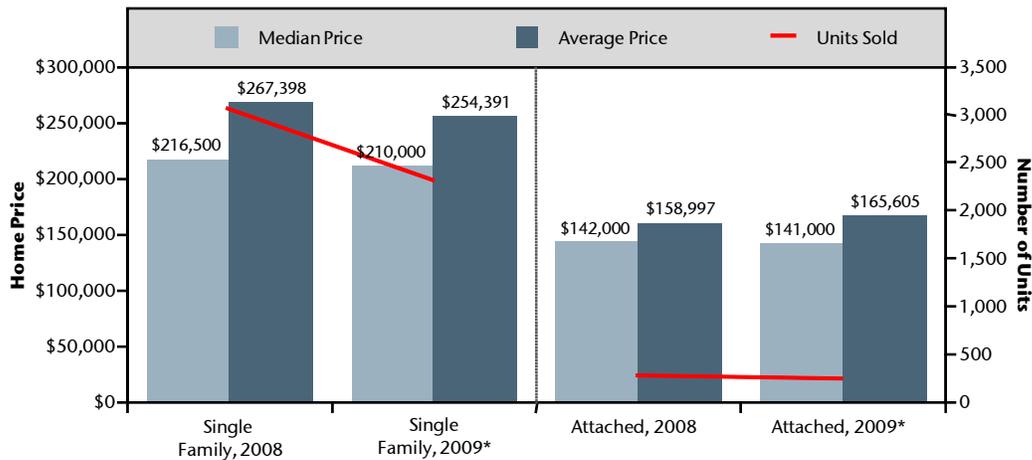
Multiple Listing Service (MLS) data was also obtained from Richard Fricks, a Realtor with Keller Williams Realty in the Metroplex, of homes available for sale and sold January 1, 2008 through November 18, 2009. The median price of homes available for sale and sold in Plano during these two years was \$210,900. While, the median price of homes *sold* in Plano during 2008 was \$207,950 and in 2009<sup>11</sup> the median sold price decreased slightly to \$201,000. The following exhibit shows the median and average prices of homes sold compared to the number of units sold in Plano during the past two years for both single family homes and attached homes<sup>12</sup>.

<sup>10</sup> An individual living in Any State who qualified for Supplemental Security Income received a maximum of \$674 in monthly federal benefits in 2009.

<sup>11</sup> MLS listings for 2009 are through November 18, 2009 and include single family and attached homes.

<sup>12</sup> Attached homes can be half duplexes, townhomes or condominiums.

**Exhibit E-35.  
Homes Sold, City of Plano, 2008 and 2009**



Note: \*Year-to-date estimate as of November 18, 2009. Attached housing includes half duplexes, townhouses and condominiums.  
Source: Richard Fricks, Keller Williams Realty.

The reason there is a noticeable difference between the “average” and the “median” is that the median is the middle value in a list of data. The median is usually a better measure than an average, because an average can be heavily influenced by very high and/or very low numbers.

Households would need to earn an annual income of at least \$60,900 to afford the median price of these homes (priced \$210,900 or below) with current interest rates at 6.0 percent, pay for utilities and taxes and to not be cost burdened. The estimated monthly mortgage of the median priced home is \$1,523. Approximately 62,277 households, or 65 percent of Plano households, made enough money to afford the median priced home of \$210,900. Households would have to earn an annual income of at least \$78,449 to afford the average price of \$275,943.

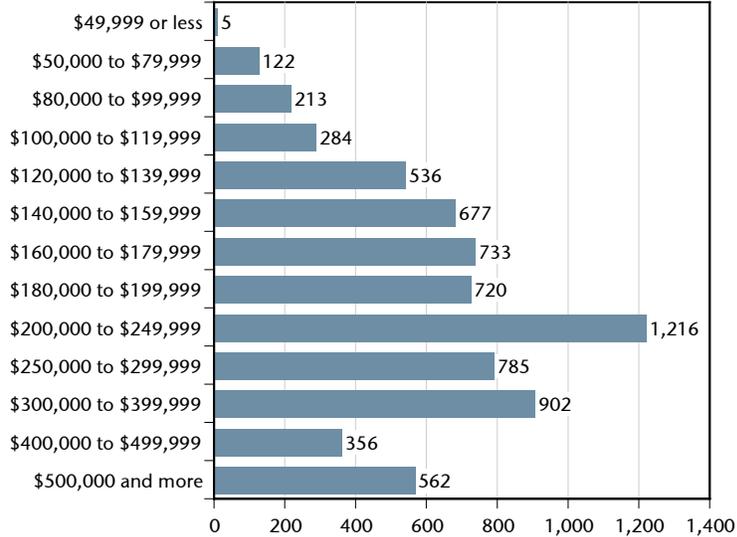
Family households were more likely to be able to afford the median priced home when compared to households over all. Almost three fourths of family households earned enough to afford the median priced home, compared to 65 percent of all households.

Exhibit E-36 shows the number of for sale and sold homes in Plano during 2008 and 2009 by price distribution. Seventeen percent of the units sold were priced between \$200,000 and \$250,000.

**Exhibit E-36.**  
**Distribution of Homes For Sale and Sold by Price, City of Plano, 2008 and 2009**

Note:  
 Year-to-date estimate as of November 18, 2009.

Source:  
 Richard Fricks, Keller Williams Realty.



**Options for homebuyers.** Purchasing a home is usually most difficult for renters.<sup>13</sup> Renters typically have lower incomes than homeowners; they may have difficulty coming up with a downpayment; and they are competing in the for-sale market with many current homeowners who typically have higher incomes and established equity.

The median price of homes sold and for sale in Plano neighborhoods in the past two years was \$210,900. An estimated 37 percent of Plano’s renters (12,170 households) and 80 percent of owners (50,057 households) could afford to purchase the median-priced home without being cost burdened. Exhibit E-37 summarizes these findings.

**Exhibit E-37.**  
**Affordability of Median Priced Home and Those Who Can Afford the Median Priced Home, City of Plano, 2008 and 2009**

Note:  
 Mortgage loan terms are assumed as follows: 30 year fixed, 6.0 percent, 10 percent downpayment. The affordable mortgage payment is also adjusted to incorporate hazard insurance, property taxes and utilities.

Source:  
 Richard Fricks - Keller Williams Realty, U.S. Census Bureau 2008 American Community Survey and BBC Research & Consulting.

Affordability	
Median price of homes	\$210,900
Income needed to afford median price	\$60,900
Number of <b>renters</b> who can afford to buy	12,170
Percent of <b>renters</b> who can afford to buy	37%
Number of <b>owners</b> who can afford to buy	50,057
Percent of <b>owners</b> who can afford to buy	80%

<sup>13</sup> We assume that most renters—especially lower income renters—have not owned a home in the past. In some cases, renters may be former homeowners who have relocated and are renting until they decide to buy, are waiting for a home to be built, or have economic reasons for renting rather than buying.

**Affordability by HUD income categories.** Housing programs generally focus on assisting lower income populations. HUD divides low and moderate income households into four categories, based on their relationship to the area median income: extremely low income (earning 30 percent or less of the area median income), very low income (earning between 31 and 50 percent of the area median income), low income (earning between 51 and 80 percent of area median income) and moderate income (earning between 81 and 95 percent of area median income). The 2009 AMI for the Dallas HMFA was \$67,600.

There are an estimated 4,780 renters and 2,918 owners who earn less than 30 percent of the AMI, or \$20,280 and less. The maximum affordable rent these households can afford is \$507 per month and the maximum affordable home price is \$56,570. Exhibit E-38 shows the maximum affordable rent and mortgage for each income category, as well as the number of renters and owners in those income categories.

**Exhibit E-38.**  
**Affordable Rents and Home Prices by HUD Income Category, City of Plano, 2008**

	Maximum Affordable Monthly Gross Rent	Number of Renters	Maximum Affordable Home Price	Number of Owners
Extremely low income <i>(less than 30% of AMI or less than \$20,280)</i>	\$507	4,780	\$56,570	2,918
Very low income <i>(31-50% of AMI or \$20,281 to \$33,800)</i>	\$845	5,599	\$103,550	2,951
Low income <i>(51-80% of AMI or \$33,801 to \$54,080)</i>	\$1,352	8,034	\$174,019	4,820
Moderate income <i>(81-95% of AMI or \$54,081 to \$64,220)</i>	\$1,606	2,794	\$209,254	2,967

Note: HUD's 2009 Median Family Income or Area Median Income (AMI) is \$67,600. Mortgage loan terms are assumed as follows: 30 year fixed, 6.00 percent, 10 percent downpayment. The affordable mortgage payment is also adjusted to incorporate hazard insurance, property taxes and utilities.

Source: U.S. Department of Housing & Urban Development, U.S. Census Bureau 2008 American Community Survey and BBC Research & Consulting.

As shown in Exhibit E-39, 0.2 percent of Plano's homes for sale and sold in 2008 and 2009 were affordable to households earning less than 30 percent of AMI (less than \$20,280). Households must have incomes above the moderate income level (\$65,000 and higher) before the majority of the units in Plano's market become affordable to them.

**Exhibit E-39.  
Affordability of Homes  
For Sale and Sold by  
HUD Income Category,  
City of Plano, 2008  
and 2009**

Note:  
HUD's 2009 Median Family Income or Area Median Income (AMI) is \$67,600. Mortgage loan terms are assumed as follows: 30 year fixed, 6.00 percent, 10 percent downpayment. The affordable mortgage payment is also adjusted to incorporate hazard insurance, property taxes and utilities.

Source:  
Richard Fricks - Keller Williams Realty, U.S. Department of Housing & Urban Development, U.S. Census Bureau 2008 American Community Survey and BBC Research & Consulting.

	Number of Units	Percent of Total Units	Cumulative Percent
Extremely low income <i>(less than 30% of AMI or less than \$20,280)</i>	13	0.2%	0.2%
Very low income <i>(31-50% of AMI or \$20,281 to \$33,800)</i>	351	4.9%	5.1%
Low income <i>(51-80% of AMI or \$33,801 to \$54,080)</i>	1,976	27.8%	32.9%
Moderate income <i>(81-95% of AMI or \$54,081 to \$64,220)</i>	1,149	16.2%	49.1%

**Gaps in housing supply.** The following analysis examines housing needs across all income levels, to identify mismatches in supply and demand for all households in the City of Plano. It reports the results of a modeling effort called a gap analysis, which compares housing affordability for households at different income levels to the supply of housing units affordable at these income levels.

Because it is impossible to estimate the type of housing each household in Plano would prefer, income is used as a proxy. Income is the most important factor in accessing housing. Indeed, one of the first steps in the home-buying process is to “prequalify” with a lender and, for renters, the first step is to complete a rental application which reports the amount and sources of income. This prequalification puts a limit on what a household can afford, immediately constraining their choices of homes.

Exhibit E-40 presents affordable rents and home prices for the various income categories. The calculation to determine what is “affordable” to the various income groups assumes the following:

- First, households cannot pay more than 30 percent of their income for housing costs.
- Second, housing costs for both homeowners and renters must be adjusted to include utility payments. Data pertaining to gross rent<sup>14</sup> amounts was used for renters and a low utility cost of \$100 was figured into housing costs for owners.
- Finally, the home price calculations throughout this section assume a 10 percent down payment, 25 percent of total payments dedicated to taxes, hazard insurance and mortgage insurance and a 6.0 percent interest rate.

<sup>14</sup> Gross rent is the sum of the rent paid to the owner plus any utility costs incurred by the tenant. Utilities include electricity, gas, water and sewer, and trash removal services but not telephone service. If the owner pays for all utilities, then gross rent equals the rent paid to the owner.

**What can households afford?** Exhibit E-40 shows the affordable rents and mortgage payments households at various income levels can afford.

**Exhibit E-40.  
Affordable Rents and Home Prices by  
Income Range, City of Plano**

Note:

Mortgage loan terms are assumed as follows: 30 year fixed, 6.0 percent, 10 percent downpayment. The affordable mortgage payment is also adjusted to incorporate hazard insurance, property taxes and utilities.

Source:

BBC Research & Consulting.

	Maximum Affordable Gross Rent	Maximum Affordable Home Price
Less than \$5,000	\$125	\$3,471
\$5,000 to \$9,999	\$250	\$20,845
\$10,000 to \$14,999	\$375	\$38,220
\$15,000 to \$19,999	\$500	\$55,594
\$20,000 to \$24,999	\$625	\$72,968
\$25,000 to \$34,999	\$875	\$107,716
\$35,000 to \$49,999	\$1,250	\$159,838
\$50,000 to \$74,999	\$1,875	\$246,709
\$75,000 to \$99,999	\$2,500	\$333,580
\$100,000 to \$149,999	\$3,750	\$507,321
\$150,000 or more	\$3,750	\$507,324 +

**Rental mismatch.** Exhibit E-41 shows the estimated number of renter households in Plano in 2008, their income levels, the maximum rent level they could afford and the number of units in the market that were affordable to them. The column on the far right shows the “gap” between the number of households and the number of rental units affordable to them. Negative numbers (in parentheses) indicate a shortage of units at the specific income level; positive units indicate an excess of units.

**Exhibit E-41.  
Rental Gap Analysis, City of Plano, 2008**

	Maximum Affordable Gross Rent	Renters		Rental Units		Rental Gap (shortage)/ Excess
		Number	Percent	Number	Percent	
Less than \$5,000	\$125	915	3%	331	0%	(584)
\$5,000 to \$9,999	\$250	676	2%	590	1%	(86)
\$10,000 to \$14,999	\$375	1,556	5%	674	1%	(882)
\$15,000 to \$19,999	\$500	1,538	5%	608	1%	(930)
\$20,000 to \$24,999	\$625	1,705	5%	617	2%	(1,088)
\$25,000 to \$34,999	\$875	4,533	14%	10,182	30%	5,649
\$35,000 to \$49,999	\$1,250	6,366	20%	13,841	41%	7,475
\$50,000 to \$74,999	\$1,875	6,888	21%	6,849	19%	(39)
\$75,000 to \$99,999	\$2,500	4,242	13%	1,758	5%	(2,484)
\$100,000 to \$149,999	\$3,750	3,288	10%	251	1%	(3,037)
\$150,000 or more	\$3,750 +	755	2%	0	0%	(755)

Source: U.S. Census Bureau 2008 American Community Survey and BBC Research & Consulting.

It is unclear how the income restricted units affect the rental gap. It is estimated that there are 2,651 units that are restricted to lower income earning households in Plano. To account for these units we assume the Census data has included half of these units in the correct income category. Therefore, the gap analysis moves half of these units to the income categories under \$20,000 and the gap in housing for households earning less than \$20,000 is reduced.

**Renter summary.** The gap analysis in Exhibit E-41 shows the following:

- In 2008, about 6,390 renter households—20 percent of all renter households—earned less than \$25,000. These households could only afford to pay \$625 per month in rent *and utilities* without being cost burdened. There are approximately 2,822 affordable units available to households in this income range, leaving a shortage of 3,568 rental units.
- In contrast, renter households earning more than \$25,000 per year have plenty of affordable units available to them. Moreover, households earning more than \$50,000 per year could afford to pay higher rents than what the market offers.
- It should be noted that Texas is unique compared to many other states in that it does not have an income tax. As such, property taxes are comparatively high and because landlords pass these costs onto renters, rents are also comparatively high. However, renters in Texas are paying less in income tax and therefore have higher monthly take home income than a state with an income tax.

In addition, although the gap analysis indicates that there are more renter households earning more than \$50,000 than units they can afford, this does not always mean that there is pent up demand for higher end rental units. High income renters often choose to rent at levels lower than what they could afford because they are in a period of transition, are saving money to buy a home or simply choose to keep their housing costs very low. True demand for such units would need to be estimated using a more detailed market analysis.

**Renter cost burden.** An examination of cost burdened households—those who pay more than 30 percent of their incomes in housing cost—helps identify which households have the greatest needs. These households may be cutting back on necessary household expenses because of housing costs; they might also be at risk of eviction or foreclosure.

In 2008, the Census estimated that 96 percent of renter households (excluding those renters whose income was not computed) earning less than \$20,000 per year paid more than 30 percent of their monthly income toward rent and utilities, meaning they were cost burdened; this equaled approximately 4,188 renter households. This is higher than the number of affordable rental units that the city is lacking (2,481 according to the analysis).

**Exhibit E-42.  
Renters Who Are Cost Burdened,  
City of Plano, 2008**

Note:  
Of the total 32,462 renter households,  
698 renter households were not computed.

Source:  
U.S. Census Bureau 2008 American Community Survey.

Income Range	Cost Burdened		Not Cost Burdened	
	Households	Percent	Households	Percent
Less than \$10,000	1,240	90%	143	10%
\$10,000 to \$19,999	2,948	99%	42	1%
\$20,000 to \$34,999	5,781	94%	350	6%
\$35,000 to \$49,999	2,656	42%	3,710	58%
\$50,000 to \$74,999	1,098	16%	5,578	84%
\$75,000 or more	555	7%	7,663	93%
<b>Total</b>	<b>14,278</b>	<b>45%</b>	<b>17,486</b>	<b>55%</b>

**Homeownership mismatch.** This gap analysis for the affordability of homes for sale was conducted to examine how easily renters at different income levels can afford to buy a home in the for-sale market. The distribution of for sale units by price for Plano was based on 2008 and 2009<sup>15</sup> listings and sales of homes in the City of Plano.

**Renter/for-sale mismatch.** Exhibit E-43 shows the estimated number and proportion of renter households in each income category in 2008, along with the number and proportion of homes affordable to them as of 2008 and 2009. This shows how affordable the for-sale market was for renters looking to buy during 2008 and 2009. It should be noted that these data includes single family, duplexes, townhouses and condominiums.

**Exhibit E-43.  
Affordability of Residential For-Sale Market to Plano’s Renters, 2008 and 2009**

	Maximum Affordable Home Price	Renters		MLS Units, 2008 & 2009		
		Number	Percent	Number	Percent	Cumulative Percent
Less than \$5,000	\$3,471	915	3%	1	0.0%	0.0%
\$5,000 to \$9,999	\$20,845	676	2%	0	0.0%	0.0%
\$10,000 to \$14,999	\$38,220	1,556	5%	1	0.0%	0.0%
\$15,000 to \$19,999	\$55,594	1,538	5%	11	0.2%	0.2%
\$20,000 to \$24,999	\$72,968	1,705	5%	57	0.8%	1.0%
\$25,000 to \$34,999	\$107,716	4,533	14%	340	4.8%	5.8%
\$35,000 to \$49,999	\$159,838	6,366	20%	1,401	19.7%	25.5%
\$50,000 to \$74,999	\$246,709	6,888	21%	2,616	36.8%	62.3%
\$75,000 to \$99,999	\$333,580	4,242	13%	1,270	17.9%	80.1%
\$100,000 to \$149,999	\$507,321	3,288	10%	864	12.2%	92.3%
\$150,000 or more	\$507,324 +	755	2%	550	7.7%	100.0%

Note: Mortgage loan terms are assumed as follows: 30 year fixed, 6.0 percent, 10 percent downpayment. The affordable mortgage payment is also adjusted to incorporate hazard insurance, property taxes and utilities.

Source: Richard Fricks - Keller Williams Realty, U.S. Census Bureau 2008 American Community Survey and BBC Research & Consulting.

As shown in Exhibit E-43, renters who earn less than \$50,000 per year have a difficult time finding an affordable home to purchase. Indeed, 53 percent of renters earned less than \$50,000 per year, while 25 percent of the for-sale market (around 1,800 units) was affordable to them in 2008 and 2009.

<sup>15</sup> Year-to-date estimate as of November 18, 2009.

**Homeownership summary.** The homeownership gap analysis exercise identified the following mismatches in Plano’s market:

- In 2008 and 2009, there were 7,111 residential units for sale or sold in Plano. Renters earning less than \$50,000 per year—half of Plano’s renter population—could afford to buy 25 percent of the units for sale or sold in Plano. Renters in these income brackets find homeownership largely unattainable in Plano’s market and most renters find Plano’s market to be too expensive for them. Indeed, renters must earn at least \$65,000 a year before more than half of the units become affordable to them.
- An estimated 25 percent of homes for sale or sold were affordable to households who earn at least \$50,000. Therefore, households who earn \$35,000 to \$50,000 would benefit from programs such as downpayment assistance, homebuyer education and credit counseling to help get them into homes.

**Homeownership cost burden.** The Census estimates that in 2008, 23 percent of Plano’s households who own their own homes were cost burdened. This is equivalent to approximately 14,487 households.

As shown in Exhibit E-44, 26 percent of Plano’s households who owned their own homes and had a mortgage payment were cost burdened, compared with 12 percent who did not have a mortgage payment. Households without a mortgage payment can experience cost burden when the cost of hazard insurance, property taxes and utilities exceeds 30 percent of their household income.

Cost burden is very high among Plano’s lowest income homeowners—100 percent of owners earning less than \$20,000 per year who have a mortgage were cost burdened in 2008 (1,458 households) and 97 percent of homeowners earning between \$20,000 and \$35,000 who have a mortgage were cost burdened (1,902 households). In addition, 81 percent of owner households earning less than \$20,000 and who do not have a mortgage were cost burdened. Households earning more than \$75,000, both with and without a mortgage, are unlikely to be cost burdened in Plano’s market.

**Exhibit E-44.  
Owners Who Are Cost Burdened,  
City of Plano, 2008**

Note:  
Of the total 62,742 owner-occupied households, 371 had zero or negative income.

Source:  
U.S. Census Bureau 2008 American Community Survey.

Income Range	Cost Burdened		Not Cost Burdened	
	Households	Percent	Households	Percent
<b>With a mortgage:</b>				
Less than \$20,000	1,458	100%	0	0%
\$20,000 to \$34,999	1,902	97%	58	3%
\$35,000 to \$49,999	2,527	92%	232	8%
\$50,000 to \$74,999	2,858	51%	2,716	49%
\$75,000 or more	4,190	11%	33,401	89%
<b>Total</b>	<b>12,935</b>	<b>26%</b>	<b>36,407</b>	<b>74%</b>
<b>Not mortgaged:</b>				
Less than \$20,000	826	81%	190	19%
\$20,000 to \$34,999	368	28%	930	72%
\$35,000 to \$49,999	45	7%	588	93%
\$50,000 to \$74,999	241	14%	1,500	86%
\$75,000 or more	72	1%	8,269	99%
<b>Total</b>	<b>1,552</b>	<b>12%</b>	<b>11,477</b>	<b>88%</b>

**Disproportionate need.** HUD requires that cities consider “disproportionate need” as part of examining housing needs. Disproportionate need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least 10 percentage points higher than the percentage of persons in a category as a whole.

HUD uses a needs table (“CHAS data”) that reports housing needs by tenure, income and racial/ethnic category to determine disproportionate need. Using this table, we compared housing needs by race and ethnicity and mobility limitation to determine disproportionate need. Through this comparison, we found that disproportionate need exists for the following categories:

- **All households**—In 2000, the percentage of Hispanic households with housing problems was 49 percent. This compared with 23.5 percent of all households with housing problems—a difference of 25.5 percentage points. The other minority populations had differences of less than 10 percentage points when compared to all households.
- **Renters**—Hispanic and disabled renters have a much higher likelihood of having housing problems: About 60 percent of Hispanic households and 50 percent of disabled households have some type of housing problem, including affordability, compared with 35 percent for all households.
- **Owners**—Hispanic owners have a higher likelihood of housing problems (36 percent) compared to 18 percent overall.
- **Household income less than 30 percent of MFI**—A disproportionate need was found for all Hispanic households earning less than 30 percent of MFI. The percentage of Hispanic households with housing problems was 94 percent. This compared with 79 percent of all households at this income with housing problems, a difference of 15 percentage points. The other minority populations had differences of less than 10 percentage points when compared to all households in this income category.
- **Households income 30 to 50 percent of MFI**—No disproportionate need exists for any race or ethnicity for this income compared to the needs of that category as a whole.
- **Household income 50 to 80 percent of MFI**—No disproportionate need exists for any race or ethnicity for this income compared to the needs of that category as a whole.

**Quantifying Housing Needs.** This section provides a summary and quantification of the city’s housing need, incorporating the information from the above analyses. Plano’s primary housing needs are quantitatively summarized in Exhibit E-45. These needs are organized around the following household types:

- Extremely low income renters;
- Extremely low and very low income owners; and
- Renters wanting to purchase a home.

**Exhibit E-45.  
Priority Housing Needs, City of Plano**

Household Type	Maximum Affordable Rent	Maximum Affordable Home Price	Primary Needs	Number of Households with Needs
Renters earning less than \$20,000	\$500	N/A	<ul style="list-style-type: none"> <li>■ Rental assistance.</li> <li>■ Homeownership not attainable.</li> </ul>	<ul style="list-style-type: none"> <li>● 4,188 renters</li> </ul>
Renters earning \$20,000 to \$34,999	\$875	N/A	<ul style="list-style-type: none"> <li>■ Rental assistance.</li> <li>■ Homeownership not attainable.</li> </ul>	<ul style="list-style-type: none"> <li>● 5,781 renters</li> </ul>
Owners earning less than \$35,000	N/A	\$107,716	<ul style="list-style-type: none"> <li>■ Potential assistance with home maintenance costs and mortgage payment.</li> </ul>	<ul style="list-style-type: none"> <li>● 4,554 cost burdened owners</li> </ul>
<b>Renters Wanting to Buy</b>				
All Plano Renters			<ul style="list-style-type: none"> <li>■ Finding available affordable units.</li> <li>■ Potential downpayment assistance.</li> </ul>	<ul style="list-style-type: none"> <li>● 20,292 renters (or 63%) cannot afford median sales price.</li> </ul>

Source: BBC research & Consulting.

According to the Census, an estimated 4,188 renter households who earned less than \$20,000 per year were cost burdened. If the city maintains its projected household growth, extremely low income renters experience the same household growth as the city overall, and no new units are developed to assist this group, this need will increase to 4,744 renter households in 2014.

The following exhibit shows the needed housing units for Section 8 vouchers, public housing units, and renters and owners by income categories for 2009 and 2014.

**Exhibit E-46.  
Future Housing Needs, City of Plano**

Note:

Renter and owner needs are based on the number of households who were cost burdened according to the 2008 American Community Survey.

\*Public housing units and HCV needs is based on the length of the wait list the last time the lists were opened. The needs are most likely greater than the estimated number due to the high volume of weekly assistance requests and the time that has lapsed since the wait lists were opened.

Source:

BBC Research & Consulting.

	2009	2014
<b>Renters</b>		
Extremely low Income	4,188	4,744
Very low income	5,781	6,549
Low Income	2,656	3,009
Moderate Income	625	708
High Income	1,028	1,165
<b>Owners</b>		
Extremely low Income	2,284	2,587
Very low income	2,270	2,571
Low Income	2,572	2,914
Moderate	1,763	1,997
High Income	5,598	6,342
<b>Subsidized Housing</b>		
*HC Vouchers & PHA Units	1,200	1,359

**APPENDIX F.**  
**Housing and Non-Housing**  
**Needs for Special Needs Populations**

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## **APPENDIX F.**

# **Housing and Non-Housing Needs for Special Needs Populations**

This section discusses the housing and community development needs of special needs populations in the City of Plano, pursuant to Sections 91.205, 91.210 and 91.215 of the Local Government Consolidated Plan Regulations.

Due to lower incomes and the need for supportive services, special needs groups are more likely than the general population to encounter difficulties finding and paying for adequate housing, and often require enhanced community services. The groups discussed in this section include:

- Extremely low income populations;
- Plano Housing Authority residents
- Persons experiencing homelessness and at-risk of homelessness;
- The elderly and frail elderly;
- Persons with disabilities;
- Persons with HIV/AIDS; and
- At-risk youth

The methodology used to gather and analyze information for the housing and non-housing needs assessment involved a variety of tasks including review and analysis of secondary data; and existing studies on the housing needs of special populations including persons who are homeless, as well as interviews with stakeholders and service providers that work with Plano residents.

Plano has the benefit of being part of a larger metropolitan area. As such, it is able to rely on surrounding communities for assistance in providing services for its special needs populations, as opposed to providing all services internally. Plano residents have access to services provided in Collin County, Dallas and other nearby communities. This chapter provides information on housing and service opportunities for special needs populations in Plano, as well as housing and services commonly accessed by Plano residents in the surrounding communities.

### **Extremely Low Income Populations**

**Population.** HUD provides special tabulations of the 2000 Census, called Comprehensive Housing Affordability Strategy (CHAS) data, to show income constraints for various segments of the population.

CHAS data is provided in accordance with median family income, or MFI. HUD divides low and moderate income households into categories, based on their relationship to the MFI: extremely low income (earning 30 percent or less of the MFI), very low income (earning between 31 and 50 percent of the MFI), low income (earning between 51 and 80 percent of the MFI) and moderate income (earning between 81 and 95 percent of the MFI).

According to 2000 CHAS data, there were 15,197 low income households in the City of Plano in 2000. The majority of these households—11,113 or about 73 percent—had some type of housing problem. Exhibit F-1 shows the number of low income households with housing needs by income range.

**Exhibit F-1.  
Low Income Households with Housing Problems, City of Plano, 2000**

	Less than 30% of MFI	30% to 50% of MFI	50% to 80% of MFI	Total Low Income Households	Percent of Total Low Income Households
<b>Total Households</b>	<b>3,308</b>	<b>3,506</b>	<b>8,383</b>	<b>15,197</b>	<b>100%</b>
With any housing problem	2,613	2,899	5,600	11,113	73%
Cost Burden	2,521	2,805	4,862	10,188	67%
Severely Cost Burden	2,283	1,641	1,257	5,181	34%

Note: HUD defines any housing problem as being cost burdened, living in overcrowded conditions, and/or living in units without complete kitchen and plumbing facilities.

Source: 2000 Comprehensive Housing Affordability Strategy (CHAS) data.

**Low income renters.** Data produced by HUD also provides information on the housing needs of low income renters by household type (CHAS data). Exhibit F-2 presents the housing needs data for low income renters in Plano in 2000. It shows that the majority of low income renters have housing problems, mostly related to affordability (cost burdened).

**Exhibit F-2.  
Low Income Renter Households with Housing Problems, City of Plano, 2000**

	Less than 30% of MFI	30% to 50% of MFI	50% to 80% of MFI	Total Low Income Households	Percent of Total Low Income Households
<b>Total Renter Households</b>	<b>2,025</b>	<b>2,108</b>	<b>4,901</b>	<b>9,034</b>	<b>100%</b>
With any housing problem	1,531	1,878	3,362	6,771	75%
Cost Burden	1,452	1,834	2,808	6,094	67%
Severely Cost Burden	1,355	991	382	2,728	30%

Note: HUD defines any housing problem as being cost burdened, living in overcrowded conditions, and/or living in units without complete kitchen and plumbing facilities.

Source: 2000 Comprehensive Housing Affordability Strategy (CHAS) data.

**Low income owners.** Exhibit F-3 presents the CHAS data for low income owners in Plano. Compared to renters, there are fewer owners in all of the income categories that have housing needs, who are cost burdened in Plano.

**Exhibit F-3.  
Low Income Owner Households with Housing Problems, City of Plano, 2000**

	Less than 30% of MFI	30% to 50% of MFI	50% to 80% of MFI	Total Low Income Households	Percent of Total Low Income Households
<b>Total Owner Households</b>	<b>1,283</b>	<b>1,398</b>	<b>3,482</b>	<b>6,163</b>	<b>100%</b>
With any housing problem	1,084	1,021	2,242	4,347	71%
Cost Burden	1,069	970	2,054	4,093	66%
Severely Cost Burden	929	651	877	2,458	40%

Note: HUD defines any housing problem as being cost burdened, living in overcrowded conditions, and/or living in units without complete kitchen and plumbing facilities.

Source: 2000 Comprehensive Housing Affordability Strategy (CHAS) data.

In general, low income owners need assistance with home repairs and maintenance (especially large homeowner households of 5 or more persons); emergency assistance for mortgage or utilities payments in times of great need; and for cost burdened owners, financial literacy and, in worst case scenarios, foreclosure prevention and counseling.

The City of Plano’s lowest income owners and renters are primarily served through assisted housing programs, which are discussed below.

**Renter resources.** The City of Plano’s lowest income renters are primarily served through assisted housing programs through the Plano Housing Authority (PHA). The PHA owns and manages 24 public housing units scattered throughout the City of Plano. The 24 units are 3 and 4 bedroom single family homes located in mixed income neighborhoods. The PHA also provides Section 8 Housing Choice Vouchers (HCV) to eligible applicants, including Plano residents. Currently, there are 842 vouchers administered by the PHA. An additional 306 vouchers are located in Plano (ported in), but are administered by other housing authorities.

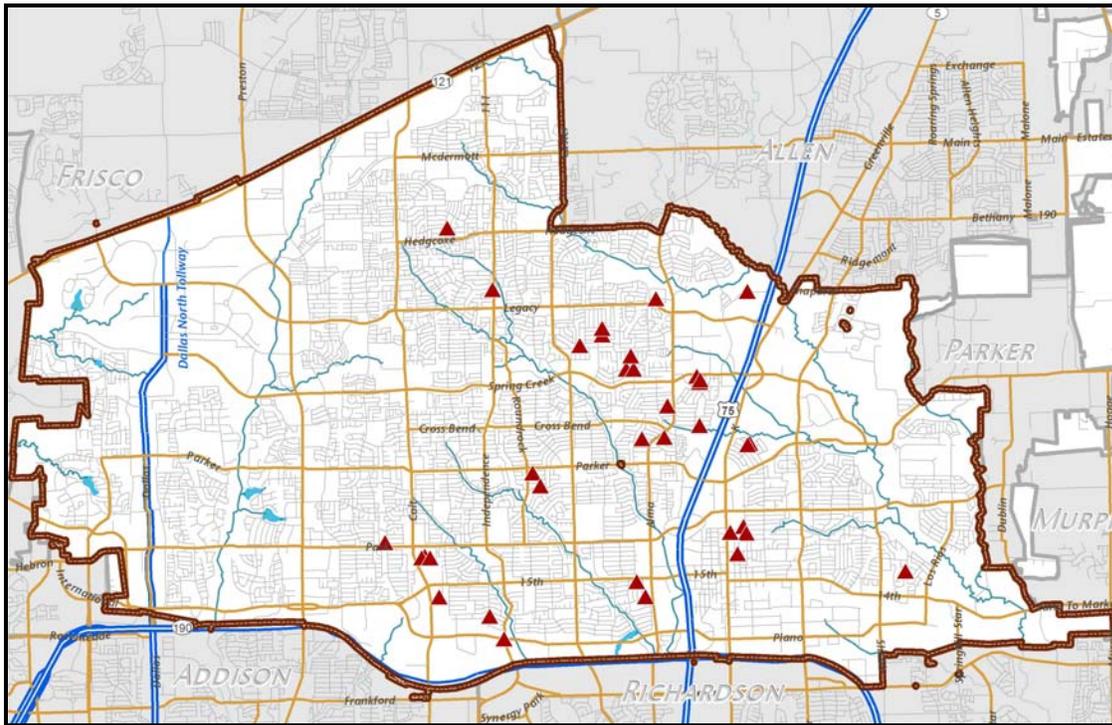
Additionally, there are units built using Low Income Housing Tax Credits (LIHTC) and funding through the U.S. Department of Housing and Urban Development in Plano. There are also a number of privately owned multifamily complexes that are LIHTC, accept Section 8 or fall under the HUD rental income guidelines. Exhibit F-4 lists those facilities and Exhibit F-5 maps those facilities.

**Exhibit F-4.  
Affordable Housing Units, City of Plano**

Name	Number of Assisted Units	Current Year to Expire	Unit Description	Address
Scattered Site (PHA)	24		Single Family Homes	Locations Vary
Housing Choice Vouchers (PHA)	842		Vary	Locations Vary
Housing Choice Vouchers (Ported in)	306		Vary	Locations Vary
Collin County Community Homes	8	2010	Disabled	3020 Dartmouth Drive
Evergreen at Plano Parkway	250		Elderly	2900 W. Plano Parkway
Garden Gate Apartments	240		General	1201 Legacy Drive
Pioneer Place Senior Housing	60	2011	Elderly	1928 Avenue K
Plano Community Homes I	72	2011	Elderly	1612 Avenue L
Plano Community Homes II	57	2012	Elderly	1612 Avenue L
Plano Community Homes III	60	2016	Elderly	3905 American Drive
Plano Community Homes IV	60	2010	Elderly	3925 American Drive
Plano Community Homes V	47	2010	Elderly	3915 American Drive
The Plaza at Chase Oaks	240		Elderly	NEQ of Chase Oaks Blvd and Legacy
Tuscany Villas	90		Elderly	7200 Blk of Chase Oaks Blvd.
Villas of Mission Bend	101		Elderly	1201 Medical Ave.
Windhaven Apartments	194			Parkwood Blvd.
<b>Total Assisted Units</b>	<b>2,651</b>			

Source: U.S. Department of Housing and Urban Development, Texas Department of Housing and Community Affairs and the Plano Housing Authority.

**Exhibit F-5.**  
**Location of Affordable Housing Units, City of Plano**



Source: U.S. Department of Housing and Urban Development, Texas Department of Housing and Community Affairs and the Plano Housing Authority.

The wait lists of public housing authorities in the area also demonstrate the need for affordable rental housing for the lowest income renters: As of December, 2009, there were collectively 585 households on the PHA wait list for Section 8 HCVs and 43 households on the wait list for PHA public housing units in Plano.<sup>1</sup> The last time the PHA wait lists were open was in September 2007. At that time the PHA signed up approximately 1,200 families within a four hour period. The wait lists are purged, meaning the families on the list are contacted to see if they would like to remain on the list (if not then they are removed), in January and August of each year. The approximate length of the wait for PHA units could be 2 years or longer and the length of wait for the vouchers can be longer than the wait for the public housing units. The PHA has not issued new vouchers for at least one year. Wait lists are opened as needed to insure that eligible applicants are processed and available to occupy vacated housing units and for the issue of Section Housing Choice Vouchers. They typically open ever 2 to 3 years. These low income renters represent those renters with some of the greatest housing needs in Plano, since their other housing options are very limited.

Additionally, the PHA has recently been receiving an average of 15 to 20 calls or emails a week requesting assistance. The majority of these families have never previously applied for social service assistance and are people who have recently lost their jobs and mortgages foreclosed. These requests are coming from an entirely different part of the population who commonly do not need assistance.

The PHA also provides opportunities to its clients to achieve self sufficiency and to become homeowners, these programs are discussed below in the Plano Housing Authority Residents section.

<sup>1</sup> These numbers do not account for duplication of households between the voucher and PHA unit waiting lists.

**Owner resources.** Because Plano contains a large proportion of homeowners, the city has specific programs available for homeowners in Plano. Program information can be found on the city's website.<sup>2</sup>

The city's Housing Rehabilitation Program provides funds for housing repairs considered essential to income-qualified families' health, safety and welfare. The program is funded with CDBG and HOME grants. The city typically rehabilitates 21 to 24 homes annually and approximately half of these homes are occupied by persons who are elderly and/or disabled. The most common items repaired include foundations, HVAC (heating, ventilating and air conditioning) systems, energy efficiency improvements, roofs and emergency repairs.

The city also provides a First Time Homebuyers Financial Assistance Program to qualifying households. The program is funded with CDBG and HOME grants. The program provides financial assistance in the form of non-repayable grants that can be used for down payment and closing costs. The city also recently started a Foreclosure Rehabilitation Program. This program allows first time homebuyers to obtain funds to rehabilitate a home that has been foreclosed upon and is in need of rehabilitation.

The city also assists affordable housing developers through the HOME and CDBG grants. Funds have assisted three developers. The Christ United Methodist Church has used HOME funds to build 8 affordable homes, averaging 1 home per year. Habitat for Humanity uses HOME funds to purchase the lots where affordable homes will be built. Plano Housing Corporation (PHC) is a designated Community Housing Development Organization (CHDO) who uses HOME funds to rehabilitate homes and to provide down payment assistance. PHC also receives some CDBG funds.

### **Plano Housing Authority Residents**

The needs of public housing residents in Plano are generally: health, social, education, employment and training, livable wage- and income-related. Commonly PHA residents—as well as Housing Choice voucher holders—have incomes of less than \$25,000. As demonstrated in the rental gap analysis conducted in Appendix E, the private market does not provide housing to accommodate households in this income range. If these households did not have access to public housing, Housing Choice Vouchers and Section 8 programs (Project Based Assistance) they would be cost burdened, most likely severely cost burdened.

Since the public housing residents and voucher holders are housed, their greatest needs are related to their inability to earn sufficient incomes to access private-market, permanent housing or homeownership opportunities. Approximately 23 percent of voucher holder's primary income comes from SSI and another 23 percent's primary income comes from Social Security. These individuals have limited potential to increase their incomes and are likely to continue needing assisted housing. For the remainder of PHA residents, education, job training and access to jobs that pay a living wage, is necessary to help them become more self sufficient. These residents may encounter competition in the workforce from young persons who are willing to work for lower wages in exchange for experience, and more often may be more qualified and educated than PHA residents. In addition, a high percentage of the public housing clients are single mothers. Therefore deeply subsidized childcare is needed to help these single parents who are PHA residents receive job training and work.

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<sup>2</sup> <http://plano.gov/Departments/Planning/Neighborhood%20Services/Pages/defaultns.aspx>

The PHA clients are also provided opportunities to achieve self sufficiency and to become homeowners, if they qualify.

- **The Family Self Sufficiency program (FSS)** provides opportunities for education, job training, counseling, budget and credit education, and other forms of social and private services to help families achieve self sufficiency.
- **The Section 8 Homeownership Program** encourages HCV holders to use their vouchers to purchase a home. The PHA subsidizes the mortgage of the homeowner/voucher holder in the same manner as the rental subsidy program. Households must qualify to participate in the program. Since the program began in 2002, 44 HCV holders have become homeowners.

**Disproportionate need.** An examination of CHAS data for 2000 found that disproportionate need exists for extremely low income small families, large families and all other households who are renters, as they tend to have higher incidences of housing problems.

### **Persons Experiencing Homelessness and At Risk of Homelessness**

This section provides a summary of the nature and extent of homelessness in the City of Plano, as learned from the 2009 Collin County Point in Time (PIT) survey completed by the Metro Dallas Homeless Alliance.<sup>3</sup>

This section also estimates the characteristics and needs of low income households who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered.

**Definition.** The Stewart B. McKinney Homelessness Act defines a person experiencing homelessness as “one who lacks a fixed permanent nighttime residence or whose nighttime residence is a temporary shelter, welfare hotel or any public or private place not designated as sleeping accommodations for human beings.” It is important to note that this definition includes those living with friends or relatives on a temporary basis as well as the more visible homeless in shelters or on the streets.

HUD’s definition of homelessness is slightly more comprehensive. In addition to defining individual and families sleeping in areas “not meant for human habitation,” the definition includes persons who:

- “Are living in transitional or supportive housing for homeless persons but originally came from streets or emergency shelters;
- Ordinarily sleep in transitional or supportive housing for homeless persons but are spending a short time (30 consecutive days or less) in a hospital or other institution;
- Are being evicted within a week from private dwelling units and no subsequent residences have been identified and they lack resources and supportive networks needed to obtain access to housing; or
- Are being discharged within a week from institutions in which they have been residents for more than 30 consecutive days and no subsequent residences have been identified and they lack the resources and support networks needed to obtain access to housing.”

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<sup>3</sup> This is the most recent homeless survey completed that covers Plano.

This definition demonstrates the diversity of people experiencing homelessness. The numerous locations in which people experiencing homelessness can be found complicate efforts to accurately estimate their total population.

**Chronic homelessness.** According to the U.S. Department of Housing and Urban Development (HUD) a person who is chronically homeless is defined as “an unaccompanied homeless individual with a disabling condition who has either been continuously homeless for a year or more, or has had at least four episodes of homelessness in the past three years.”

**Total population.** Estimating the total population of persons experiencing homelessness on a nationwide, statewide or even local level, is challenging due to of the various types of homelessness and difficulties in locating the population. For example, an individual living with friends on a temporary basis could be experiencing homelessness, but would be unlikely to be identified in a homeless count.

The Metro Dallas Homeless Alliance (MDHA) estimated the Collin County homeless population to be 211 at the time of the 2009 survey. This is an increase of 38 percent from the 2008 homeless PIT count. Of the 211 counted in 2009, 45 (21 percent) were located within Plano city limits.

City of Plano homeless count participants completed surveys while staying in emergency shelter(s) and/or supportive housing, living outdoors, or while in jail. The City of Plano has two agencies that provide emergency shelter and/or supportive housing to homeless person(s): Collin Intervention to Youth (CITY House) and Hope’s Door. Consequently, the Plano homeless count represents those staying in housing provided by one of the aforementioned agencies or those living outdoors and/or staying in jail, as identified by Plano Police Department volunteers.

Likewise, a large portion of Collin County Homeless Count participants completed surveys while staying at the Samaritan Inn, Collin County’s only emergency homeless shelter and/or supportive housing for individuals and families. LifePath, a behavioral services agency which serves individuals diagnosed with mental illness, also had their homeless clients complete the survey.

The survey also gave individuals an opportunity to state the city in which they became homeless, thereby acknowledging the difference between the location that a survey is completed and the city in which homelessness occurred. Of those households who were not counted while in Plano, 12 households had reported that they became homeless while living in the City of Plano. Eight of those individuals completed surveys within McKinney city limits, and the remaining four completed surveys within Dallas city limits.

The survey results indicate that there were total of 100 homeless individuals (including adults and children) with a Plano connection. These 100 individuals consisted of 17 homeless families, 23 homeless individuals and 17 unaccompanied youth that night. Thirty-nine percent of the households were headed by females, 25 percent were males and the remaining 37 percent did not have a recorded gender. The PIT Count also included data on race and ethnicity of the homeless individuals (not including unaccompanied youth) and families. Of these households 33 percent were Caucasian (White), 28 percent Hispanic/Latino, 23 percent African American, 3 percent American Indian and the remaining 15 percent classified themselves as other or did not answer the question.

The night before the survey, most of the households stayed in emergency shelter (40 percent) or in transitional housing (33 percent). Sixteen percent of survey recipients reported having mental illness and 18 percent reported being disabled.

Homeless households were also asked to give the reasons they became homeless: 46 percent responded “yes” that family problems was a reason they became homeless; 42 percent said domestic violence was one reason that contributed to their homeless status; 28 percent responded not having enough money as a reason; and 19 percent responded they had lost their job. Exhibit F-6 summarizes the key characteristics of the homeless population with a Plano connection as gathered from the 2009 point-in-time homeless survey.

**Exhibit F-6.**  
**Continuum of Care Homeless Population and Subpopulations Chart, City of Plano, 2009**

Part 1: Homeless Population	Sheltered		Unsheltered	Total
	Emergency	Transitional		
Number of Families with Children (Family Households):	5	12	0	17
1. Number of Persons in Families with Children	20	40	0	60
2. Number of Single Individuals and Persons in Households without children	18	10	5	33
<b>(Add Lines Numbered 1 &amp; 2 Total Persons)</b>	<b>38</b>	<b>50</b>	<b>5</b>	<b>93</b>
Part 2: Homeless Subpopulations	Sheltered		Unsheltered	Total
a. Chronically Homeless	2		3	5
b. Seriously Mentally Ill	9			
c. Chronic Substance Abuse	5			
d. Veterans	7			
e. Persons with HIV/AIDS	0			
f. Victims of Domestic Violence	19			
g. Unaccompanied Youth (Under 18)	17			

Source: Metro Dallas Homeless Alliance, 2009 Point-in-Time Count.

Through the McKinney-Vento Act, Plano Independent School District served approximately 130 students who qualified for assistance because of being in a homeless situation. All received free meals, clothing, transportation, school supplies and medical/dental care.

**National characteristics of persons experiencing homelessness.** The U.S. Conference of Mayors released the 2008 Hunger and Homelessness Survey Results in December 2008. The report reveals that on average, cities reported a 12 percent increase in homelessness from 2007 to 2008, with 16 cities citing an increase in the number of homeless families. The lack of affordable housing, poverty and unemployment were cited as the primary causes of homelessness for families. For individuals, the top three causes cited were substance abuse, affordable housing and mental illness.

While the only consistent characteristic of the homeless is the lack of a permanent place to sleep, there are a number of sub-groups that are typically part of the homeless population. These include the following:

- **HIV/AIDS.** National estimates place the proportion of homeless persons who are HIV positive at 15 percent. The Plano PIT count did not record any homeless persons with HIV/AIDS.

- **Substance Abuse.** A HUD study found that 31 percent of homeless individuals who contact shelters, food pantries or other assistance providers have an alcohol problem, 19 percent have a drug problem and 7 percent have both. Five of the sheltered homeless individuals in Plano responded they have a substance abuse problem.
- **Mental Illness.** HUD estimates that 39 percent of homeless persons who contact an assistance provider are mentally ill. Nine of the sheltered homeless individuals in Plano responded they had a mental illness.
- **Victims of domestic violence and sexual assault.** When a woman leaves an abusive relationship, she often has nowhere to go. Lack of affordable housing and long waiting lists for assisted housing mean that many women and their children are forced to choose between abuse at home or the streets. In 2008, their report to the U.S. Conference of Mayors reported an estimated 15 percent of homeless persons were victims of domestic violence. Nineteen sheltered homeless households in Plano responded they had experienced domestic violence.
- **Youth and children.** In many communities, the fastest growing population of persons who are homeless are children and youth, especially youth aging out of foster care. There were 43 sheltered homeless children, 17 of which were unaccompanied youth, in Plano according to the PIT count.

**At risk of homelessness.** In addition to those who have experienced homelessness in the past or are captured in a point-in-time estimate of current homelessness, there are many individuals and households who are at risk of future homelessness.

Data from the 2008 ACS estimates that 13 percent of Plano renters earning less than \$20,000 per year and an additional 18 percent of those earning between \$20,000 and \$34,999 per year are cost burdened. Households are said to be “cost burdened” when the proportion of household income needed to make monthly housing payments exceeds 30 percent. An unexpected hardship such as the loss of a job or an illness can quickly force these individuals into homelessness. Thus, these households are considered at risk of homelessness. Exhibit F-7 displays the number of households by tenure who are considered at risk of homelessness.

**Exhibit F-7.  
Cost Burdened  
Households by Income by  
Tenure, City of Plano,  
2008**

Source:  
U.S. Census Bureau 2008 American  
Community Survey.

Income Range	Owners		Renters	
	Households	Percent of Owners	Households	Percent of Renters
Less than \$20,000	2,284	3.6%	4,188	12.9%
\$20,000 to \$34,999	2,270	3.6%	5,781	17.8%
\$35,000 to \$49,999	2,572	4.1%	2,656	8.2%
\$50,000 to \$74,999	3,099	4.9%	1,098	3.4%
\$75,000 or more	4,262	6.8%	555	1.7%
<b>Total Cost Burdened</b>	<b>14,487</b>	<b>23.1%</b>	<b>14,278</b>	<b>44.0%</b>

Plano residents housed, but at risk of homeless have several options. Several organizations in Collin County offer rent and utility assistance when funds are available. The Assistance Center of Collin County is once such organization: they assist as well as refer clients to other agencies who are able to help.

**Emergency and transitional housing.** Homeless shelters can include emergency overnight housing and longer-term transitional housing. Emergency shelters are those facilities designed to temporarily house homeless persons who have recently become homeless. They typically offer food, case management, training and employment services to help these persons to live on their own as soon as possible. Emergency shelters are not meant to become permanent residences of homeless people and most cap stays at 90 days.

Transitional housing programs offer temporary but longer-term housing for homeless persons in order to help them transition into employment and economic self-sufficiency. These programs typically offer housing and supportive services for several months up to two years.

There is one homeless shelter, one emergency youth shelter and one domestic violence emergency shelter located in Collin County. The Samaritan Inn, located in McKinney, provides individuals and families transitional and emergency housing and supportive services. Services include teaching self-sufficiency and life skills to assist the needs of people, during, and after a homeless situation.

Hope's Door is a shelter and counseling center that offers comprehensive programs and services that are designed to help break the cycle of domestic abuse. Hope's Door provides emergency and transitional shelter and direct intervention and prevention services to families affected by domestic abuse in Collin County, Dallas County, and surrounding areas. Since 1989, Hope's Door has provided safe shelter for over 3,787 women and their children, and answered over 16,000 crisis line calls.

CITY House, located in Plano, runs a 12 bed transitional shelter for youth ages 18 to 23 years, a 24 bed safe home for children ages newborn to 17 who are Child Protective Services cases and also offers non-residential services for youth ages 16 to 23. The shelter serves youth in Collin County and the surrounding counties of Dallas, Tarrant, Kaufman, Denton and Rockwall. The safe home for newborns to 17 year olds, My Friend's House, recently opened in November 2009. My Friend's House provides a safe home for children who are under Child Protective Services. It has a focus on keeping sibling groups together and meeting the needs of children with special abilities and primary medical needs. The non-residential services, under the transitional living program, provides services to 16 to 23 year olds who need help transitioning to the responsibilities of adulthood. Services are provided to pregnant, parenting, and homeless young adults.

LifePath Systems provides treatment, support and planning assistance to North Texas residents with special needs. They offer a comprehensive system of care for individuals with mental illnesses, mental retardation and developmental delays. Recently LifePath Systems has also secured a federal grant and offers permanent supported housing for eight homeless individuals with mental illness.

The following exhibit shows the shelters and type of beds available in Collin County. There are also additional facilities throughout the Dallas region that serve homeless residents needing immediate housing.

**Exhibit F-8.  
Homeless Shelters, Collin County**

Agency	Population	Beds	Type	City
CITY House	18-23 years	12	Transitional	Plano
	Newborn to 17 years	24	Safe home for CPS cases	Plano
Hope's Door	Domestic Violence	19	Emergency	Plano
	Domestic Violence	24	Transitional	Plano
	Domestic Violence	12	Transitional - Short Term	Plano
LifePath Systems	Persons with Mental Illness	8	Permanent Supported	
The Samaritan Inn	Individuals and Families	160	Transitional (can do Emergency)	McKinney
	Individuals and Families	10	Transitional Apartments	Scattered in McKinney
<b>Total Beds</b>		<b>269</b>		

Source: Metro Dallas Homeless Alliance and each organizations websites.

**Elderly and Frail Elderly**

Consistent with national trends, Plano’s population of senior citizens is expected to grow in coming years. In 2009, 7 percent of Plano’s population was aged 65 or older; the percentage of senior citizens is expected to grow to 9 percent by 2014.<sup>4</sup>

Frail elderly are defined for the purposes of this report as individuals age 65 and older with a self-care disability. In 2008, 6 percent (1,117) of non-institutionalized seniors age 65 and older in Plano reporting a disability reported having a self-care disability.

**Housing the elderly.** Elderly housing can best be described using a continuum of options, ranging from independent living situations to nursing homes with intensive medical and personal care support systems. Common steps along this housing continuum include the following:

- **Independent living.** The elderly may live with relatives, on their own or in subsidized units.
- **Congregate living.** Typically unsubsidized facilities that can be quite expensive for low and moderate income elderly. Normally, three meals per day are available, with at least one included in the monthly charge. Organized social activities are generally provided.
- **Assisted living facilities.** 24-hour non-nursing assistance, often including bathing, dressing and medication reminders. These facilities are not medical in nature and typically do not accept Medicaid reimbursement; however, nursing care is sometimes provided through home health care services. These facilities can also be fairly expensive.
- **Nursing homes.** 24-hour nursing care. Services may be generalized or specialized (e.g., for Alzheimer’s patients). Nursing homes are less medical intensive than hospitals and accept Medicaid reimbursement.

<sup>4</sup> Claritas, 2009.

Independent living is at one end of the housing continuum with little or no services provided. Skilled nursing care with comprehensive services is at the other end. The movement along the continuum is not always smooth and age is not always a factor in the level of care received. However, in most cases, the functional capabilities of an individual decline with age, which results in an increased need for services.

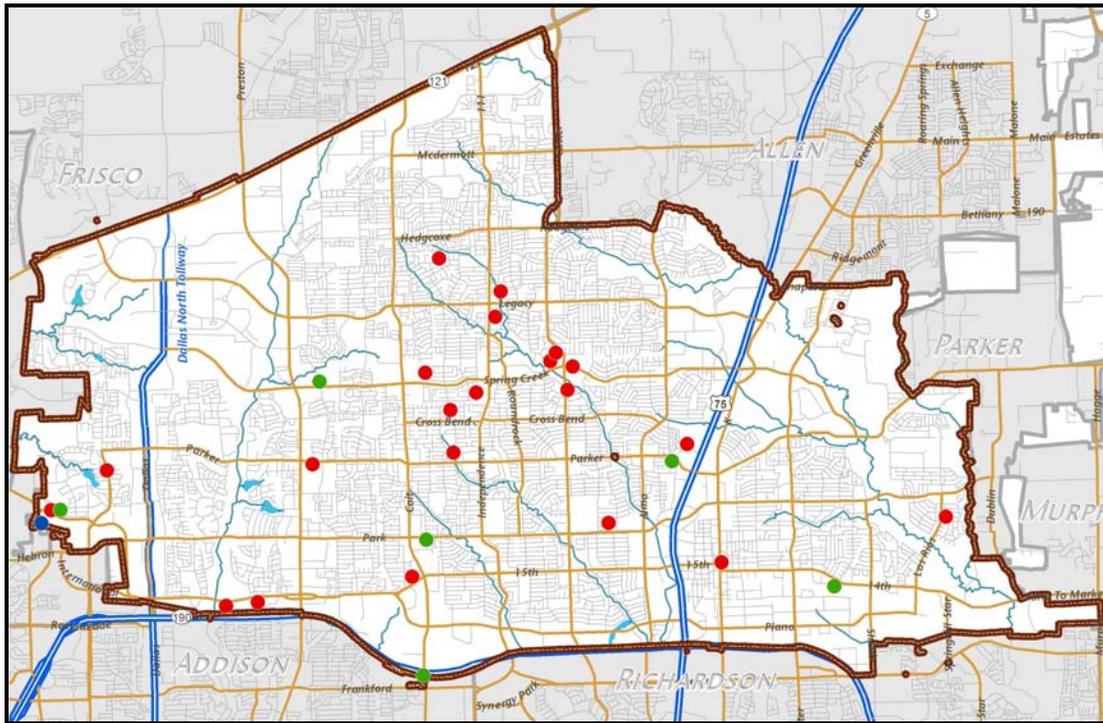
Specific data on the number of Plano seniors living in nursing homes, assisted living facilities and other group quarter settings is unavailable. However, as shown in Exhibit F-9, there are 1,721 beds available in nursing homes and assisted living facilities in Plano. Exhibit F-10 displays the geographic distribution of facilities in Plano.

**Exhibit F-9.  
Assisted Living and Nursing Home Facilities, City of Plano, 2009**

Place	Address	Beds
<b>Assisted Living:</b>		<b>997</b>
Allegro Assisted Living Services Inc	3400 Remington Dr	6
Assisted Concepts LLC	7109 Falcon Dr	8
Avalon Residential Care Homes Inc	5013 Sparrows Pt	8
Collin Creek Assisted Living Center Inc	6400 Cheyenne Tr	70
Colonial Retirement Lodge Inn	5217 Village Creek Dr	66
Creekside Alzheimers Special Care Center	2000 W Spring Creek Pkwy	56
Emeritus At Collin Oaks	4045 W 15th St	116
Groom Senior Care Homes Inc At Diane	2101 Diane Dr	9
Groom Senior Care Homes Inc.	1525 Aylesbury	9
Horizon Bay Assisted Living & Memory Care At Plano	3000 Midway Rd	88
Mission Ridge Residential Care	3320 Canoncita Ln	8
More Than Home Residential Care	3109 Phaeton Ct	5
North Texas Personal Care Homes Inc	2916 Chalfont	8
North Texas Personal Care Homes Inc	3453 Hearst Castle Way	8
Prestonwood Court	7001 W Plano Pkwy	129
Senior Residence Plano LLC	2129 Bayhill Dr	25
Silverado Senior Living - Plano	5521 Village Creek Dr	56
Spring Creek Gardens Senior Living Community	6410 Old Orchard Dr	72
Sunrise Senior Living Of Plano	4800 W. Parker Rd	114
The Garden View Home	6500 Geneseo Cir	7
The Legacy At Willow Bend	6101 Ohio Dr, Ste 600	72
The Waterford At Plano Assisted Living Community	3401 Premier Dr	57
<b>Nursing Homes:</b>		<b>724</b>
Bella Vista (Hospital-based)	2301 Marsh Lane	12
Heritage Manor Healthcare Center	1621 Coit Rd	160
Life Care Center Of Plano	3800 W Park Blvd	120
Prestonwood Rehabilitation & Nursing Center Inc	2460 Marsh Ln	132
The Collinwood	3100 S Rigsbee Rd	120
The Legacy At Willow Bend	6101 Ohio, Ste 500	60
The Park In Plano	3208 Thunderbird Ln	120
<b>Total</b>		<b>1,721</b>

Note: Assisted living facilities are regulated under Health and Safety Code, Chapter 247 and Texas Administrative Code (TAC), Title 40, Part 1, Chapter 92.  
Source: Texas Department of Aging and Disability Services.

**Exhibit F-10.  
Geographic Distribution of Assisted Living and Nursing Home Facilities, City of Plano, 2009**



Source: Texas Department of Aging and Disability Services.

In most communities, seniors prefer to stay in their own homes as long as possible. If they are nearby, family members can assist with basic care needs, enabling seniors to remain in their homes longer than they would otherwise. However, the increased work demands and the increased transience of the population in recent years have made family assistance more challenging.

Plano’s seniors have expressed a preference to age in place; 83 percent of 65 to 74 year olds and 76 percent of 75 to 84 year olds are homeowners. However, only 48 percent of residents age 85 and older are homeowners. Declining homeownership is indicative of both increasing needs for assisted living and the difficulty for individuals to support the burden of homeownership as they age. Exhibit F-11 displays tenure by age.

**Exhibit F-11.  
Tenure by Age, City of Plano, 2008**

Source:  
U.S. Census Bureau 2008 American Community Survey.

Age	Households	Percent	
		Owners	Renters
65 to 74	7,700	83%	17%
75 to 84	2,599	76%	24%
85 and over	961	48%	52%
<b>Total</b>	<b>11,260</b>	<b>78%</b>	<b>22%</b>

**Needs of the elderly.** Low income seniors face a wide range of housing issues, including substandard housing, a need for modifications due to physical disabilities as well as a lack of affordable housing.

**Substandard housing.** HUD's 1999 Elderly Housing Report provides the latest national data available on seniors living in housing in need of repair or rehabilitation.<sup>5</sup> HUD reported that six percent of seniors nationwide lived in housing that needed repair or rehabilitation. Applying this rate to Plano, it is estimated that as many as 1,200 elderly residents (approximately 6 percent of the city's elderly population) were likely to live in substandard housing in 2008.

Home maintenance can be a burden for many moderate and low income homeowners. It is a particular problem for elderly people on fixed incomes who need help with small repairs and major maintenance items, such as roof, furnace and air conditioning repairs. A common goal of organizations that work with the elderly is to assist them in any way to keep them in their own homes for as long as possible and prevent premature institutionalization. Typically, when seniors' homes fall into disrepair, it affects not only the elderly residents, but also potential future residents of those homes and the general environment of the surrounding neighborhood.

**Disability.** In 2008, 25 percent of non-institutionalized elderly persons in Plano (or 4,876 elderly persons) reported that they had some form of disability (hearing, vision, cognitive, ambulatory, self-care or independent living). Of these elderly persons with a disability, 23 percent (1,117 elderly) reported a self-care disability (e.g., bathing, dressing), 62 percent reported ambulatory difficulty and 52 percent with independent living difficulty (e.g., going outside the home alone to shop, or visit a doctor's office).<sup>6</sup> These incidence rates compare with 5 percent of non-institutionalized residents overall who reported a disability. Elderly persons with such needs are best housed in accessible housing (including assisted living and nursing home facilities), or need assistance (modifications as well as services) to remain in their homes.

**Income constraints.** Compounding the needs some seniors face for repair or improvements are the low and/or fixed incomes they have available to make those changes. Seniors are estimated to comprise 22 percent of the households in Plano earning less than \$10,000 per year in 2008 and 34 percent of households earning between \$10,000 and \$20,000 per year.

Also in 2008, 38 percent of the city's elderly households, or 4,314 households, were cost burdened (paying more than 30 percent of their annual incomes in housing costs). Elderly who own their own homes were much less likely to be cost burdened: 31 percent of owners versus 66 percent of renters spent more than 30 percent of their incomes on housing costs in 2008.

According to Comprehensive Housing Affordability Strategy (CHAS) data in 2000, 21 percent of the city's elderly households, or 2,531 households, were cost burdened (paying more than 30 percent of their annual incomes in housing costs). CHAS data also allows calculation of cost burden among elderly households with mobility and/or self-care limitations, or the frail elderly. According to 2000 CHAS data, 40 percent of one- and two-person frail elderly households, or 806 households, had housing problems including cost burden. Once again, renter households were more likely to have housing problems than owner households—45 percent versus 35 percent of frail elderly households in 2000.

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<sup>5</sup> Department of Housing and Urban Development, *Housing Our Elders: A Report Card on the Housing Conditions and Needs of Older Americans*, 1999.

<sup>6</sup> U.S. Census Bureau, 2008 American Community Survey.

**Resources.** Given the variety of housing options available to serve the elderly and the privatization of housing development, it is difficult to assess the sufficiency of housing for the city's elderly households without undertaking a comprehensive market analysis. However, the same housing problems that exist for the elderly nationwide are also likely prevalent in the City of Plano. The most pressing issues for moderate and high income elderly in the U.S. are finding facilities located in preferable areas with access to public transit and other needed community services. For low income elderly, the most difficult issue is finding affordable housing with an adequate level of care.

Housing for seniors may include Assisted Living and Nursing Home Facilities, as provided in Exhibit F-9. Additionally, there are 1,037 senior subsidized units described in Exhibit F-4.

The Texas Department of Aging and Disability Services oversees regional Area Agencies on Aging (AAAs), which provide services to seniors 60 and older. The North Central Texas Council of Governments serves as the AAA for Plano and 13 other counties. It provides a wide array of services involving nutrition, family caregiver support, legal assistance, long-term care ombudsman, in-home services and benefits counseling.

According to the Texas Department of Aging and Disability Services, there are numerous agencies in Plano that provide in-home personal care and homemaker services to individuals, namely the elderly, who live independently. These services include assistance in bathing, grooming, hygiene and ambulation, as well as housecleaning, meal preparation and laundry.

The city's Senior Recreation Center provides Plano's seniors with a variety of activities and services ranging from outdoor activities to arts and crafts to exercise classes. Although the Center does not specifically provide services to some of the senior populations we have discussed in this section (disabled, low income), it does provide a central location for seniors to connect with services and receive referrals and references.

Located inside the Plano Senior Center, the Geriatric Wellness Center of Collin County promotes health wellness, provide free and low cost screening, free lending of medical equipment, support groups, clinical counseling, information and referrals and Medicare benefit assistance. The Wellness Center also administers the Plano Senior Rides program, which is a program for those age 65 and older that are unable to drive for themselves. This program funded by the City of Plano through the Parks and Recreation Department.

Public transportation options for seniors that may not drive a car include the Plano Senior Rides program (mentioned above) and the Dallas Area Rapid Transit (DART), which includes bus and light rail options. All DART buses and trains meet Americans with Disabilities Act (ADA) requirements, offering wheelchair lifts and other features to accommodate riders with disabilities. DART also offers Paratransit Services that provide curb-to-curb public transportation for people with disabilities who are unable to use DART's bus or rail services.

## Persons with Disabilities

The 2008 American Community Survey reported 5 percent (12,301 persons) of the population in the City of Plano had one or more types of disability, compared to 9 percent of the Metroplex’s population.

The Census’s definition of a disability status is based on individual answers to several Census survey questions.<sup>7</sup> According to the Census, individuals have a disability if any of the following three conditions are true: (1) they were any age and had a response of “yes” to a hearing or vision limitation; (2) they were 5 years old and over and had a response of “yes” to having a cognitive, ambulatory or self-care difficulty; or (3) they were 15 years old and over and had a response of “yes” to independent living difficulty.

**Exhibit F-12.**  
**Disability by Age Cohort, City of Plano, 2008**

	Under 18 Years	18 to 34 Years	35 to 64 Years	65 Years and Over	Total	Percent of Population
Without any disability	66,362	58,202	106,609	14,829	246,002	95%
With one type of disability	710	860	3,077	2,214	6,861	3%
With two or more types of disability	478	615	1,685	2,662	5,440	2%
<b>Total</b>	<b>67,550</b>	<b>59,677</b>	<b>111,371</b>	<b>19,705</b>	<b>258,303</b>	<b>100%</b>
<i>Percent of population with one or more types of disability</i>	2%	2%	4%	25%	5%	
<i>Percent of population by age cohort with one or more types of disability</i>	10%	12%	39%	40%	100%	

Source: U.S. Census Bureau 2008 American Community Survey.

The 2008 ACS definition of disability encompasses a broad range of categories, including serious difficulty in four basic areas of functioning: vision, hearing, ambulation and cognition. The definition of people with disabilities includes individuals with both long-lasting conditions, such as blindness, and individuals that have a physical, mental or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business. All disability data from the Census are self-reported by respondents.

In 2008, there were 23,313 disabilities reported for persons living in Plano. Exhibit F-13 lists the number of disabilities by type in Plano. Persons having ambulatory difficulties are the most common in the city, representing 28 percent of all disabilities.

<sup>7</sup> The Census Bureau introduced a new set of disability questions in the 2008 ACS questionnaire. Accordingly, comparisons of disability data from 2008 or later with data from prior years are not recommended.

**Exhibit F-13.**  
**Type of Disability,**  
**City of Plano, 2008**

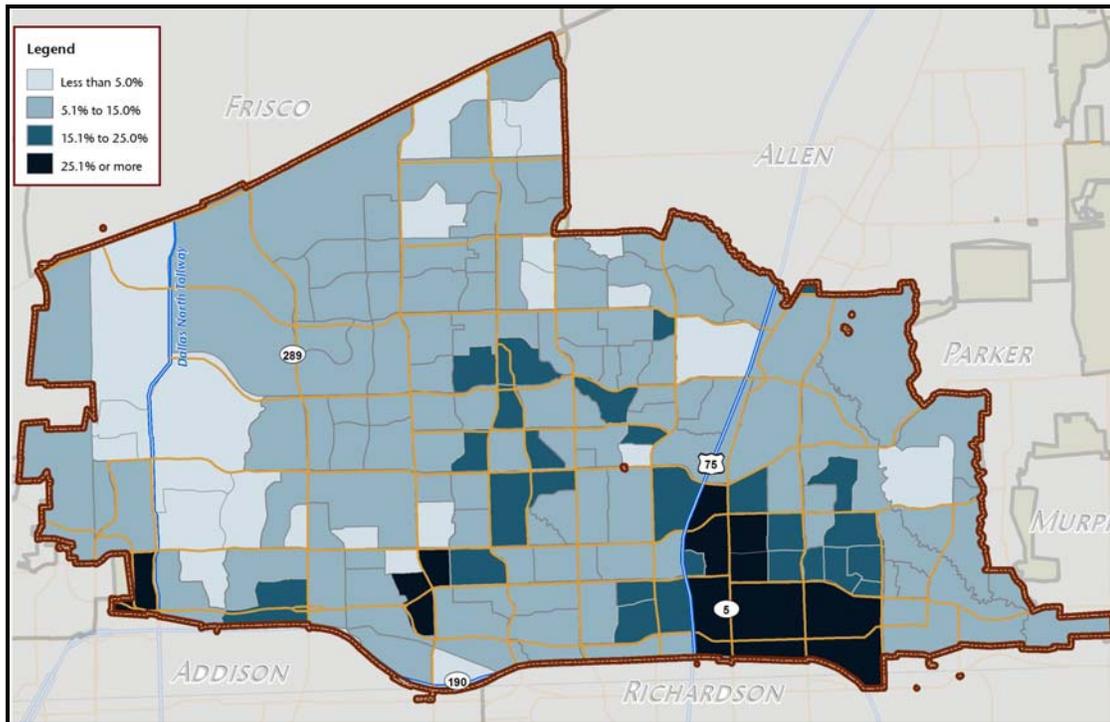
Note:  
 Because some people have multiple disabilities, the total of the column does not equal the total number of disabled persons.

Source:  
 U.S. Census Bureau  
 2008 American Community Survey.

	Total Number of Disabilities	Percent of Population Qualifying for Type of Disability
Ambulatory Difficulty	6,578	2.7% of persons 5 years and over
Independent Living Difficulty	4,612	2.4% of persons 18 years and over
Hearing Difficulty	3,821	1.5% of total population
Cognitive Difficulty	3,718	1.5% of persons 5 years and over
Self-Care Difficulty	2,688	1.1% of persons 5 years and over
Vision Difficulty	1,896	0.7% of total population

As shown above in Exhibit F-13, 6,578 persons (2.7 percent of the population) had an ambulatory disability in 2008; 4,612 persons had difficulty living independently (2.4 percent of persons ages 18 years and over). Exhibit F-14 shows the number of persons with disabilities for each block group according to the 2000 Census.

**Exhibit F-14.**  
**Persons with Disabilities by Block Group, City of Plano, 2000**



Source: U.S. Census Bureau 2000 Census.

Because many people with disabilities have a limited ability to work for pay, they are limited in their ability to generate earnings and often live on fixed incomes. Persons with disabilities are more likely to have lower incomes and live in poverty than people without disabilities. Finding housing that is affordable, has needed accessibility improvements and is conveniently located near transit and other needed services is often very challenging for persons with disabilities.

**Persons with physical disabilities.** Ambulatory difficulties (or physical disabilities) are the most common in the city, representing 28 percent of all disabilities.

**Resources.** In determining the resources available to people with physical disabilities in Plano, it should be noted that individuals may have access to the following federal and state supportive programs to help meet their housing needs.

Supplemental Security Income (SSI) is a federal support program that is available to people who have disabilities as well as limited income and resources. The recent *Out of Reach* study (discussed in Appendix E) for Plano found that an individual earning Social Security Income (SSI) in Collin County (\$674 per month)<sup>8</sup> would only be able to afford a rental unit priced at \$202. A market rate studio in the Dallas HMFA would cost \$670 per month, significantly more than a unit affordable for SSI recipients in 2009.

Medicaid can be used by individuals in nursing homes or hospital care. Medicaid waivers make Medicaid available for home- and community-based services, such as transportation. They cannot be used to cover the cost of housing, although up to \$10,000 can be used for environmental modifications (i.e., ramps, handrails, etc.).

The City of Plano's Housing Rehabilitation program is designed to assist citywide, low income homeowners with the rehabilitation, reconstruction and emergency repair of homes. The program also provides assistance with accessibility improvements, such as building/installing wheelchair ramps, grab bars, accessible showers, to name a few.

Transportation for the physically disabled is provided through DART. All DART buses and trains offer wheelchair lifts and other features to accommodate riders with disabilities. DART also offers Paratransit Services that provide curb-to-curb public transportation for people with disabilities who are unable to use DART's bus or rail services.

The majority of persons with physical disabilities live independently or with family members or friends. For those wanting to live independently, there are housing resources available, although they are limited. Currently one of the Plano Housing Authority's units complies with ADA. If a resident needs modifications done to their apartment the Plano Housing Authority will complete these when requested.

**Housing needs.** According to the 2000 CHAS table of Housing Problems Output for Mobility & Self Care Limitation for the City of Plano, 34 percent (2,176) of households with mobility and self care limitations<sup>9</sup> have housing problems.

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<sup>8</sup> An individual living in Any State who qualified for Supplemental Security Income received a maximum of \$674 in monthly federal benefits in 2009.

<sup>9</sup> Mobility or Self Care Limitations: This includes all households where one or more persons has 1) a long-lasting condition that substantially limits one or more basic physical activity, such as walking, climbing stairs, reaching, lifting, or carrying and/or 2) a physical, mental, or emotional condition lasting more than 6 months that creates difficulty with dressing, bathing, or getting around inside the home.

**Persons with severe mental illness.** The Center for Mental Health Services (CMHS) defined a Severe Mental Illness (SMI) as a “diagnosable mental, behavioral or emotional disorder that met the criteria of DSM-III-R and that has resulted in functional impairment which substantially interferes with or limits one or more major life activities.” An SMI can only be diagnosed for adults; the equivalent diagnosis for children 17 and under is a severe emotional disorder (SED).

**Total population.** According to the Texas Department of Mental Health and Mental Retardation Strategic Plan for Fiscal Years 2003-2007, approximately 19 percent of the population aged 18 to 64 will experience some diagnosable mental disorder (as defined by the Diagnostic and Statistical Manual, IV), excluding substance abuse disorders, during a lifetime. The more serious mental illnesses have been estimated at between 2.6 percent and 2.8 percent of adults. Applying those percents to the Plano population reveals that an estimated 4,452 to 4,794 adults may have a serious mental illness.

According to the 2008 ACS, 3,718 persons (1.5 percent of the population 5 years and over) in Plano had some sort of cognitive difficulty.<sup>10</sup>

**Outstanding need.** According to the Substance Abuse and Mental Health Administration’s (SAMHSA) 2006 Texas Mental Health National Outcome Measures, approximately 90 percent of adults with SMI are served in Texas. Applying this incidence rate to the previously mentioned estimated adult SMI population in Plano (4,452 to 4,794), approximately 4,007 to 4,315 of Plano’s adult population are served. Therefore leaving a gap of 445 to 479 adults not served in Plano.

According to service providers and the community in Plano, transitional housing and affordable housing options for persons with mental illness are needed in Plano. Housing has always been an issue for persons with mental illness. It was also suggested there was a lack of safe affordable rental units in Plano for lower income households. However, many people with severe mental illness may not have special housing or service needs. They are able to live independently or with family members and may or may not receive state or federally subsidized outpatient treatment.

In addition to housing needs, persons with mental illness typically need supportive services that may include clinical and rehabilitation services, skills training relating to employment and housing, prescribing and monitoring medications used to treat mental illnesses, preparing a person to manage his or her own finances, psychiatry services and therapy and support groups.

The National Alliance on Mental Illness (NAMI) released a report in March 2006 on the nation’s mental health care system. The United States earned a national average grade of “D” in the first state-by state analysis in more than 15 years. Texas received an overall grade of C, although the state was praised for innovations in the Texas Medication Algorithm Project (TMAP) model; disease management strategy for serious mental illnesses; state-mandated jail programs in all counties; and leadership in reducing use of restraints and seclusion.

“Urgent needs” identified for Texas in the report included:

- Funding and
- Inpatient beds

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<sup>10</sup> According to the Census the 2008 change in activities on which cognitive limitations are based suggest that the 2008 measure is not comparable with the “Mental disability” estimates from prior years.

**Resources.** There are no state supported residential care facilities in Collin County. The closest state hospital is Terrell State Hospital, located in Terrell, Texas. It is a 316 bed, Joint Commission accredited and Medicare certified, psychiatric inpatient hospital operated under the direction of the Texas Department of State Health Services. The hospital is responsible for providing services for individuals with mental illnesses residing within a 19 county, 12,052 square mile service region, with a population of over 3 million.

LifePath Systems provides treatment, support and planning assistance to North Texas residents with special needs. They offer a comprehensive system of care for individuals with mental illnesses, mental retardation and developmental delays. Recently LifePath Systems has also secured a federal grant and offers permanent supported housing for eight homeless individuals with mental illness.

**Persons with substance abuse disorders.** The U.S. Department of Health and Human Services, through its Substance Abuse and Mental Health Services Administration (SAMHSA), tracks substance abuse prevalence at the state level. According to SAMSHA's 2005-2006 National Household Survey on Drug Use and Health (NHSDUH), and using population data from the Census, the statewide prevalence rate for alcohol or illicit drug dependence or abuse in Texas is 9.2 percent for persons age 12 and older. Applying this estimate to Plano's 2008 population 10 years and over, an estimated 20,354 persons would have had some form of substance abuse problem.

The statistics also showed that 8.4 percent of Texas's population ages 12 and older had used marijuana one or more times in the last twelve months, 4.8 percent had used nonmedical pain relievers one or more times in the past 12 months and 2.4 percent had used cocaine one or more times in the last twelve months. These statewide usage rates for persons 10 years and over translate to citywide estimates of 18,584 marijuana users, 10,620 nonmedical pain reliever users and 5,310 cocaine users in Plano. The percentage of individuals addicted to these substances is probably lower than the percentage of people reporting usage.

**Outstanding need.** The 2005-2006 National Household Survey on Drug Use and Health (NHSDUH) estimates that 2.5 percent of the population 12 years and over in Texas need but are not receiving treatment for illicit drug use. Applying the percentage to the population in Plano, approximately 5,531 persons need and are not receiving treatment for illicit drug use. The same study also estimates that 7.7 percent of Texas residents age 12 and over need but are not receiving treatment for alcohol use. Using this same incidence rate, approximately 17,036 Plano residents age 12 and over need but do not receive treatment for alcohol abuse.

**Resources.** According to the Texas Department of State Health Services, there are 7 different organizations in Plano offering drug and alcohol treatment programs, as shown in Exhibit F-15. Typically treatment at these facilities can be outpatient or residential, voluntary or involuntary, and many cater to a certain demographic (youth, women, homeless, etc.). The treatment facilities located in Plano only offer outpatient services.

**Exhibit F-15.  
Licensed Substance Abuse  
Facilities, City of Plano**

Source:  
Texas Department of State Health Services.

Facility	Outpatient Slots
Access Counseling Group, Inc.	32
First Step Counseling	180
Imagine Programs, LLC	20
Life Management Resources	200
Plano IOP	50
Solace Counseling Associates PLLC	50
The Right Step - DFW North	40
<b>Total</b>	<b>572</b>

Support groups for persons facing alcohol or drug abuse problems are also offered in Plano, such as Alcoholics Anonymous and other organizations. The Avenues Counseling Center, located in McKinney, serves youth and adults of North Texas who are recovering from some type of substance abuse, as well as mental health challenges.

**Persons with developmental disabilities.** According to the Texas Council for Developmental Disabilities, a developmental disability is a severe, chronic disability, either mental and/or physical, that starts before the age of 22. A few examples include autism, cerebral palsy, a combination of visual and hearing disabilities, mental retardation, mental illness, traumatic brain injury and epilepsy. Individuals can have developmental disabilities when they are born or acquire them before their 22<sup>nd</sup> birthday, during "the developmental years." Developmental disabilities usually continue indefinitely and limit a person's participation in three or more of the following major life activities:

- Self-care,
- Mobility,
- Language,
- Learning,
- Self-direction,
- Independent living, and
- Financial self-sufficiency.

The term is also applied to infants and young children, from birth to age 9, who have substantial developmental delay or specific condition which probably will result in developmental disabilities if services are not provided.<sup>11</sup>

**Total population.** The Administration on Development Disabilities (ADD) estimates there are nearly four million Americans, or 1.4 percent of the total population, with a severe developmental disability. Applying this percentage to the City of Plano's 2008 population, approximately 3,616 residents would have a developmental disability.

The Centers for Disease Control and Prevention (CDC) estimates that about 17 percent of U.S. children under 18 years of age have a developmental disability. Applying this incidence rate to the population of children in Plano would suggest that approximately 11,484 children have some form of physical, cognitive, psychological, sensory or speech impairment. This estimate is higher than the ADD estimate as it includes non-severe developmental disabilities. Additionally, the CDC estimates that approximately 2 percent of school-aged children in the U.S. have a serious developmental disability, such as mental retardation or cerebral palsy and need special education services or

<sup>11</sup> *Developmental Disabilities Assistance and Bill of Rights Act (DD Act) of 2000 (P.L. 106-402).*

supportive care. Applying this percentage would indicate that approximately 1,351 school age children in the City of Plano have a serious developmental disability.

The Institute on Community Integration at the University of Minnesota estimates that 33 percent of persons with developmental disabilities live below the poverty level. Applying this to the 2008 estimation of the number of persons with developmental disabilities living in Plano, an estimated 1,193 persons in Plano with developmental disabilities live below the poverty level and are likely in need of housing assistance.

**Resources.** Nationwide, there is a trend away from institutionalized care and toward smaller, more flexible service provision. Small group and foster homes are the preferred arrangement for many developmentally disabled individuals. Because persons with developmental disabilities sometimes have limited abilities to work and lower incomes, it can be difficult for them to purchase housing. Mobile homes are often the most affordable homeownership product. Traditional housing programs often do not serve the new model of housing for persons with developmental disabilities (several adults living together), as they favor family over non-family arrangements.

Plano has several residential group homes that serve persons with developmental disabilities. These group homes typically provide 6 beds for developmentally disabled individuals each. Exhibit F-16 lists all of the intermediate care facilities registered with the State of Texas for persons with developmental disabilities in the City of Plano. Currently, there are 30 spaces at Plano care facilities for persons with developmental disabilities.

**Exhibit F-16.  
Intermediate Care Facilities for the Mentally Retarded, City of Plano**

Facility	Beds	Owner
Cherrywood Community Home	6	Educare Community Living Limited Partnership
Collin County MHMR At Mullins	6	LifePath Systems
Cross Bend House	6	LifePath Systems
Longhorn Community Home	6	Educare Community Living Limited Partnership
Riverbend Community Home	6	Educare Community Living Limited Partnership
<b>Total Beds</b>	<b>30</b>	

Source: Texas Department of Aging and Disability Services (DADS).

LifePath Systems Intellectual and Developmental Disabilities Services offer a variety of support to individuals with intellectual disabilities living in Collin County. LifePath Systems provides a Service Coordinator to help determine and manage the various services available. The State of Texas also provides eligible Collin County residents with mental retardation, autism or pervasive developmental disorders with support in their home environment through the In Home and Family Support (IHFS) Program. LifePath Systems has two six bed group homes in Plano, one is for women and one is for men, as shown in Exhibit F-16.

As an alternative to care facilities, persons with developmental disabilities can receive services from Adult Day Programs, which provide health and social services, individual therapeutic and psychological care on a daily basis. According to the Texas Department of Aging and Disability Services there were no Adult Day Care Centers in Collin County.

## Persons with HIV/AIDS

The Centers for Disease Control and Prevention (CDC) analysis revealed that there were more than a million people—an estimated 1,106,400 adults and adolescents—living with HIV infection in the United States at the end of 2006 (95 percent Confidence Interval: 1,056,400–1,156,400), and that gay and bisexual men of all races, African Americans, and Hispanics/Latinos were most heavily affected. This is approximately 0.37 percent of the nation’s population, currently living with HIV/AIDS, with approximately 56,300 new HIV/AIDS infections occurring in 2006.<sup>12</sup> Applying this percentage to Plano’s 2008 population, approximately 958 residents would have been living with HIV/AIDS.

The Texas Department State Health Services also collects data on the number of HIV and AIDS cases reported and presumed living to monitor trends in the HIV/AIDS epidemic by processing HIV/AIDS case reports and conducting research. According to the 2006 HIV/STD Program Annual Report, there were 60,571 known persons living with HIV/AIDS (PLWHA) in Texas in 2006, a 33 percent increase over the number in 2002 (45,550). Over the past five years, the number of new diagnoses decreased slightly from 5,364 in 2002 to 4,621 in 2006.

According to the Texas HIV/AIDS 2008 Annual Report, Collin County has approximately 784 persons living with HIV/AIDS as of 2008. Assuming those residents are spread evenly throughout Collin County, 267 persons with HIV and AIDS could live in Plano. Plano reported 36 new HIV and AIDS cases in 2008.

**Outstanding need.** Providers of services to people with HIV/AIDS estimate that between 30 and 50 percent of the number of people with HIV/AIDS are in need of housing. According to the advocacy group AIDS Housing of Washington, 65 percent of people living with HIV/AIDS nationwide cite stable housing as their greatest need next to healthcare. The organization also estimates that one-third to one-half of people living with AIDS are either homeless or in imminent danger of losing their homes. Given these national statistics, it is estimated that 80 to 133 persons living with HIV/AIDS in Plano require housing assistance.

**Barriers to housing.** In addition to living with their illness and inadequate housing situations, persons with HIV and AIDS in need of housing face a number of barriers, including discrimination, housing availability, transportation and housing affordability. The coincidence of other special needs problems with HIV/AIDS can make some individuals even more difficult to house. For example, research has shown that many living with HIV/AIDS struggle with substance abuse and mental illness.

**Resources.** The Texas Department of State Health Services HIV/STD Program is dedicated to preventing the spread of HIV and other STDs while minimizing complications and costs. This is achieved primarily through education, prevention counseling, screening and testing, partner elicitation and notification, and the provision of medical and social services. While some of these services are directly provided, most are provided through contracts with community-based agencies.

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<sup>12</sup> Centers for Disease Control and Prevention, New Estimates of U.S. HIV Prevalence, 2006.

Most HIV/AIDS services for Collin County are located in McKinney. However, there is one organization that is located in Plano: AIDS Services of North Texas. This organization provides medical and support services to persons living with HIV/AIDS. Services include medical care and treatment for HIV; help in securing benefits, financial assistance, housing and other resources; health/wellness education; individual counseling; support groups; transportation to medical appointments; and food pantry.

### **At-Risk Youth**

There are three segments of the population of youth in Plano who have potential housing and supportive service needs: youths aging out of the foster care system; older youth transitioning to adulthood with uncertain future plans; and youth who are homeless.

According to the National Runaway Switchboard, each year they receive more than 100,000 phone calls from youth and concerned adults who are reaching out for help. In 2008, NRS handled 114,097 calls. They report that one out of every seven children will run away before the age of 18, and that there are between 1.6 and 2.8 million youth who run away in a year in the United States. In addition, 40 percent of youth in shelters and on the street have come from families that received public assistance or lived in publicly assisted housing.

**Youth exiting the foster care system.** At age 18, many youth “age out” of the foster care system, social services and the juvenile justice system and typically, the foster care system expects youth to live on their own at age 18. Often, youth in foster care do not get the help they need with high school completion, employment, accessing health care, continued educational opportunities, housing and transitional living arrangements, which can lead to longer-term housing and supportive service needs.

Some researchers have also looked at state-level outcomes for youth who age out of the foster care system. A six-year, quantitative longitudinal study evaluated the efficacy of independent living services delivered to youth in Idaho who aged out of care between 1996 and 2002. The study found pregnancy and birth rates among this population as high as 63 percent in 2002, homelessness as high as 32 percent in 1998, and dependency on social services as high as 79 percent in 2002.<sup>13</sup>

**Youth who are homeless or at risk of homelessness.** According to the National Coalition for the Homeless, homeless youth are individuals under the age of eighteen who lack parental, foster, or institutional care. These young people are sometimes referred to as “unaccompanied” youth. The homeless youth population is estimated to be between 500,000 and 1.3 million young people each year (Center for Law and Social Policy, 2003). According to the U.S. Conference of Mayors, unaccompanied youth account for 3 percent of the urban homeless population, (U.S. Conference of Mayors, 2005).

**Youth with uncertain futures.** According the Kids Count by the Annie E. Casey Foundation, an estimated 7 percent of Texas teens are high school dropouts and 8 percent are not attending school and not working in 2008. This is similar to the national statistics of 6 percent of teens who are high school dropouts and 8 percent are not attending school and not working. Applying this percentage to

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<sup>13</sup> *Youth Exiting Foster Care: Efficacy of Independent Living Services in the State of Idaho*, Brian L. Christenson, LSW.

the City of Plano's 2008 same population, approximately 1,083 teens are considered high school dropouts and 1,238 are not attending school and not working.

**Resources.** There are several organizations in Plano that provide youth programs in the City of Plano including the YMCA, Boys and Girls Club, Big Brothers Big Sisters, to name a few. As mentioned previously under the homeless section, CITY House, located in Plano, runs a 12 bed transitional shelter for 18 to 23 year olds, provides non-residential services for 16 to 23 year olds and a safe home for children ages newborn to seventeen who are under Child Protective Services.

**APPENDIX G.**  
**HUD Tables**

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**Table 1A**  
**Homeless and Special Needs Populations**

**Continuum of Care: Housing Gap Analysis Chart**

		Current Inventory	Under Development	Unmet Need/ Gap
<b>Individuals</b>				
<b>Beds</b>	Emergency Shelter	0		5
	Transitional Housing	12		
	Permanent Supportive Housing	8		3
	<b>Total</b>	20		
<b>Persons in Families With Children</b>				
<b>Beds</b>	Emergency Shelter	19		3
	Transitional Housing	36		12
	Permanent Supportive Housing	0		
	<b>Total</b>	55		

**Continuum of Care: Homeless Population and Subpopulations Chart**

<b>Part 1: Homeless Population</b>	<b>Sheltered</b>		<b>Unsheltered</b>	<b>Total</b>
	<b>Emergency</b>	<b>Transitional</b>		
Number of Families with Children (Family Households):	5	12	0	17
1. Number of Persons in Families with Children	20	40	0	60
2. Number of Single Individuals and Persons in Households without children	18	10	5	33
<b>(Add Lines Numbered 1 &amp; 2 Total Persons)</b>	38	50	5	93
<b>Part 2: Homeless Subpopulations</b>	<b>Sheltered</b>		<b>Unsheltered</b>	<b>Total</b>
a. Chronically Homeless	2		3	5
b. Seriously Mentally Ill	9			
c. Chronic Substance Abuse	5			
d. Veterans	7			
e. Persons with HIV/AIDS	0			
f. Victims of Domestic Violence	19			
g. Unaccompanied Youth (Under 18)	17			

**Table 1B**  
**Special Needs (Non-Homeless) Populations**

<b>SPECIAL NEEDS SUBPOPULATIONS</b>	<b>Priority Need Level</b> High, Medium, Low, No Such Need	<b>Unmet Need</b>	<b>Dollars to Address Unmet Need</b>	<b>Multi- Year Goals</b>	<b>Annual Goals</b>
Elderly	High	3,561		2,000	
Frail Elderly	High	245			
Severe Mental Illness	High	2,521		40	
Developmentally Disabled	High	1,183		50	
Physically Disabled	High	2940		5	
Persons w/ Alcohol/Other Drug Addictions	High	17,057		100	
Persons w/HIV/AIDS	High	123		123	
Victims of Domestic Violence	High	4,000		60	
<b>TOTAL</b>				2,378	

**Transition Table 1C**  
**Summary of Specific Housing/Community Development Objectives**  
**(Table 1A/1B Continuation Sheet)**

Obj #	Specific Objectives	Sources of Funds	Performance Indicators	Expected Number	Actual Number	Outcome/Objective*
	<b>Homeless Objectives</b>					
SL-2.1	Support and assist with the creation of additional shelter, supportive services, and transitional housing for homeless and under-housed.	CDBG and City Funds	People	100		
SL-2.2	Assist homeless supportive services across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention.	CDBG and City Funds	Families  Participate in annual PIT Homeless Count	100  5		
	<b>Special Needs Objectives</b>					
SL-2.1	Continue to assist with housing accessibility modifications for elderly and disabled residents within the City of Plano.	CDBG and HOME	Housing units	5		
SL-2.2	Provide support to organizations that engage in public services for Plano residents with special needs.	CDBG and City Funds	People	2378		
	<b>Other Objectives</b>					
SL-2.2	Provide support to organizations that engage in public services for Plano residents excluding special needs.	CDBG and City Funds	People	2247		
SL-3	Actively pursue and track neighborhood well being by focusing resources on areas of greatest opportunity for improvement.	CDBG and City Funds	Neighborhoods	3		
DH-1.1	Provide programs to rehabilitate and improve the existing stock of homes occupied by low and moderate income owners.	CDBG and HOME	Housing units	95		
DH-1.1	Continue to offer and market programs to rehabilitate and improve existing rental stock occupied by low and moderate income renters.	CDBG	Meetings	10		
DH-1.2	Provide assistance to homebuyers with downpayment assistance, closing cost assistance, and/or homebuyer education and counseling.	CDBG and HOME	Housing units	60		

DH-1.2	Consider sale of publicly owned land to affordable housing developers. Inventory available parcels and evaluate their feasibility for affordable housing development.	City Funds	Develop map of vacant parcels by zoning district for affordable housing developers.	5		
DH-1.3	Continue to support the efforts of the Plano Housing Authority (PHA) to maintain affordable housing developments and issue Housing Choice Vouchers.	CDBG	Annual environmental reviews	5		
DH-1.3	Support applications for and the development of Low Income Housing Tax Credit (LIHTC) projects.	CDBG	As needed			
EO-2	Support activities that provide job training and assist with job/small business creation.	CDBG	People	50		
O-1	Use CDBG and HOME funds to coordinate, monitor and implement the Consolidated Plan objectives according to HUD.	CDBG and HOME	HUD reports	10		

**\*Outcome/Objective Codes**

	<b>Availability/Accessibility</b>	<b>Affordability</b>	<b>Sustainability</b>
<b>Decent Housing</b>	DH-1	DH-2	DH-3
<b>Suitable Living Environment</b>	SL-1	SL-2	SL-3
<b>Economic Opportunity</b>	EO-1	EO-2	EO-3

**Table 2A  
Priority Housing Needs/Investment Plan Table**

<b>PRIORITY HOUSING NEEDS (households)</b>		<b>Priority</b>		<b>Unmet Need</b>
<b>Renter</b>	Small Related	0-30%	*	645
		31-50%	*	779
		51-80%	*	1,994
	Large Related	0-30%	*	224
		31-50%	*	215
		51-80%	*	475
	Elderly	0-30%	*	509
		31-50%	*	540
		51-80%	*	573
	All Other	0-30%	*	647
		31-50%	*	574
		51-80%	*	1,859
<b>Owner</b>	Small Related	0-30%	*	580
		31-50%	*	584
		51-80%	*	1,558
	Large Related	0-30%	*	189
		31-50%	*	173
		51-80%	*	415
	Elderly	0-30%	*	299
		31-50%	*	417
		51-80%	*	852
	All Other	0-30%	*	215
		31-50%	*	224
		51-80%	*	657
<b>Non-Homeless Special Needs</b>	Elderly	0-80%	H	3,221
	Frail Elderly	0-80%	H	475
	Severe Mental Illness	0-80%	H	518
	Physical Disability	0-80%	H	1,153
	Developmental Disability	0-80%	H	2,562
	Alcohol/Drug Abuse	0-80%	H	17,057
	HIV/AIDS	0-80%	H	123
	Victims of Domestic Violence	0-80%	H	4,000

**\*City of Plano Housing Priorities are not categorized by income range; however both owner and renter housing is considered a priority need in the 2010-2014 Consolidated Plan.**

**Table 2A**  
**Priority Housing Needs/Investment Plan Goals**

<b>Priority Need</b>	<b>5-Yr. Goal Plan/Act</b>	<b>Yr. 1 Goal Plan/Act</b>	<b>Yr. 2 Goal Plan/Act</b>	<b>Yr. 3 Goal Plan/Act</b>	<b>Yr. 4 Goal Plan/Act</b>	<b>Yr. 5 Goal Plan/Act</b>
<b>Renters</b>	50					
0 - 30 of MFI						
31 - 50% of MFI						
51 - 80% of MFI						
<b>Owners</b>	175					
0 - 30 of MFI						
31 - 50 of MFI						
51 - 80% of MFI						
<b>Homeless*</b>						
Individuals	100					
Families						
<b>Non-Homeless Special Needs</b>	55					
Elderly						
Frail Elderly						
Severe Mental Illness						
Physical Disability						
Developmental Disability						
Alcohol/Drug Abuse						
HIV/AIDS						
Victims of Domestic Violence						
<b>Total</b>						
<b>Total Section 215</b>						
215 Renter						
215 Owner						

\* Homeless individuals and families assisted with transitional and permanent housing

**Table 2A  
Priority Housing Activities**

<b>Priority Need</b>	<b>5-Yr. Goal Plan/Act</b>	<b>Yr. 1 Goal Plan/Act</b>	<b>Yr. 2 Goal Plan/Act</b>	<b>Yr. 3 Goal Plan/Act</b>	<b>Yr. 4 Goal Plan/Act</b>	<b>Yr. 5 Goal Plan/Act</b>
<b>CDBG</b>						
Acquisition of existing rental units						
Production of new rental units						
Rehabilitation of existing rental units						
Rental assistance	100					
Acquisition of existing owner units						
Production of new owner units						
Rehabilitation of existing owner units	90					
Homeownership assistance	10					
<b>HOME</b>						
Acquisition of existing rental units						
Production of new rental units						
Rehabilitation of existing rental units						
Rental assistance						
Acquisition of existing owner units	10					
Production of new owner units	10					
Rehabilitation of existing owner units	10					
Homeownership assistance	50					
<b>HOPWA</b>						
Rental assistance						
Short term rent/mortgage utility payments						
Facility based housing development						
Facility based housing operations						
Supportive services						
<b>Other</b>						

**Table 2B**  
**Priority Community Development Needs**

Priority Need	Priority Need Level	Unmet Priority Need	Dollars to Address Need	5 Yr Goal Plan/Act	Annual Goal Plan/Act	Percent Goal Completed
Acquisition of Real Property						
Disposition						
Clearance and Demolition						
Clearance of Contaminated Sites						
Code Enforcement	H	X				
Public Facility (General)						
Senior Centers						
Handicapped Centers						
Homeless Facilities						
Youth Centers						
Neighborhood Facilities						
Child Care Centers						
Health Facilities						
Mental Health Facilities						
Parks and/or Recreation Facilities						
Parking Facilities						
Tree Planting						
Fire Stations/Equipment						
Abused/Neglected Children Facilities						
Asbestos Removal						
Non-Residential Historic Preservation						
Other Public Facility Needs						
Infrastructure (General)						
Water/Sewer Improvements						
Street Improvements						
Sidewalks	H	X				
Solid Waste Disposal Improvements						
Flood Drainage Improvements	H	X				
Other Infrastructure						
Public Services (General)						
Senior Services	H	X		2000		
Handicapped Services						
Legal Services						
Youth Services	H	X		1325		
Child Care Services						
Transportation Services						
Substance Abuse Services						
Employment/Training Services	M	X		50		
Health Services	H	X		1250		
Lead Hazard Screening						
Crime Awareness						
Fair Housing Activities						
Tenant Landlord Counseling						
Other Services						
Economic Development (General)	M	X				
C/I Land Acquisition/Disposition						
C/I Infrastructure Development						
C/I Building Acq/Const/Rehab						
Other C/I						
ED Assistance to For-Profit						
ED Technical Assistance						
Micro-enterprise Assistance						
Other						

**Transition Table 2C**  
**Summary of Specific Housing/Community Development Objectives**  
**(Table 2A/2B Continuation Sheet)**

Obj #	Specific Objectives	Sources of Funds	Performance Indicators	Expected Number	Actual Number	Outcome/Objective*
	<b>Rental Housing</b>					
DH-1.1	Continue to offer and market programs to rehabilitate and improve existing rental stock occupied by low and moderate income renters.	CDBG	Meetings	10		
DH-1.3	Continue to support the efforts of the Plano Housing Authority (PHA) to maintain affordable housing developments and issue Housing Choice Vouchers.	CDBG	Annual environmental review	5		
DH-1.3	Support applications for and the development of Low Income Housing Tax Credit (LIHTC) projects.	CDBG	As needed			
	<b>Owner Housing</b>					
DH-1.1	Provide programs to rehabilitate and improve the existing stock of homes occupied by low and moderate income owners.	CDBG and HOME	Housing units	95		
DH-1.2	Provide assistance to homebuyers with downpayment assistance, closing cost assistance, and/or homebuyer education and counseling.	CDBG and HOME	Housing units	60		
DH-1.2	Consider sale of publicly owned land to affordable housing developers. Inventory available parcels and evaluate their feasibility for affordable housing development.	City Funds	Vacant parcel map	5		
SL-2.1	Continue to assist with housing accessibility modifications for elderly and disabled residents within the City of Plano.	CDBG and HOME	Housing units	5		
	<b>Community Development/ Infrastructure/Neighborhood Revitalization</b>					
SL-3	Actively pursue and track neighborhood well being by focusing resources on areas of greatest opportunity for improvement.	CDBG and City Funds	Neighborhoods	3		
	<b>Public Facilities</b>					
SL-2.1	Support and assist with the creation of additional shelter, supportive services, and transitional housing for homeless and under-housed.	CDBG	Individuals	100		

	<b>Public Services</b>					
SL-2.2	Provide support to organizations that engage in public services for Plano residents, especially special needs populations, including but not limited to low income elderly, persons with disabilities, persons with HIV/AIDS and at-risk youth.	CDBG and City Funds	Individuals	4,625		
SL-2.2	Assist homeless supportive services across the entire spectrum of need, from homelessness to self-sufficiency, with the continued emphasis on homelessness prevention.	CDBG and City Funds	Households Participate in annual PIT Homeless Count	100 5		
	<b>Economic Development</b>					
EO-2	Support activities that provide job training and assist with job/small business creation.	CDBG	Individuals	50		
	<b>Other</b>					
O-1	Use CDBG and HOME funds to coordinate, monitor and implement the Consolidated Plan objectives according to HUD.	CDBG and HOME	HUD reports	10		

**\*Outcome/Objective Codes**

	<b>Availability/Accessibility</b>	<b>Affordability</b>	<b>Sustainability</b>
<b>Decent Housing</b>	DH-1	DH-2	DH-3
<b>Suitable Living Environment</b>	SL-1	SL-2	SL-3
<b>Economic Opportunity</b>	EO-1	EO-2	EO-3



**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:		3/8/10		
Department:		Finance		
Department Head		Denise Tacke		
Agenda Coordinator (include phone #): <b>Katherine Crumbley - x-7479</b>				
<b>CAPTION</b>				
A resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Wyndham Jade LLC, a Delaware limited liability company; authorizing its execution by the City Manager or his 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:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	13,750,725	0	<b>13,750,725</b>
Encumbered/Expended Amount	0	-3,745,150	-4,310,350	<b>-8,055,500</b>
This Item	0	-72,000	-40,000	<b>-112,000</b>
BALANCE	0	9,933,575	-4,350,350	<b>5,583,225</b>
<b>FUND(S):    ECONOMIC DEVELOPMENT FUND</b>				
<b>COMMENTS:</b> Strategic Plan Goal: Providing economic development incentives relates to the City's goal of strong local economy.				
<b>SUMMARY OF ITEM</b>				
A request from Wyndham Jade LLC, for an Economic Development Incentive Agreement to relocate its business and commercial activities to the City, thereby generating additional local sales tax revenues and increasing ad valorem tax values to the City. Wyndham Jade agrees to occupy not less than 20,000 square feet of commercial space and agrees to retain, transfer or create 90 full time jobs by 3/1/10 and adding up to an additional 50 full time jobs by 12/31/11.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Economic Development Incentive Agreement				

**A resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Wyndham Jade LLC, a Delaware limited liability company; authorizing its execution by the City Manager or his designee and providing an effective date.**

**WHEREAS**, the City Council has been presented a proposed Economic Development Incentive Agreement By and Between the City of Plano, Texas and Wyndham Jade LLC, a Delaware limited liability company, 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 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, THAT:**

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

**Section II.** The City Manager or his 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 immediately upon its passage.

**DULY PASSED AND APPROVED** this the 8th day of March, 2010.

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

ATTEST:

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

APPROVED AS TO FORM:

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

## **ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT**

This Economic Development Incentive Agreement ("Agreement") is made by and between the City of Plano, Texas (the "City") and Wyndham Jade LLC, a Delaware limited liability company ("Company"), acting by and through its respective authorized officers and representatives.

### **WITNESSETH:**

**WHEREAS**, the Company is a full service travel, meetings and events management company with approximately Three Hundred and Ninety-Nine Thousand Nine Hundred Dollars (\$399,900.00) of business personalty located at 6400 International Parkway, Suite 2500, Plano, Texas or at one or more other locations within the city limits of Plano, Texas (hereafter the "Property"); and

**WHEREAS**, the Company has advised the City that a contributing factor that would induce the Company to retain its headquarters in the City, thereby generating additional local sales tax revenues and increasing ad valorem tax values for the City, would be an agreement by the City to provide an economic development grant to the Company; and

**WHEREAS**, the Company agrees to occupy not less than a total of 20,000 square feet of commercial space on the Property and maintain or transfer 90 Job Equivalents on the Property on or before March 1, 2010 with an additional 50 Job Equivalents to be added up to an additional 50 Job Equivalents on the Property by December 31, 2011; and to maintain the occupancy and Job Equivalent positions for the remainder of the term of this Agreement; and

**WHEREAS**, the occupancy of the Property and the retention or transfer of not less than 90 Job Equivalents to the Property will promote economic development, stimulate commercial activity and enhance the tax base and economic vitality of the City; and

**WHEREAS**, the City has adopted programs for promoting economic development; and

**WHEREAS**, the City is authorized by TEX. LOC. GOV'T CODE §380.001 *et seq.* to provide economic development grants to promote local economic development and to stimulate business and commercial activity in the City; and

**WHEREAS**, the City has determined that making an economic development grant to the Company in accordance with the terms and conditions set forth in this Agreement will further the objectives of the City, will benefit the City and the City's inhabitants and will promote local economic development and stimulate business and commercial activity in the City;

**NOW THEREFORE**, in consideration of the foregoing and the premises, mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, hereby covenant and agree as follows:

## **Article 1 Definitions**

For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

"Commencement Date" shall mean March 1, 2010.

"Effective Date" shall mean the last date on which all of the parties hereto have executed this Agreement.

"Event of Force Majeure" shall mean any contingency or cause beyond the reasonable control of a party including, without limitation, acts of God or the public enemy, war, riot, civil commotion, insurrection, government or de facto governmental action (unless caused by the intentionally wrongful acts or omissions of the party), fires, explosions or floods, strikes, slowdowns or work stoppages any of which event(s) directly impact the Company's operations in the City.

"Job Equivalent" shall mean one or more Company job positions located at the Property, individually or when combined, total 2080 hours (inclusive of holidays, vacation and sick leave) annually.

"Taxable Value" shall mean the assessed value for ad valorem tax purposes as determined by the Collin County Appraisal District.

## **Article 2 Term**

The term of this Agreement shall begin on the Commencement Date and continue until February 29, 2020, unless sooner terminated as provided herein.

## **Article 3 Obligations of Company**

In consideration for the grant of public funds as set forth in Section 4.01 below, the Company agrees to the following:

- (a) Occupy not less than 20,000 square feet of commercial space on the Property on or before March 1, 2010;
- (b) Maintain or transfer 90 Job Equivalents on the Property on or before March 1, 2010;
- (c) Add up to an additional 50 Job Equivalents on the Property on or before December 31, 2011;

(d) Continue to occupy the Property and maintain on the Property the Job Equivalents for which Company receives a grant for the term of this agreement; and

(e) Use reasonable efforts to place all Company-managed hotel room nights, related to the Company's business activities, at facilities located in the City of Plano.

#### **Article 4** **Economic Development Grant**

4.01 **Grant.** The City agrees to provide the Company a cash grant of up to One Hundred and Twelve Thousand Dollars (\$112,000.00) for the Company's commitments as set forth in Article 3 above. The Company agrees to maintain a minimum of 90 Job Equivalents throughout the term of this Agreement as provided in Section 4.03 below.

4.02 **Grant Payments.** Except as otherwise indicated, the Company shall be entitled to a payment of Seventy-Two Thousand Dollars (\$72,000.00) from the City under this Agreement within thirty (30) days after the Company verifies to the City, using the Initial Certification form attached hereto as Exhibit "A", that the Company has met its obligations as set forth in Article 3 (a) and (b) above. In order to receive payment under this Agreement, Company's initial certification verifying compliance with Article 3 (a) and (b) above must be filed with the City on or before June 1, 2010. **FAILURE TO TIMELY FILE THE INITIAL CERTIFICATION WILL RESULT IN IMMEDIATE TERMINATION OF THIS AGREEMENT WITHOUT FURTHER NOTICE.** The Company shall be entitled to receive an additional grant of \$800 per each Job Equivalent created on the Property above the initial 90 Job Equivalents up to a maximum of Forty Thousand Dollars (\$40,000.00) or 50 additional Job Equivalents.

#### 4.03 **Refunds.**

(a) In the event the Company does not maintain occupancy of the Property for the full term of this Agreement the Company shall refund the City the full amount of the grant. If the Company allows its Job Equivalents at the Property to fall below the total number for which it has received a grant payment under this Agreement for more than one hundred eighty (180) consecutive days during the term of this Agreement, not the result of an Event of Force Majeure, the Company shall refund to the City an amount equal to Eight Hundred Dollars (\$800.00) for each lost Job Equivalent. For purposes of determining whether the City is due a refund under this section, the Company's Chief Financial Officer shall certify to the City by January 31, 2011 and by January 31st of each year thereafter during the term of this Agreement the actual number of Job Equivalents at the Property for the preceding calendar year, using the Certification form attached as Exhibit "B". All refunds under this Agreement shall be due within thirty (30) days of written demand for payment. Notwithstanding the foregoing, the Company shall never be required to refund to the City, in the aggregate, any amount in excess of the total grant amount set forth in Section 4.01.

(b) In the event the Company, at any time during the term of this Agreement, is convicted of a violation under 8 U.S.C. Section 1324a(f) regarding the unlawful employment of undocumented workers, it shall reimburse the City all grant funds paid pursuant to this

Agreement together with interest charged from the date of payment of the funds at the statutory rate for delinquent taxes as determined by V.T.C.A., Tax Code § 33.01 but without the addition of penalty. Repayment of grant funds and interest shall be due not later than one hundred twenty (120) days after the date the City notifies the Company of the conviction.

## **Article 5 Termination**

5.01 This Agreement terminates upon any one or more of the following:

- (a) By mutual written agreement of the parties;
- (b) Upon expiration of the term of this Agreement;
- (c) By either party upon written notice to the other, if the other party defaults or breaches any of the terms or conditions of this Agreement and such default or breach is not cured within thirty (30) days after written notice thereof (provided that such 30-day period shall be extended if the default is of a nature that cannot reasonably be cured within such 30-day period and further provided that the remedy is being diligently pursued);
- (d) By either party upon written notice to the other if any subsequent federal or state legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable, provided that such termination notice shall set forth an explanation of the terminating party's basis for termination under this subsection (d); and
- (e) Failure to timely file the Initial Certification as provided in Section 4.02 above.

5.02 **Effect of Termination.** The rights, responsibilities and liabilities of the parties under this Agreement shall be extinguished upon the applicable effective date of termination of this Agreement, except for any obligations that accrue prior to such termination or as otherwise provided herein. All rights and obligations set forth above in this Section 5.02 shall survive the termination of this Agreement.

## **Article 6 Miscellaneous**

6.01 **Binding Agreement.** The terms and conditions of this Agreement are binding upon the successors and permitted assigns of the parties. This Agreement may not be assigned without the express written consent of the non-assigning party, except that the Company may assign this Agreement without obtaining the City's consent (a) to one of its affiliates, (b) to its parent or (c) to any person or entity that directly or indirectly acquires, through merger, sale of stock, purchase or otherwise, all or substantially all of the assets of the Company.

6.02 **No Joint Venture.** It is acknowledged and agreed by the parties that the terms of this Agreement are not intended to and shall not be deemed to create a partnership or joint venture among the parties. Neither party shall have any authority to act on behalf of the other party under any circumstances by virtue of this Agreement.



6.09 **Recitals.** The recitals to this Agreement are incorporated herein.

6.10 **Counterparts.** This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts together shall constitute one and the same instrument.

6.11 **Survival of Covenants.** Any of the representations, warranties, covenants, and obligations of the parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

6.12 **Dispute Resolution.** Any controversy or claim arising from or relating to this Agreement, or a breach thereof shall be subject to non-binding mediation, as a condition precedent to the institution of legal or equitable proceedings by any party. The parties shall endeavor to resolve their claims by mediation that, unless the parties mutually agree otherwise, shall be in accordance with the American Arbitration Association's Commercial Mediation Rules in effect at the time of mediation. Request for mediation shall be filed concurrently with the other party. Mediation shall proceed in advance of legal or equitable proceedings, which shall be stayed pending mediation for a period of sixty (60) days from the date of filing for mediation, unless stayed for a longer period of time by agreement of the parties. The party requesting the mediation shall bear all costs related to the mediation. The mediation shall be held in Collin County, Texas, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any Court having jurisdiction thereof.

6.13 **Time is of the Essence.** Time is of the essence in this Agreement.

EXECUTED on this 8th day of March, 2010.

ATTEST:

CITY OF PLANO, TEXAS, a home rule  
municipal corporation

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

By:

\_\_\_\_\_  
Thomas H. Muehlenbeck  
CITY MANAGER

APPROVED AS TO FORM:

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

ATTEST:

Wyndham Jade LLC, a Delaware limited liability company

By: \_\_\_\_\_  
Name:  
Title:

**EXHIBIT "A"**

**INITIAL CERTIFICATE OF COMPLIANCE**

I hereby certify that Company has occupied not less than 20,000 square feet of commercial space on the Property and has retained 90 Job Equivalent positions to the Property. Wyndhaven Jade LLC, is in compliance with subsections \_\_\_\_\_ (insert (a) and (b) or insert (c) as applicable) of Article 3 of the Agreement commencing effective March 1, 2010, and is entitled to receive payment under the terms of that Agreement.

ATTEST:

Wyndham Jade LLC, a Delaware limited liability company

\_\_\_\_\_

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

Name:  
Chief Financial Officer

\_\_\_\_\_  
Date

NOTE:

This Certificate of Compliance should be mailed to:

City of Plano  
Finance Department  
P.O. Box 860358  
Plano, Texas 75086-0358

**EXHIBIT "B"**

**ANNUAL CERTIFICATE OF COMPLIANCE**

I hereby certify that Wyndham Jade LLC, a Delaware limited liability company is in compliance with each applicable term as set forth in Article 3 of the Agreement as of \_\_\_\_\_. The term of the Agreement is March 1, 2010 through February 29, 2020. The number of Job Equivalents, calculated as set forth in the Agreement and maintained pursuant to the Agreement since its inception, has not fallen below \_\_\_\_\_ for more than one hundred eighty (180) consecutive days and is \_\_\_\_\_ as of the date of this Certificate of Compliance. If the number herein reported is below the number required to be maintained pursuant to the Agreement, I certify that the City of Plano has been refunded the appropriate amount as required by Section 4.03 of the Agreement. This form is due on January 31st of each year the Agreement is in force.

ATTEST:

Wyndham Jade LLC, a Delaware limited liability company

\_\_\_\_\_

By:

\_\_\_\_\_  
Name:  
Chief Financial Officer

\_\_\_\_\_  
Date

NOTE:

This Certificate of Compliance should be mailed to:

City of Plano  
Finance Department  
P.O. Box 860358  
Plano, Texas 75086-0358