

CITY COUNCIL

1520 AVENUE K



DATE: 7/25/2016
CALL TO ORDER: 7:00 p.m.
INVOCATION: Dr. Craig Curry
First Baptist Church Plano
PLEDGE OF ALLEGIANCE: Jr. Girl Scout Troop 3460
Harrington Elementary

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>OUR MISSION - THE CITY OF PLANO IS A REGIONAL AND NATIONAL LEADER, PROVIDING OUTSTANDING SERVICES AND FACILITIES THROUGH COOPERATIVE EFFORTS THAT ENGAGE OUR CITIZENS AND THAT CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.</p> <p>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p><u>PROCLAMATIONS & SPECIAL RECOGNITION</u></p> <p>PROCLAMATION: September is Pain Awareness Month.</p> <p>PRESENTATION: The City of Plano has received the National Environmental Health Association - Excellence in Sustainability Award.</p> <p><u>OATHS OF OFFICE</u></p> <p><u>DART Board of Directors</u> Paul Wageman</p> <p><u>CERTIFICATES OF APPRECIATION</u></p> <p><u>Planning and Zoning Commission</u> Kayci Prince</p> <p><u>COMMENTS OF PUBLIC INTEREST</u> <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>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>CONSENT AGENDA</u> <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> <p><u>Approval of Minutes</u> (a) June 28, 2016</p> <p><u>Approval of Expenditures</u></p> <p>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</p> <p>(b) RFP No. 2016-0383-C for the purchase of a hyper converged server/storage solution with a five-year maintenance agreement for Technology Services to EST Group, LLC in the amount of \$1,995,171; and authorizing the City Manager to execute all necessary documents.</p> <p>(c) Bid No. 2016-0289-C for a one (1) year contract with four (4) one-year City optional renewals for Public Grounds Fertilization and Weed Control Services for the Parks and Recreation Department to GroGreen, Inc. in the estimated annual amount of \$89,996; and authorizing the City Manager to execute all necessary documents.</p> <p>(d) RFP No. 2016-0013-C for a three (3) year contract with two (2), two-year City optional renewals for Public Art Cleaning & Maintenance for Parks and Recreation to Displays Unlimited Inc. dba Displays Fine Art Services, in the estimated amount of \$190,985; and authorizing the City Manager to execute all necessary documents.</p> <p>(e) CSP No. 2016-0313-B for Downtown Brick Pavers and Pavement, Project No. 6404.1 to C. Green Scaping, in the amount of \$191,176; and authorizing the City Manager to execute all necessary documents.</p> <p>(f) CSP No. 2016-0275-B for the SCADA System Upgrade to RLC Controls, Inc. in the amount of \$584,224; and authorizing the City Manager to execute all necessary documents.</p> <p>Purchase from an Existing Contract</p> <p>(g) To approve the purchase of wireless and voice data services for an initial term of nine (9) months with three (3) one-year City optional renewals for Technology Services in the estimated amount of \$441,145 from Cellco Partnership d/b/a Verizon Wireless through an existing contract with State of Texas Department of Information Resources; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-3415)</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(h)	To approve the purchase of EMS Billing and Collection Services for an initial term of four (4) months with one (1) one-year renewal for the Fire Department in the estimated amount of \$308,892 from Digitech Computer, Inc. through an existing City of Pearland contract; and authorizing the City Manager to execute all necessary documents. (City of Pearland Contract No. RFP 0512-39)	
(i)	To approve the purchase of partner assurance software support services for Avaya for an initial term of 13 months with one (1) City optional one-year renewal for Technology Services in the amount of \$204,300 from Affiliated Telephone, Inc., through an existing contract with State of Texas Department of Information Resources; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-2654)	
	Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)	
(j)	To approve an Engineering Professional Services Agreement between the City of Plano and Data Transfer Solutions, LLC (DTS) in the amount of \$336,940 for Professional Pavement Data Collection Services; and authorizing the City Manager to execute all necessary documents.	
	<u>Adoption of Resolutions</u>	
(k)	To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano and County of Collin, Texas, for the design and construction of the Preston Road Corridor Improvements project; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date.	
(l)	To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano and County of Collin, Texas, for the design and construction of the Spring Creek Corridor Improvements project; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date.	
(m)	To ratify the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and the City of Amarillo, Texas, for Interim Police Chief services; approving its execution by the City Manager; and providing an effective date.	
(n)	To approve the terms and conditions of a Supplement to the Agreement for Street Lighting Services by and between the City of Plano and Oncor Electric Delivery Company, LLC, providing for the removal and addition of street lights on Ranch Estates Drive; authorizing its execution by the City Manager; and providing an effective date.	
	<u>Adoption of Ordinances</u>	
(o)	To adopt and enact Supplement Number 116 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date.	

ITEM NO.	EXPLANATION	ACTION TAKEN
(p)	<p>To amend Chapter 12, Motor Vehicles and Traffic, Article IV, Speed, Section 12-73(d), Subsections “Coit Road,” “Crystal Creek Drive,” “Elsinore Drive,” “Floyd Drive,” “Gillespie Drive,” “McDermott Road,” “National Drive,” “Oakland Hills Drive,” “Ohio Drive,” “Ridgeview Drive,” “Robinson Road,” “Rockledge Lane,” and “Waskom Drive,” of the Code of Ordinances of the City of Plano, Texas to revise the effective times for the school zones on these roadways; providing a repealer clause, a severability clause, a penalty clause, a savings clause, a publication clause, and an effective date.</p>	
(q)	<p>To repeal certain sections of Ordinance Nos. 98-10-18, 96-11-24, and 91-4-37 codified as Section 2-98, Standards of Conduct – Officers and employees, in Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas; adopting a new Section 2-98, Standards of Conduct – Officers and employees in Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas to be consistent with state law and implement additional standards for board and commission appointees; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p> <p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p><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></p> <p><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></p>	
(1)	<p>Consideration of an Appeal of the Planning & Zoning Commission's Denial of a request to allow an irrigated living screen in lieu of a masonry screening wall along the southern property line of Preston Parker Addition, Block A, Lot 2 - Medical office on one lot on 2.4 acres located on the east side of Preston Road, 230 feet south of Parker Road. Zoned Neighborhood Office/Preston Road Overlay District. Applicant: Parker-Preston Development, LLC.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(2)	Public Hearing and consideration of an Ordinance as requested in Zoning Case 2016-019 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 2.5 acres of land located on the west side of Marble Canyon Drive, 250 feet south of Silent Oak Lane in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-7; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Timothy & Margaret O'Conner	
(3)	Public Hearing and consideration of an Ordinance as requested in Zoning Case 2016-021 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-138-Retail/General Office on 30.2 acres of land located at the southeast corner of Plano Parkway and Allied Drive, in the City of Plano, Collin County, Texas, to modify height regulations; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Baylor Scott & White Hospital	
(4)	Public Hearing and consideration of a Resolution to authorize a Substantial Amendment to the 2014-2015 and 2015-2016 Action Plans for the use of U. S. Department of Housing and Urban Development Community Development Block Grant and HOME Investment Partnerships Program funds; and providing an effective date.	
(5)	Public Hearing and consideration of a Resolution to adopt the 2016-2017 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2016-2017; and declaring an effective date.	
(6)	<p>Consideration of a Resolution to authorize the filing of applications for U.S. Department of Housing and Urban Development funds in an amount not to exceed \$1,569,145 under the Housing and Community Development Act and the HOME Investment Partnerships Act; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances, acting in connection with said application and providing required information; 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/L Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Senator Florence Shapiro Council Chambers is accessible by elevator to the lower level. 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**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		07/25/2016		
Department:		City Manager's Office		
Department Head		Bruce Glasscock		
Agenda Coordinator (include phone #): Melinda White X7548, Cindy Pierce X5161				
CAPTION				
PROCLAMATION: September is Pain Awareness Month				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		07//25/2016		
Department:		City Manager's Office		
Department Head		Bruce Glasscock		
Agenda Coordinator (include phone #): Melinda White X7548, Cindy Pierce X5161				
CAPTION				
Presentation: The City of Plano has received the National Environmental Health Association - Excellence in Sustainability Award				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
June 28, 2016**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Lissa Smith, Mayor Pro Tem
Ben Harris, Deputy Mayor Pro Tem
Rick Grady
Ron Kelley
Tom Harrison
David Downs

COUNCIL MEMBERS ABSENT

Angela Miner

STAFF PRESENT

LaShon Ross, Deputy City Manager
Jim Parrish, Deputy City Manager
Jack Carr, Deputy City Manager
Mark Israelson, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere called the meeting to order at 5:00 p.m., Tuesday, June 28, 2016, in the Senator Florence Shapiro Council Chambers of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor LaRosiliere then stated that the Council would retire into Executive Session, in Training Room A, in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated in order to consult with an attorney and receive Legal Advice, Section 551.071; discuss Real Estate, Section 551.072; and to discuss Personnel, Section 551.074; for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor LaRosiliere reconvened the meeting back into the Preliminary Open Meeting at 5:52 p.m. in the Senator Florence Shapiro Council Chambers.

**Consideration and action resulting from Executive Session discussion
Personnel – Appointments/Reappointments**

Board of Adjustment

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Downs, the Council voted 7-0 to reappoint Joyce Beach, Jim Norton, and Phillip Pierceall.

Building Standards Commission

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Downs, the Council voted 7-0 to reappoint Earl Dedman and deferred consideration of the remaining reappointments and interim appointments to the July 25, 2016 meeting.

Heritage Commission

The Council deferred consideration of reappointments and interim appointments to the July 25, 2016 meeting.

Planning and Zoning Commission

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Downs, the Council voted 7-0 to reappoint John Muns and Susan Plonka.

DART Board of Directors

This item was addressed in the Regular Council Meeting.

Personnel – Appointments/Reappointments

Animal Shelter Advisory Committee

Upon a motion made by Council Member Harrison and seconded by Council Member Grady, the Council voted 7-0 to reappoint Jamey Cantrell and Lisa Ann Moore.

Civil Service Commission

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to accept the reappointment of Robert Hill, as recommended by City Manager Glasscock.

Community Relations Commission

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to reappoint Donna Straker.

Cultural Affairs Commission

Upon a motion made by Council Member Kelley and seconded by Council Member Grady, the Council voted 7-0 to reappoint Sharon Hirsch.

Library Advisory Board

Upon a motion made by Council Member Grady and seconded by Council Member Downs, the Council voted 7-0 to reappoint Irma Landis and deferred consideration of the remaining reappointment to the July 25, 2016 meeting.

Parks and Recreation Planning Board

Upon a motion made by Council Member Kelley and seconded by Council Member Harrison, the Council voted 7-0 to reappoint Brian Bascom, Richard Horne, Paul Naquin, and Drew Wight.

Photographic Traffic Signal Advisory Committee

Upon a motion made by Council Member Grady and seconded by Council Member Downs, the Council voted 7-0 to reappoint Angela Powell (Deputy Mayor Pro Tem Harris' appointee) and Akram Syed (Mayor LaRosiliere's appointee) and deferred consideration of the remaining reappointment (Council Member Down's appointee) to the July 25, 2016 meeting.

Plano Housing Authority

Upon a motion made by Council Member Downs and seconded by Mayor LaRosiliere, the Council voted 7-0 to reappoint Fred Bemenderfer and Jeanine Boehl, as recommended by Mayor LaRosiliere.

Retirement Security Plan Committee

Upon a motion made by Mayor LaRosiliere and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to accept the reappointment of Myra Conklin, Robert Gehbauer, and Greg Rushin, as recommended by City Manager Glasscock.

Senior Citizens Advisory Board

Upon a motion made by Council Member Downs and seconded by Council Member Kelley, the Council voted 7-0 to reappoint Donna Bening, Peter Chen, and Ronald Silvis.

Cooling Tower Program Fee Presentation

Director of Finance Tacke spoke to the existing billing system stating current customers with cooling towers are billed a maximum of 12,000 gallons of sewer usage which does not accurately account for the actual amount of water discharged or adequately cover the cost. She added existing utility customers with cooling towers were notified that the program would be changed. Ms. Tacke stated blow down meters are a more accurate way to measure the amount of water discharged into the sewer system and that several area cities use the meters. She reported the new system would be fair and equitable to measure and bill for the usage and that the amended ordinance is included on the consent agenda this evening.

Consent and Regular Agendas

No items were discussed.

Council Items for Discussion/Action on Future Agendas

No items were discussed.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 6:08 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
REGULAR SESSION
June 28, 2016**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Lissa Smith, Mayor Pro Tem
Ben Harris, Deputy Mayor Pro Tem
Rick Grady
Ron Kelley
Tom Harrison
David Downs

COUNCIL MEMBERS ABSENT

Angela Miner

STAFF PRESENT

LaShon Ross, Deputy City Manager
Jim Parrish, Deputy City Manager
Jack Carr, Deputy City Manager
Mark Israelson, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Tuesday, June 28, 2016, at 7:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Rabbi Michael Kushnick with Congregation Anshai Torah led the invocation and the Deputy Mayor Pro Tem Harris led the Pledge of Allegiance and Texas Pledge.

Mayor LaRosiliere proclaimed July as Parks and Recreation Month and recognized the City's receipt of the Governor's Community Achievement Award.

COMMENTS OF PUBLIC INTEREST

Mary Compton, Candace Fountoulakis, Patty Snell, Beth Carruth, and Dr. Randy Moir spoke to preservation of the Collinwood House.

CONSENT AGENDA

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

Approval of Minutes

June 13, 2016
(Consent Agenda Item “A”)

Approval of Expenditures

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

Rescind award of Bid No. 2016-0230-C Reinforcing Steel to CMC Construction Services.
(Consent Agenda Item “B”)

Bid No. 2016-0233-C for a one (1) year contract with two (2) one-year City optional renewals for Neighborhood Parks Site Litter Removal for the Parks and Recreation Department to Premier Building Maintenance, Inc. in the estimated amount of \$133,224 for the first year, and the subsequent renewals in the estimated annual amounts of \$136,344 for the second year and \$138,996 for the third year for an estimated total contract amount of \$408,564; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Approval of Change Order

To Infrastructure Rehabilitation USA, Inc., increasing the contract by \$125,659 for the Public Works Department’s Sanitary Sewer Manhole Lining Contract, Project No. 6463, Change Order No. 1; and authorizing the City Manager to execute all necessary documents. Bid No. 2016-125-B. (Consent Agenda Item “D”)

Approval of Expenditure

To approve an expenditure for conducted energy weapons (CEWs) and CEW accessories for the Police Department in the amount of \$97,692 from Taser International; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Approval of Request

To approve a request for a Parking Reduction Program for data center on one lot on 11.0 acres located on the west side of Communications Parkway, 1,900 feet south of Tennyson Parkway. Zoned Commercial Employment. Project# RPSP2016-005. Applicant: Skybox Legacy, L.P. (Consent Agenda Item “F”)

Adoption of Resolutions

Resolution No. 2016-6-16(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between CompuCom Systems, Inc., a Delaware corporation, and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “G”)

Resolution No. 2016-6-17(R): To approve the terms and conditions of the First Amendment to the Economic Development Incentive Agreement by and between the City of Plano and SWC Tollway & 121, LLC, a Delaware limited liability company, executed on December 17, 2015 for the construction and installation of certain public infrastructure and improvements within the public rights-of way within and near the Legacy West development; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “H”)

Resolution No. 2016-6-18(R): To approve a revised Animal Services Fee Schedule to reflect fees for current and new services and programs; and providing an effective date. (Consent Agenda Item “I”)

Resolution No. 2016-6-19(R): To ratify an expenditure pursuant to an existing contract by and between Cellco Partnership d/b/a Verizon Wireless and Its Related Entities and the City of Plano, Contract 2012-251-O, for voice and data services in the amount of \$99,272; approving the execution of all necessary documents by the City Manager; and providing an effective date. (Consent Agenda Item “J”)

Resolution No. 2016-6-20(R): To ratify the expenditure of funds in the amount of \$176,105 to HD Supply Waterworks, LTD for de-chlorinator tablets; authorizing the execution of any and all documents in connection therewith by the City Manager; and providing an effective date. (Consent Agenda Item “K”)

Resolution No. 2016-6-21(R): To ratify the expenditure of funds in the amount of \$182,139 to Legacy Contracting, LP, dba Control Specialist Services, LP for providing additional water and wastewater pumping facilities maintenance; authorizing the execution of any and all documents in connection therewith by the City Manager; and providing an effective date. (Consent Agenda Item “L”)

Resolution No. 2016-6-22(R): To certify that the City is eligible to receive financial assistance under the Collin County Parks and Open Space Project Funding Assistance Program as provided by the Collin County Commissioners Court; certifying that the City’s matching share is readily available; designating the Director of Parks and Recreation as being responsible for acting for and on behalf of the City of Plano in dealing with the Collin County Commissioners Court for the purpose of participating in the Collin County Parks and Open Space Project Funding Assistance Program; certifying that the Cottonwood Creek Trail Extension from Stoney Hollow Park to East Park Blvd has been dedicated for public park and recreational uses; and providing an effective date. (Consent Agenda Item “M”)

Resolution No. 2016-6-23(R): To ratify the expenditure of \$268,231 for Change Order No. 4 to Turner Construction Company for the Construction Manager at Risk (CMAR) contract for the construction of Jack Carter Pool, Project No. 6587, Original Bid No. 2015-105-B; approving its execution by the City Manager; and providing an effective date. (Consent Agenda Item “N”)

Resolution No. 2016-6-24(R): To approve the terms and conditions of a customer electricity supply agreement by and between the City of Plano and Reliant Energy Retail Services, L.L.C., a Delaware limited liability company; authorizing its execution by the City Manager; authorizing the Director of Finance to evaluate and execute a fixed price Energy Transaction Confirmation at an acceptable rate not to exceed \$0.041 per kilowatt hour for the five-year term beginning January 1, 2018; authorizing the Director of Finance to renew the customer electricity supply agreement for an additional four-year term and select block and index pricing if in the best interests of the City at an acceptable rate not to exceed a fixed price of \$0.045 per kilowatt hour; and providing an effective date. (Consent Agenda Item “O”)

Adoption of Ordinances

Ordinance No. 2016-6-25: To repeal Ordinance No. 2009-2-13 codified as Chapter 4, Animal Regulations of the City of Plano Code of Ordinances and adopting a new Chapter 4, Animal Regulations of the City of Plano Code of Ordinances; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “P”)

Ordinance No. 2016-6-26: To repeal a certain section entitled “Animal Services Fees” in Ordinance No. 2014-1-20; and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Consent Agenda Item “Q”)

Ordinance No. 2016-6-27: To adopt and enact Supplement Numbers 114 and 115 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date. (Consent Agenda Item “R”)

Ordinance No. 2016-6-28: To amend Section 21-137, Nonstandard evaporative cooling tower meters, Article IV, Chapter 21, Utilities, of the Code of Ordinances of the City of Plano; providing for the definition and establishment of sewer charges for standard and nonstandard evaporative cooling towers as well as their installation, reading, and testing; and providing a repealer clause, a severability clause, a savings clause and an effective date. (Consent Agenda Item “S”)

Ordinance No. 2016-6-29: To amend Section 12-74(b) of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to amend the prima facie maximum speed limit for motor vehicles operating on Jupiter Road within the corporate limits of the City of Plano; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a penalty clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item “T”)

END OF CONSENT

Public Hearing and adoption of Ordinance No. 2016-6-30 as requested in Zoning Case 2016-017 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 11 so as to allow the additional use of New Automobile Dealer on 0.1 acre of land located on the east side of Windrose Avenue, 1,450 feet south of Headquarters Drive, in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Legacy West Investors, LP (Regular Item “1”)

Development Review Manager Hill spoke to the request to display vehicles with places for storage in the adjacent parking garage, limiting the maximum inventory to 10 vehicles on site. He provided location information and a site map. Mr. Hill stated Staff and the Planning and Zoning Commission recommend the item for approval.

Mayor LaRosiliere opened the public hearing. No one appeared to speak. Mayor LaRosiliere closed the public hearing.

Upon a motion made by Mayor Pro Tem Smith and seconded by Deputy Mayor Pro Tem Harris, the Council voted 7-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 11 so as to allow the additional use of New Automobile Dealer on 0.1 acre of land located on the east side of Windrose Avenue, 1,450 feet south of Headquarters Drive, in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1, as requested in Zoning Case 2016-017; and further to adopt Ordinance No. 2016-6-30.

Public Hearing and adoption of Ordinance No. 2016-6-31 as requested in Zoning Case 2016-015 to amend Section 8.200 (Terms Defined) of Article 8 (Definitions), Sections 14.100 (Residential Districts Use Table), 14.200 (Nonresidential Districts Use Table), and 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications), and Section 15.900 (Outdoor Athletic Facilities) of Article 15 (Use-specific Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to service yards in public parks and fencing of outdoor recreation facilities; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: City of Plano (Regular Item “2”)

Development Review Manager Hill spoke to the requested ordinance amendments pertaining to service yards and fence height for backstops in public parks. He stated Staff and the Planning and Zoning Commission recommend approval as follows: (Additions are indicated in underlined text; deletions are indicated in ~~strikethrough~~ text.)

Public Hearing and adoption of Ordinance No. 2016-6-31 (Cont'd.)

Amend Section 8.200 (Terms Defined) of Article 8 (Definitions), such amended definition to read as follows:

Park/Playground

An outdoor park owned or operated by a public agency such as a city or school district and available to the general public which may include outdoor recreation facilities. Any tract of land or outdoor facility accessible and open for use by the general public for active or passive recreational purposes, including but not limited to, playgrounds, swimming pools, outdoor recreation facilities, trails, nature preserves, and greenbelts.

Amend Sections 14.100 (Residential Districts Use Table), 14.200 (Nonresidential Districts Use Table), and 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications), such portions of sections to read as follows:

Section 14.100 (Residential Districts Use Table)

RESIDENTIAL ZONING DISTRICTS																
Permitted Uses	Use Category	A-Agricultural	ED-Estate Development	SF-20 – Single-Family-20	SF-9-Single-Family-9	SF-7-Single-Family-7	SF-6-Single-Family-6	UR-Urban Residential	PH-Patio Home	SFA Single-Family Attached	2F-Two-Family Attached Duplex	GR-General Residential	MF-1-Multifamily-1	MF-2-Multifamily-2	MF-3-Multifamily 3	MH-Mobile Home
Service Yard (Public or Utility)	Trans., Utility, & Comm.	S 50	S 50	S 50	S 50	S 50	S 50	S 50	S 50	S 50	S 50	S 50	S 50	S 50	S 50	S 50

Section 14.200 (Nonresidential Districts Use Table)

NONRESIDENTIAL ZONING DISTRICTS															
Permitted Uses	Use Category	O-1 Neighborhood Office	O-2 General Office	R Retail	LC Light Commercial	CC Corridor Commercial	UMU Urban Mixed-Use	BG Downtown Business/Government	CB-1 Central Business-1	CE Commercial Employment	RE Regional Employment	RC Regional Commercial	RT Research/Technology Center	LI-1 Light Industrial-1	LI-2 Light Industrial-2
Service Yard (Public or Utility)	Trans., Utility, & Comm.	S 50	S 50	S 50	S 50	S 50		S 50	P 50	P 50			S 50	P 50	P 50

Section 14.300 (Use Table Notes)

Number	End Note
50	<u>Allowed by right as an accessory use to a park/playground if located a minimum of 150 feet from a residential property line and screened from view of adjacent streets and properties.</u>

Public Hearing and adoption of Ordinance No. 2016-6-31 (Cont'd.)

Amend Section 15.900 (Outdoor Athletic Facilities) of Article 15 (Use-specific Regulations), such portion of section to read as follows:

Section 15.900 (Outdoor ~~Athletic~~ Recreation Facilities)

.1 Outdoor recreation facility fencing and equipment must not exceed 30 feet in height.

.2 The following criteria shall apply to all outdoor athletic recreation facilities except for publicly-owned neighborhood parks as designated on the Park Master Plan contained within the Comprehensive Plan:

~~.1~~ A. Bleachers shall be set back a minimum of 100 feet from a residential zoning district boundary line or from a residential property line.

~~.2~~ B. Backstops shall be set back a minimum of 150 feet from a residential zoning district boundary line or from a residential property line.

Mayor LaRosiliere opened the public hearing. Bill Lisle spoke to his concern regarding the application of the regulations of the existing ordinance at City facilities. Mayor LaRosiliere closed the public hearing.

Assistant Director of Parks and Recreation Reeves clarified for Council that the department needs to comply with all requirements for new construction at all parks and bring existing facilities at Oak Point Park and Nature Preserve into compliance.

Upon a motion made by Council Member Grady and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to amend Section 8.200 (Terms Defined) of Article 8 (Definitions), Sections 14.100 (Residential Districts Use Table), 14.200 (Nonresidential Districts Use Table), and 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications), and Section 15.900 (Outdoor Athletic Facilities) of Article 15 (Use-specific Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to service yards in public parks and fencing of outdoor recreation facilities, as requested in Zoning Case 2016-015; and further to adopt Ordinance No. 2016-6-31.

Public Hearing and adoption of Resolution No. 2016-6-32(R) to approve the terms and conditions of an Interlocal Agreement and Memorandum of Understanding by and between the City of Plano, the City of McKinney and the Collin County Sheriff's Office for the disbursement of the 2016 Edward Byrne Justice Assistance Grant funds; authorizing its execution by the City Manager; and providing an effective date. (Regular Item "3")

Public Hearing and adoption of Resolution No. 2016-6-32(R) (Cont'd.)

Police Chief Rushin advised a public hearing is required prior to the use of grant funds and the Council must accept the interlocal agreement for the disbursal of funds. He stated, being the largest city in the agreement, Plano will be the fiscal agent and that \$21,950 is designated for use by Plano with no match required. Chief Rushin spoke to 6 areas the funds can be used: Law Enforcement Programs; Prosecution and Court Programs; Prevention and Education; Corrections; Drug Treatment Programs; and Planning, Evaluation and Technology Programs. He reported the funds will be used to purchase two forensic recovery of evidence devices.

Mayor LaRosiliere opened the public hearing. No one appeared to speak. Mayor LaRosiliere closed the public hearing.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Downs, the Council voted 7-0 to approve the terms and conditions of an Interlocal Agreement and Memorandum of Understanding by and between the City of Plano, the City of McKinney and the Collin County Sheriff's Office for the disbursement of the 2016 Edward Byrne Justice Assistance Grant funds; and further to adopt Resolution No. 2016-6-32(R).

Resolution No. 2016-6-33(R): To appoint a board member to serve on the Dallas Area Rapid Transit Authority (DART) Board of Directors as provided in Chapter 452 of the Texas Transportation Code and providing an effective date. (Regular Item "4")

Upon a motion made by Mayor Pro Tem Smith and seconded by Deputy Mayor Pro Tem Harris, the Council voted 7-0 to appoint Paul Wagemen as a board member to serve on the Dallas Area Rapid Transit Authority (DART) Board of Directors as provided in Chapter 452 of the Texas Transportation Code; and further to adopt Resolution No. 2016-6-33(R).

Resolution No. 2016-6-34(R): To affirm the appointment of a shared board member with the City of Farmers Branch to serve on the Dallas Area Rapid Transit Authority (DART) Board of Directors as provided in Chapter 452 of the Texas Transportation Code and providing an effective date. (Regular Item "5")

Upon a motion made by Mayor Pro Tem Smith and seconded by Deputy Mayor Pro Tem Harris, the Council voted 7-0 to appoint Faye Wilkins as a shared board member with the City of Farmers Branch to serve on the Dallas Area Rapid Transit Authority (DART) Board of Directors as provided in Chapter 452 of the Texas Transportation Code; and further to adopt Resolution No. 2016-6-34(R).

With no further business, Mayor LaRosiliere adjourned the meeting at 7:54 p.m.

Harry LaRosiliere, MAYOR

ATTEST

Lisa C. Henderson, City Secretary



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		7/25/2016			
Department:		Technology Services			
Department Head		Chris Chiancone			
Agenda Coordinator (include phone #): Corey Isaacs x7134					
CAPTION					
RFP No. 2016-0383-C for the purchase of a hyper converged server/storage solution with a five-year maintenance agreement for Technology Services to EST Group, LLC., in the amount of \$1,995,171, and authorizing the City Manager or his designee to execute all necessary documents.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP					
FISCAL YEAR:	2015-16 & 2016-17	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	600,000	1,900,000	2,500,000
Encumbered/Expended Amount		0	0	0	0
This Item		0	-414,195	-1,580,976	-1,995,171
BALANCE		0	185,805	319,024	504,829
FUND(S): TECHNOLOGY IMPROVEMENT FUNDS					
<p>COMMENTS: Funding for this item is planned in the 2016-17 Technology Improvements CIP. Purchase of a scalable hyper converged server/storage solution including maintenance and support for five years, in the amount of \$1,995,171, will leave a total project balance of \$504,829 available for acquisition and implementation related to this or other future technology projects.</p> <p>STRATEGIC PLAN GOAL: Obtaining a server/storage solution to modernize technology, increase productivity, and assure redundancy relates to the City's goal of a Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
See Recommendation Memo					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Recommendation Memo					
RFP Recap					

Date: July 14, 2016

To: Diane Palmer-Boeck, Director of Procurement and Project Management

From: Chris Chiancone, Chief Information Officer

Subject: Award of RFP No. 2016-0383-C Hyper-Converged Server/Storage Solution

The City of Plano is currently modernizing their technology presence to accommodate future state needs and support explosive growth. The City has developed a NextGen program to modernize technology, increase productivity, and leverage redundancy; while, reducing cost and rework. As part of this program, we have identified compute and storage as an integral part of the modernization, and released a Request for Proposals on May 24, 2016. The request solicited proposals from all vendors that could support:

- Native hyper-converged technology, broken into 4 heterogeneous clusters, of unlimited scalability.
- Support for VM and Hyper Converged virtualization technology
- Inline Compression, Deduplication, and Map Reduce opportunities
- All in one solution in business for at least 3 years
- Data Path Redundancy
- Multi-Site Operability with a single entry point for all administration
- Reduced overhead with administration, specifically leveraging continuous availability of data across different sites during planned maintenance or disaster through synchronous replication
- 5 Years of 24x7 dispatched support and software support
- Professional training on system administration with certification tracks and CEU (continuing education credits)
- Professional services for migration and documentation

The RFP was posted for 21 business days and received in Purchasing prior to June 22, 2016 @ 3:00 P.M. Central Time. Purchasing then distributed material to four (4) voting members from Technology Services, with non-voting representation from the Procurement and Project Management department. The group reviewed the proposals for 10 business days, then completed and scored the proposals on July 8, 2016.

The evaluation was based on the following criteria:

- Proposed Solution and Work Plan/Project Management (40%)
- Proven ability of Proposer to Supply Solution (10%)
- Experience Providing Post Installation Support (10%)
- Cost (40%)

The evaluation resulted in EST Group, LLC receiving the highest overall score and it is recommended that the award of the contract be made to EST Group, LLC, as they provided the best value for the City considering the relative importance of the evaluation criteria and weights. The solution, experience,

price, and ability EST Group, LLC was equal to or better than the other proposers as they demonstrated the best understanding of our City's needs.

The best and final offer is \$1,995,170.68 which includes infrastructure, maintenance, and support for five (5) years and will scale with our organizations' growth as new initiatives get under way. This proposal supports current infrastructure requirements with an additional 25% for re-architecture and operational capacity growth.

The Hyper-Converged Server/Storage Solution is essential for leveraging modern technology and increased scalability. This solution will also allow for sun setting of physical servers, decreasing future replacement server cost, migrate off of legacy storage, decrease power consumption, and decrease administrative burden.

CITY OF PLANO

RFP No. 2016-0383-C

Hyper Converged Server/Storage Solution

RFP Recap

Proposal Opening Date/Time: June 22, 2016 @ 3:00 PM

Number of Vendors Notified: 5,247

Vendors Submitting "No Bids": 0

Number of Proposals Submitted Non-Responsive: 1

Number of Proposals Submitted: 3

Vendor Name

EST Group, LLC

Blue Line Services, LLC

Proposal

\$1,693,798.56

\$2,294,345.00

Best and Final Offers Requested

EST Group, LLC

Amount

\$1,995,170.68

Recommended Vendor(s):

EST Group, LLC with their Best and Final Offer of \$1,995,170.68.

Corey Isaacs

Corey Isaacs, Contract Specialist

July 14, 2016

Date



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		7/25/16			
Department:		Parks and Recreation			
Department Head		Robin Reeves			
Agenda Coordinator (include phone #): Leslie Hooker x 7204					
CAPTION					
Bid No. 2016-0289-C for a one (1) year contract with four (4) one-year City optional renewals for Public Grounds Fertilization and Weed Control Services for the Parks and Recreation Department to GroGreen, Inc. in the estimated annual amount of \$89,996, and authorizing the City Manager or his designee to execute all necessary documents.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2015-16 thru 2020-21	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	412,299	429,916	842,215
Encumbered/Expended Amount		0	-288,629	0	-288,629
This Item		0	-20,064	-429,916	-449,980
BALANCE		0	103,606	0	103,606
FUND(S): GENERAL FUND					
<p>COMMENTS: This item approves price quotes for Public Grounds Fertilization and Weed Control Services for Parks & Recreation to GroGreen, Inc. in the amount of \$20,064 for fiscal year 2015-16, which is included in the approved 2015-16 Parks & Recreation Budget. Approval of this item will leave a current year balance of \$103,606, which will be used for other contractual items. Future expenditures will be made by Parks & Recreation within the annual approved budget appropriations at an estimated total expenditure of \$429,916 (\$89,996 for 2016-17, 2017-18, 2018-19, and 2019-20; and \$69,932 for 2020-21).</p> <p>Strategic Plano Goals: Obtaining fertilization and weed control services for public grounds relates to the City's goals of Great Neighborhoods - 1st Choice to Live and Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
See recommendation memo.					
List of Supporting Documents: Recommendation Memo Bid Recap			Other Departments, Boards, Commissions or Agencies		



Memorandum

Date: June 24, 2016

To: Diane Palmer-Boeck, Director of Procurement and Project Management

From: Jeff Schwartz, Park Operations Superintendent

Subject: Award Recommendation: 2016-0289-C - Public Grounds Fertilization & Weed Control Services

This annual contract constitutes annual pre-emergent/post-emergent weed control and fertilization services at public grounds throughout the City. It also includes year-round broadcast fire ant control services at select locations.

GroGreen, Inc. is the lowest responsive, responsible bidder for this contract with a bid of \$89,996.00. This amount is under the budgeted amount of \$90,000.00. After reviewing the vendor submittals and consulting with work history references, GroGreen, Inc. is capable of meeting all of the requirements of the aforementioned maintenance contract. It is the recommendation of the Parks and Recreation Department to award Bid 2016-0289-C – Public Grounds Fertilization & Weed Control Services to GroGreen, Inc.

If this contract is not awarded, the additional responsibilities these City-wide services will be absorbed by existing staff within all three grounds maintenance districts, further stretching their duties and resulting in a reduction of mowing and trim at all park sites. In addition, response time to address safety and other park related issues will increase.

cc:

Ron Smith, Park Services Manager
Robin Reeves, Parks and Recreation Director
Pam Kirkland, Purchasing Agent
Kellie Boyer, Purchasing Manager

CITY OF PLANO

BID NO. 2016-0289-C
Public Grounds Fertilization and Weed Control Services
BID RECAP

Bid opening Date/Time: June 14, 2016 @ 11 am

Number of Vendors Notified: 29

Vendors Submitting "No Bids": 0

Bids Evaluated Non-Responsive to Specifications: 0

Number of Bids Submitted Responsive to Bid: 2

GroGreen, Inc.	<u>Total Offer</u> \$89,996.00
TruGreen	\$100,276.75

Recommended Vendor for award:

GroGreen, Inc.	<u>Total Offer</u> \$89,996.00
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Leslie Hooker

June 14, 2016

Leslie Hooker
Buyer I

Date



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		July 25, 2016			
Department:		Parks & Recreation			
Department Head		Robin Reeves			
Agenda Coordinator (include phone #): Teresa Shelstad Ext: 7539					
CAPTION					
RFP No. 2016-0013-C for a three (3) year contract with two (2), two-year City optional renewals for Public Art Cleaning & Maintenance for Parks & Recreation to Displays Unlimited Inc. dba Displays Fine Art Services, in the estimated amount of \$190,985, and authorizing the City Manager or his designee, to execute all necessary documents.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2016-17 thru 2022-23	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	190,985	190,985
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	-190,985	-190,985
BALANCE		0	0	0	0
FUND(s): GENERAL FUND					
<p>COMMENTS: This item approves prices quotes for Public Art Cleaning and Maintenance. Future expenditures will be made by Parks & Recreation within the annual approved budget appropriations at an estimated total expenditure of \$190,985 (\$27,091 for 2016-17, 2017-18, and 2018-19, and \$27,428 for 2019-20, 2020-21, 2021-22, and 2022-23).</p> <p>STRATEGIC PLAN GOAL: Contracts for Public Art Cleaning and Maintenance relates to the City strategic goals of Great Neighborhoods - 1st Choice to Live and Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
See attached Recommendation Memo.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Recommendation Memo					
RFP Recap					



Memorandum

Date: June 22, 2016

To: Teresa Shelstad, Buyer

From: Michelle Hawkins, Administrator of Arts, Culture & Heritage

Subject: RFP NO. 2016-0013-C Public Art Cleaning & Maintenance

On November 11, 2015, a Request for Proposals (RFP) was released notifying interested parties the City of Plano was seeking to contract with a professional public art cleaning and maintenance business to preserve and maintain the City of Plano's 15 public art pieces located throughout the city. The selected respondent will properly clean, and restore the diverse art pieces on a routine schedule, document and give advice on the preservation and safety of the art. The contract term is for three years with two, two-year optional renewals. Interested parties were required to submit their cleaning techniques for every art piece in the solicitation and a mandatory site visit was required.

The evaluation criteria was based on:

- Experience
- Work Plan
- Cost

On December 7, 2015, the RFP was closed and proposals were evaluated by Purchasing and four city employees who have knowledge of a number of the art pieces in the solicitation and of the previous art cleaning contract. Through the RFP process, it was determined that ***Displays Unlimited, Inc. dba Displays Fine Art Services*** met and exceeded all of the requirements set forth in the RFP. We believe their proposal, as submitted, will provide excellent care and maintenance for all of the City of Plano's public art.

The estimated awarded amount for the contract is \$190,984.38 and funds are available in the General Fund.

The existing public art pieces have not been maintained in several years. Failure to award the bid will result in deterioration and devaluation of the art, as well as, provide a possible safety hazard for patrons and pedestrians.

Thank you,

Michelle Hawkins
Administrator of Arts, Culture and Heritage

CITY OF PLANO

RFP NO. 2016-0013-C

Public Art Cleaning and Maintenance
RFP RECAP

RFP opening Date/Time: December 7, 2015 @10:00am

Number of Vendors Notified: 2751

Vendors Submitting "No Bids": 0

Number of Proposals Submitted Non-Responsive: 0

Number of Proposals Submitted: 2

Displays Unlimited Inc.
dba Displays Fine Art Services

Initial 3 year: \$81,272.84
Renewal 1: \$54,855.77
Renewal 2: \$54,855.77
Total 7 year contract \$190,984.38

Past Matters, LLC.

Initial 3 year: \$97,631.00
Renewal 1: \$54,809.00
Renewal 2: \$54,809.00
Total 7 year contract \$213,249.00

Recommended Vendor:

Displays Unlimited Inc.
dba Displays Fine Art Services

Initial 3 year: \$81,272.84
Renewal 1: \$54,855.77
Renewal 2: \$54,855.77
Total 7 year contract \$190,984.38

Teresa Shelstad

March 14, 2016

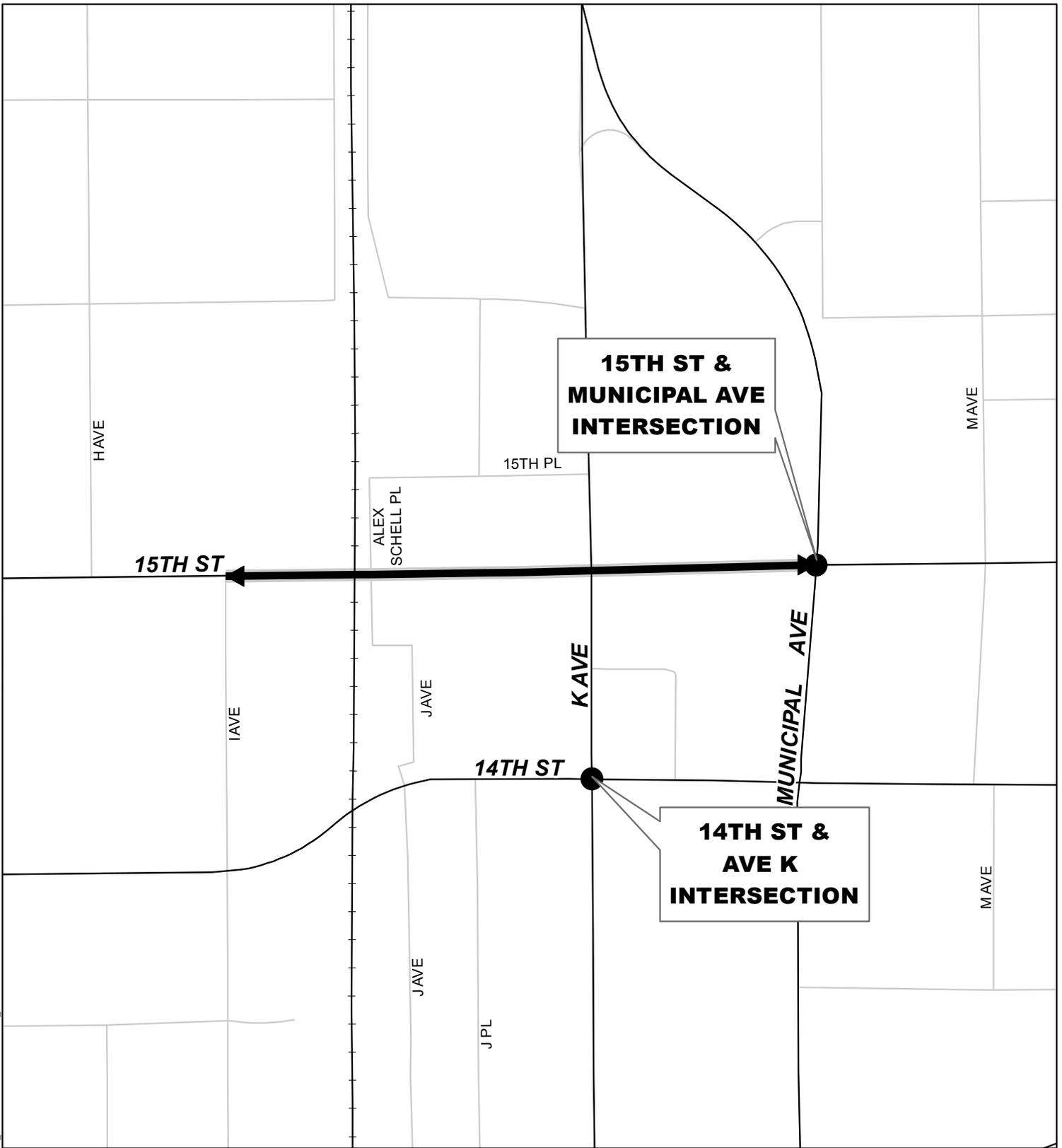
Teresa Shelstad
Buyer II

Date

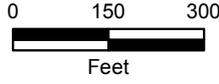


**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		07/25/16		
Department:		Engineering		
Department Head:		B. Caleb Thornhill, P.E		
Agenda Coordinator (include phone #): Kathleen Schonne (7198)				Project No. 6404.1
CAPTION				
CSP No 2016-0313-B for Downtown Brick Pavers and Pavement, Project No. 6404.1 to C. Green Scaping, in the amount of \$191,176, and authorizing the City Manager to execute all necessary documents.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2015-16	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	100,641	330,000	500,000	930,641
Encumbered/Expended Amount	-100,641	-109,028	0	-209,669
This Item	0	-191,176	0	-191,176
BALANCE	0	29,796	500,000	529,796
FUND(S): STREET IMPROVEMENTS CIP				
<p>COMMENTS: Funding for this item is available in the 2015-16 Street Improvements CIP. Brick repair and replacement along 15th Street between I Avenue and Municipal Avenue, as well as the Municipal Avenue & 15th Street and K Avenue & 14th Street intersections, in the amount of \$191,176, will leave a current year balance of \$29,796 available for future street improvement expenditures.</p> <p>STRATEGIC PLAN GOAL: Addressing pavement failures in downtown Plano relates to the City's goals of Exciting Urban Centers – Destination for Residents and Guests and Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
See Recommendation Memorandum.				
List of Supporting Documents: Location Map; Recommendation Memorandum; CSP Summary			Other Departments, Boards, Commissions or Agencies N/A	

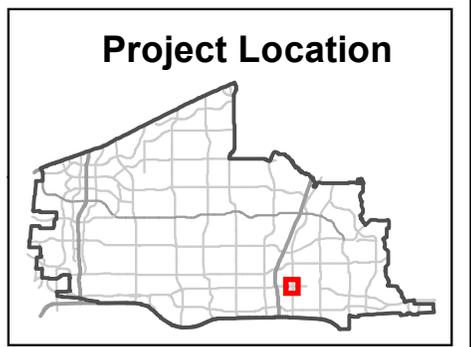


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Downtown Brick Street Rehabilitation Project No. 6404.1

July, 2016
City of Plano GIS Division





Memorandum

TO: Bruce D. Glasscock, City Manager

FROM: B. Caleb Thornhill, P.E., Director of Engineering

DATE: July 25, 2016

SUBJECT: Downtown Brick Pavers and Pavement

The Engineering Department recommends entering into a contract with C. Green Scaping, LP for the Downtown Brick Pavers and Pavement Repair project, in the amount of \$191,176.00. The overall construction project will require 90 days for completion.

The project includes:

- Spot repair of the brick portion of 15th Street from I Ave. to a point east of K Ave.
- Brick repair/replacement at the intersection of Municipal Ave. and 15th St.
- Brick repair/replacement at the intersection of K Ave. and 14th St.

A competitive sealed proposal delivery method was utilized to address the complexities of this project.

Public meetings have been held to discuss the project with the downtown stakeholders. A final public meeting will be held after C. Green Scaping is under contract. This meeting will provide an opportunity for the stakeholders and the contractor to share their concerns and to discuss the logistics of the project.

C. Green Scaping was one of three contractors that submitted a proposal for the project. The evaluation committee ranked each of the proposals based on price, technical expertise, construction time requirements and past performance on similar projects. C. Green Scaping met all of the requirements identified in the solicitation. They ranked the highest overall and representatives from neighboring municipalities spoke highly of their past performance.

MJ Construction ranked second overall. Bowman Construction submitted a proposal, but they were declared non-responsive because they chose to not respond to questions during the evaluation period.

CITY OF PLANO

CSP No. 2016-0313-B

Downtown Brick Pavers and Pavement – Project No. 6404.1

CSP Recap

Proposal Opening Date/Time: April 27, 2016 @ 3:00 PM

Number of Vendors Notified: 1849

Vendors Submitting “No Bids”: 0

Number of Proposals Submitted: 3

<u>Vendor Name</u>	<u>Total Base Bid</u>
Jim Bowman Construction	\$271,135.00
McKenzie Jackson Construction	\$157,118.06
C.Green Scaping, LP	\$191,176.00

Recommended Vendor(s):

C.Green Scaping, LP	\$191,176.00
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Teresa Shelstad

Teresa Shelstad, Buyer II

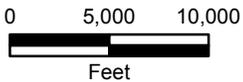
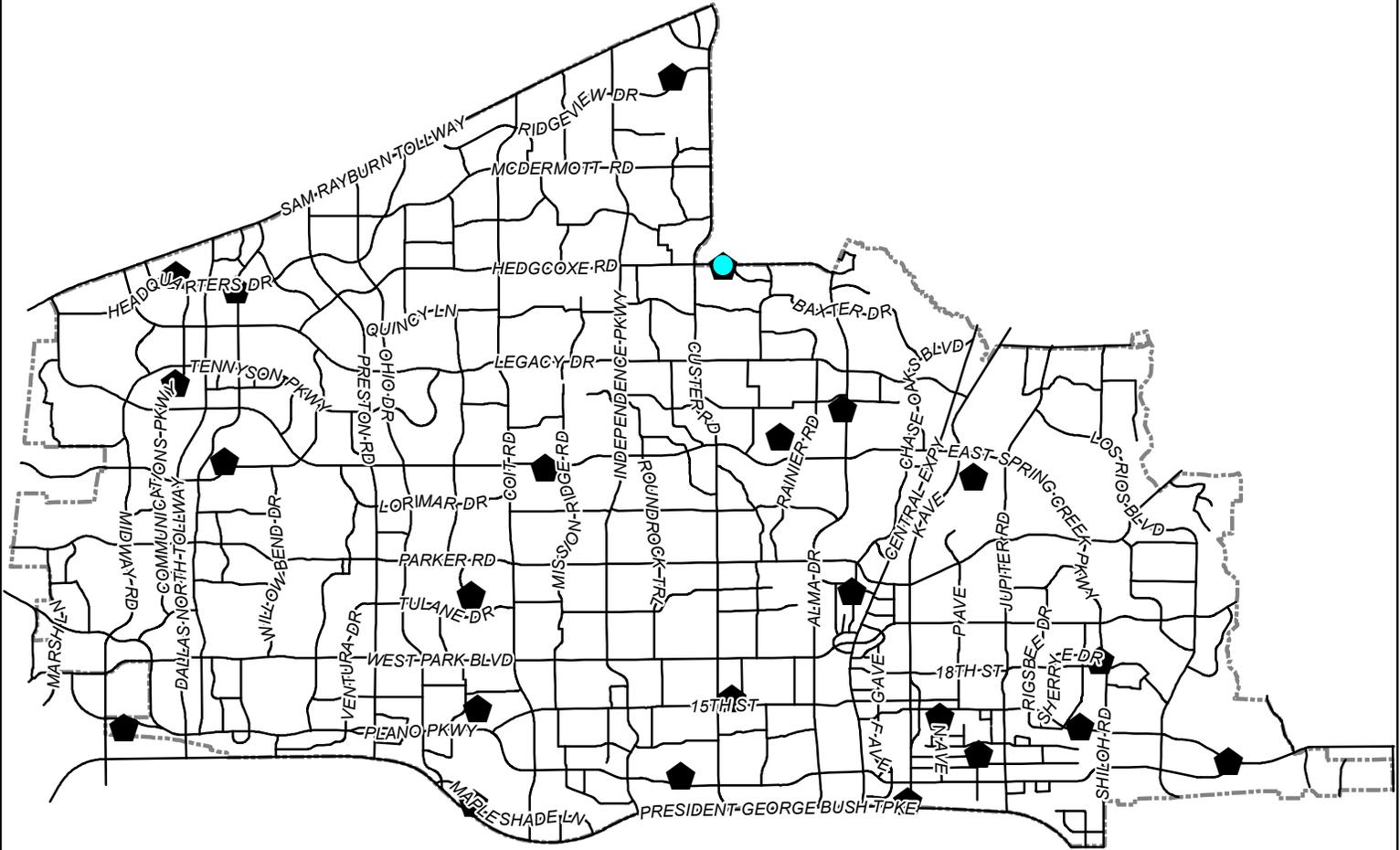
July 5, 2016

Date



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		07/27/16		
Department:		Engineering		
Department Head:		B. Caleb Thornhill, P.E		
Agenda Coordinator (include phone #): Kathleen Schonne (7198)				Project No. 6212
CAPTION				
CSP No. 2016-0275-B for The SCADA System Upgrade to RLC Controls, Inc. in the amount of \$584,224 and authorizing the City Manager to execute all necessary documents.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR:	2015-16 2016-17	Prior Year (CIP Only)	Current Year	Future Years
				TOTALS
Budget		263,736	275,000	1,600,000
Encumbered/Expended Amount		-263,736	-89,030	0
This Item		0	-150,000	-434,224
BALANCE		0	35,970	1,165,776
FUND(S): WATER CIP				
<p>COMMENTS: Funding for this item is available in the 2015-16 Water CIP and anticipated in the 2016-17 Water CIP. This upgrade to the City of Plano's Water and Wastewater SCADA System, in the amount of \$584,224, will leave a total project balance of \$1,201,746 available for further improvements to Plano's water system.</p> <p>STRATEGIC PLAN GOAL: Upgrading system controls at Plano pump stations, lift stations, and elevated tanks to replace components that are obsolete and no longer produced relates to the City's goals of a Financially Strong City with Service Excellence and a Safe Large City.</p>				
SUMMARY OF ITEM				
See Recommendation Memorandum.				
List of Supporting Documents: Location Map; Recommendation Memorandum; CSP Summary			Other Departments, Boards, Commissions or Agencies N/A	



City of Plano GIS Division
April, 2015

Project Number 6212 Water and Wastewater SCADA



Memorandum

TO: Bruce D. Glasscock, City Manager

FROM: B. Caleb Thornhill, P.E., Director of Engineering

DATE: July 25, 2016

SUBJECT: The SCADA System Upgrade

The Engineering Department is recommending entering into a contract with RLC Controls, Inc. for the SCADA System upgrade.

The Supervisory Control and Data Acquisition System (SCADA) was initially installed in 1993 by Automation Services. The SCADA system automatically controls all critical plant processes and provides a computer terminal interface for plant operators. Although the system is still operating, various Programmable Logic Controllers (PLC), a key component of the SCADA system, and various other hardware are no longer manufactured and have been obsolete for approximately several years. The risks of failure of the PLCs and resulting water service interruptions have increased since parts and service for them are no longer being supported by the manufacturer.

RLC Controls, Inc. is an Instrumentation and Control System firm who has over 30 years expertise in SCADA system for Water and Wastewater and has worked with the City of Plano in the past on several projects with other municipalities with similar type projects with satisfactory results. They were selected based on Competitive Sealed Proposal CSP No. 2016-0275-B submission and shortlist interview evaluation. RLC Controls, Inc. is deemed the most qualified for this project.

CITY OF PLANO

CSP No. 2016-0275-B

Water and Wastewater SCADA System – Project No. 6212

CSP Recap

Proposal Opening Date/Time: April 15, 2016 @ 3:00 PM

Number of Vendors Notified: 3,115

Vendors Submitting “No Bids”: 0

Number of Proposals Submitted: 3

<u>Vendor Name</u>	<u>Total Base Bid</u>
SCI Automation	\$416,537.06
RLC Controls, Inc.	\$584,223.53
Prime Controls	\$638,116.00

Recommended Vendor(s):

RLC Controls, Inc.	\$584,223.53
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Teresa Shelstad

Teresa Shelstad, Buyer II

April 15, 2016

Date



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		7/25/2016			
Department:		Technology Services			
Department Head		Chris Chiancone			
Agenda Coordinator (include phone #): Corey Isaacs x7134					
CAPTION					
<p>To approve the purchase of wireless and voice data services for an initial term of nine (9) months with three (3) one-year City optional renewals for Technology Services in the estimated amount of \$441,145 from Cellco Partnership d/b/a Verizon Wireless through an existing contract with State of Texas Department of Information Resources, and authorizing the City Manager or his designee to execute all necessary documents. (DIR-TSO-3415)</p>					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2015-16 to 2019-20	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	2,625,172	421,539	3,046,711
Encumbered/Expended Amount		0	-1,480,306	0	-1,480,306
This Item		0	-19,606	-421,539	-441,145
BALANCE		0	1,125,260	0	1,125,260
FUND(S): OPERATING FUNDS					
<p>COMMENTS: Funding is available in the 2015-16 Budget in multiple funds and is anticipated in future year appropriations. This award of a wireless voice and data services contract, in the estimated amount of \$88,228 for the first term, with \$19,606 in estimated expenditures for August & September 2016 and the remaining \$68,622 in estimated expenditures in the 2016-17 fiscal year, is expected to leave a current year balance of \$1,125,260 available for other telecommunications expenditures across the City of Plano organization. The contract also allows for three one-year renewals in the estimated amount of \$117,639 annually once the initial terms ends in April 2017.</p> <p>STRATEGIC PLAN GOAL: Obtaining wireless voice and data services for city departments relates to the City's goal of a Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
<p>The City is authorized to purchase from the State Contract list pursuant to Chapter 271 Subchapter D of the Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (State of Texas Department of Information Resources, DIR-TSO-3415; City of Plano Contract #2016-0414-)</p>					
See Recommendation Memo					



CITY OF PLANO COUNCIL AGENDA ITEM

List of Supporting Documents: Recommendation Memo	Other Departments, Boards, Commissions or Agencies



Memorandum

Date: July 1, 2016
To: Diane Palmer-Boeck, Director of Procurement and Project Management
From: Chris Chiancone, Chief Information Officer
Subject: Recommendation for Award for Wireless Voice and Data Services

It is the recommendation of Technology Services to award the wireless voice and data services contract to Cellco Partnership d/b/a Verizon Wireless.

An award to Verizon Wireless will be based upon the State of Texas Department of Information Resources contract DIR-TSO-3415 in the estimated amount of \$441,144.45 for wireless voice and data services. The initial contract term will be August 1, 2016 through April 27, 2017 for an estimated \$88,228.89 followed by three, one-year renewals at an estimated \$117,638.52 per year.

If the City of Plano does not award this contract for these services the City will be at risk of paying increased service and rates.



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		July 25, 2016			
Department:		Fire			
Department Head		Sam Greif			
Agenda Coordinator (include phone #): Teresa Shelstad Ext:7539					
CAPTION					
To approve the purchase of EMS Billing and Collection Services for an initial term of four (4) months with one (1) one-year renewal for the Fire Department in the estimated amount of \$308,892 from Digitech Computer, Inc., through an existing City of Pearland contract and authorizing the City Manager, or his designee, to execute all necessary documents. (City of Pearland Contract No. RFP 0512-39).					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	FY 2015-16- thru 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	190,000	267,713	457,713
Encumbered/Expended Amount		0	-148,799	0	-148,799
This Item		0	-41,179	-267,713	-308,892
BALANCE		0	22	0	22
FUND(s): GENERAL FUND					
<p>COMMENTS: Expenditures will be made in the Fire Department based on ambulance services rendered, and the subsequent billing and collection services as needed for those services, within the approved budget appropriations for each year of the contract. This contract covers ambulance billings and collection services beginning September 1, 2016. The estimated annual amount to be spent in FY 2015-16 with Digitech under this contract is \$41,179. The estimated future annual expenditure is \$217,800 in FY 2016-17 and \$49,913 in FY 2017-18.</p> <p>STRATEGIC PLAN GOAL: The contracting of ambulance billing and collection services relates to the City's goal of Financially Strong City with Service Excellence and Safe, Large City.</p>					
SUMMARY OF ITEM					
The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 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. (City of Plano Contract # 2016-0455-l) See Recommendation Memo.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Recommendation Memo					



Memorandum

Date: July 13, 2016
To: Diane Palmer-Boeck, Director of Procurement and Project Management
From: Chris Biggerstaff, Assistant Chief Support Services Division
Subject: Award Recommendation Memo #2016-0455-I

The City of Plano currently uses Digitech Computer, Inc. for EMS billing services. Digitech Computer, Inc. is our current vendor for the billing and collection on all EMS transports that Plano Fire Rescue (PFR) performs. Digitech Computer, Inc. also audits compliance with CMS (Center for Medicare and Medicaid Services) rules and provides an independent 3rd party review to ensure it reflects current laws, regulations, and compliance issues.

The City of Pearland awarded a contract for EMS Billing Services to Digitech Computer, Inc. on September 10, 2012 pursuant to their RFP #0512-39. The contract included an initial term of 3 years with the options to renew for 2 additional 1 year periods. Pearland has exercised Renewal #1 which is in effect until December 15, 2016 and they have every intention of initiating Renewal # 2 for an additional year.

Utilizing this contract would extend the City of Plano's EMS billing contract for another 1-1/2 years at the same collection fee of 4.95%. Digitech Computer, Inc. has agreed to extend the City of Pearland contract to City of Plano at the same fee, terms and conditions of their RFP #0512-39.

Staff evaluated the City of McKinney contract with Digitech Computer, Inc.; however, the City of Pearland contract was more advantageous as the McKinney contract expired in May 2017. Plano Fire Rescue recommends utilizing the City of Pearland's contract with Digitech Computer, Inc. for the EMS Billing and Collection Services for the remainder of 2016 and through December 15, 2017.

Failure to award this contract would result in the loss or delay in billing and collection of ambulance transport revenues.



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		7/25/2016			
Department:		Technology Services			
Department Head		Chris Chiancone			
Agenda Coordinator (include phone #): Corey Isaacs x7134					
CAPTION					
To approve the purchase of partner assurance software support services for Avaya for an initial term of 13 months with one (1) City optional one-year renewal for Technology Services in the amount of \$204,300 from Affiliated Telephone, Inc., through an existing contract with State of Texas Department of Information Resources, and authorizing the City Manager or his designee to execute all necessary documents. (DIR-TSO-2654)					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2015-16, 2016-17	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	273,772	260,000	533,772
Encumbered/Expended Amount		0	-165,613	0	-165,613
This Item		0	-108,159	-96,141	-204,300
BALANCE		0	0	163,859	163,859
FUND(S): TECHNOLOGY SERVICES FUND					
<p>COMMENTS: Funds are available for this item in the 2015-16 Technology Services Fund budget and are anticipated in the next fiscal year. The purchase of Avaya telephone system software service and support, in the amount of \$108,159 for the first term with one optional renewal for \$96,141 in the following year, will utilize the remaining funding available for Telecommunications maintenance agreements in the 2015-16 fiscal year.</p> <p>STRATEGIC PLAN GOAL: Obtaining service and support for the City of Plano's Avaya telephone systems relates to the City's goal of a Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
The City is authorized to purchase from the State Contract list pursuant to Chapter 271 Subchapter D of the Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (State of Texas Department of Information Resources, DIR-TSO-2654; City of Plano Contract #2016-0391-O)					
See Recommendation Memo					
List of Supporting Documents: Recommendation Memo			Other Departments, Boards, Commissions or Agencies		



Memorandum

Date: July 1, 2016

To: Diane Palmer-Boeck, Director of Procurement and Project Management

From: Chris Chiancone, Chief Information Officer

Subject: Recommendation for Award for Partner Assurance Software Support Services for Avaya

Technology Services proposes purchasing software and technical support for the City of Plano's Avaya telephone systems from Affiliated Telephone, Inc. Avaya offers support plans with certified partners through the Partner Assurance Support Services ("PASS") program, this program may only be purchased through a certified partner, which Affiliated is a member.

This maintenance will provide software upgrades as well as 3rd and 4th level support directly from Affiliated and Avaya. Currently, this support is essential for ensuring the integrity and reliability of our voice network system. This support also ensures the City of Plano will receive assistance in resolving issues with our existing telephone systems, upgrades, and enhancements to Avaya products.

Affiliated has an agreement with the State of Texas Department of Information Resources to provide software maintenance and support under contract DIR-TSO-2654. The amount for the software and support services with Affiliated Telephone, Inc. is \$108,158.89 for one year. The dates of coverage would be August 15, 2016 through September 30, 2017 with an additional one-year renewal. The total amount with renewals is \$204,300.13.

If the City of Plano does not purchase these support services, then Technology Services would not be able to ensure the continuity of telephone and voice network services for all City departments.



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		7/25/2016			
Department:		Public Works/David Falls			
Department Head		Gerald P. Cosgrove			
Agenda Coordinator (include phone #):		Shawn Breen (972-769-4193)		Project No. 6756	
CAPTION					
Approval of an Engineering Professional Services Agreement between the City of Plano and Data Transfer Solutions, LLC (DTS) in the amount of \$336,940 for Professional Pavement Data Collection Services and authorizing the City Manager or his designee to execute all necessary documents.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP					
FISCAL YEAR:	2015-16 & 2016-17	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		2,044,922	3,000,000	4,300,000	9,344,922
Encumbered/Expended Amount		-2,044,922	-2,632,927	0	-4,677,849
This Item		0	-135,000	-201,940	-336,940
BALANCE		0	232,073	4,098,060	4,330,133
FUND(S): CAPITAL RESERVE FUND					
<p>COMMENTS: Funding is available in the 2015-16 Street Capital Reserve CIP for this item and is anticipated in the 2016-17 CIP. This engineering professional services agreement, in the total amount of \$336,940, will leave a total project balance of \$4,330,133 available for future expenditures related to street condition investigation and other pavement maintenance projects.</p> <p>STRATEGIC PLAN GOAL: Commissioning professional services to evaluate Plano's road system relates to the City's goal of a Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
<p>The Public Works Department recommends the award of this engineering contract to Data Transfer Solutions, LLC (DTS) in the amount of \$336,940.00. This contract will evaluate the City of Plano road system. It will evaluate the condition of all the city owned roads in Plano. This contract will help determine how much money needs to be invested in the maintenance and replacement of the roads in Plano. Additionally, this contract will develop an inventory of all the signs in City of Plano.</p> <p>DTS was selected thru RFQ 2016-0110-B. The recommendation memo is attached.</p>					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Recommendation Memo, Contract					



Memorandum

Date: June 13, 2016

To: Bruce D. Glasscock, City Manager

From: Gerald P. Cosgrove, P.E., Director of Public Works

Subject: 2016-0110-B RFQ for Pavement Data Collection Services Recommendation

The evaluation team has reviewed all the proposals received on City of Plano Bid No. 2016-0110-B and recommends the selection of Data Transfer Solutions, LLC (DTS), who provides the best qualifications for the City of Plano.

The evaluation team had representatives from the Engineering Department, the Planning Department (GIS) and two members from the Public Works Department.

Five proposals were submitted, and the evaluation team ranked the items listed below. Pricing was not evaluated.

Proposals were evaluated based on a scale of 0-5 with 0 meaning that the proposal was non-responsive and 5 meaning that the solution innovatively exceeds all needs:

- | | |
|--|-----|
| 1. Project Manager | 30% |
| 2. Project Team | 25% |
| 3. References and Previous Experience | 25% |
| 4. Experience with ESRI and Cartegraph | 20% |

If this contract is not awarded, the ability of the Public Works Department to more efficiently determine where and how much money is needed to maintain its street system will be impacted.

Feel free to contact me if you have any questions at extension 4276.

PROFESSIONAL PAVEMENT DATA COLLECTION SERVICES

PROJECT NO. 6756

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered by and between the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, hereinafter referred to as "City", and **DATA TRANSFER SOLUTIONS, LLC**, a **FLORIDA** Limited Liability Company licensed to do business in the state of Texas, hereinafter referred to as "Consultant", to be effective from and after the date as provided herein.

WITNESSETH:

WHEREAS, the City desires to engage the services of the Consultant to prepare construction plans, specifications, details and special provisions and to perform other related consulting services in connection with pavement data collection services located in the City of Plano, Collin and Denton County, Texas, hereinafter referred to as the "Project"; and

WHEREAS, the Consultant desires to render such consulting services for the City upon the terms and conditions provided herein.

NOW, THEREFORE, for and in consideration of the covenants contained herein, and for the mutual benefits to be obtained hereby, the parties hereto agree as follows:

I. Employment of the Consultant

The City hereby agrees to retain the Consultant to perform professional consulting services in connection with the Project. Consultant agrees to perform such services in accordance with the terms and conditions of this Agreement.

II. Scope of Services

The parties agree that Consultant shall perform such services as are set forth and described in Exhibit "A", which is attached hereto and thereby made a part of this Agreement. The parties understand and agree that deviations or modifications in the form of written contract modifications may be authorized from time to time by the City.

III. Schedule of Work

The Consultant agrees to commence work immediately upon execution of this Agreement, and to proceed diligently with said work, except for delays beyond the reasonable control of Consultant, to completion as described in the Completion Schedule, attached hereto as Exhibit "B" and thereby made a part of this Agreement.

IV. Compensation and Method of Payment

The parties agree that Consultant shall be compensated for all services provided pursuant to this Agreement in the amount and manner described and set forth in the Payment Schedule attached hereto and incorporated herein as Exhibit "C". The contract amount specified in Exhibit "C" shall not be exceeded without the written permission of the City.

V. Information to be Provided by the City

The City agrees to furnish, prior to commencement of work, all that information requested by Consultant and available in City's files.

VI. Insurance

Consultant agrees to meet all insurance requirements, and to require all consultants who perform work for Consultant to meet all insurance requirements, as set forth on Exhibit "D", which is attached hereto and thereby made a part of this Agreement.

Consultant agrees to notify the City of any changes in insurance policy coverage, including but not limited to changes in limits and cancellation. The Consultant shall notify the City in writing of any changes within forty-eight (48) hours of the change. The Consultant's notice shall include a description of the changes and how those changes vary from the insurance requirements of the contract/agreement.

VII. INDEMNITY

THE CONSULTANT AGREES TO DEFEND, INDEMNIFY AND HOLD THE CITY AND ITS RESPECTIVE OFFICERS, AGENTS AND EMPLOYEES, HARMLESS AGAINST ANY AND ALL CLAIMS, LAWSUITS, JUDGMENTS, FINES, PENALTIES, COSTS AND EXPENSES FOR PERSONAL INJURY (INCLUDING DEATH), PROPERTY DAMAGE OR OTHER HARM OR VIOLATIONS FOR WHICH RECOVERY OF DAMAGES, FINES, OR PENALTIES IS SOUGHT, SUFFERED BY ANY PERSON OR PERSONS, THAT MAY ARISE OUT OF OR BE OCCASIONED BY THE CONSULTANT'S, OR ITS OFFICER'S, AGENT'S, EMPLOYEE'S, CONSULTANT'S, REPRESENTATIVE'S OR ANY OTHER ENTITY OVER WHICH THE CONSULTANT EXERCISES CONTROL'S, NEGLIGENCE, INTENTIONALLY TORTIOUS CONDUCT,

INFRINGEMENT UPON INTELLECTUAL PROPERTY RIGHTS, OR FAILURE TO PAY A SUBCONTRACTOR OR SUPPLIER. THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE NEGLIGENCE OF THE CITY AND ITS OFFICERS, AGENTS, EMPLOYEES OR SEPARATE CONSULTANTS. THE CITY DOES NOT WAIVE ANY GOVERNMENTAL IMMUNITY OR OTHER DEFENSES AVAILABLE TO IT UNDER TEXAS OR FEDERAL LAW. THE PROVISIONS OF THIS PARAGRAPH ARE SOLELY FOR THE BENEFIT OF THE PARTIES HERETO AND ARE NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY.

CONSULTANT AT ITS OWN EXPENSE IS EXPRESSLY REQUIRED TO DEFEND CITY AGAINST ALL SUCH CLAIMS. CITY RESERVES THE RIGHT TO PROVIDE A PORTION OR ALL OF ITS OWN DEFENSE; HOWEVER, CITY IS UNDER NO OBLIGATION TO DO SO. ANY SUCH ACTION BY CITY IS NOT TO BE CONSTRUED AS A WAIVER OF CONSULTANT'S OBLIGATION TO DEFEND CITY OR AS A WAIVER OF CONSULTANT'S OBLIGATION TO INDEMNIFY CITY PURSUANT TO THIS AGREEMENT. CONSULTANT SHALL RETAIN DEFENSE COUNSEL WITHIN SEVEN (7) BUSINESS DAYS OF CITY'S WRITTEN NOTICE THAT CITY IS INVOKING ITS RIGHT TO INDEMNIFICATION UNDER THIS AGREEMENT. IF CONSULTANT FAILS TO RETAIN COUNSEL WITHIN THE REQUIRED TIME PERIOD, CITY SHALL HAVE THE RIGHT TO RETAIN DEFENSE COUNSEL ON ITS OWN BEHALF AND CONSULTANT SHALL BE LIABLE FOR ALL COSTS INCURRED BY THE CITY.

VIII. Independent Contractor

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

IX. Assignment and Subletting

The Consultant agrees that neither this Agreement nor the work to be performed hereunder will be assigned or sublet without the prior written consent of the City. The Consultant further agrees that the assignment or subletting of any portion or feature of the work or materials required in the performance of this Agreement shall not relieve the Consultant from its full obligations to the City as provided by this Agreement.

X. Audits and Records/Prohibited Interest

The Consultant agrees that at any time during normal business hours and as often as City may deem necessary, Consultant shall make available to representatives of the City for examination all of its records with respect to all matters covered by this Agreement, and will permit such representatives of the City to audit, examine, copy and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all matters covered by this Agreement, all for a period of one (1) year from the date of final settlement of this Agreement or for such other or longer period, if any, as may be required by applicable statute or other lawful requirement.

The Consultant agrees that it is aware of the prohibited interest requirements of the City Charter and Code of Conduct and will abide by the same. Further, a lawful representative of Consultant shall execute the affidavit shown in Exhibit "E". Consultant understands and agrees that the existence of a prohibited interest during the term of this contract will render the contract voidable.

XI. Contract Termination

The parties agree that City shall have the right to terminate this Agreement with or without cause upon thirty (30) days written notice to Consultant. In the event of such termination, Consultant shall deliver to City all finished or unfinished documents, data, studies, surveys, drawings, maps, models, reports, photographs or other items prepared by Consultant in connection with this Agreement. Consultant shall be entitled to compensation for any and all work completed to the satisfaction of City in accordance with the provisions of this Agreement prior to termination.

XII. Consultant's Opinion of Probable Construction Costs

The parties recognize and agree that any and all opinions of probable construction costs prepared by Consultant in connection with the Project represent the best judgment of Consultant as a design professional familiar with the construction industry, but that the Consultant does not guarantee that any bids solicited or received in connection with the Project will not vary from opinions prepared by Consultant.

XIII. Ownership of Documents

Original drawings and specifications are the property of the Consultant; however, the Project is the property of the City and Consultant may not use the drawings and specifications therefor for any purpose not relating to the Project without City's consent. City shall be furnished with such reproductions of drawings and specifications as City may reasonably require. Upon completion of the work or any earlier termination of this

Agreement under Article XI, Consultant will revise drawings to reflect changes made during construction and he will promptly furnish the City with one (1) complete set of reproducible record prints. Prints shall be furnished, as an additional service, at any other time requested by City. All such reproductions shall be the property of the City who may use them without Consultant's permission for any proper purpose including, but not limited to, additions to or completion of the Project. However, use of the documents for other than their intended purpose shall be at the sole risk of the City.

XIV. Complete Contract

This Agreement, including the Exhibits lettered "A" through "E", constitute the entire agreement by and between the parties regarding the subject matter hereof and supersedes all prior or contemporaneous written or oral understandings. This Agreement may only be amended, supplemented, modified or canceled by a duly executed written instrument.

XV. Mailing of Notices

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

City of Plano
Attention: Gerald P. Cosgrove, P.E.
Public Works Department
P.O. Box 860358
Plano, TX 75086-0358

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

Data Transfer Solutions, LLC
Attention: Jason Amadori
3680 Avalon Park East Blvd., Suite 200
Orlando, FL 32828

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

XVI. Miscellaneous

A. Paragraph Headings:

The paragraph headings contained herein are for convenience only and are not intended to define or limit the scope of any provision in this Agreement.

B. Contract Interpretation:

Although this Agreement is drafted by the City, should any part be in dispute, the parties agree that the Agreement shall not be construed more favorably for either party.

C. Venue/Governing Law:

The parties agree that the laws of the State of Texas shall govern this Agreement, and that it is performable in Collin or Denton County, (**choose one or both based upon where project is located**) Texas. Exclusive venue shall lie in Collin County, Texas.

D. Successors and Assigns:

City and Consultant, and their partners, successors, subcontractors, executors, legal representatives, and administrators are hereby bound to the terms and conditions of this Agreement.

E. Severability:

In the event a term, condition, or provision of this Agreement is determined to be void, unenforceable, or unlawful by a court of competent jurisdiction, then that term, condition, or provision, shall be deleted and the remainder of the Agreement shall remain in full force and effect.

F. Effective Date:

This Agreement shall be effective from and after execution by both parties hereto.

G. Authority to Sign:

The undersigned officers and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties hereto.

SIGNED on the date indicated below.

DATA TRANSFER SOLUTIONS, LLC
A Florida Limited Liability Company
Licensed to do Business in the State of
Texas

DATE: 11/16/16

BY: [Signature]

Allen Ibaugh
CHIEF EXECUTIVE OFFICER
CITY OF PLANO, TEXAS



DATE: _____

BY: _____
Bruce D. Glasscock
CITY MANAGER

APPROVED AS TO FORM:

Paige Mims
CITY ATTORNEY

ACKNOWLEDGMENTS

STATE OF FLORIDA §
 §
COUNTY OF ORANGE §

This instrument was acknowledged before me on the 6 day of July, 2016 by **ALLEN IBAUGH, Chief Executive Officer, of Data Transfer Solutions, LLC**, a Florida LIMITED LIABILITY COMPANY, licensed do to business in the state of Texas, on behalf of said company.



Cynthia Novoa
Notary Public, State of Florida

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, _____, by **BRUCE D. GLASSCOCK, City Manager**, of the **City of Plano, Texas**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

Notary Public, State of Texas

EXHIBIT A SCOPE OF SERVICES

Task 1 - Centerline Review and Route Planning

CITY will provide ENGINEER with their latest road centerline file of the roads that will be inspected, which is approximately 1,147 centerline miles of roads. CITY will provide ENGINEER with a list of roads currently under construction that will need special consideration during the data collection phase. CITY will also provide ENGINEER with a prioritized list of roads to be collected. These construction and priority roads will be collected, but a particular lane will be designated for collection.

Deliverables:

1. ENGINEER will provide CITY with a GPS "breadcrumb" file of data collection routes and image locations in an ArcGIS personal geodatabase format. Pavement and ROW images will be delivered as industry-standard JPEG file format (.jpg).

Task 2 – Mobile Image and Pavement Data Collection

ENGINEER will collect the CITY'S pavement network of one thousand one hundred forty seven (1,147) centerline miles with its mobile asset collection vehicle. The ENGINEER will utilize the following equipment to obtain the pavement inspection data:

- A downward-facing, progressive line-scan imaging solution that utilizes laser-illumination to provide high-resolution images (1mm-pixel resolution) of the pavement surface to clearly detect and quantify distresses.
- Technology to provide pavement surface images (JPEG) that provide 100% continuous pavement coverage in the direction of travel.
- Image resolution will be approximately 1mm-pixel, pavement images with a minimum horizontal resolution of 4,000 pixels or better;
- Longitudinal profile and roughness data (IRI) to provide a ride condition index for each segment to be used in calculation of the segment Pavement Condition Index (PCI) in accordance with American Society for Testing and Materials (ASTM) E950;
- A Profiler that collects Rutting for both left and right wheel paths to 100th of an inch (per American Association of State Highway and Transportation Officials (AASHTO) R48);
- High-Definition Right-of-Way (ROW) camera setup for data collection resulting in both forward and rear-facing views.

ENGINEER will process and review the inspection data for network coverage, image quality and GPS accuracy. Network coverage checks will ensure that all CITY road segments determined to be part of this project have been collected in both directions of travel. Image quality checks will ensure that the downward-facing images are uniformly illuminated, tonally balanced and do not contain any smearing or blurring. The right-of-way imagery will be reviewed to insure that the images are captured with the correct

dynamic range (typically collected dark so they can be lightened for analysis), do not contain sun glare and are free of any smearing or blurring.

Deliverables:

1. Right-of-Way imagery for all segments collected.
2. Downward-facing Pavement Imagery for all segments collected.

Task 3 - Pavement Inspection Rating - Overall Condition Index (OCI)

Once the pavement data has been acquired, ENGINEER shall inspect as per the ASTM-D6433 testing methodology for Roads and Parking Lots. This method will capture the Type, Severity and Extent of each distress as identified in the downward-facing imagery.

ENGINEER will provide inspection results to CarteGraph for import into the CarteGraph OMS Software. The pavement inspection data will be imported by CarteGraph into the CITY's production databases once all of the pavement inspection information has been reviewed and approved by the CITY. The CITY will back up the existing CarteGraph database and provide CarteGraph with access to the pavement database so that CarteGraph can import the new inspection data. The ENGINEER assumes that the City is current with their software maintenance agreement with CarteGraph which allows for the import of this data into their production database.

Deliverables:

1. ArcGIS Personal Geodatabase of distresses containing the Type, Severity and Extent of distresses along the road segment as defined by the ASTM D6433 sampling methodology.
2. Rutting values for left and right wheel paths averaged for the segment.
3. Roughness coefficient averaged for the entire segment.

All inspection, sample, and distress measurements shall be imported into the CarteGraph software by ENGINEER. The CarteGraph software then calculates the Overall Condition Index (OCI) values for each segment.

Task 4 – Pavement Distress Data

ENGINEER shall deliver an ArcGIS personal geodatabase containing each longitudinal, transverse and alligator distress identified and categorized by severity for the entire length of the segment as well as an ArcGIS personal geodatabase containing the rutting data identified and categorized by severity for the entire length of the segment.

For Brick roads, ENGINEER will provide a modified rating approach that is based on the following categories:

- **4-Very Good** = New condition and no defects noted
- **3-Good** = Very few defects and good ride
- **2-Fair** = one or more types of the defects are present on at least 5% to 25% of the surface area. The ride may also be uneven and rough. Other characteristics are sunken areas, broken bricks, poor drainage, open joints and spot repairs needed.
- **1-Poor** = defects on more than 25% of the surface area. The ride is very rough and numerous patches with poor drainage. The road would require extensive repairs or reconstruction.

Deliverables:

1. ArcGIS Personal Geodatabase of Road Segments that defines a 3-year model work plan.
2. All inspection, sample, and distress measurements shall be provided to the CITY by ENGINEER in a format capable of being imported into OMS.
3. ArcGIS Personal Geodatabase of rutting data identified and categorized by severity for the entire segment.

Task 5 – Sign and Support Data Extraction and Delivery:

ENGINEER will provide the CITY with the Location and Attribute information related to Signs and Supports. Both Signs and Supports will be delivered as ArcGIS Personal Geodatabases. ENGINEER will provide Sign and Support data to CarteGraph for import into the CarteGraph OMS Software.

The Signs inspection data will be imported by CarteGraph into the CITY's production databases once all of the Signs inspection information has been reviewed and approved by the CITY. The CITY will back up the existing CarteGraph database and provide CarteGraph with access to the Signs database so that CarteGraph can import the new inspection data. The ENGINEER assumes that the City is current with their software maintenance agreement with CarteGraph which allows for the import of this data into their production database.

The following GIS Attributes will be provided for each Sign and Support feature:

Sign and Support Attributes (Point Feature)

For Both Signs and Supports:

- AssetID
- X,Y Location
- Photo Image link
- Location (Street Name asset located on)

For Supports ONLY:

- PostID
- Support structure type
 - Wood Pole
 - Bridge
 - U-Channel
 - Utility Pole
 - Mast Arm
 - Pipe
 - Steel Square
 - Street Light
 - Traffic Signal
 - Other
- Condition Rating
 - **Good** – Support is operating as designed with no issues.
 - **Fair** – Support is bent, twisted or leaning, but performing as designed.
 - **Poor** – Support is structurally damaged or knocked down.
- Comments

For Signs ONLY:

- Sign type (MUTCD code)
- Sign Text
- Sign Orientation
 - N
 - S
 - E
 - W
 - NE
 - NW
 - SE
 - SW
- Travel Direction
 - N
 - S
 - E
 - W
 - NE
 - NW
 - SE
 - SW

- Physical Condition Rating
 - **Good:** sign is visible, not faded, straight/upright, legible, no graffiti
 - **Fair:** sign has minor to no visual defects with good reflectivity, not faded, straight/upright, legible, no graffiti = sign that may need replacement after 5 or more years
 - **Poor:** sign has many visual defects with poor reflectivity faded, bent or pushed over (sign panel or post), heavy graffiti; obstructed; not visible or legible = sign needs immediate replacement
- Comments

Deliverables:

1. Final ArcGIS Personal Geodatabase containing Sign and Support information (Location, Visual Condition Assessment and Attributes).

Task 6 - Final Report of Pavement Condition:

ENGINEER will provide the CITY 3-year pavement rehab/resurfacing/repair program based on the CITY'S pavement condition evaluation from the resulting CarteGraph OCI outputs.

1. A Final Overall Condition Index Report for the Project including:
 - a. Executive Summary
 - b. Project methodology and pavement data
 - c. Street segment OCI
 - d. Annual pavement maintenance program as approved by CITY
 - e. Budget deferral analysis
 - f. Exhibits showing OCI and street segment length, lanes and pavement type
 - g. Exhibits illustrating streets to be maintained based on annual budget and maintenance activity

Deliverables:

1. Final ArcGIS Personal Geodatabase containing collected pavement data, OCI value, recommended maintenance activities and cost information.
2. Final Overall Condition Index Report.

ACCEPTANCE CRITERIA

The results of the data collection shall be quality checked for rating consistency by ENGINEER to ensure the accuracy and quality of deliverables. Additionally, deliverables will be checked for missing and/or duplicate assets. A 97% accuracy rate is expected and Quality Control checks will be based on the batch/sample size of the delivery (see Table A below to determine sample size for the appropriate accuracy rate).

For any measurement that is needed it must be accurate to the nearest foot. If the data has more errors than allowable the set of data will be corrected. This process will be repeated until each set of data is within the allowable limits.

Method of measurement of acceptable quality level (AQL)

Each attribute captured for an asset counts as one unit of measure. Each physical measurement required for an asset location counts as one attribute or unit of measure. The following location information also counts as an attribute or unit of measure for each asset: Physical presence (when captured as per source = correct, not captured or missed = incorrect) In the event of a duplicate capture of an asset, the total number of attributes or units of measure for the duplicate asset(s) will be deducted from the total units of the sample set, and one error or unit of measure (incorrect physical presence) is charged.

Batch size	Sample Size (Normal)	Acceptance Rate (%)				
		99.0	98.5	97.5	96.0	93.5
2 to 8	2	≤ 0	≤ 0	≤ 0	≤ 0	≤ 0
9 to 15	3	≤ 0	≤ 0	≤ 0	≤ 0	≤ 0
16 to 25	5	≤ 0	≤ 0	≤ 0	≤ 0	≤ 1
26 to 50	8	≤ 0	≤ 0	≤ 0	≤ 1	≤ 1
51 to 90	13	≤ 0	≤ 0	≤ 1	≤ 1	≤ 2
91 to 150	20	≤ 0	≤ 1	≤ 1	≤ 2	≤ 3
151 to 280	32	≤ 1	≤ 1	≤ 2	≤ 3	≤ 5
281 to 500	50	≤ 1	≤ 2	≤ 3	≤ 5	≤ 7
501 to 1,200	80	≤ 2	≤ 3	≤ 5	≤ 7	≤ 10
1,201 to 3,200	125	≤ 3	≤ 5	≤ 7	≤ 10	≤ 14
3,201 to 10,000	200	≤ 5	≤ 7	≤ 10	≤ 14	≤ 21
10,001 to 35,000	315	≤ 7	≤ 10	≤ 14	≤ 21	≤ 21
35,001 to 150,000	500	≤ 10	≤ 14	≤ 21	≤ 21	≤ 21
150,001 to 500,000	800	≤ 14	≤ 21	≤ 21	≤ 21	≤ 21
500,001 and over	1250	≤ 21	≤ 21	≤ 21	≤ 21	≤ 21

Example: a delivery results in 100 assets – each asset has been determined to have 10 attributes to be captured (including the physical presence “attribute” for each asset) – thus total units of measure for the Batch size = 1,000 (100 x 10). Based on Table A, a Quality Control using a sample size of 80 units should be assessed for quality. With an expected accuracy of 97%, the allowable number of errors ≤ 5.

**EXHIBIT B
SCHEDULE OF WORK**

Proposed Schedule (all from Notice to Proceed) (City of Plano)

<u>Task</u>	<u>Description</u>	<u>Duration</u>
1a	Project initiation, centerline identification and mobile asset collection pre-planning, project mobilization	2 days
1b	Project kickoff meeting	1 day
2	Mobile Image and Pavement Data Collection	90 days
3	Pavement Inspection Rating OCI (concurrent with data collection)	75 days
4	Pavement Distress Data	14 days
5	Traffic Sign and Support Data Extraction and Delivery (concurrent with data collection)	60 days
6	Final Report of Pavement Condition	7 Days

**EXHIBIT C
PAYMENT SCHEDULE**

<u>Description</u>	<u>Units</u>	<u>Unit Price</u>	<u>Total</u>
Project Mobilization	1	\$3,000	\$3,000
Centerline Review & Route Planning (Hours)	8	\$90	\$720
Mobile Image and Pavement Data Collection (Centerline Miles)	1,147	\$100	\$114,700
Pavement Inspection Index (Centerline Miles)	1,147	\$100	\$114,700
Integration with Cartegraph OMS	1	\$9,500	\$9,500
Pavement Modeling & Final Report	1	\$20,500	\$20,500
Traffic Sign Inventory (Centerline Miles)	1,147	\$60	\$68,820
Data Import into Cartegraph OMS	1	\$5,000	\$5,000
Total			\$336,940

EXHIBIT "D"

CONSULTING

INSURANCE

INSURANCE: (Review this section carefully with your insurance agent prior to bid or proposal submission. See "Insurance Checklist" on the last page or specific coverages applicable to this contract).

1. General Insurance Requirements:

- 1.1 The Consultant (hereinafter called "Consultant") shall not start work under this contract until the Consultant has obtained at his own expense all of the insurance called for here under and such insurance has been approved by the City. Approval of insurance required of the Consultant will be granted only after submission to the Purchasing Agent of original, signed certificates of insurance or, alternately, at the City's request, certified copies of the required insurance policies.
- 1.2 All insurance policies required hereunder shall be endorsed to include the following provision: "It is agreed that this policy is not subject to cancellation, non-renewal, without first providing the Risk Manager, City of Plano, at least ten (10) days prior written notice."
- 1.3 No acceptance and/or approval of any insurance by the City shall be construed as relieving or excusing the Consultant from any liability or obligation imposed upon the provisions of the Contract.
- 1.4 The City of Plano (including its elected and appointed officials, agents, volunteers, and employees) is to be named as an additional insured under Consultant's General Liability Policy, and the certificate of insurance, or the certified policy, if requested, must so state. Coverage afforded under this paragraph shall be primary as respects the City, its elected and appointed officials, agents and employees.
 - 1.4.1 The following definition of the term "City" applies to all policies issued under the contract:

The City Council of the City of Plano and any affiliated or subsidiary Board, Commission Authority, Committee, or Independent Agency (including those newly constituted), provided that such affiliated or subsidiary Board Commission, Authority, Committee, or Independent Agency is either a Body Politic created by the City Council of the City of Plano, or one in which controlling interest is vested in the City of Plano; and City of Plano Constitutional Officers.
- 1.5 The Consultant shall provide insurance as specified in the "Insurance Checklist" (Checklist) found on the last page of the bid or proposal form. Full limits of insurance required in the Checklist of this agreement shall be available for claims arising out of this agreement with the City of Plano.
- 1.6 Consultant agrees to defend and indemnify the City of Plano, its officers, agents and employees as provided in Paragraph VII. of this contract.

- 1.7 Insurance coverage required in these specifications shall be in force throughout the Contract Term. Should the Consultant fail to provide acceptable evidence of current insurance within seven (7) days of written notice at any time during the Contract Term, the City shall have the absolute right to terminate the Contract without any further obligation to the Consultant, and the Consultant shall be liable to the City for the entire additional cost of procuring performance and the cost of performing the incomplete portion of the Contract at time of termination.
 - 1.8 Written requests for consideration of alternate coverages must be received by the City Purchasing Manager at least ten (10) working days prior to the date set for receipt of bids or proposals. If the City denies the request for alternative coverages, the specified coverages will be required to be submitted.
 - 1.9 All required insurance coverages must be acquired from insurers authorized to do business in the State of Texas and acceptable to the City. The City prefers that all insurers also have a policyholder's rating of "A-" or better, and a financial size of "Class VI" or better in the latest edition of A.M. Best, or A or better by Standard and Poors, unless the City grants specific approval for an exception.
 - 1.10 Any deductibles shall be disclosed in the Checklist and all deductibles will be assumed by the Consultant. Consultant may be required to provide proof of financial ability to cover deductibles, or may be required to post a bond to cover deductibles.
- 2. Consultant's Insurance - "Occurrence" Basis:**
- 2.1 The Consultant shall purchase the following insurance coverages, including the terms, provisions and limits shown in the Checklist:
 - 2.1.1 Commercial General Liability - Such Commercial General Liability policy shall include any or all of the following as indicated on the Checklist:
 - i. General aggregate limit is to apply per project;
 - ii. Premises/Operations;
 - iii. Actions of Independent Contractors;
 - iv. Contractual Liability including protection for the Consultant from claims arising out of liability assumed under this contract;
 - v. Personal Injury Liability including coverage for offenses related to employment;
 - vi. Explosion, Collapse, or Underground (XCU) hazards; if applicable. This coverage required for any and all work involving drilling, excavation, etc.
 - 2.1.2 Business Automobile Liability including coverage for any owned, hired, or non-owned motor vehicles and automobile contractual liability.

2.1.3 Workers' Compensation - statutory benefits as required by the State of Texas, or other laws as required by labor union agreements, including Employers' Liability coverage.

3.0 Consultant's Insurance – Claims Made

Professional Errors and Omissions

The Consultant shall carry Professional Liability insurance which will pay for injuries arising out of negligent errors or omissions in the rendering, or failure to render professional services under the contract, for the term of the Contract and up to three years after the contract is completed in the amount shown in the Checklist.

Professional Errors and Omissions, Limit \$1,000,000
per claim and aggregate of \$2,000,000

CONSULTING

City of Plano - Insurance Checklist

("X" means the coverage is required.)

Coverages Required

Limits (Figures Denote Minimums)

- | | |
|---|--|
| <input checked="" type="checkbox"/> 1. Workers' Compensation & Employers' Liability | Statutory limits of State of Texas
\$100,000 accident \$100,000 disease
\$500,000 policy limit disease |
| <input type="checkbox"/> 2. For Future Use | \$150,000 medical, safety program |
| <input type="checkbox"/> 3. City Approved Alternative Workers' Comp. Program | Complete entry No. 26
Minimum \$500,000 each occurrence
\$1,000,000 general aggregate |
| <input checked="" type="checkbox"/> 4. General Liability | (Items No. 3-10 & 12 require)
\$500,000 combined single limit
for bodily injury and property damage
damage each occurrence with |
| <input checked="" type="checkbox"/> 5. General aggregate applies per project (CGL) | \$1,000,000 general aggregate that
applies to project under contract |
| <input type="checkbox"/> 6. Premises/Operations | \$500,000 each offense & aggregate |
| <input checked="" type="checkbox"/> 7. Independent Contractors | \$500,000 Bodily Injury & Property
Damage each accident |
| <input type="checkbox"/> 8. Products | \$1,000,000 each claim
\$2,000,000 aggregate |
| <input type="checkbox"/> 9. Completed Operations | \$_____ BI & PD each occurrence |
| <input checked="" type="checkbox"/> 10. Contractual Liability | |
| <input checked="" type="checkbox"/> 11. Personal Injury Liability | |
| <input type="checkbox"/> 12. XCU Coverages | |
| <input checked="" type="checkbox"/> 13. Automobile Liability | |
| <input checked="" type="checkbox"/> 14. Owned, Hired & Non-owned | |
| <input type="checkbox"/> 15. Motor Carrier Act Endorsement | |
| <input checked="" type="checkbox"/> 16. Professional Liability | |
| <input type="checkbox"/> 17. Garage Liability | |

EXHIBIT "E"

AFFIDAVIT OF NO PROHIBITED INTEREST AND COMPLIANCE WITH CITY OF PLANO'S EQUAL RIGHTS ORDINANCE

A. No Prohibited Interest

I, the undersigned, declare that I am authorized to make this statement on behalf of **Data Transfer Solutions, LLC**, a Company organized under the laws of the State of Florida, and I have made a reasonable inquiry and, to the best of my knowledge, no person or officer of **Data Transfer Solutions, LLC**, is employed by the City of Plano or is an elected or appointed official of the City of Plano within the restrictions of the Plano City Charter.

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

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

B. Equal Rights Compliance

1. Section 2-11(F) of the City Code of Ordinances reads as follows:

"It shall be unlawful for an employer to discriminate against any person on the basis of race, color, sex, religion, age, national origin, genetic information, sexual orientation, gender identity, disability status or United States military/veteran status by the following actions or inactions:

- (a) for an employer to fail or refuse to hire, or to discharge, any person;
- (b) for an employer to discriminate against any person with respect to compensation, terms, conditions or privileges, of employment;
- (c) for an employer to limit, segregate or classify employees or applicants for employment in any way that would deprive or tend to deprive a person of employment or employment opportunities, or that would otherwise adversely affect a person's status as an employee;
- (d) for an employment agency to fail or refuse to refer for employment, or to otherwise discriminate against, any person because of a protected employment characteristic;
- (e) for an employment agency to classify or refer for employment any person, on the basis of a protected employment characteristic;
- (f) for a labor organization to exclude or expel from its membership, or to otherwise discriminate against, any person because of a protected employment characteristic;
- (g) for a labor organization to fail or refuse to refer for employment any person because of a protected employment characteristic;
- (h) for a labor organization to limit, segregate or classify its members or applicants for membership, in any way that would deprive or tend to deprive a person of employment or employment opportunities, or that would otherwise adversely affect a person's status as an employee or as an applicant for employment; or
- (i) for a labor organization to cause or attempt to cause an employer to discriminate against a person in violation of this subsection;
- (j) for an employer, a labor organization or a joint labor-management committee, to discriminate against any person because of a protected employment characteristic in the admission to, or

- employment in, any program established to provide apprenticeship or other training;
- (k) for an employer to print or publish, or cause to be printed or published, any notice or advertisement relating to employment by the employer that indicates any preference, limitation, specification or discrimination, based on a protected employment characteristic;
- (l) for an employment agency to print or publish, or cause to be printed or published, any notice or advertisement relating to membership in or any classification or referral for employment by the employment agency that indicates any preference, limitation, specification or discrimination, based on a protected employment characteristic; or
- (m) for a joint labor-management committee to print or publish, or cause to be printed or published, any notice or advertisement relating to admission to, or employment in, any program established to provide apprenticeship or other training by the joint labor-management committee that indicates any preference, limitation, specification or discrimination, based on a protected employment characteristic."

2. I am aware that my company, its directors, officers and employees must comply with Section 2-11(F) of the City Code of Ordinances unless an exclusion applies, as indicated below. Further, I understand that if Section 2-11(F) applies, I am entitled to apply to the City Manager for a waiver from signing this section of the affidavit based on a conflict with state or federal law. The contract will not be executed prior to the waiver issue being resolved.

Having made reasonable inquiry, I affirm that my company, its directors, officers and employees agree to comply with Section 2-11(F); or my company is excluded from this Ordinance based on the following: **[PLEASE CHECK BELOW, IF APPLICABLE]**

- _____ A religious organization.
- _____ A political organization.
- _____ An educational institution.
- _____ A branch or division of the United States government or any of its departments or agencies.
- _____ A branch or division of the State of Texas or any of its departments, agencies or political subdivisions.
- _____ A private club that is restricted to members of the club and guests and not open to the general public.
- _____ Is not an "employer" under Section 2-11(F) because it has not had 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year.

[THIS SPACE INTENTIONALLY LEFT BLANK]

I also understand and acknowledge that a violation of Section 11.02 of the City Charter or Section 2-11(F) of the City Code of Ordinances, if applicable, at any time during the term of this contract may render the contract voidable by the City.

Data Transfer Solutions, LLC

By:


Signature

Allen Ibaugh
Print Name

Chief Executive Officer
Title

7/6/16
Date

STATE OF FLORIDA \$ \$
COUNTY OF ORANGE \$ \$

SUBSCRIBED AND SWORN TO before me this 6 day of July, 2016


Notary Public, State of Florida

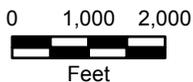
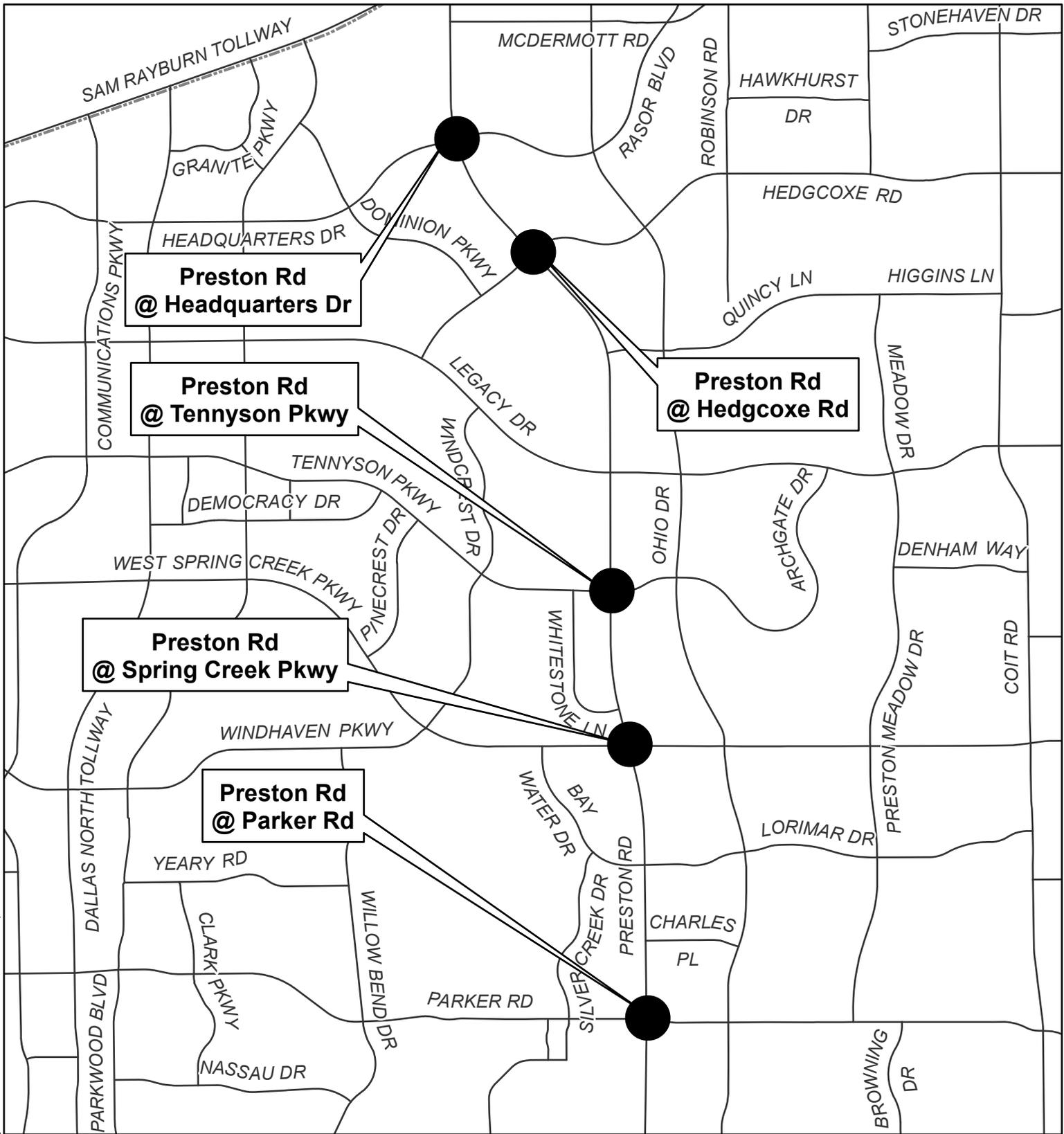




**CITY OF PLANO
COUNCIL AGENDA ITEM**

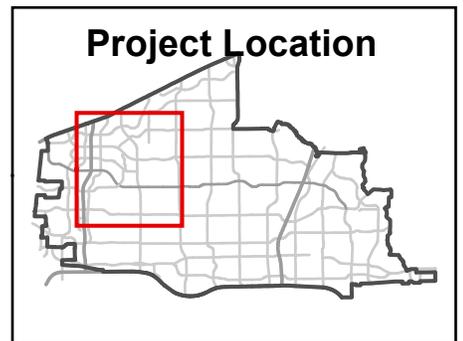
CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		7/25/16		
Department:		Engineering		
Department Head:		B. Caleb Thornhill, P.E.		
Agenda Coordinator (include phone #): Kathleen Schonne (7198)				Project No. 5925
CAPTION				
<p>A Resolution of the City of Plano, Texas, approving the terms and conditions of an Interlocal Agreement by and between the City of Plano and County of Collin, Texas, for the design and construction of the Preston Road Corridor Improvements project; authorizing the City Manager or his designee to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2015-16	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	2,725,000	0	2,725,000
BALANCE	0	2,725,000	0	2,725,000
FUND(S): STREET IMPROVEMENTS CIP				
<p>COMMENTS: This item would facilitate the reimbursement by Collin County to the City of Plano of \$2,725,000 for the design and construction of the Preston Road Corridor Improvements project.</p> <p>STRATEGIC PLAN GOAL: Entering into an agreement with Collin County to share the cost of street improvements that are beneficial to both jurisdictions relates to the City's goals of Partnering for Community Benefit and a Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>The City of Plano has completed construction of the Preston Road Corridor Improvements project. The project included intersection improvements along the Preston Road Corridor from Parker Road to Headquarters Drive. The 2007 Collin County Bond Program includes funds for half of the cost of the project. This ILA authorizes the County share of the project cost in the amount of \$2,725,000.</p> <p>https://www.google.com/maps/place/Preston+Rd,+Plano,+TX/@33.0661268,-96.793615,13.5z/data=!4m5!3m4!1s0x864c6a83f5067cf9:0xe4beea700f7c219b!8m2!3d33.0555708!4d-96.7950676</p>				
List of Supporting Documents: Location Map; Resolution, Exhibit "A"			Other Departments, Boards, Commissions or Agencies N/A	

geogetau C:\Projects\Engineering\Locator\Maps\2016\06-24-16_P\Project 5925 Preston Rd Corridor\Preston Rd Corridor Improvements.mxd



City of Plano GIS Division
June, 2016

Preston Road Corridor Improvements Project # 5925



A Resolution of the City of Plano, Texas, approving the terms and conditions of an Interlocal Agreement by and between the City of Plano and County of Collin, Texas, for the design and construction of the Preston Road Corridor Improvements project; authorizing the City Manager or his designee to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date.

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

WHEREAS, the City Council has been presented a proposed Interlocal Cooperation Agreement by and between the City of Plano, Texas, and Collin County, Texas, providing terms and conditions for the design and construction of the Preston Road Corridor Improvements project, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Agreement"); and

WHEREAS, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved and that the City Manager or his authorized designee should 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 Interlocal Agreement between Collin County and the City of Plano concerning the design and construction of Preston Road Corridor Improvements having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interest of the City of Plano and its citizens, are hereby in all things approved.

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

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

DULY PASSED AND APPROVED the 25th day of July, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

EXHIBIT "A"

**INTERLOCAL AGREEMENT
BETWEEN COLLIN COUNTY AND THE CITY OF PLANO
CONCERNING THE DESIGN AND CONSTRUCTION OF
PRESTON ROAD CORRIDOR IMPROVEMENTS
COUNTY BOND PROJECT 07-058
CITY CIP PROJECT – 5925**

THIS AGREEMENT is made and entered into by and between the County of Collin, Texas ("County"), and the City of Plano, Texas ("City"), a Home-Rule Municipal Corporation, as follows:

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

WHEREAS, the County and the City are political subdivisions within the State of Texas and engaged in the provision of governmental services for the benefit of their citizens; and

WHEREAS, the County and the City desire to enter into an agreement concerning the Preston Road Corridor Improvements (the "Project") in Plano, Collin County, Texas; and

WHEREAS, the 2007 Collin County Bond Program includes the allocation of \$10,500,000 for intersection improvements at various locations. The Preston Road Corridor Improvements Project provides intersection improvements along the Preston Road Corridor from Parker Road to Headquarters Drive. This Project cost is estimated to be \$5,450,000, with the County participation in the amount of \$2,725,000; and

WHEREAS, the City and County have determined that the improvements may be constructed most economically by implementing this agreement.

NOW, THEREFORE, this agreement is made and entered into by the County and the City upon and for the mutual consideration of the recitals set forth above and terms and conditions below.

WITNESSETH:

ARTICLE I.

The City shall arrange for the construction of the Preston Road Corridor Improvements Project from Parker Road to Headquarters Drive, hereinafter called the "Project". All improvements shall be designed to meet or exceed the current Collin

County design standards and shall be constructed in accordance with the plans and specifications approved by the City.

ARTICLE II.

The City shall prepare plans and specifications for the improvements, accept bids and award a contract to construct the improvements and administer the construction contract. In all such activities, the City shall comply with all state statutory requirements. The City shall provide the County with a copy of the executed construction contract(s) for the Project.

ARTICLE III.

The City will acquire easements required for the project; however, no real property for use as right-of-way will be acquired.

ARTICLE IV.

The City estimates the total actual cost of the project to be \$5,450,000. The County agrees to fund an amount not to exceed \$2,725,000. The County shall remit fifty percent (50%) of this amount to the City within thirty (30) days after the City issues a Notice to Proceed to the lowest responsible bidder and the City requests payment. The County will remit the remaining fifty percent (50%) within thirty (30) days after receipt of notice from the City that the Project is fifty percent (50%) complete. Following completion of the Project, the City shall provide a final accounting of expenditures for the Project. The "total cost of the Project" shall include engineering, construction, testing and easement.

ARTICLE V.

If the actual cost to construct the Project ("Actual Project Cost") is less than the Estimated Project Cost, and the County has participated up to fifty percent (50%) of the Estimated Project Cost, then the City shall reimburse the County in an amount equal to fifty percent (50%) of the difference between the Estimated Project Cost and the Actual Project Cost. The County Commissioners Court may revise this payment schedule based on the progress of the Project. As used herein, the term "Actual Project Cost" shall include engineering, construction, inspection, testing, street lighting and construction administration costs including contingencies.

ARTICLE VI.

The City shall prepare for the County an itemized statement specifying Project costs that have been incurred to date and submit monthly progress reports until completion.

ARTICLE VII.

The City and County agree that the party paying for the performance of governmental functions or services shall make those payments only from current revenues legally available to the paying party.

ARTICLE VIII.

INDEMNIFICATION. TO THE EXTENT ALLOWED BY LAW, EACH PARTY AGREES TO RELEASE, DEFEND, INDEMNIFY, AND HOLD HARMLESS THE OTHER (AND ITS OFFICERS, AGENTS, AND EMPLOYEES) FROM AND AGAINST ALL CLAIMS OR CAUSES OF ACTION FOR INJURIES (INCLUDING DEATH), PROPERTY DAMAGES (INCLUDING LOSS OF USE), AND ANY OTHER LOSSES, DEMANDS, SUITS, JUDGMENTS AND COSTS, INCLUDING REASONABLE ATTORNEYS' FEES AND EXPENSES, IN ANY WAY ARISING OUT OF, RELATED TO, OR RESULTING FROM ITS PERFORMANCE UNDER THIS AGREEMENT, OR CAUSED BY ITS NEGLIGENT ACTS OR OMISSIONS (OR THOSE OF ITS RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, OR ANY OTHER THIRD PARTIES FOR WHOM IT IS LEGALLY RESPONSIBLE) IN CONNECTION WITH PERFORMING THIS AGREEMENT.

ARTICLE IX.

VENUE. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this agreement. The parties agree that this agreement is performable in Collin County, Texas, and that exclusive venue shall lie in Collin County, Texas.

ARTICLE X.

SEVERABILITY. The provisions of this agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and effect of the law, the remaining portions of the agreement shall be enforced as if the invalid provision had never been included.

ARTICLE XI.

ENTIRE AGREEMENT. This agreement embodies the entire agreement between the parties and may only be modified in writing executed by both parties.

ARTICLE XII.

SUCCESSORS AND ASSIGNS. This agreement shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns. Neither party will assign or transfer an interest in this agreement without the written consent of the other party.

ARTICLE XIII.

IMMUNITY. It is expressly understood and agreed that, in the execution of this agreement, neither party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this agreement, the

parties do not create any obligations, express or implied, other than those set forth herein, and this agreement shall not create any rights in parties not signatories hereto.

ARTICLE XIV.

TERM. This agreement shall be effective upon execution by both parties and shall continue in effect annually until final acceptance of the Project. This agreement shall automatically renew annually during this period.

APPROVED AS TO FORM:

COUNTY OF COLLIN, TEXAS

By: _____
Name: _____
Title: _____
Date: _____

By: _____
Name: Keith Self
Title: County Judge
Date: _____

Executed on this _____ date of _____, 2016, by the County of Collin, pursuant to Commissioners' Court Order No. _____

ATTEST:

CITY OF PLANO, TEXAS

By: _____
Name: Lisa C. Henderson
Title: City Secretary
Date: _____

By: _____
Name: Bruce D. Glasscock
Title: City Manager
Date: _____

Executed on behalf of the City of Plano, Texas, pursuant to City Council Resolution No. _____

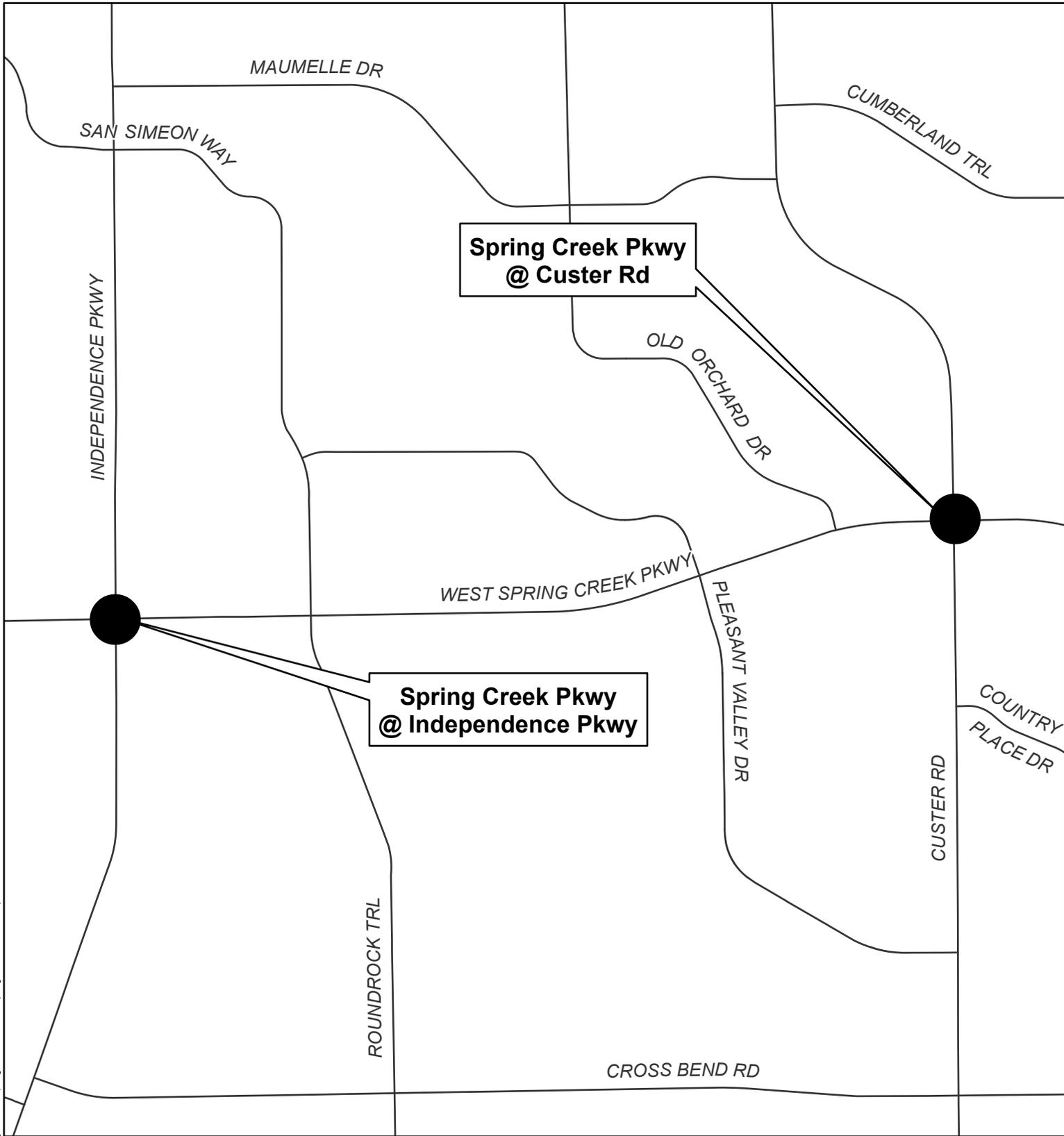
APPROVED AS TO FORM:

By: _____
Name: Paige Mims
Title: City Attorney
Date: _____

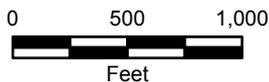


**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		7/25/16		
Department:		Engineering		
Department Head:		B. Caleb Thornhill, P.E.		
Agenda Coordinator (include phone #):			Kathleen Schonne (7198)	
			Project No. 5992	
CAPTION				
<p>A Resolution of the City of Plano, Texas, approving the terms and conditions of an Interlocal Agreement by and between the City of Plano and County of Collin, Texas, for the design and construction of the Spring Creek Corridor Improvements project; authorizing the City Manager or his designee to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2015-16	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	3,049,800	0	3,049,800
BALANCE	0	3,049,800	0	3,049,800
FUND(S): STREET IMPROVEMENTS CIP				
<p>COMMENTS: This item would facilitate the reimbursement by Collin County to the City of Plano of \$3,049,800 for the design and construction of the Spring Creek Parkway Corridor Improvements project.</p> <p>STRATEGIC PLAN GOAL: Entering into an agreement with Collin County to share the cost of street improvements that are beneficial to both jurisdictions relates to the City's goals of Partnering for Community Benefit and a Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>The City of Plano has completed construction of the Spring Creek Corridor Improvements project. The project included intersection improvements on Spring Creek Parkway at Independence Parkway and Custer Road. The 2007 Collin County Bond Program includes funds for half of the cost of the project. This ILA authorizes the County share of the project cost in the amount of \$3,049,800.</p> <p>https://www.google.com/maps/@33.0601686,-96.7361499,14.25z</p>				
List of Supporting Documents: Location Map; Resolution, Exhibit "A"			Other Departments, Boards, Commissions or Agencies N/A	

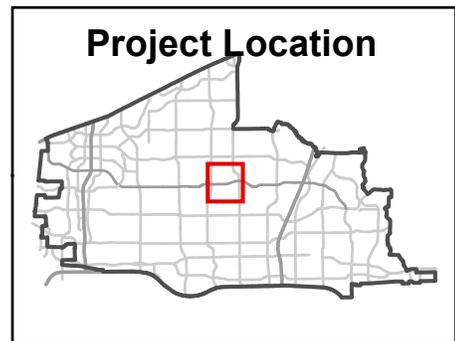


georgetau C:\Projects\Engineering\Locator\Maps\2016\06-24-16_Project 5992 Spring Creek Corridor\Spring Creek Corridor Improvements.mxd



City of Plano GIS Division
June, 2016

Spring Creek Corridor Improvements Project # 5992



A Resolution of the City of Plano, Texas, approving the terms and conditions of an Interlocal Agreement by and between the City of Plano and County of Collin, Texas, for the design and construction of the Spring Creek Corridor Improvements project; authorizing the City Manager or his designee to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date.

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

WHEREAS, the City Council has been presented a proposed Interlocal Cooperation Agreement by and between the City of Plano, Texas, and Collin County, Texas, providing terms and conditions for the design and construction of the Spring Creek Corridor Improvements project, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Agreement"); and

WHEREAS, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved and that the City Manager or his authorized designee should 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 Interlocal Agreement between Collin County and the City of Plano concerning the design and construction of Spring Creek Corridor Improvements, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interest of the City of Plano and its citizens, are hereby in all things approved.

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

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

DULY PASSED AND APPROVED the 25th day of July, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

EXHIBIT "A"

**INTERLOCAL AGREEMENT
BETWEEN COLLIN COUNTY AND THE CITY OF PLANO
CONCERNING THE DESIGN AND CONSTRUCTION OF
SPRING CREEK CORRIDOR IMPROVEMENTS
COUNTY BOND PROJECT 07-058
CITY CIP PROJECT – 5992**

THIS AGREEMENT is made and entered into by and between the County of Collin, Texas ("County"), and the City of Plano, Texas ("City"), a Home-Rule Municipal Corporation, as follows:

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

WHEREAS, the County and the City are political subdivisions within the State of Texas and engaged in the provision of governmental services for the benefit of their citizens; and

WHEREAS, the County and the City desire to enter into an agreement concerning the Spring Creek Corridor Improvements (the "Project") in Plano, Collin County, Texas; and

WHEREAS, the 2007 Collin County Bond Program includes the allocation of \$10,500,000 for intersection improvements at various locations. The Spring Creek Corridor Improvements Project provides intersection improvements along the Spring Creek Corridor from Independence Parkway to Custer Road. This Project cost is estimated to be \$6,099,600, with the County participation in the amount of \$3,049,800; and

WHEREAS, the City and County have determined that the improvements may be constructed most economically by implementing this agreement.

NOW, THEREFORE, this agreement is made and entered into by the County and the City upon and for the mutual consideration of the recitals set forth above and terms and conditions below.

WITNESSETH:

ARTICLE I.

The City shall arrange for the construction of the Spring Creek Corridor Improvements Project from Independence Parkway to Custer Road, hereinafter called the "Project". All improvements shall be designed to meet or exceed the current Collin

County design standards and shall be constructed in accordance with the plans and specifications approved by the City.

ARTICLE II.

The City shall prepare plans and specifications for the improvements, accept bids and award a contract to construct the improvements and administer the construction contract. In all such activities, the City shall comply with all state statutory requirements. The City shall provide the County with a copy of the executed construction contract(s) for the Project.

ARTICLE III.

The City will acquire easements required for the project; however, no real property for use as right-of-way will be acquired.

ARTICLE IV.

The City estimates the total actual cost of the project to be \$6,099,600. The County agrees to fund an amount not to exceed \$3,049,800. The County shall remit fifty percent (50%) of this amount to the City within thirty (30) days after the City issues a Notice to Proceed to the lowest responsible bidder and the City requests payment. The County will remit the remaining fifty percent (50%) within thirty (30) days after receipt of notice from the City that the Project is fifty percent (50%) complete. Following completion of the Project, the City shall provide a final accounting of expenditures for the Project. The "total cost of the Project" shall include engineering, construction, testing and easement.

ARTICLE V.

If the actual cost to construct the Project ("Actual Project Cost") is less than the Estimated Project Cost, and the County has participated up to fifty percent (50%) of the Estimated Project Cost, then the City shall reimburse the County in an amount equal to fifty percent (50%) of the difference between the Estimated Project Cost and the Actual Project Cost. The County Commissioners Court may revise this payment schedule based on the progress of the Project. As used herein, the term "Actual Project Cost" shall include engineering, construction, inspection, testing, street lighting and construction administration costs including contingencies.

ARTICLE VI.

The City shall prepare for the County an itemized statement specifying Project costs that have been incurred to date and submit monthly progress reports until completion.

ARTICLE VII.

The City and County agree that the party paying for the performance of governmental functions or services shall make those payments only from current revenues legally available to the paying party.

ARTICLE VIII.

INDEMNIFICATION. TO THE EXTENT ALLOWED BY LAW, EACH PARTY AGREES TO RELEASE, DEFEND, INDEMNIFY, AND HOLD HARMLESS THE OTHER (AND ITS OFFICERS, AGENTS, AND EMPLOYEES) FROM AND AGAINST ALL CLAIMS OR CAUSES OF ACTION FOR INJURIES (INCLUDING DEATH), PROPERTY DAMAGES (INCLUDING LOSS OF USE), AND ANY OTHER LOSSES, DEMANDS, SUITS, JUDGMENTS AND COSTS, INCLUDING REASONABLE ATTORNEYS' FEES AND EXPENSES, IN ANY WAY ARISING OUT OF, RELATED TO, OR RESULTING FROM ITS PERFORMANCE UNDER THIS AGREEMENT, OR CAUSED BY ITS NEGLIGENT ACTS OR OMISSIONS (OR THOSE OF ITS RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, OR ANY OTHER THIRD PARTIES FOR WHOM IT IS LEGALLY RESPONSIBLE) IN CONNECTION WITH PERFORMING THIS AGREEMENT.

ARTICLE IX.

VENUE. The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this agreement. The parties agree that this agreement is performable in Collin County, Texas, and that exclusive venue shall lie in Collin County, Texas.

ARTICLE X.

SEVERABILITY. The provisions of this agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and effect of the law, the remaining portions of the agreement shall be enforced as if the invalid provision had never been included.

ARTICLE XI.

ENTIRE AGREEMENT. This agreement embodies the entire agreement between the parties and may only be modified in writing executed by both parties.

ARTICLE XII.

SUCCESSORS AND ASSIGNS. This agreement shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns. Neither party will assign or transfer an interest in this agreement without the written consent of the other party.

ARTICLE XIII.

IMMUNITY. It is expressly understood and agreed that, in the execution of this agreement, neither party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this agreement, the

parties do not create any obligations, express or implied, other than those set forth herein, and this agreement shall not create any rights in parties not signatories hereto.

ARTICLE XIV.

TERM. This agreement shall be effective upon execution by both parties and shall continue in effect annually until final acceptance of the Project. This agreement shall automatically renew annually during this period.

APPROVED AS TO FORM:

COUNTY OF COLLIN, TEXAS

By: _____
Name: _____
Title: _____
Date: _____

By: _____
Name: Keith Self
Title: County Judge
Date: _____

Executed on this _____ date of _____, 2016, by the County of Collin, pursuant to Commissioners' Court Order No. _____

ATTEST:

CITY OF PLANO, TEXAS

By: _____
Name: Lisa C. Henderson
Title: City Secretary
Date: _____

By: _____
Name: Bruce D. Glasscock
Title: City Manager
Date: _____

Executed on behalf of the City of Plano, Texas, pursuant to City Council Resolution No. _____

APPROVED AS TO FORM:

By: _____
Name: Paige Mims
Title: City Attorney
Date: _____



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		07/25/2016		
Department:		Police		
Department Head		Greg Rushin		
Agenda Coordinator (include phone #): Monica Martinez x 7122				
CAPTION				
A Resolution of the City of Plano, Texas, ratifying the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and the City of Amarillo, Texas, for Interim Police Chief services; approving its execution by the City Manager or his designee; and providing an effective date.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2015-16	Prior Year (CIP Only)	Current Year	Future Years
		TOTALS		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(s): GENERAL FUND				
<p>COMMENTS: Approval of this interlocal agreement providing Interim Police Chief services to the City of Amarillo, Texas, provides for reimbursement from the City of Amarillo at \$3,480, on a weekly basis, while the City of Amarillo conducts a search for a full-time Police Chief.</p> <p>STRATEGIC PLAN GOAL: Utilizing interlocal agreements relates to the City's goal of Financially Strong City with Service Excellence.</p>				
SUMMARY OF ITEM				
<p>The City of Amarillo desires to have an Interim Police Chief while it conducts a search to hire a full-time Police Chief and has requested the City of Plano allow Assistant Chief Ed Drain to serve as Interim Police Chief for the City of Amarillo in return for reimbursement for services rendered. This Agreement shall be week-to-week and commence on or after June 20, 2016, and shall automatically renew each week unless terminated sooner.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Resolution and Exhibit "A"				

A Resolution of the City of Plano, Texas, ratifying the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and the City of Amarillo, Texas, for Interim Police Chief services; approving its execution by the City Manager or his designee; and providing an effective date.

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

WHEREAS, the City Council has been presented an Interlocal Cooperation Agreement for providing Interim Police Chief services by and between the City of Plano, Texas and the City of Amarillo, Texas, 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 ratified and approved.

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

Section I. The terms and conditions of the Agreement, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interest of the City of Plano and its citizens, is hereby in all things ratified and execution by the City Manager or his designee on behalf of the City of Plano is hereby approved.

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

DULY PASSED AND APPROVED this the 25th day of July, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

**INTERLOCAL COOPERATION AGREEMENT BETWEEN
THE CITY OF PLANO, TEXAS AND THE CITY OF AMARILLO, TEXAS
FOR INTERIM POLICE CHIEF**

THIS AGREEMENT, (the “Agreement”), is made and entered into by and between the City of Plano, Texas a home-rule municipal corporation located in Collin and Denton Counties, Texas (hereinafter referred to as “Plano”) and the City of Amarillo, Texas, a home-rule municipal corporation located in Potter and Randall Counties, Texas (hereinafter referred to as “Amarillo”)

WHEREAS, this Agreement is being entered into pursuant to the Interlocal Cooperation Act, V.T.C.A., Government Code, Section 791.001, et seq. (the “Act”); and

WHEREAS, Plano and Amarillo are both local governments as defined by Section 791.003(a) of the Act engaged in the provision of governmental functions and services to their citizens; and

WHEREAS, Amarillo’s Police Chief, Robert Taylor, is retiring June 30, 2016. Amarillo desires to have an Interim Police Chief while it conducts a search to hire a full-time Police Chief and has requested Plano to allow Assistant Chief Ed Drain (hereinafter referred to as “Chief Drain”) to serve as Interim Police Chief for the City of Amarillo in return for compensation for services rendered; and

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

WHEREAS, Plano and Amarillo mutually desire to be subject to the provisions of V.T.C.A. Government Code §791.001, et. seq., the Interlocal Cooperation Act, and other applicable sections, statutes and contracts pursuant thereto;

NOW THEREFORE, for mutual consideration hereinafter stated, Plano and Amarillo agree as follows:

**I.
TERM AND TERMINATION**

This Agreement shall be week-to-week and commence on or after June 20, 2016, and shall automatically renew each week unless terminated sooner by any one or more of the following terms:

- A. This Agreement may be terminated by either party for any reason or no reason by giving at least fourteen (14) days written notice to the other party.
- B. Amarillo may terminate this Agreement immediately and without notice upon the conviction of Chief Drain in any felony, or of any misdemeanor involving theft, or the failure of Chief Drain to diligently or properly perform Chief Drain’s duties under this Agreement.

II. OPERATING STANDARDS

Chief Drain will determine the method, details, and means of performing Interim Police Chief Services under this Agreement to the satisfaction of Amarillo and under Amarillo's direct oversight. Plano and Amarillo mutually agree to fully adhere to all ethical and other operating standards, practices, and policies of Amarillo, as defined from time to time by Amarillo.

III. COMPENSATION FOR SERVICES

Amarillo shall compensate Plano under this Agreement at a rate of \$87.00 per hour for hours worked by Chief Drain. Chief Drain will continue to draw the current salary being received by Plano. Chief Drain will not be on paid leave from Plano during this assignment, nor will this assignment create a vacancy at the Plano Police Department. Chief Drain will typically work five (5) days per week, forty (40) hours per week, unless otherwise authorized by Amarillo. Any hours worked in excess of forty (40) hours per week, will be paid at the standard contract rate of \$87.00 per hour. Plano is only paid for hours worked by Chief Drain and is not paid for Chief Drain's commute time, holidays, or any type of leave (vacation, sick, personal, etc.) that Chief Drain may take.

Chief Drain will submit a weekly time sheet to Amarillo for payment of services performed for Amarillo. The time sheet must be submitted no later than Monday each week for hours worked the preceding week. Amarillo will pay Plano within fourteen (14) days of each submittal by Chief Drain.

IV. CONTRACTUAL RELATIONSHIP ONLY

In performing services under this Agreement, Plano and/or Chief Drain will not be considered employee, agent, or servant of Amarillo, and Amarillo shall have no obligation to withhold federal income taxes, FICA taxes, or otherwise. Plano and Chief Drain will be solely responsible for compliance with any tax requirements, including without limitation, federal income tax and FICA taxes. None of the benefits provided by Amarillo to full-time employees shall be made available to Plano or Chief Drain under this Agreement. Amarillo and Plano acknowledge and agree that each will solely be responsible for its actions and those acts of its employees, including acts of omission, taken in connection with the performance of this Agreement. Neither party shall have any right, power, or authority to act or create any obligation, express or implied, on behalf of the other party. Neither Plano nor Chief Drain shall have any right to obligate Amarillo to make any payments or provide any consideration to any person or organization.

**V.
COMPLIANCE WITH LAW**

Plano and Chief Drain shall abide by and comply with all laws, federal, state and local, including all ordinances, rules and regulations of Amarillo. It is agreed and understood that, if Amarillo calls to the attention of Plano and Chief Drain any such violation on the part of Plano and/or Chief Drain that Plano and/or Chief Drain shall immediately desist from and correct such violation.

**VI.
NON-DISCRIMINATION**

In the execution, performance, or attempted performance of this Agreement, Plano and Chief Drain will not discriminate against any person or persons because of disability, age, familial status, sex, race, religion, color, national origin, or sexual orientation.

**VII.
GOVERNING LAW AND VENUE**

This Agreement shall be construed in accordance with the laws of the state of Texas. Should any action, whether real or asserted, at law or in equity, arise out of the execution, performance, or attempted performance of this Agreement, venue for said action shall lie in Collin County, Texas.

**VIII.
DISCLOSURE OF CONFLICTS**

Plano hereby warrants to Amarillo that Plano has made full disclosure in writing of any existing or potential conflicts of interest related to Chief Drain's provision of the services. In the event that any conflicts of interest arise after the execution of this Agreement, Plano hereby agrees to make full disclosure to Amarillo in writing immediately upon learning of such conflict.

Chief Drain will not accept other employment or consulting work during the term of this Agreement without prior written consent of Amarillo.

**IX.
INDEMNIFICATION**

Each party does hereby agree to waive all claims against, release, and hold harmless the other party and its respective officials, officers, agents, employees, in both their public and private capacities, from any and all liability, claims, suits, demands, losses, damages, attorneys' fees, including all expenses of litigation or settlement, or causes of action which may arise by reason of injury to or death of any person or for loss

of, damage to, or loss of use of any property arising out of or in connection with this contract.

To the extent allowed by law, Amarillo does hereby agree to defend, hold harmless, and indemnify the designated Interim Police Chief, Plano, and its respective officers, agents and employees, from any and all demands, claims, suits, actions, judgments, expenses, and attorneys' fees incurred in any legal proceedings brought against them as a result of action taken in the Interim's individual or official capacity as a contractor and as Interim Police Chief, providing the incident(s), which is (are) the basis of any such demand, claim, suit, actions, judgments, expenses, and attorneys' fees, arose or does arise in the future from an act or omission of the Interim Police Chief as a contractor of Amarillo acting within the course and scope of the Interim Police Chief's assignment with Amarillo, excluding, however, any such demand, claim, suit, action, judgment, expense, and attorneys' fees for those claims or any causes of action where it is determined that the Interim Police Chief committed official misconduct, or committed a willful or wrongful act or omission, or an act or omission constituting negligence, or acted in bad faith. In the case of such indemnified demand, claim, suit, action, or judgment, the selection of the Interim Police Chief's legal counsel shall be with the mutual agreement of the Interim Police Chief and Amarillo if such legal counsel is not also Amarillo's legal counsel. The provisions of this paragraph shall survive the termination, expiration, or other end of this Agreement and/or the Interim Police Chief's assignment with Amarillo.

**X.
NO THIRD PARTY BENEFICIARIES; NO JOINT VENTURE**

This Agreement has no third-party beneficiaries. This Agreement shall not be deemed to create, and does not create, a joint venture.

**XI.
ENTIRE AGREEMENT**

This Agreement represents the full and complete agreement between Amarillo and Plano and supersedes all prior written or verbal agreements. This Agreement may be modified or amended only by a written instrument signed by the parties.

**XII.
NOTICE**

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

PLANO
Bruce D. Glasscock
City Manager
City of Plano

AMARILLO
Terry L. Childers
Interim City Manager
City of Amarillo

P. O. Box 860358
Plano, Texas 75086-0358

509 E. 7TH Room 301
Amarillo, Texas 79105

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

The undersigned officer and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties hereto. Plano has executed this Agreement pursuant to duly authorized action of the Plano City Council. Amarillo has executed this Agreement pursuant to the authority granted by its Home Rule Charter and City Council. Each of the parties shall provide written documentation evidencing the grant of approval by its respective governing body.

(Signature Pages to Follow)

EXECUTED in duplicate originals this 28 day of June, 2016.

CITY OF AMARILLO, TEXAS

BY: 
Terry L. Childers
INTERIM CITY MANAGER

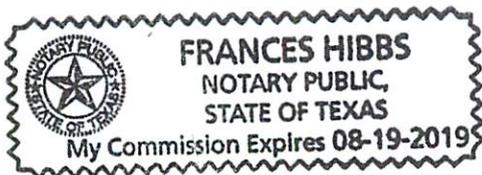
APPROVED AS TO FORM:

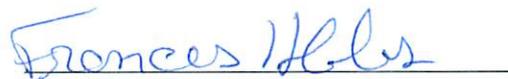

William M. McKamie
CITY ATTORNEY

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF POTTER §

This instrument was acknowledged before me on the 28 day of June, 2016 by **TERRY L. CHILDERS**, Interim City Manager of the **CITY OF AMARILLO, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.




Notary Public, State of Texas

EXECUTED in duplicate originals this ____ day of June, 2016.

CITY OF PLANO, TEXAS

BY: _____
Bruce D. Glasscock
CITY MANAGER

APPROVED AS TO FORM:

Paige Mims
CITY ATTORNEY

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

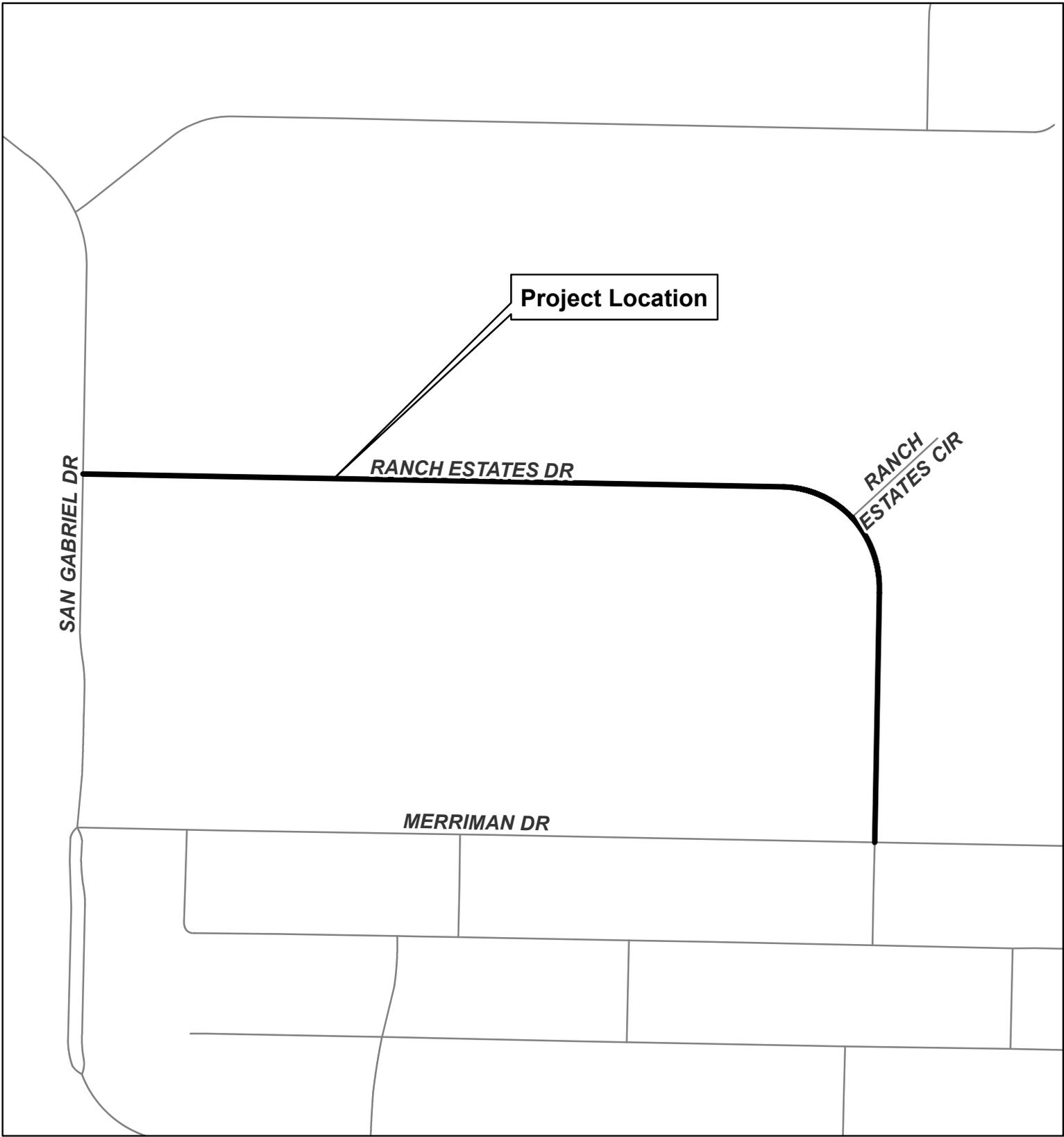
This instrument was acknowledged before me on the ____ day of June, 2016 by **BRUCE D. GLASSCOCK**, City Manager of the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

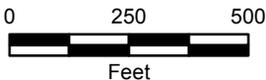


**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		7/25/16		
Department:		Engineering		
Department Head:		B. Caleb Thornhill, P.E.		
Agenda Coordinator (include phone #): Kathleen Schonke (7198)				
CAPTION				
A Resolution of the City of Plano, Texas, approving the terms and conditions of a Supplement to the Agreement for Street Lighting Services by and between the City of Plano and Oncor Electric Delivery Company, LLC, providing for the removal and addition of street lights on Ranch Estates Drive; authorizing its execution by the City Manager or his authorized designee; and providing an effective date.				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2015-16	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	60,000	10,000	70,000
Encumbered/Expended Amount	0	0	0	0
This Item	0	-55,362		-55,362
BALANCE	0	4,638	10,000	14,638
FUND(S): STREET IMPROVEMENTS CIP				
COMMENTS: Funding is available in the 2015-16 Street Improvements CIP for this item. This project, in the amount of \$55,362, will leave a current year balance of \$4,638 available for other street lighting expenditures. STRATEGIC PLAN GOAL: Providing adequate street lighting relates to the City's goals of Great Neighborhoods – 1 st Choice to Live and Safe Large City.				
SUMMARY OF ITEM				
This Supplement to the Agreement with Oncor Electric Delivery Company is for the addition of 8 street lights and removal of 6 street lights on Ranch Estates Drive. The contract fee is \$55,361.59.				
Funding is available from the 2015-16 Street Improvements CIP.				
https://www.google.com/maps/@33.0398822,-96.6538666,16.5z				
List of Supporting Documents: Location Map, Recommendation Memo dated 6/28/16, Resolution, Exhibit "A"		Other Departments, Boards, Commissions or Agencies N/A		

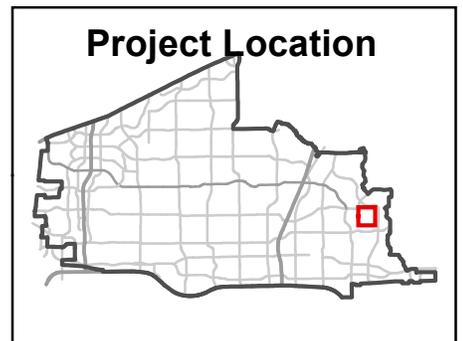


davidd C:\Projects\Engineering\Locator\Maps\2016\06-24-16_Ranch Estates Dr\Locator\Map\Map.mxd



City of Plano GIS Division
July, 2016

Ranch Estates Drive Street Light Replacement





Memorandum

TO: Bruce D. Glasscock, City Manager

FROM: B. Caleb Thornhill, P.E., Director of Engineering

DATE: June 28, 2016

SUBJECT: Street Lighting – Ranch Estates Drive

The Ranch Estates HOA has requested improvements to the street lighting along Ranch Estates Drive from San Gabriel Drive to Merriman Drive. The lighting system along this section was installed in the late 1960's and does not meet the City's lighting standards.

Engineering Department staff has coordinated with Oncor to develop a plan to meet Plano's street lighting requirements and recommends approval of the agreement with Oncor for the installation of the new street lighting system along Ranch Estates Drive.

A Resolution of the City of Plano, Texas, approving the terms and conditions of a Supplement to the Agreement for Street Lighting Services by and between the City of Plano and Oncor Electric Delivery Company, LLC, providing for the removal and addition of street lights on Ranch Estates Drive; authorizing its execution by the City Manager or his authorized designee; and providing an effective date.

WHEREAS, the City Council has been presented a proposed Supplement to the Agreement for Street Lighting Services by and between Oncor Electric Delivery Company, LLC, providing terms and conditions for the removal and addition of street lights on Ranch Estates Drive, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Agreement"); and

WHEREAS, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved and that the City Manager or his authorized designee should 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 Supplement to the Agreement for Street Lighting Services, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interest of the City of Plano and its citizens, are hereby in all things approved.

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

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

DULY PASSED AND APPROVED the 25th day of July, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

EXHIBIT "A"

WR Number: 3325310

SUPPLEMENT TO
THE AGREEMENT FOR STREET LIGHTING SERVICE BY AND BETWEEN
ONCOR ELECTRIC DELIVERY COMPANY LLC AND City of Plano
DATED 6-9-16

This Supplement ("Supplement") to the Agreement for Street Lighting Service ("Agreement"), is made and entered into this 9th day of June, 2016, by ONCOR Electric Delivery Company LLC and City of Plano, ("Customer") both hereinafter referred to as the "Parties." In consideration of the mutual promises and undertakings herein set forth, the Parties hereby agree to amend the Agreement as follows:

- The following Request for Street Lighting Service is hereby added to the Agreement:
Request for Street Lighting Service dated 6-9-16, attached hereto as Exhibit B.
- This Supplement shall become effective upon execution by the Parties.
- This Supplement is subject to the terms and conditions of the Agreement.
- If Customer has arranged for its designated agent or representative ("Customer's Agent") to pay to Company the contribution-in-aid-of-construction ("CIAC") referenced in the Agreement, then Customer's Agent shall execute this Amendment for the sole purpose of establishing such agent's agreement to pay such CIAC.
- Except as otherwise provided herein, the Agreement shall continue in full force and effect in accordance with its terms.

IN WITNESS HEREOF, the Parties have caused this Supplement to be executed in several counterparts, each of which shall be deemed an original but all shall constitute one and the same instrument.

ONCOR ELECTRIC DELIVERY COMPANY LLC

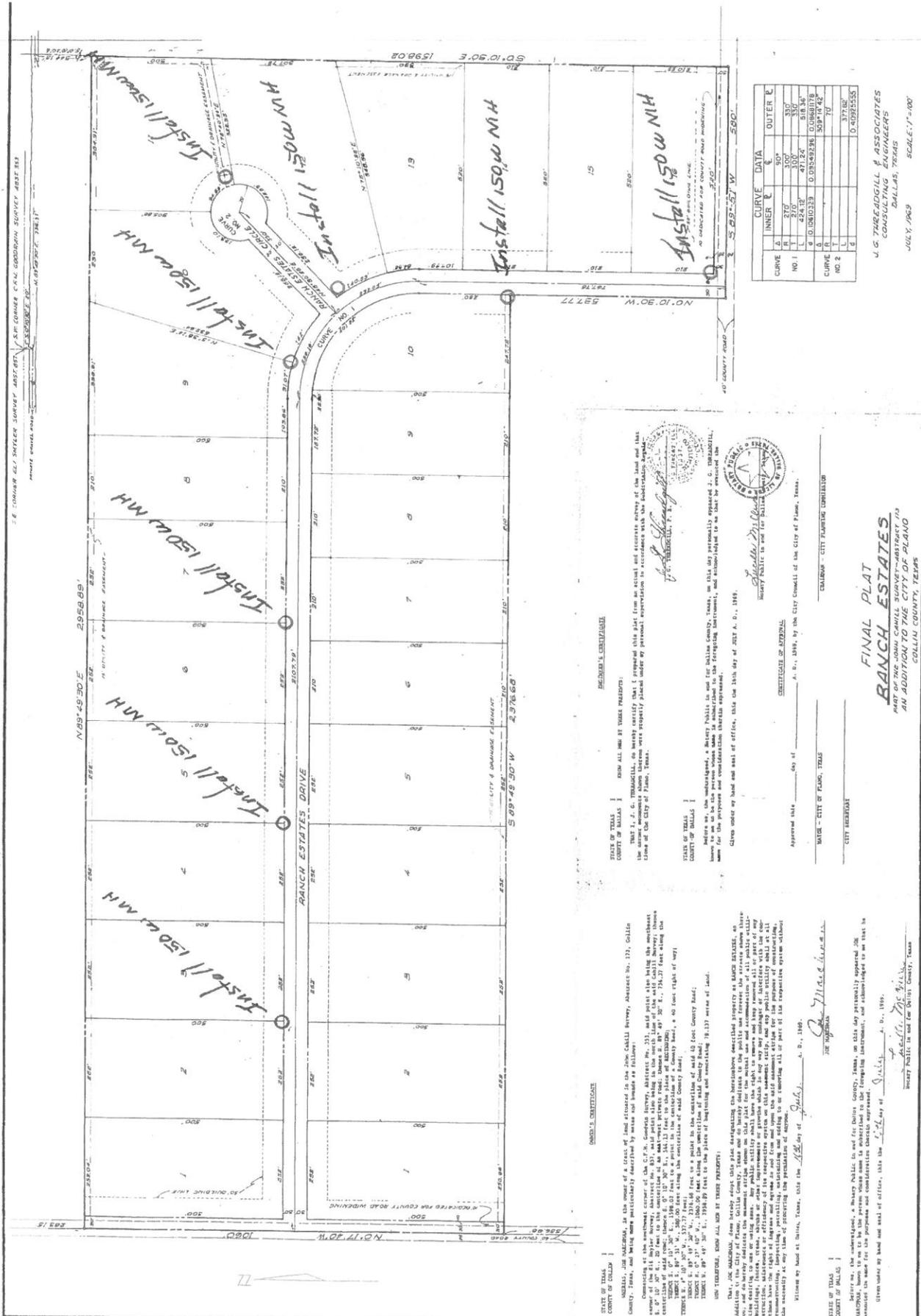
By: Jim Brookshire
Title: Utility Designer Specialist
Date: 6-9-16

[[INSERT CUSTOMER NAME]]
By: _____
Title: _____
Date: _____

.....
For CIAC purposes only pursuant to Section (4) above.

[[INSERT CUSTOMER'S AGENT'S NAME]]
By: _____
Title: _____
Date: _____

Install 8 Lights



CURVE	DATA		OUTER C
	INNER C	ANGLE	
NO 1	377'	90°	300'
NO 2	424.12'	47.12°	518.36'
NO 3	0.00000000	0.00000000	0.00000000
NO 4	0.00000000	0.00000000	0.00000000
NO 5	0.00000000	0.00000000	0.00000000
NO 6	0.00000000	0.00000000	0.00000000
NO 7	0.00000000	0.00000000	0.00000000
NO 8	0.00000000	0.00000000	0.00000000
NO 9	0.00000000	0.00000000	0.00000000
NO 10	0.00000000	0.00000000	0.00000000

J. G. THEBEADGILL & ASSOCIATES
CONSULTING ENGINEERS
DALLAS, TEXAS
JULY, 1969
SCALE: 1" = 100'

SENDER'S CERTIFICATE

STATE OF TEXAS | KNOW ALL MEN BY THESE PRESENTS: that the undersigned, J. G. THEBEADGILL, a duly licensed Professional Engineer in the State of Texas, do hereby certify that the above described plat is a true and correct copy of the original plat as the same appears upon the records of the Public Information Office of the City of Plano, Texas.

STATE OF TEXAS | COUNTY OF DALLAS |

Approved this _____ day of _____, 1969, at the City of Plano, Texas.

J. G. THEBEADGILL, P. E.

CITY'S CERTIFICATE

STATE OF TEXAS | COUNTY OF DALLAS |

Approved this _____ day of _____, 1969, at the City of Plano, Texas.

CITY CLERK

SENDER'S CERTIFICATE

STATE OF TEXAS | COUNTY OF DALLAS |

Approved this _____ day of _____, 1969, at the City of Plano, Texas.

J. G. THEBEADGILL, P. E.

CITY'S CERTIFICATE

STATE OF TEXAS | COUNTY OF DALLAS |

Approved this _____ day of _____, 1969, at the City of Plano, Texas.

CITY CLERK

FINAL PLAT
RANCH ESTATES
PART OF THE JOHN CANILL SURVEY-ABSTRACT 103
AN ADDITION TO THE CITY OF PLANO
COLLIN COUNTY, TEXAS



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		07/25/2016		
Department:		City Secretary		
Department Head		Lisa C. Henderson		
Agenda Coordinator (include phone #): Deborah Richardson X-7120				
CAPTION				
An Ordinance of the City of Plano, Texas, adopting and enacting Supplement Number 116 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2015-2016	Prior Year (CIP Only)	Current Year	Future Years
		TOTALS		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(s): N/A				
COMMENTS: This item has no fiscal impact. STRATEGIC PLAN GOAL: Adopting the Quarterly Code Supplement relates to the City's goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
Adoption of this ordinance enables this supplement to be admissible in court.				
List of Supporting Documents: Ordinance			Other Departments, Boards, Commissions or Agencies	

An Ordinance of the City of Plano, Texas adopting and enacting Supplement Number 116 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 116; and

WHEREAS, the City Council wishes to adopt the ordinance codification version appearing in Supplement Number 116 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 116 as prepared by the codifier.

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

DULY PASSED AND APPROVED this the 25th day of July, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		7/25/16		
Department:		Engineering		
Department Head		B. Caleb Thornhill		
Agenda Coordinator (include phone #): Kathleen Schonne X-7198				
CAPTION				
<p>An Ordinance of the City of Plano, Texas, amending Chapter 12, Motor Vehicles and Traffic, Article IV, Speed, Section 12-73(d), Subsections "Coit Road," "Crystal Creek Drive," "Elsinore Drive," "Floyd Drive," "Gillespie Drive," "McDermott Road," "National Drive," "Oakland Hills Drive," "Ohio Drive," "Ridgeview Drive," "Robinson Road," "Rockledge Lane," and "Waskom Drive," of the Code of Ordinances of the City of Plano, Texas to revise the effective times for the school zones on these roadways; providing a repealer clause, a severability clause, a penalty clause, a savings clause, a publication clause, and an effective date.</p>				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2015-16	Prior Year (CIP Only)	Current Year	Future Years
		TOTALS		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(S): GENERAL FUND				
<p>COMMENTS: Revising school zone times will result in an expense to change existing signage and will alter the revenue received from traffic violations in school zones; however, both of these factors are indeterminable at this time and expected to be minor.</p> <p>STRATEGIC PLAN GOAL: Revising school zones to correspond to new school hours at the request of a school district relates to the City's goals of Safe Large City and Partnering for Community Benefit.</p>				
SUMMARY OF ITEM				
See recommendation memo.				
<u>List of Supporting Documents:</u> Recommendation Memo Location Maps Ordinance			<u>Other Departments, Boards, Commissions or Agencies</u> N/A	



Memorandum

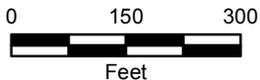
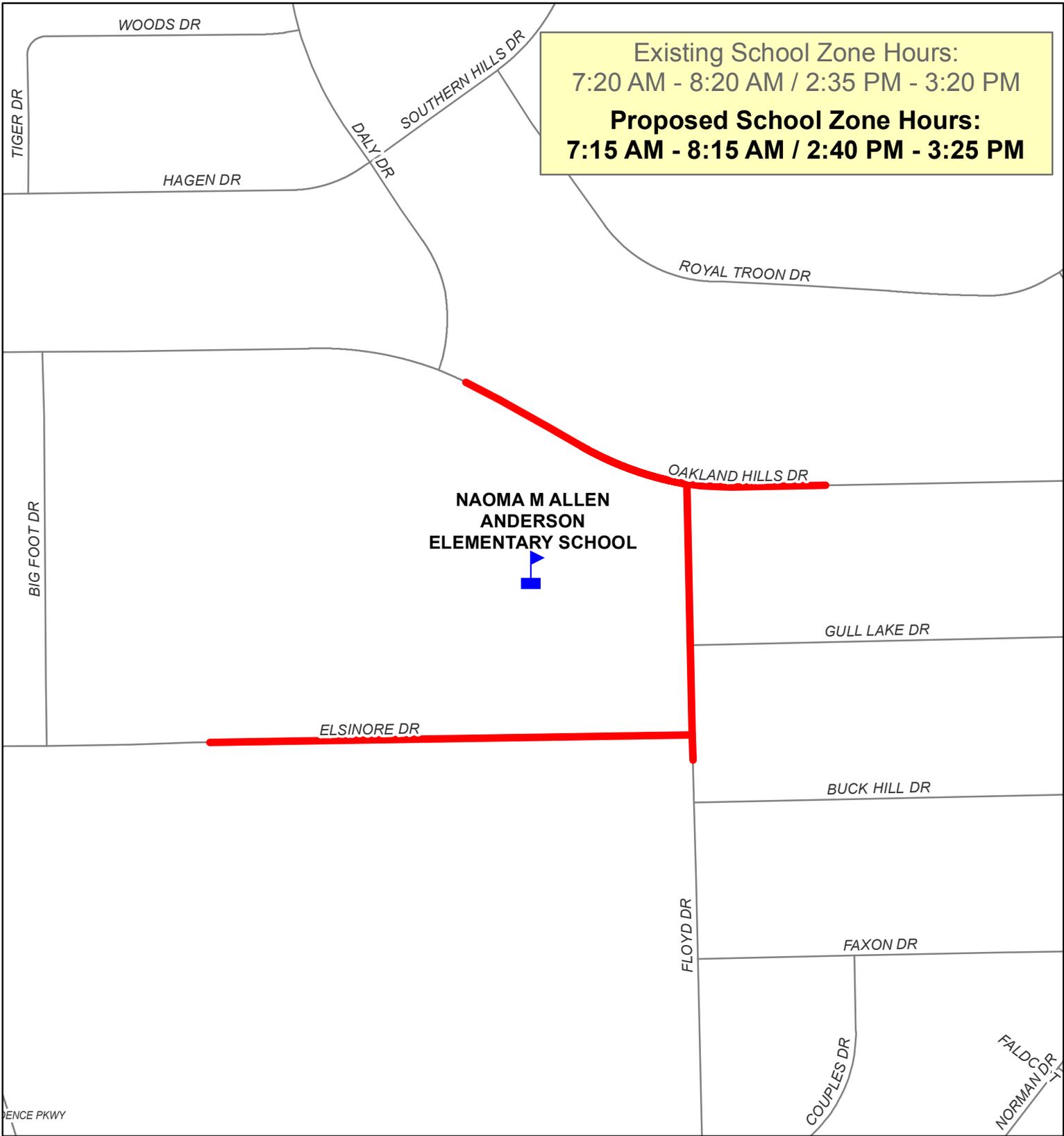
TO: Bruce D. Glasscock, City Manager
FROM: B. Caleb Thornhill, P.E., Director of Engineering
DATE: July 14, 2016
SUBJECT: Frisco ISD (FISD) School Zone Revisions

FISD has four elementary schools and one middle school operating in the City of Plano. FISD administration has requested the City of Plano revise the time of school zone operation for these schools to reflect changes in school hours that begin during the 2016-2017 school year.

The primary purpose of school zone speed limits is to reduce the potential for pedestrian-vehicle collisions. To maintain pedestrian safety, the Engineering Department supports the FISD request and recommends an amending of the ordinance describing the operating times of school zones on Coit Road, Crystal Creek Drive, Elsinore Drive, Floyd Drive, Gillespie Drive, McDermott Road, National Drive, Oakland Hills Drive, Ohio Drive, Ridgeview Drive, Robinson Road, Rockledge Lane, and Waskom Drive. See included exhibits for specific limits and locations.

Existing School Zone Hours:
7:20 AM - 8:20 AM / 2:35 PM - 3:20 PM

Proposed School Zone Hours:
7:15 AM - 8:15 AM / 2:40 PM - 3:25 PM



City of Plano GIS Division
June, 2016

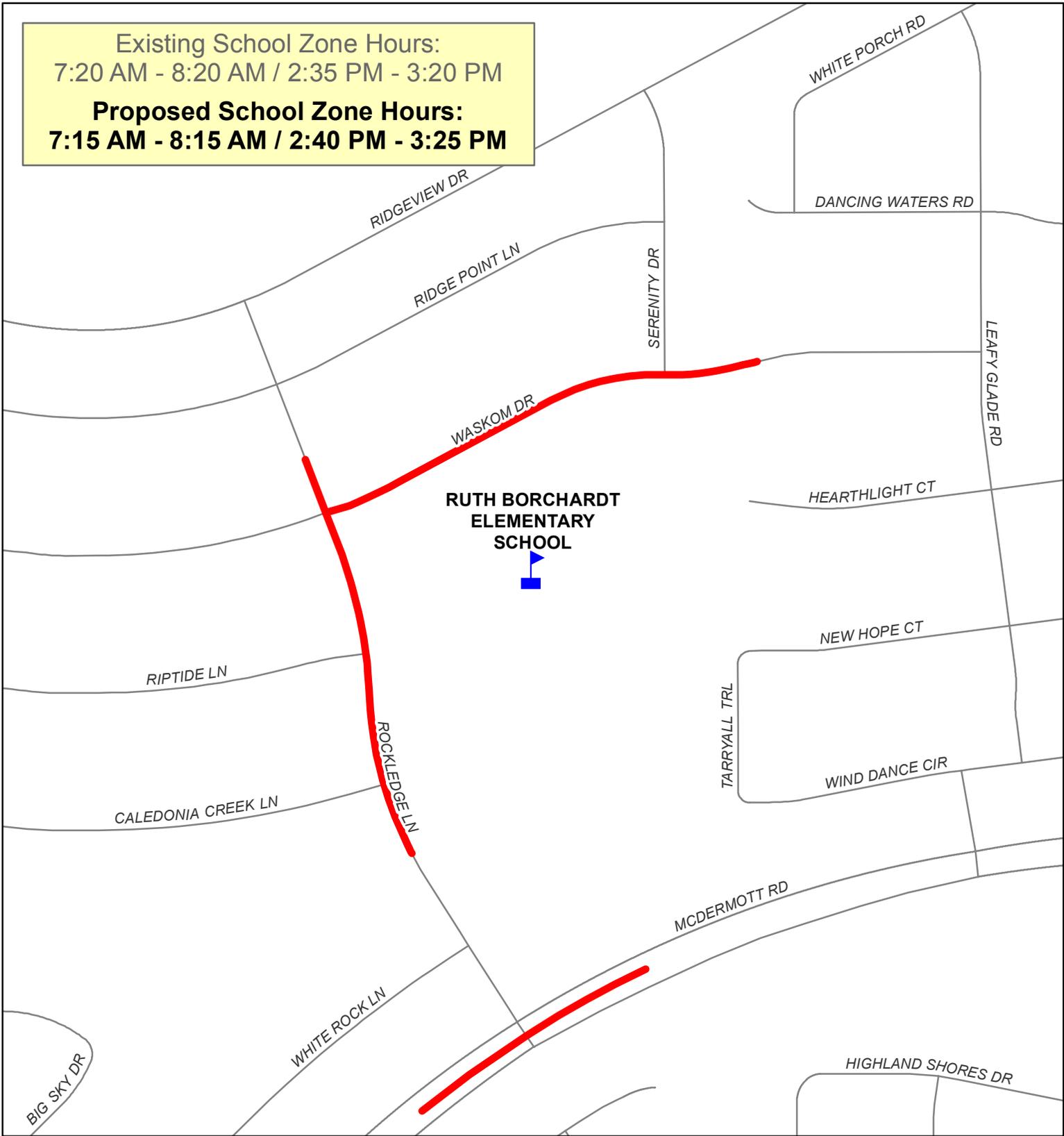
Anderson Elementary School Zone Map

Project Location

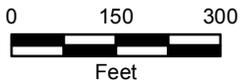


Existing School Zone Hours:
 7:20 AM - 8:20 AM / 2:35 PM - 3:20 PM

Proposed School Zone Hours:
7:15 AM - 8:15 AM / 2:40 PM - 3:25 PM

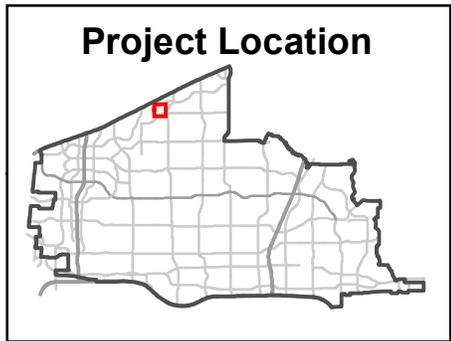


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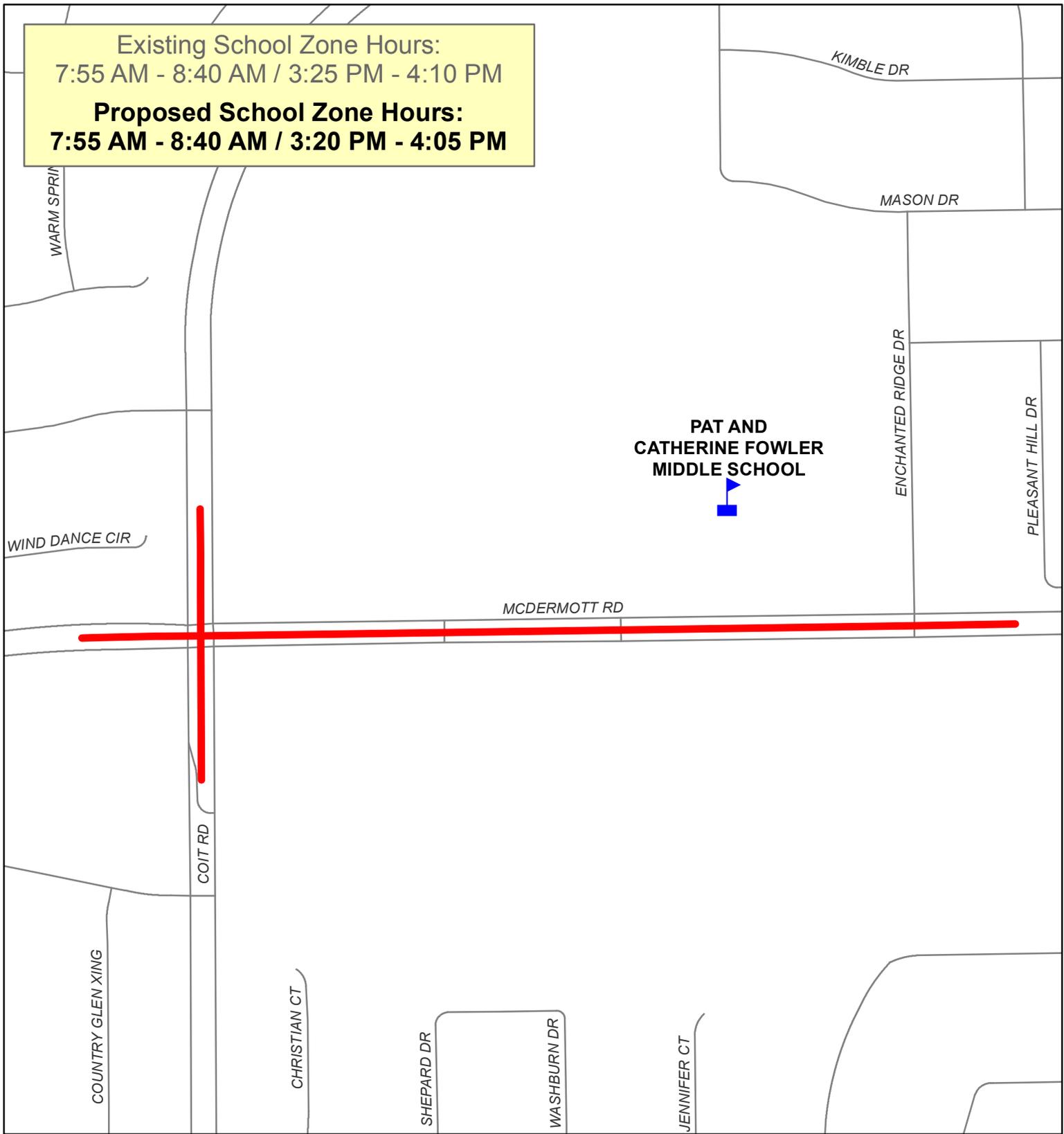
City of Plano GIS Division
 June, 2016

Borchardt Elementary School Zone Map

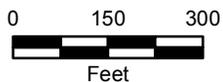


Existing School Zone Hours:
7:55 AM - 8:40 AM / 3:25 PM - 4:10 PM

Proposed School Zone Hours:
7:55 AM - 8:40 AM / 3:20 PM - 4:05 PM



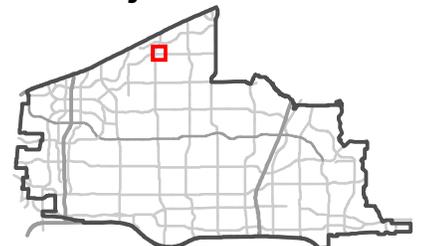
**PAT AND
CATHERINE FOWLER
MIDDLE SCHOOL**



City of Plano GIS Division
June, 2016

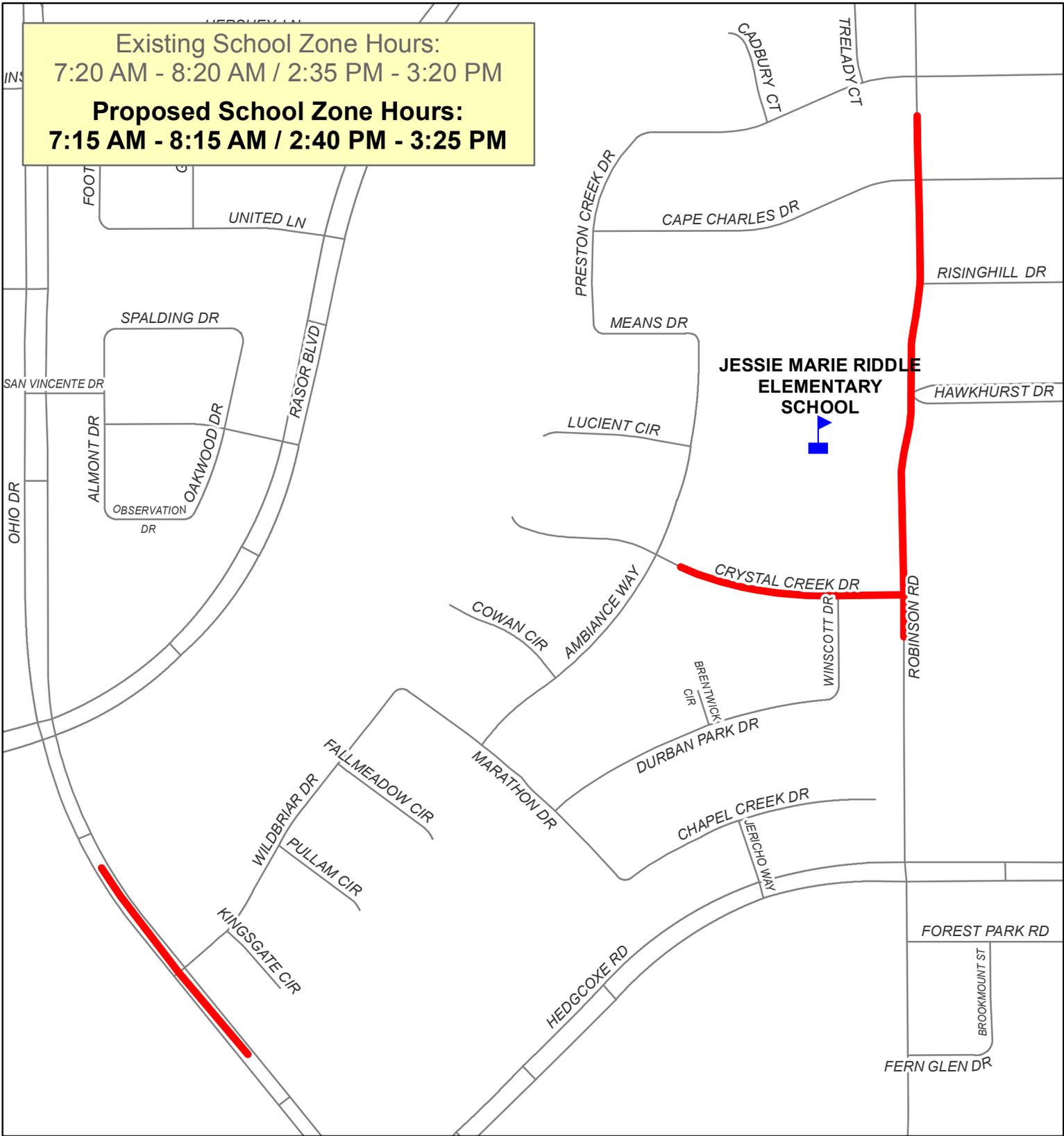
Fowler Middle School Zone Map

Project Location

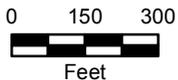


Existing School Zone Hours:
 7:20 AM - 8:20 AM / 2:35 PM - 3:20 PM

Proposed School Zone Hours:
7:15 AM - 8:15 AM / 2:40 PM - 3:25 PM

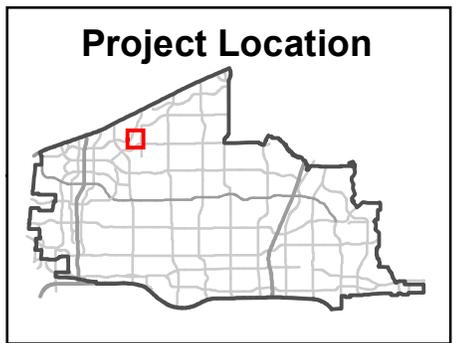


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City of Plano GIS Division
 June, 2016

Riddle Elementary School Zone Map



NATIONAL DR

**PORTIA TAYLOR
ELEMENTARY
SCHOOL**



Existing School Zone Hours:
7:20 AM - 8:20 AM / 2:35 PM - 3:20 PM
Proposed School Zone Hours:
7:15 AM - 8:15 AM / 2:40 PM - 3:25 PM

STROLL RD

SUITE ST

ELLERY AVE

RIDGEVIEW DR

FLAT CREEK DR

DELOACH DR

FANDANGO LN

GILLESPIE DR

PORTER CREEK DR

PARADISE VALLEY DR

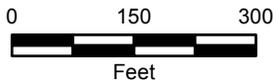
LIGHTCATCHER DR

PILLAR DR

ROSS STATION DR

GILLESPIE DR

SEDONA LN



City of Plano GIS Division
July, 2016

Taylor Elementary School Zone Map

Project Location



An Ordinance of the City of Plano, Texas, amending Chapter 12, Motor Vehicles and Traffic, Article IV, Speed, Section 12-73(d), Subsections “Coit Road,” “Crystal Creek Drive,” “Elsinore Drive,” “Floyd Drive,” “Gillespie Drive,” “McDermott Road,” “National Drive,” “Oakland Hills Drive,” “Ohio Drive,” “Ridgeview Drive,” “Robinson Road,” “Rockledge Lane,” and “Waskom Drive,” of the Code of Ordinances of the City of Plano, Texas to revise the effective times for the school zones on these roadways; providing a repealer clause, a severability clause, a penalty clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the primary purpose of school zone speed limits is to reduce the speed of travel on roadways at school crosswalks in order to reduce the potential for catastrophic pedestrian – vehicle collisions; and

WHEREAS, the Frisco Independent School District (FISD) has four elementary schools and one middle school operating in the City of Plano. Each elementary school is provided with three school zones, and the middle school is provided with two school zones; and

WHEREAS, the administration of the FISD requested to revise effective times of school zones for the FISD elementary schools to reflect changes in the school hours that will be in effect beginning the school year 2016-2017; and

WHEREAS, City of Plano Transportation Engineering Division staff found that there was an inconsistency in afternoon school zone hours for the FISD middle school beginning and ending five minutes earlier; and

WHEREAS, City of Plano Transportation Engineering Division staff finds it necessary and in the best interest of the City and its citizens to revise the effective times of the school zones on Coit Road, Crystal Creek Drive, Elsinore Drive, Floyd Drive, Gillespie Drive, McDermott Road, National Drive, Oakland Hills Drive, Ohio Drive, Ridgeview Drive, Robinson Road, Rockledge Lane, and Waskom Drive.

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

Section I. The City Council hereby amends Chapter 12, Motor Vehicles and Traffic, Article IV, Speed, Section 12-73(d), Subsections “*Coit Road*,” “*Crystal Creek Drive*,” “*Elsinore Drive*,” “*Floyd Drive*,” “*Gillespie Drive*,” “*McDermott Road*,” “*National Drive*,” “*Oakland Hills Drive*,” “*Ohio Drive*,” “*Ridgeview Drive*,” “*Robinson Road*,” “*Rockledge Lane*,” and “*Waskom Drive*” of the City of Plano Code of Ordinances to read as follows:

“*Coit Road*:

- (1) Between a point three hundred twenty-five (325) feet south of Denham Way and a point three hundred twenty-five (325) feet north of Denham

- Way on school days between 8:00 a.m. and 8:45 a.m. and between 3:15 p.m. and 4:00 p.m. (P)
- (2) Between a point three hundred (300) feet north of Stonehaven Drive and a point four hundred (400) feet south of Stonehaven Drive on school days between 8:00 a.m. and 8:45 a.m. and between 3:15 p.m. and 4:00 p.m. (P)
 - (3) Between a point two hundred ninety (290) feet south of McDermott Road and a point two hundred forty (240) feet north of McDermott Road on school days between 7:55 a.m. and 8:40 a.m. and between 3:20 p.m. and 4:05 p.m. (F)”

“Crystal Creek Drive:

- (1) Between Robinson Road and a point seventy-five (75) feet east of Ambiance Way on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)”

“Elsinore Drive:

- (1) Between Floyd Drive and a point eight hundred seventy-five (875) feet west of Floyd Drive on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)”

“Floyd Drive:

- (1) Between Oakland Hills Drive and a point fifty (50) feet north of Buck Hill Drive on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)”

“Gillespie Drive:

- (1) Between a point seventy-five (75) feet north of National Drive and a point eight hundred twenty-five (825) feet south of National Drive on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)”

“McDermott Road:

- (1) Between a point two hundred seventy-five (275) feet east of Rockledge Lane and a point two hundred seventy-five (275) feet west of Rockledge Lane on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)
- (2) Between a point two hundred (200) feet east of Enchanted Ridge Drive and a point two hundred twenty (220) feet west of Coit Road on school

days between 7:55 a.m. and 8:40 a.m. and between 3:20 p.m. and 4:05 p.m. (F)”

“National Drive:

- (1) Between Gillespie Drive and a point seven hundred ten (710) feet west of Gillespie Drive on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)”

“Oakland Hills Drive:

- (2) Between a point two hundred fifty (250) feet east of Floyd Drive and a point fifty (50) feet east of Daly Drive on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)”

“Ohio Drive:

- (1) Between a point two hundred twenty-five (225) feet north of Ringgold Lane and a point two hundred (200) feet south of Ringgold Lane on school days between 7:15 a.m. and 8:15 a.m. and between 2:30 p.m. and 3:15 p.m. (P)
- (2) Between a point two hundred seventy-five (275) feet north of Quincy Lane and a point two hundred fifty (250) feet south of Quincy Lane on school days between 7:15 a.m. and 8:15 a.m. and between 2:30 p.m. and 3:15 p.m. (P)
- (3) Between a point two hundred seventy-five (275) feet south of Tennyson Parkway and a point two hundred seventy-five (275) feet north of Tennyson Parkway on school days between 7:15 a.m. and 8:45 a.m. and between 2:30 p.m. and 4:00 p.m. (P)
- (4) Between a point three hundred seventy-five (375) feet north of Wildbriar Drive and a point three hundred (300) feet south of Wildbriar Drive on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)”

“Ridgeview Drive:

- (1) For eastbound traffic, between a point fifty (50) feet east of Ross Station Drive/Gillespie Drive and a point two hundred (200) feet west of Paradise Valley Drive and for westbound traffic, between a point fifty (50) feet east of Paradise Valley Drive and a point one hundred fifty (150) feet east of Ross Station Drive/Gillespie Drive on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)”

“Robinson Road:

- (1) Between a point one hundred seventy-five (175) feet north of Cape Charles Drive and a point one hundred twenty-five (125) feet south of Crystal Creek Drive on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)”

“Rockledge Lane:

- (1) Between a point one hundred (100) feet north of Waskom Drive and a point one hundred fifty (150) feet south of Caledonia Creek Lane on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)”

“Waskom Drive:

- (1) Between Rockledge Lane and a point two hundred (200) feet east of Serenity Drive on school days between 7:15 a.m. and 8:15 a.m. and between 2:40 p.m. and 3:25 p.m. (F)”

Section II. The Traffic Engineer of Plano is hereby authorized to cause to be erected appropriate signs indicating such speed zones.

Section III. All provisions of the Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, except that an Ordinance of the City establishing a school zone and speed limit therefore within the zones changed herein, shall not be repealed but shall prevail over this Ordinance. 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 full effect.

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

Section V. Any violation of the provisions or terms of this ordinance by any person, firm, or corporation shall be a misdemeanor offense and shall be subject to a fine not to exceed TWO HUNDRED AND NO/100 DOLLARS (\$200.00) for each offense. Each and every violation shall be deemed to constitute a separate offense.

Section VI. 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 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.

Section VII. This Ordinance shall become effective immediately upon its passage, publication as required by law and after all necessary signs have been installed.

DULY PASSED AND APPROVED this 25th day of July, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		7/25/2016		
Department:		Legal		
Department Head		Paige Mims		
Agenda Coordinator (include phone #): Jason Stacy ext. 7109				
CAPTION				
<p>An Ordinance of the City of Plano, Texas, repealing certain sections of Ordinance Nos. 98-10-18, 96-11-24, and 91-4-37 codified as Section 2-98, Standards of Conduct – Officers and employees, in Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas; adopting a new Section 2-98, Standards of Conduct – Officers and employees in Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas to be consistent with state law and implement additional standards for board and commission appointees; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2015-16	Prior Year (CIP Only)	Current Year	Future Years
		0	0	0
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(S): N/A				
COMMENTS: This item has no fiscal impact.				
STRATEGIC PLAN GOAL: Adopting a Standards of Conduct for Officers and employees relates to the City's goals of Partnering for Community Benefit and Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
To adopt a new Section 2-98. Standards of Conduct—Officers and Employees in Article IV. Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas to be consistent with state law and implement additional standards for board and commission appointees.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Ordinance				

An Ordinance of the City of Plano, Texas, repealing certain sections of Ordinance Nos. 98-10-18, 96-11-24, and 91-4-37 codified as Section 2-98, Standards of Conduct – Officers and employees, in Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas; adopting a new Section 2-98, Standards of Conduct – Officers and employees in Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas to be consistent with state law and implement additional standards for board and commission appointees; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

WHEREAS, the City Council enacted Ordinance Nos. 98-10-18, 96-11-24, and 91-4-37 to amend Section 2-98. Standards of Conduct—Officers and Employees of the Code of Ordinances of the City of Plano, Texas; and

WHEREAS, City Council wishes to further amend Section 2-98. Standards of Conduct—Officers and Employees of the Code of Ordinances of the City of Plano, Texas to be consistent with state law and to implement additional standards for board and commission appointees; and

WHEREAS, upon full review and consideration of all matters related and attendant thereto, the City Council is of the opinion that Section 2-98. Standards of Conduct—Officers and Employees in Article IV., Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas be repealed and replaced with a new Section 2-98 as provided herein.

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

Section I. Certain sections of Ordinance Nos. 98-10-18, 96-11-24, and 91-4-37 codified as Section 2-98. Standards of Conduct—Officers and Employees of the Code of Ordinances of the City of Plano, Texas is repealed in its entirety.

Section II. Section 2-98. Standards of Conduct—Officers and Employees in Article IV., Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas, is hereby adopted to read as follows:

“Sec. 2-98. Standards of conduct—Officers and employees.

(a) **Officer and Employee Standards.** No officer or employee of the city shall:

(1) Recommend, participate in the decision, including voting or discussion, or participate in the monitoring or fulfilling obligations of any contract (whether oral or written) for materials, supplies, or service with the city nor in any sale of any rights or interest in land, if the officer, employee, or a relative of the officer or employee has a

financial interest in such contract or rights or interest in land. In such event, an affidavit specifying the financial interest shall be filed with the record keeper prior to any discussion on the item and the affected member shall thereafter refrain from participation on that item.

Notwithstanding the above, the more restrictive prohibitions set forth under section 11.02 of the City Charter applies to officers who have final decision making authority such as city council members and appointees to boards or commissions.

The "financial interest" contemplated under this subsection and under section 11.02 of the City Charter requires that the officer, employee or relative receive an actual financial benefit from the transaction with the city. An actual financial benefit from the transaction shall not include:

- a. An ownership in the entity transacting with the city where the ownership interest is less than one (1) percent.
 - b. Compensation as an employee, officer or director of the entity transacting with the city where such compensation is not affected by the entity's transaction with the city.
 - c. An investment or ownership in a publicly held company in an amount less than ten thousand dollars (\$10,000.00).
- (2) Represent any private interest of others in any action or proceeding involving the city nor voluntarily participate on behalf of others in any litigation to which the city might be party nor appoint or recommend for appointment any person to a city board or commission that is a party to litigation against the City or representing any private interest of others in any litigation to which the City is a party.
 - (3) Accept any gift or favor from any person that might reasonably tend to influence him in the discharge of his official duties, or grant in the discharge of his official duties any improper favor, service or thing of value.
 - (4) Use his official position to secure special privileges or exemptions for himself or others.
 - (5) Grant any special consideration, treatment or advantage to any citizen, individual, business organization or group beyond that which is normally available to every other citizen, individual, business organization or group. This shall not prevent the granting of fringe benefits to city employees as a part of their contract of employment or as an added incentive to the securing or retaining of employees.
 - (6) Disclose information that could adversely affect the property, government or affairs of the city; nor directly or indirectly use any information gained solely by reason of his official position or employment for his own personal gain or benefit or for the private interest of others.
 - (7) Disclose confidential information.
 - (8) Engage in any outside activities which will conflict with or will be incompatible with his position as an officer of the city, the duties assigned to him in his employment

with the city, or in which his employment in the city will give him an advantage over others engaged in a similar business, vocation or activity.

(9) Accept other employment incompatible with the full and proper discharge of his duties and responsibilities with the city or which might impair his independent judgment in the performance of his public duty.

(10) Receive any fee or compensation for his services as an officer or employee of the city from any source other than the city, except as may otherwise be provided by law. This shall not prohibit his performing the same or other services for a private organization that he performs for the city if there is no conflict with his duties and responsibilities.

(11) While in uniform, on active duty, or in the course and scope of his term or appointment, use influence or prestige of his position or title in an endorsement of or opposition to any candidate for elective office; provided all officials and employees are encouraged to participate in all local, state and national elections and in any political process as a private citizen.

(12) Knowingly perform or refuse to perform any act to deliberately thwart the execution of the city ordinances, rules or regulations or the achievement of official city programs.

(13) Use city supplies, equipment or facilities for any purpose other than the conduct of official city business, unless otherwise provided for by law, ordinance or city policy.

(14) Engage in any conduct prejudicial to the government of the city or that reflects discredit upon the government of the city.

(b) **Additional Standards - City Council and Employees.** No employee or city council member shall represent or appear in behalf of private interests of others before any agency of the city or any city board, commission or committee.

(c) **Additional Standards – Officers other than City Council.** No other city officer shall represent or appear in behalf of the private interests of others before the board, commission or committee of which he is a member, or before the city council or other board on an appeal from such board, commission or committee concerning such matter.”

Section III. 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 court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section IV. All provisions of the Code of Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of 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 V. 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 at the time of passage of this ordinance.

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

DULY PASSED AND APPROVED this the 25th day of July, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		July 25, 2016			
Department:	Planning				
Department Head	Christina Day				
Agenda Coordinator (include phone #): Tammy Stuckey, Ext 7156					
CAPTION					
Consideration of an Appeal of the Planning & Zoning Commission's Denial of a request to allow an irrigated living screen in lieu of a masonry screening wall along the southern property line of Preston Parker Addition, Block A, Lot 2 - Medical office on one lot on 2.4 acres located on the east side of Preston Road, 230 feet south of Parker Road. Zoned Neighborhood Office/Preston Road Overlay District. Applicant: Parker-Preston Development, LLC.					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2015-16	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0	0
Encumbered/Expended Amount	0	0	0	0	0
This Item	0	0	0	0	0
BALANCE	0	0	0	0	0
FUND(S): N/A					
COMMENTS: STRATEGIC PLAN GOAL: Considering appeals from property owners of Planning & Zoning Commission decision relates to the City's goal of a Financially Strong City with Service Excellence.					
SUMMARY OF ITEM					
The applicant requested an irrigated living screen be allowed on both the southern and eastern property lines. At its June 6, 2016 meeting, the Planning & Zoning Commission denied this request to allow an irrigated living screen in lieu of a masonry screening wall along the southern property line, but approved the irrigated living screen on the eastern property line by a vote of 7-0. The applicant has appealed the decision to City Council, in effort to have an irrigated living screen on the southern property line.					
List of Supporting Documents: Letter of Appeal from Applicant Second Vice Chair Report P&Z Follow-up Memo Staff Report Locator Map Aerial SitePlan			Other Departments, Boards, Commissions or Agencies		

The approved site plan shows a living screen on the eastern boundary of the subject site, and the requested living screen on the southern boundary of the site is a natural extension of it, allowing for a more integrated site design. Particularly given the support of the residential use for the proposed living screen, more consideration should be given to integration of design within the subject site rather than integration of design with an adjacent property not controlled by the applicant.

For the above stated reasons, please place this matter for consideration on a City Council agenda.

Respectfully Submitted,



Tommy Mann

Exhibit A

Letter of Support from Southern Adjacent Residential Property

(continued on the following pages)



906 W. McDermott Drive
Suite 116-296
Allen, Texas 75013

To:

Mr. Ross Altobelli
City of Plano Planning Department
1520 K Avenue, 2nd Floor
Suite 250, Plano, Texas 75074

RE: Central Park on Preston – Northern Screening Wall

Dear Mr. Altobelli,

As the representatives of record for Central Park on Preston, we were asked our opinion about waiving the masonry screening wall requirement for an alternative of planting a living screen by the commercial developer on our north boundary.

The builder has agreed to build a 6' Board on Board fence as previously planned as the residential lots are built upon. We support the northern neighbor in their request to plant a heavy living screen as an alternative to the 6' masonry wall. Our only caveat is that the city closely review their plant spacing and specify trees and shrubs that will adequately create a complete visual barrier as it matures.

Respectfully,

Mardy Brown

Mardy Brown
Texas Development Services
469-853-6538

Recommendation of the Planning & Zoning Commission
Second Vice Chairman's Report
Site Plan 2016-015
June 6, 2016

Site Plan 2016-015: Agenda Item No. 9. Seven commissioners were present. Commissioner Bender was absent.

Staff Recommendation: Staff recommended approval for the irrigated living screen along the eastern property line, but requested the Commission provide direction regarding the most appropriate screening method along the southern property line.

Comments from the Applicant:

- A living screen is already in place between the bank and the Assisted Living Center.
- A living screen is requested on both the Eastern and Southern property boundaries.

Comments from Citizens: There were no comments from citizens.

Comments from the Commission In Support of Denial of Living Screen on Southern Border:

- The Eastern boundary is an appropriate location for a living screen since there is already a living screen in place between the bank and the Assisted Living Center.
- Typically when the masonry screening wall requirement is waved there is some type of natural barrier already in place that would be in addition to a living screen and in this case there is none on the Southern boundary.
- It's important to enforce the masonry screening wall requirement on the southern boundary so that there is consistency between the residential development to the East, which has a masonry screening wall in place.

Comments from the Commission In Support of Living Screen on Southern Border:

- Creating a living screen in addition to a wood fence would create a taller barrier than a masonry screening wall.

A motion was made in support of the site plan subject to the site plan showing a masonry screening wall along the southern boundary and waiving the masonry screening wall requirement for the eastern property boundary. Motion for approval was approved by the Commission 7 to 0.

Respectfully Submitted,

Kayci Prince
Second Vice-Chair
Planning & Zoning Commission

DATE: June 7, 2016
TO: Applicants with Items before the Planning & Zoning Commission
FROM: John Muns, Chair, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of June 6, 2016

AGENDA ITEM NO. 9 - SITE PLAN
PRESTON PARKER ADDITION, BLOCK A, LOT 2
APPLICANT: PARKER-PRESTON DEVELOPMENT, LLC

Medical office on one lot on 2.4 acres located on the east side of Preston Road, 230 feet south of Parker Road. Zoned Neighborhood Office/Preston Road Overlay District. Project #SP2016-015.

APPROVED: 7-0 **DENIED:** _____ **TABLED:** _____

STIPULATIONS:

Approved subject to the site plan showing a masonry screening wall along the southern property boundary. The Planning & Zoning Commission found that a living screen, along the eastern property line, will provide adequate screening.

RA/amf

xc: Dan Adhamy, Parker-Preston Development, LLC
Wayne Snell, Permit Services Manager
Alan Spurgin, Utility Coordinator
Robert Elliott, Mapping & Information Tech

<https://goo.gl/maps/zcP9bnHC1g92>

CITY OF PLANO

PLANNING & ZONING COMMISSION

June 6, 2016

Agenda Item No. 9

Site Plan: Preston Parker Addition, Block A, Lot 2

Applicant: Parker-Preston Development, LLC

DESCRIPTION:

Medical office on one lot on 2.4 acres located on the east side of Preston Road, 230 feet south of Parker Road. Zoned Neighborhood Office/Preston Road Overlay District. Project #SP2016-015.

REMARKS:

The applicant is proposing a medical office development with an irrigated living screen in lieu of the required masonry screening wall adjacent to residential zoning along its eastern and southern property lines. Section 20.100 (Screening Walls or Visual Barriers) of Article 20 (Screening, Fence, and Wall Regulations) of the Zoning Ordinance requires a minimum six-foot masonry screening wall be placed between residential and commercial zoned properties. In instances where the Planning & Zoning Commission believes the screening requirement may be better met by an irrigated living screen, it may allow an irrigated living screen in lieu of a masonry wall.

There are other properties in the city where an irrigated living screen has been effectively used in lieu of a masonry wall to screen commercial properties from residential development. Typically, the Commission has taken into consideration existing vegetation or other natural features when considering allowances for irrigated living screens. Along the eastern property line, the irrigated living screen is proposed adjacent to an existing three-story assisted living facility. Staff believes the eastern property line is an appropriate location for an irrigated living screen because the existing building is set back 85 feet from the medical office property line and is separated from the subject property by a drive aisle, parking, and existing trees and landscaping.

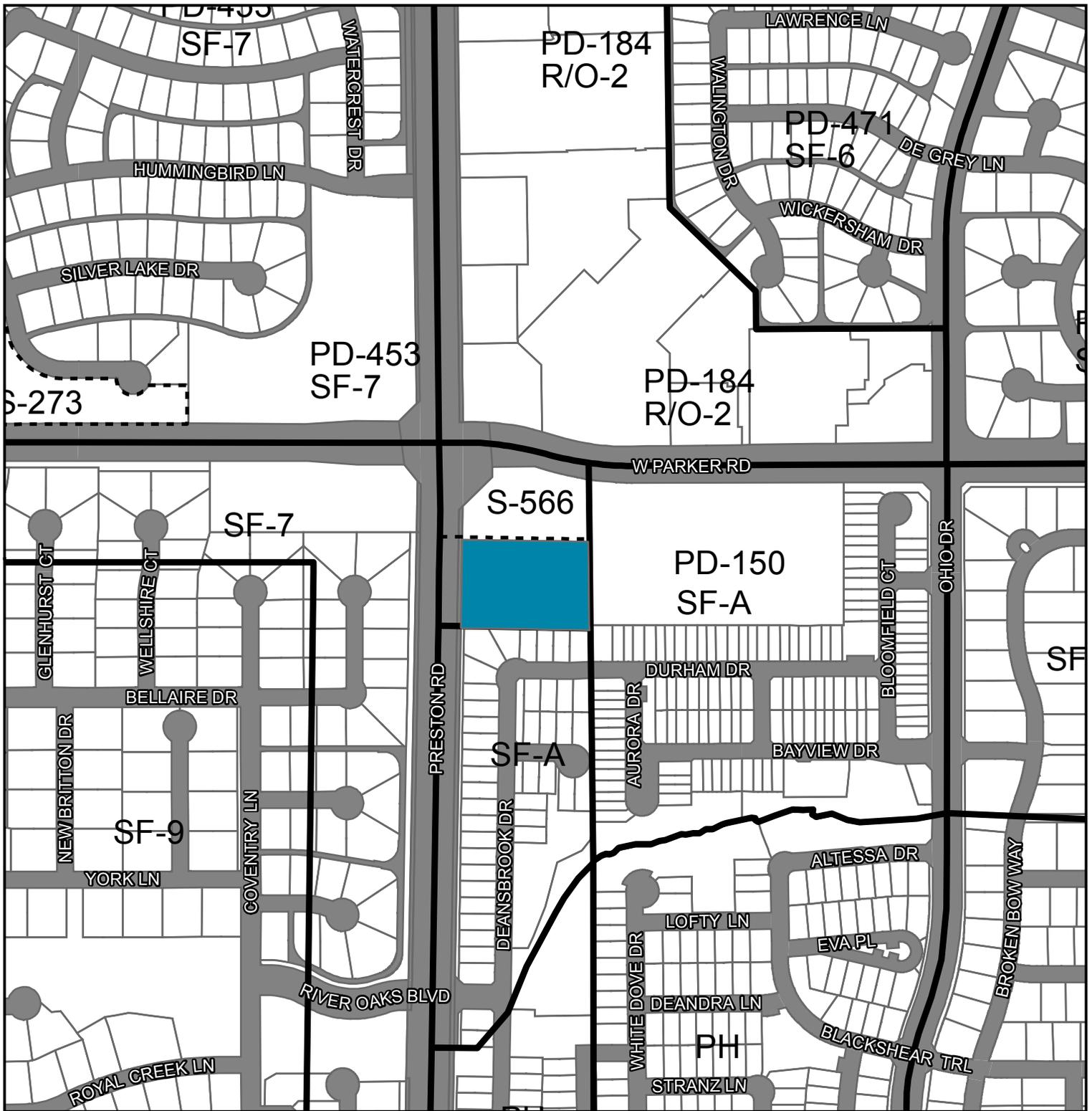
Along the southern property line, a six-foot homeowners association maintained wood fence is proposed with the residential subdivision currently under construction. In this area, a masonry screening wall may be a more effective screening element since this area will abut individual residential properties. Currently, the wood fence is not in place, and the masonry wall could serve as a permanent backyard fence for residences. A living screen may be an effective long-term option, but a masonry wall would create an

immediate solid screen for these new residential properties. For these reasons, staff is recommending approval of the irrigated living screen along the eastern property line, but is requesting the Commission provide direction regarding the most appropriate screening method along the southern property line.

RECOMMENDATION:

Recommended for approval subject to the following:

1. Planning & Zoning Commission finding that a living screen as shown on the site plan will provide adequate screening, and
2. Granting a waiver to the masonry screening wall requirement along the eastern and southern property lines.



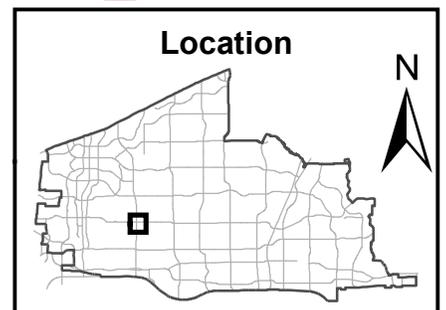
Item Submitted: Site Plan

Title: Preston Parker Addition, Block A, Lot 2

Zoning: Neighborhood Office/Preston Road Overlay District

○ 200' Notification Buffer
 ■ Subject Property

— Zoning Boundary - - - Specific Use Permit
 - - - City Limits ■ Right-of-Way



Source: City of Plano Planning Department

PRESTON PARKER PROFESSIONAL BUILDING

ENGINEER:
**ROLAND FORSTER
 CIVIL ENGINEER**
 5110 C.R. 424
 ANNA, TEXAS 75409
 (214) 444-8888
 Firm No. F-506

FOR PLANNING BOARD
 REVIEW & APPROVAL
 NOT A CONSTRUCTION DOCUMENT

5-11-16 Living screen On
 5-9-16 The City Comments

PROJ. # 6280
 SHEET: **SP-1**
 DATE: April, 2016
 SCALE: 1" = 30'

CITY OF PLANO, COLLIN COUNTY, TEXAS
 B.M. CRANE SURVEY, ABSTRACT NO. 176
 CITY PROJ. NO. SP2016-015

APPLICANT/OWNER:
 PRESTON-PARKER DEVELOPMENT, LLC
 SOUTHLAKE, TEXAS 75092
 CONTACT: DAN ADAMY
 214-266-9758

CITY APPROVAL BLOCK

City of Plano, Texas
 Planning Department

SITE DATA SUMMARY TABLE

GENERAL SITE DATA	NEIGHBORHOOD OFFICE (D-1)
ZONING	OFFICE (D-1)
LAND USE	10,100 S.F. / 2,328 ACRES
TOTAL BUILDING AREA	14,400 S.F.
TOTAL FOOTPRINT AREA	20,335 S.F.
BUILDING HEIGHT	37'-4" (MAX)
LOT COVERAGE	13.8%
FLOOR AREA RATIO	0.31 TO 1
PARKING	1 SPA/2,700 S.F.
PARKING RATIO (MEDICAL OFFICE)	130 SPACES
HANDICAP PARKING REQUIRED	15 SPACES
HANDICAP PARKING PROVIDED	5 SPACES
PARKING IN EXCESS OF 15% OF RET. SPACES	0 SPACES
LANDSCAPE EDGE AREA PROVIDED	6,905 S.F.
REQUIRED INTERIOR LANDSCAPE AREA	1,072 S.F.
ADDITIONAL INTERIOR LANDSCAPE AREA PROVIDED	4,500 S.F.
OTHER LANDSCAPE AND OTHER OPEN SPACES	10,521 S.F.
PERMEABLE AREA	23,229 S.F.
PERMEABLE PAVEMENT	0 S.F.
OTHER PAVEMENT AREAS OTHER THAN LANDSCAPING	0 S.F.
IMPROVEMENT AREA	14,400 S.F.
ALL PAVEMENT AREAS	68,031 S.F.
OTHER IMPROVEMENT AREA	0 S.F.
SUM OF LANDSCAPE + IMPROVEMENT AREAS	82,431 S.F.
IMPROVEMENT AREAS =	104,659 S.F.
BILLABLE IMPROVEMENT AREA	82,431 S.F.

NOTE:
 1. ALL PAVEMENT TO BE CONCRETE
 2. ALL STANDARD PARKING SPACES TO MEASURE 9' x 18'
 3. ONE HANDICAP PARKING SPACE TO MEASURE 11' x 18'
 4. ONE LANDSCAPE PAVEMENT SPACE TO MEASURE 11' x 18'

ADDITIONAL NOTES:
 ACCORDING TO FIRM MAP FOR COLLIN COUNTY, TEXAS & INCORPORATED AREAS, THE SUBJECT PROPERTY IS LOCATED IN UNSHADED ZONE 1 AREAS DETERMINED TO BE OUTSIDE THE 6.5% ANNUAL CHANCE FLOODPLAIN. THERE ARE NO TREES LOCATED ON THE SUBJECT PROPERTY. OFF-SITE TREES WITHIN 10' OF PROPERTY ARE SHOWN.

LA DENOTES LANDSCAPE AREA
LA DENOTES FRELANS

NOTE IN LED OF A 4-F-T HIGH MASSIVE STRUCTURE SHALL BE PROVIDED CONSISTING OF 15 CAL. 10" DIAMETER VERT. REINFORCING BARS AT 6'-0" CENTER.

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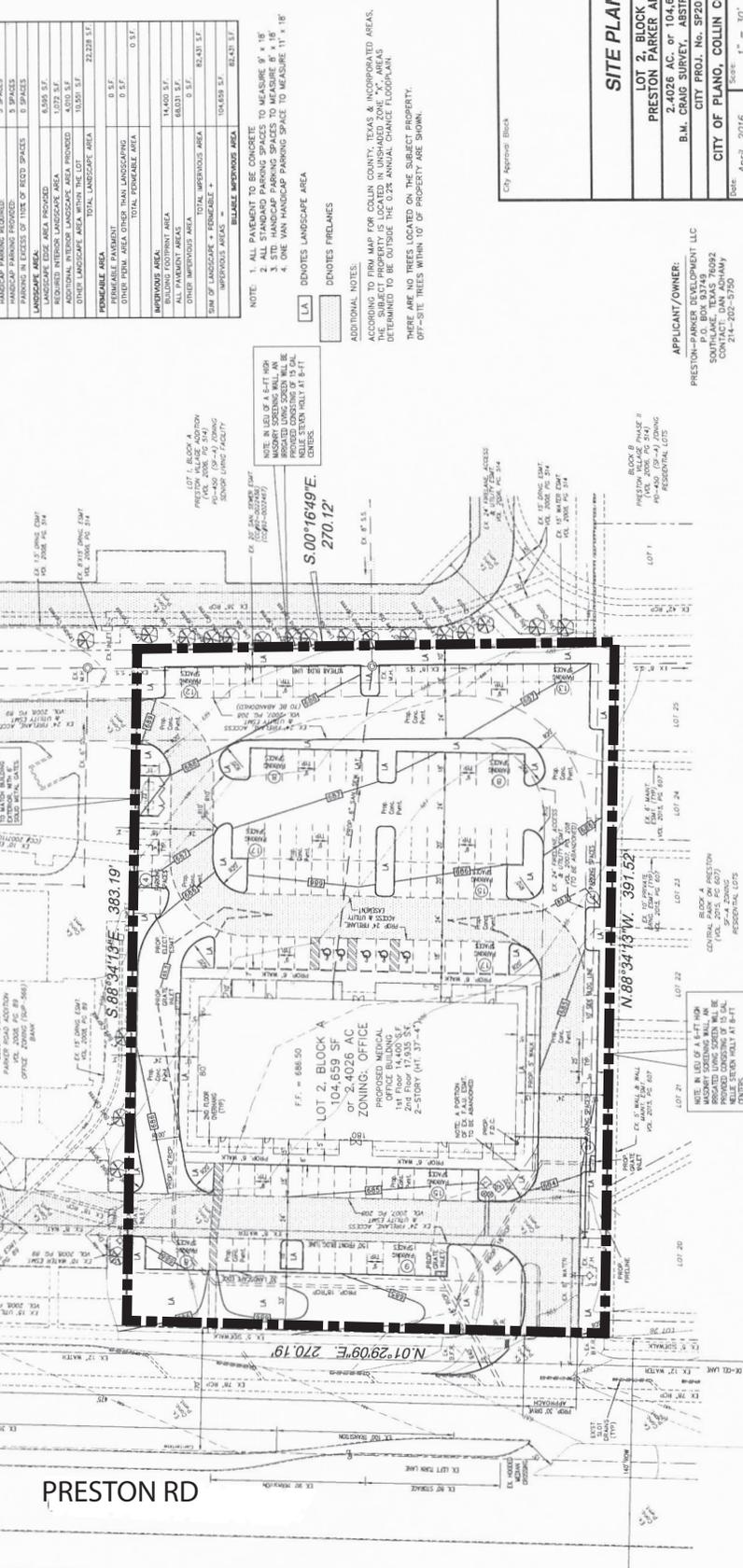
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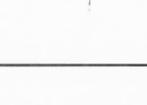
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VICINITY MAP



SITE PLAN

**LOT 2, BLOCK A
 PRESTON PARKER ADDITION
 PRESTON PARKER ADDITION
 2.4026 AC. OF 104.65295 AC.
 B.M. CRANE SURVEY, ABSTRACT NO. 176
 CITY PROJ. NO. SP2016-015**

APPLICANT/OWNER:
 PRESTON-PARKER DEVELOPMENT, LLC
 SOUTHLAKE, TEXAS 75092
 CONTACT: DAN ADAMY
 214-266-9758

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NOTE IN LED OF A 4-F-T HIGH MASSIVE STRUCTURE SHALL BE PROVIDED CONSISTING OF 15 CAL. 10" DIAMETER VERT. REINFORCING BARS AT 6'-0" CENTER.

**Additional information provided
for City Council at the request of
the Applicant.**

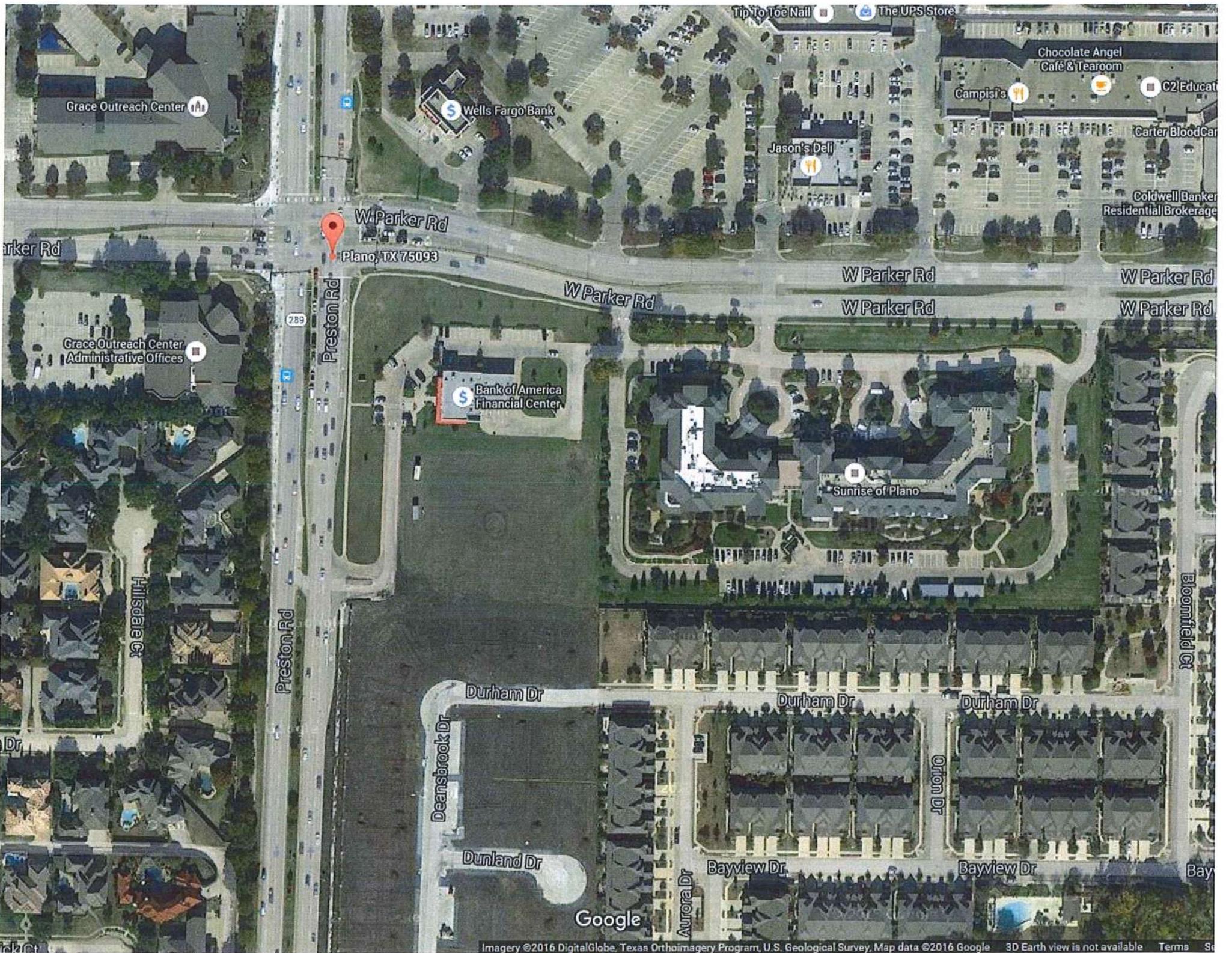
Appeal of Denial of Proposed Irrigated Living Screen in Lieu of Masonry
Screening Wall Along Southern Property Line; #SP 2016-015

P&Z's Rationale for Denying Request for Irrigated Living Screen:

1. Concern that trees would not provide adequate screening for proposed residential development to the south.
2. Desire for integrated design between the masonry wall and another proposed masonry wall to the south providing a buffer between the residential development and Preston Road.

Applicant's Response in Support of City Council Approval of Irrigated Living Screen:

1. The irrigated living screen provides effective screening and enjoys support from the residential property owner to the south, the very property whom the screening requirement is intended to protect.
2. A living screen is more compatible with the rest of the subject site than a masonry wall. The approved site plan shows a living screen on the eastern boundary of the subject site, and the proposed living screen on the southern boundary line is a natural extension of it. The P&Z should have given more consideration to integration of design within the subject site rather than integration of design with an adjacent property not controlled by the applicant. Please find a detailed aerial, attached as Exhibit A.
3. The planned office building is two stories in height, and as such, a 6' masonry wall would be largely ineffective for screening.



Grace Outreach Center

Wells Fargo Bank

Jason's Deli

The UPS Store

Chocolate Angel
Café & Tearoom

Campisi's

C2 Educat

Carter Blood Car

Coldwell Banker
Residential Brokerage

W Parker Rd

Plano, TX 75093

Preston Rd

289

Grace Outreach Center
Administrative Offices

Bank of America
Financial Center

W Parker Rd

W Parker Rd

W Parker Rd

W Parker Rd

Sunrise of Plano

Hillsdale Ct

Preston Rd

Bloomfield Ct

Durham Dr

Durham Dr

Durham Dr

Deansbrook Dr

Orion Dr

Dunland Dr

Bayview Dr

Bayview Dr

Google

DATE: July 6, 2016
TO: Honorable Mayor & City Council
FROM: M. Nathan Barbera, 1st Vice Chair, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of July 5, 2016

**AGENDA ITEM NO. 1A - PUBLIC HEARING
ZONING CASE 2016-019
APPLICANT: TIMOTHY & MARGARET O'CONNOR**

This is a request to rezone 2.5 acres located on the west side of Marble Canyon Drive, 250 feet south of Silent Oak Lane **from** Agricultural **to** Single-Family Residence-7. Zoned Agricultural. Project #ZC2016-019.

APPROVED: 6-0 **DENIED:** _____ **TABLED:** _____

Speaker Card(s) Received **Support:** 0 **Oppose:** 0 **Neutral:** 0

Letters Received Within 200' Notice Area: **Support:** 0 **Oppose:** 0 **Neutral:** 0

Letters Received Outside 200' Notice Area: **Support** 0 **Oppose:** 0 **Neutral:** 0

Petition(s) Received: 0 **# Of Signatures:** 0

STIPULATIONS:

Recommended for approval as submitted.

FOR CITY COUNCIL MEETING OF: July 25, 2016 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

ST/amf

xc: Timothy & Margaret O'Connor, Owner
Don Dykstra, Bloomfield Homes LP
Wayne Snell, Permit Services Manager

<https://goo.gl/maps/Se1mRkfRDNC2>

CITY OF PLANO
PLANNING & ZONING COMMISSION

July 5, 2016

Agenda Item No. 1A

Public Hearing: Zoning Case 2016-019

Applicant: Timothy & Margaret O'Conner

DESCRIPTION:

Request to rezone 2.5 acres located on the west side of Marble Canyon Drive, 250 feet south of Silent Oak Lane **from** Agricultural **to** Single-Family Residence-7. Zoned Agricultural. Project #ZC2016-019.

REMARKS:

The purpose of this request is to rezone the subject property to Single-Family Residence-7 (SF-7) to allow for development of the site as single-family residences. The existing zoning is Agricultural (A). The A district is intended to provide for farming, dairying, pasturage, horticulture, animal husbandry, and the necessary accessory uses for the packing, treating, or storing of produce. It is anticipated that all "A" districts will be changed to other zoning classifications as the city proceeds toward full development.

The SF-7 district is intended to provide for areas of urban single-family development on moderate-size lots, protected from excessive noise, illumination, odors, visual clutter, and other objectionable influences to family living.

A concept plan, Timber Brook Farms, Phase 3, accompanies this request as Agenda Item No. 1B.

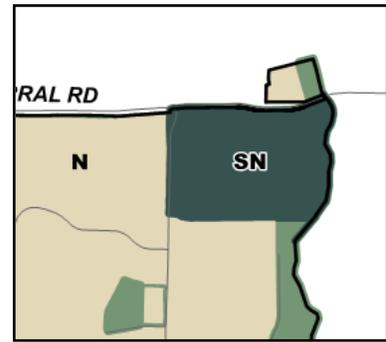
Surrounding Land Use and Zoning

The area of the request is currently developed as a single-family residence. The subject property is surrounded by existing single-family residences zoned SF-7 within the Timber Brook subdivision.

Conformance to the Comprehensive Plan

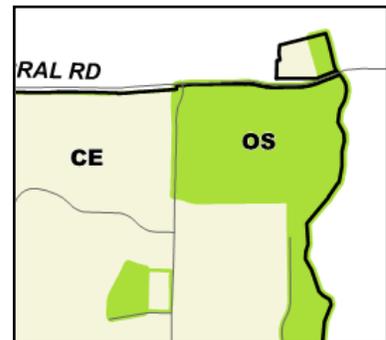
Future Land Use Plan - The Future Land Use Plan designates this property as Neighborhood (N).

The Neighborhood future land use category consists primarily of residential areas focused on sustaining a high quality of life through clear, well-maintained infrastructure, housing, open space, schools, and limited service/institutional uses. Single-family residential should remain the primary use with neighborhoods. It is the intention to preserve and enhance these uses and to regulate the design of new residential infill products to be within the context of the surrounding environment. Institutional, light office, and service uses are considered secondary uses and may be located along the frontage of arterial streets and intersections. Adequate building setbacks must be considered when development is proposed near neighborhoods.



This request is consistent with the Future Land Use Plan as rezoning the subject property would allow for additional SF-7 housing within the existing neighborhood.

Growth and Change Map - The Growth and Change Map designates the subject property as Conserve and Enhance (CE).



CE areas are expected to retain the current form of development, but will experience some minor infill and ongoing rehabilitation consistent with the present form and character.

The requested rezoning to SF-7 is consistent with the existing development surrounding the subject property. This request is in conformance with the Growth and Change Map.

Land Use Policy - Plano will support a system of organized land use to provide greater housing and employment choices, where new and redevelopment areas respect existing neighborhoods and businesses.



The requested SF-7 zoning will provide the same development. This request is consistent with the Land Use Policy.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject property.

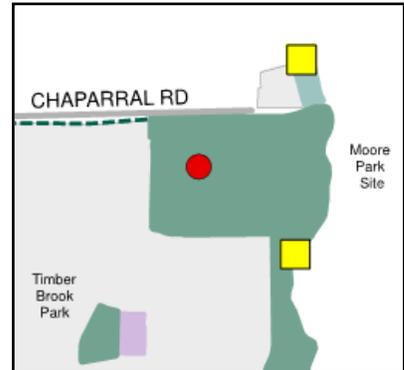
Traffic Impact Analysis (TIA) - A TIA is not required for this rezoning request.

School Capacity - Plano Independence School District has provided a letter regarding school capacity which staff has included as an attachment.

Public Safety Response Time - Based upon existing personnel, equipment and facilities, fire emergency response times will be sufficient to serve the site. Residential units in this area will increase EMS and fire calls for service, and may impact future staffing levels and the type of equipment assigned to area fire stations.

Access to and Availability of Amenities and Services -

The subject property is located within a park fee service area near the future Moore Park Site and Cottonwood Creek Greenbelt. The Park Master Plan shows future trail connections to the east of the subject property. Additionally, the subject property is served by the existing Timber Brook Park to the south.



The subject property is located within the Harrington Library's service area, and service to future residents would be possible with the current library resources.

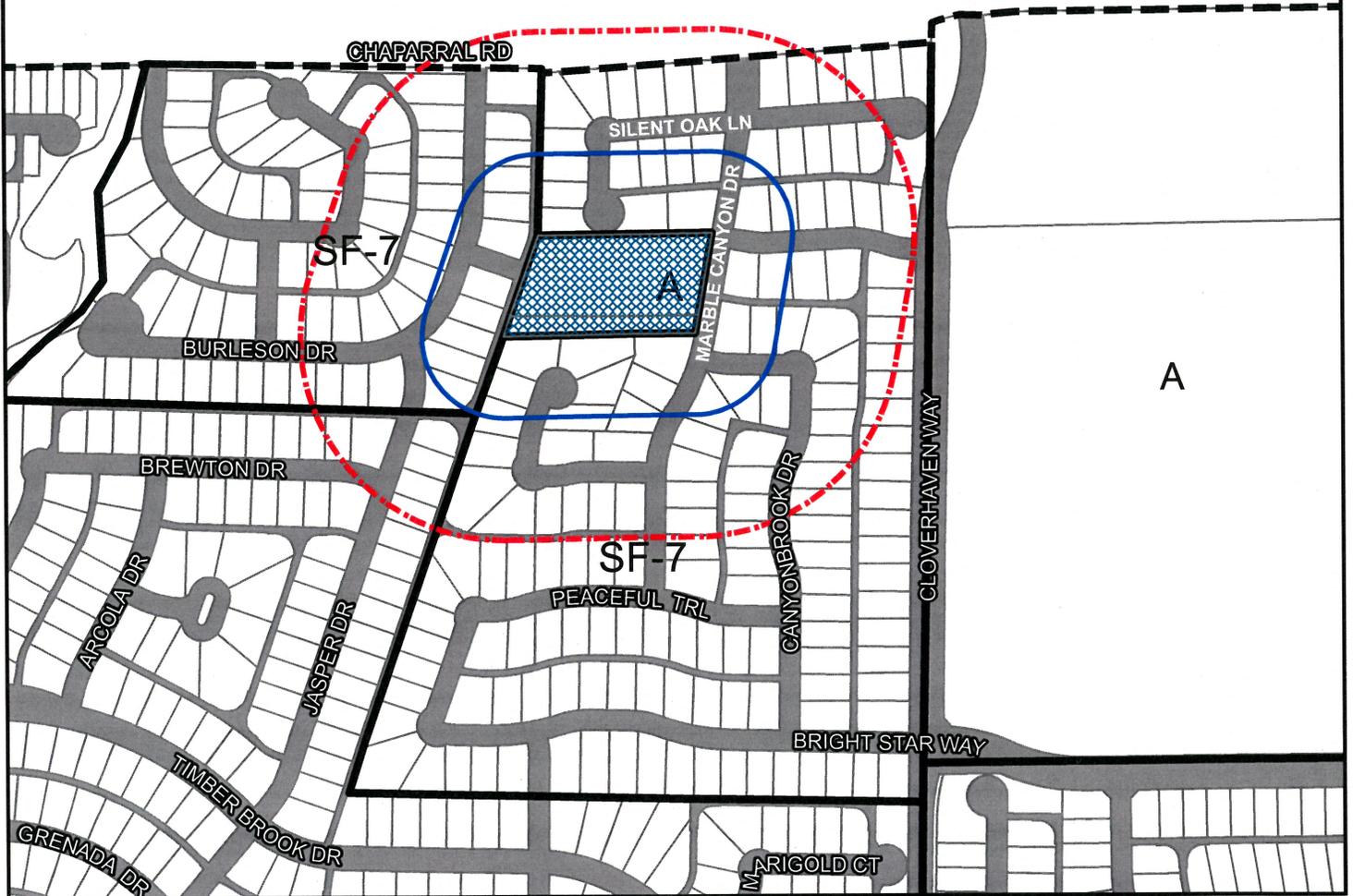
SUMMARY:

The applicant is requesting to rezone 2.5 acres surrounded by various phases of the existing Timber Brook subdivision from Agricultural to Single-Family Residence-7. The request is in conformance with the recommendations of the Comprehensive Plan and is consistent with the surrounding residential neighborhood. For these reasons, staff is in support of this zoning request.

RECOMMENDATION:

Recommended for approval as submitted.

City of Allen



Zoning Case #: 2016-019

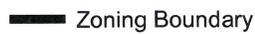
Existing Zoning: Agricultural (A)

Proposed Zoning: Single-Family Residence-7 (SF-7)

 500' Courtesy Notification Buffer

 200' Notification Buffer

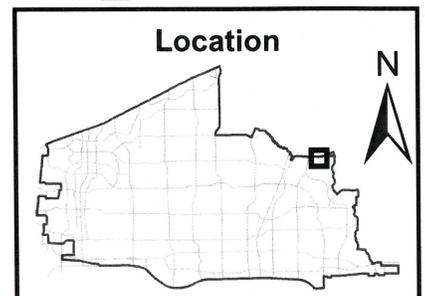
 Subject Property

 Zoning Boundary

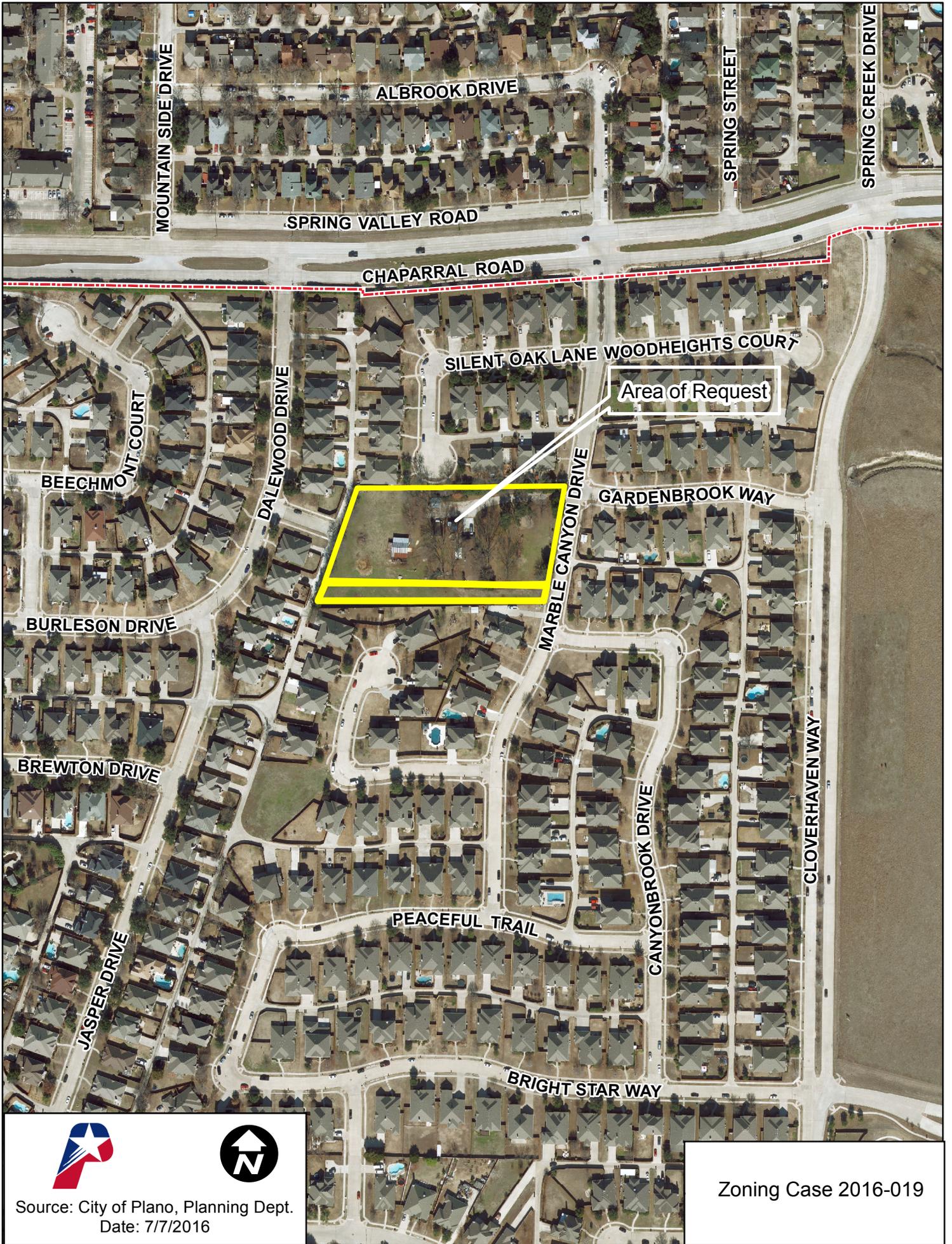
 City Limits

 Specific Use Permit

 Right-of-Way



Source: City of Plano Planning Department

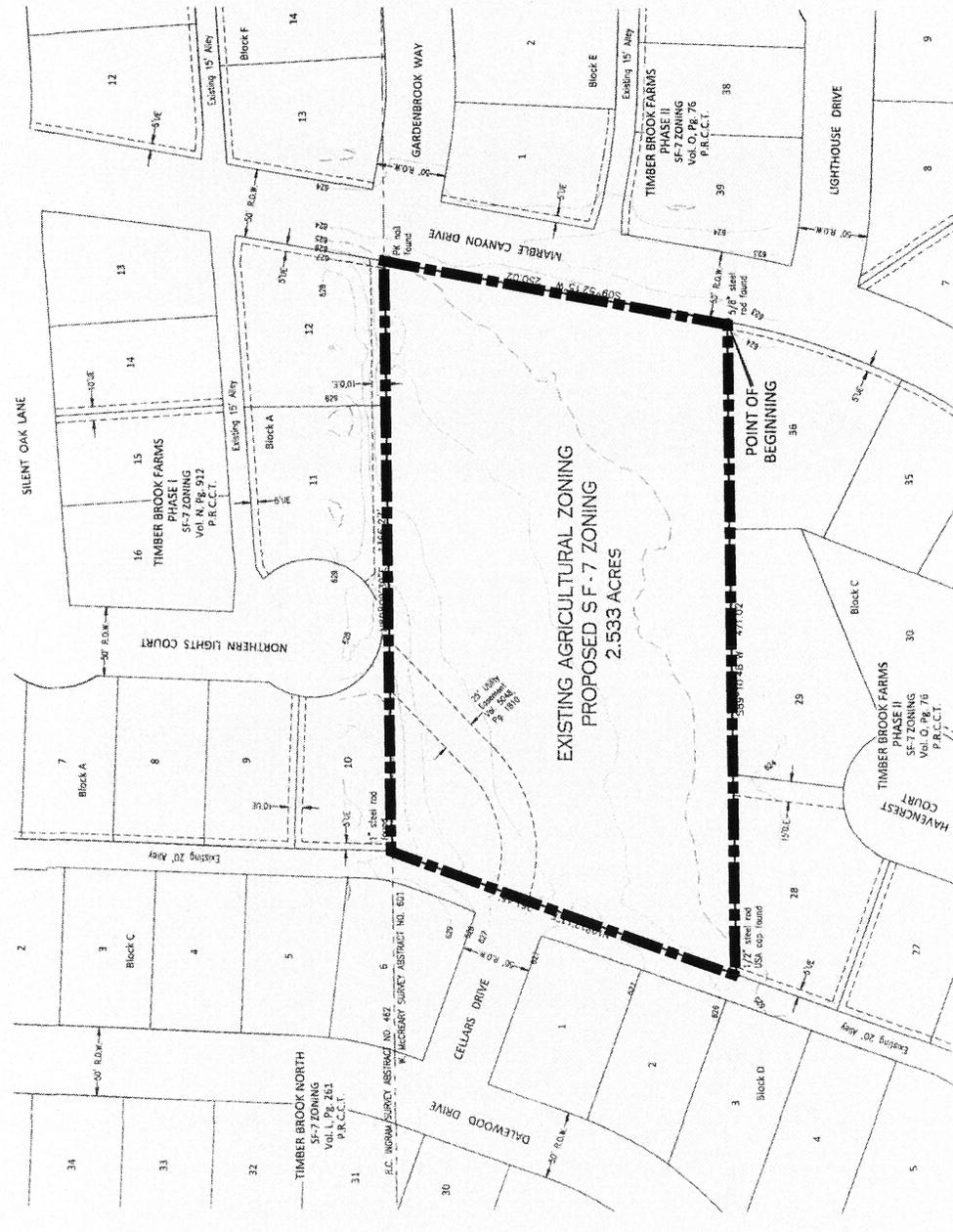
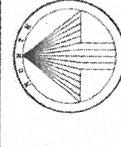


Sket/7/7/2016 X:\Dept\P&Z Locators & Graphics\07-05-16\ZZ016-019A.mxd



Source: City of Plano, Planning Dept.
Date: 7/7/2016

Zoning Case 2016-019



ENGINEER/SURVEYOR
Westwood
 10566 E. Highway 170, Suite 100, P.O. Box 100
 Dallas, Texas 75244
 Phone: (972) 412-1116
 Fax: (972) 412-1117
 www.westwood-engineering.com

CLIENT
Bloomfield Homes L.P.
 10566 E. Highway 170, Suite 100, P.O. Box 100
 Dallas, Texas 75244
 Phone: (972) 412-1116
 Fax: (972) 412-1117
 www.bloomfieldhomes.com

DEVELOPER
Douglas Properties Inc.
 2308 Antelope, Suite 100, P.O. Box 75074
 Dallas, Texas 75275
 Phone: (214) 343-7400
 Fax: (214) 343-7401
 www.douglasproperties.com

NOTE: APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS DRAFT SHALL NOT IMPLY APPROVAL OF THE PROJECT OR THE DEVELOPMENT PROCESS. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE ZONING CASE AND DOES NOT CONSTITUTE AN ENDORSEMENT OF THE PROJECT OR THE DEVELOPER. APPROVAL OF THE ZONING CASE DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE ZONING CASE AND DOES NOT CONSTITUTE AN ENDORSEMENT OF THE PROJECT OR THE DEVELOPER. APPROVAL OF THE ZONING CASE DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREIN.

TIMBER BROOK FARMS PHASE 3
 OF
2.533 ACRES
 Z.C. 2016019

OUT OF THE
M. MCCREARY SURVEY - ABSTRACT NO. 601
 IN THE
CITY OF PLANO, COLLIN COUNTY, TEXAS

660116 4/20/16

LEGAL DESCRIPTION

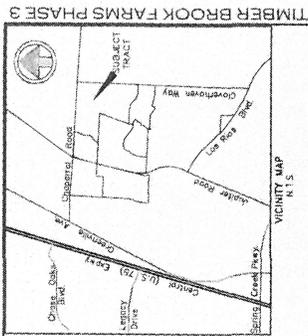
BINGO 2.533 acres of land located in M. MCCREARY SURVEY, ABSTRACT NO. 601, City of Plano, Collin County, Texas, and being that certain tract of land conveyed to the City of Plano, Texas, as described by deed recorded in Volume 4860, Page 1307 of the Deed Records of Collin County, Texas, and being that certain tract of land conveyed to the City of Plano, Texas, as described by deed recorded in Volume 5131, Page 1335 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

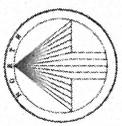
BINGO is a 1/4 acre tract of land for the southeast corner of said field tract and the northeast corner of Lot 32, Block C of Timber Brook Farms, Phase 1, as shown on the Plat Records of Collin County, Texas, according to the Plat thereof recorded in Cabinet O, Page 76 of the Plat Records of Collin County, Texas, and said point also being in the west right-of-way line of Marble Canyon Drive 50' R.O.W.;

TRENCE North 19 degrees 17 minutes 11 seconds East, along the east line of said Alley, a distance of 47.02 feet to a point for the northwest corner of Lot 28 of said Block C, from which a 1/2 inch steel rod is set up and 36 degrees 30 minutes 36 seconds West, a distance of 0.53 feet, and point also being in the east line of 40 feet alley;

TRENCE South 89 degrees 09 minutes 30 seconds East, along the north line of said field tract and the south line of said Block A, a distance of 427.52 feet to a PK nail found to the northeast corner of said field tract and the southeast corner of Lot 12 of said Block A, from which a 1/2 inch steel rod is set up and 100 degrees 00 minutes 00 seconds West, a distance of 0.53 feet, and point also being in the west right-of-way line of said Marble Canyon Drive;

TRENCE South 69 degrees 57 minutes 15 seconds West, along the west right-of-way line of said Marble Canyon Drive, a distance of 250.02 feet to the POINT OF BEGINNING, containing 2.533 acres (110,334 square feet) of land.





GRAPHIC SCALE
1" = 40'

CURVE TABLE

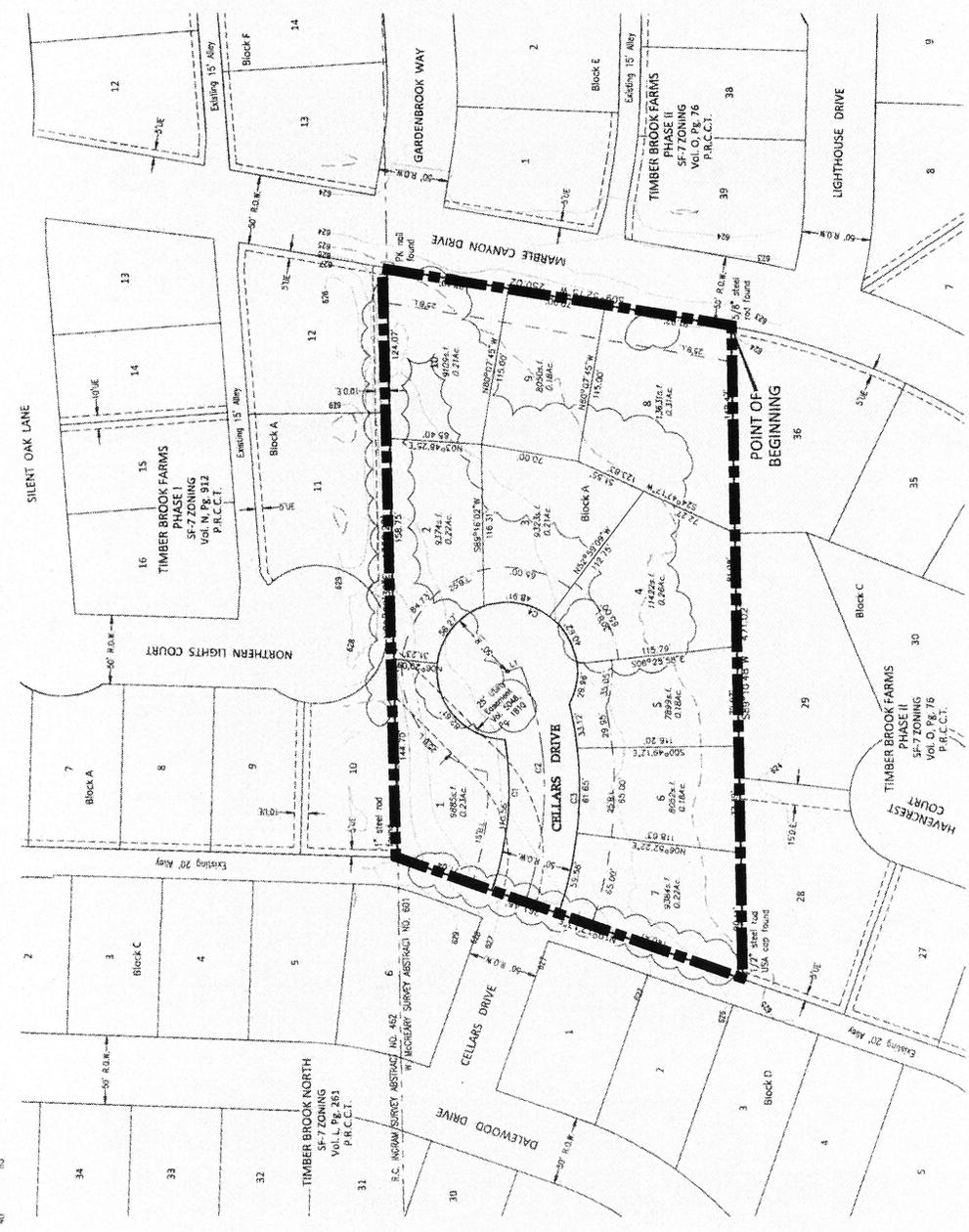
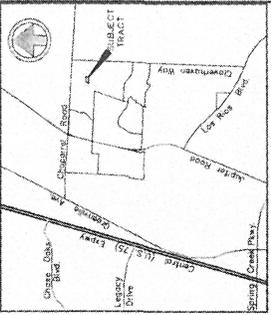
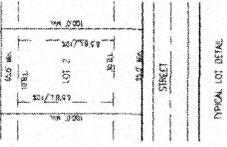
DRIVE #	DELTA	RADIUS	CHORD BEARINGS	CHORD LENGTH	ARC LENGTH
C1	250.00°14'	125.00'	S00°00'00"E	100.00'	157.08'
C2	300.00°00'	150.00'	S00°00'00"E	120.00'	188.49'
C3	330.00°00'	150.00'	S00°00'00"E	120.00'	188.49'
C4	280.00°00'	125.00'	N00°00'00"E	100.00'	157.08'

LINE TABLE

LINE #	LENGTH	BEARING
L1	100.00'	S00°00'00"E
L2	100.00'	S00°00'00"E
L3	100.00'	S00°00'00"E

SUB-DATA SUMMARY TABLE

FORMING	LAND USE	MAXIMUM BLDG. HEIGHT	MAXIMUM LOT COVERAGE	REQUIRED PARKING
SE-7	SINGLE FAMILY	7000 S.F.	35%	2 SPACES PER LOT
5'		5'	45%	



OWNER
TIMOTHY & MARGARET O'CONNOR
7125 MARBLE CANYON DRIVE, PLANO, TX 75074
Phone: (972) 412-1111
Fax: (972) 412-1112
www.tmocon.com

ENGINEER/SURVEYOR
Westwood
2800 PARKWAY DRIVE, SUITE 100
PLANO, TEXAS 75074
Phone: (972) 412-1111
Fax: (972) 412-1112
www.westwoodinc.com

DEVELOPER
BLOOMFIELD HOMES, L.P.
10501 HICKORY 114, SUITE 210, SOUTHPLANO, TX 75039
Phone: (972) 412-1111
Fax: (972) 412-1112
www.bloomfieldhomes.com

CONTRACTOR
DOUGLAS & ASSOCIATES, INC.
2800 PARKWAY DRIVE, SUITE 100, PLANO, TX 75074
Phone: (972) 412-1111
Fax: (972) 412-1112
www.douglasinc.com

PROJECT #CP2016015
CONCEPT PLAN
OF
TIMBER BROOK FARMS PHASE 3
2.533 ACRES / 10 SF-7 LOTS
OUT OF THE
M. MCCREARY SURVEY - ABSTRACT NO. 601
IN THE
CITY OF PLANO, COLLIN COUNTY, TEXAS

5/6/16 10:00AM



June 21, 2016

City of Plano
 Skye Thibodeaux, Planning Department
 1520 K Avenue, Suite 250
 Plano, Texas 75074

RE: ZC2016-019

Dear Mr. Thibodeaux:

You have inquired as to the capacities and enrollment projections for the following schools:

The following table provides both enrollment and capacity figures.

School	2015/16 Enrollment (Actual)	2016/17 Enrollment (Projected)	2017/18 Enrollment (Projected)	2018/19 Enrollment (Projected)	2019/20 Enrollment (Projected)	2020/21 Enrollment (Projected)	Program Capacity	Functional Capacity
McCall Elementary	554	555	550	565	565	575	724	615
Bowman Middle	866	911	954	940	994	981	1686	1433
Williams High	1214	1180	1222	1313	1334	1376	2204	1873
Plano East Senior High	2957	3056	3125	3096	3146	3330	3469	2949

The enrollment figures are derived from our most recent demographer's report. The 2015/16 column represents actual enrollment as of the October 2015 snapshot date. All other enrollment figures are projected and are based on City zoning as it existed in the fall of 2015. The impact of any zoning changes since that time (including this requested rezoning) are not yet factored into the projections.

Program capacity figures are based on current building floor plans, and the application of the District's maximum class size to every standard classroom. 22 students max for Kindergarten and Grades 1 through 4, 26 max for Grade 5, and 28 max at the Secondary level.

Teamwork for Excellence



P L A N O
Independent School District

Functional capacity figures recognize there will always be inherent/uncontrollable inefficiencies in classroom utilization. For instance, as mentioned above, the District limits class sizes in kindergarten through grade 4 to a maximum of 22 students. If a building has three first grade classrooms, it can accommodate up to 66 students (Program Capacity). However, if only 54 students are enrolled in first grade, each class will actually only serve 18 students. The additional capacity of 12 students (66-54) is not utilized as it is not available to other grades or other campuses. In recognition of this variable, the functional capacity is calculated at 85% of the program capacity.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen Fortenberry", is written over the word "Sincerely,".

Stephen Fortenberry
Chief Financial Officer
Plano ISD

Zoning Case 2016-019

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 2.5 acres of land out of the M. McCreary Survey, Abstract No. 601, located on the west side of Marble Canyon Drive, 250 feet south of Silent Oak Lane in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-7; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication 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 25th day of July, 2016, for the purpose of considering rezoning 2.5 acres of land out of the M. McCreary Survey, Abstract No. 601, located on the west side of Marble Canyon Drive, 250 feet south of Silent Oak Lane in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-7; 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 25th day of July, 2016; and

WHEREAS, the City Council is of the opinion and finds that such rezoning 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 I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to rezone 2.5 acres of land out of the M. McCreary Survey, Abstract No. 601, located on the west side of Marble Canyon Drive, 250 feet south of Silent Oak Lane in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-7, said property being described in the legal description on Exhibit "A" attached hereto.

Section II. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section III. 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 IV. 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 V. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and 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 VI. 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 VII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 25TH DAY OF JULY 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Zoning Case 2016-019

BEING 2.533 acres of land located in M. McCREARY SURVEY, ABSTRACT No. 601, City of Plano, Collin County, Texas, and being that certain tract of land conveyed to the Reid Living Trust, as described by deed recorded in Volume 4360, Page 1307 of the Deed Records of Collin County, Texas, and being that certain tract of land conveyed to The Reid Living Trust, as described by deed recorded in Volume 5131, Page 1334 of the Deed Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod found for the southeast corner of said Reid tract and the northeast corner of Lot 36, Block C of Timber Brook Farms, Phase II, an addition to the City of Plano, Collin County, Texas, according to the Plat thereof recorded in Cabinet O, Page 76 of the Plat Records of Collin County, Texas, and said point also being in the west right-of-way line of Marble Canyon Drive (a 50 foot right-of-way);

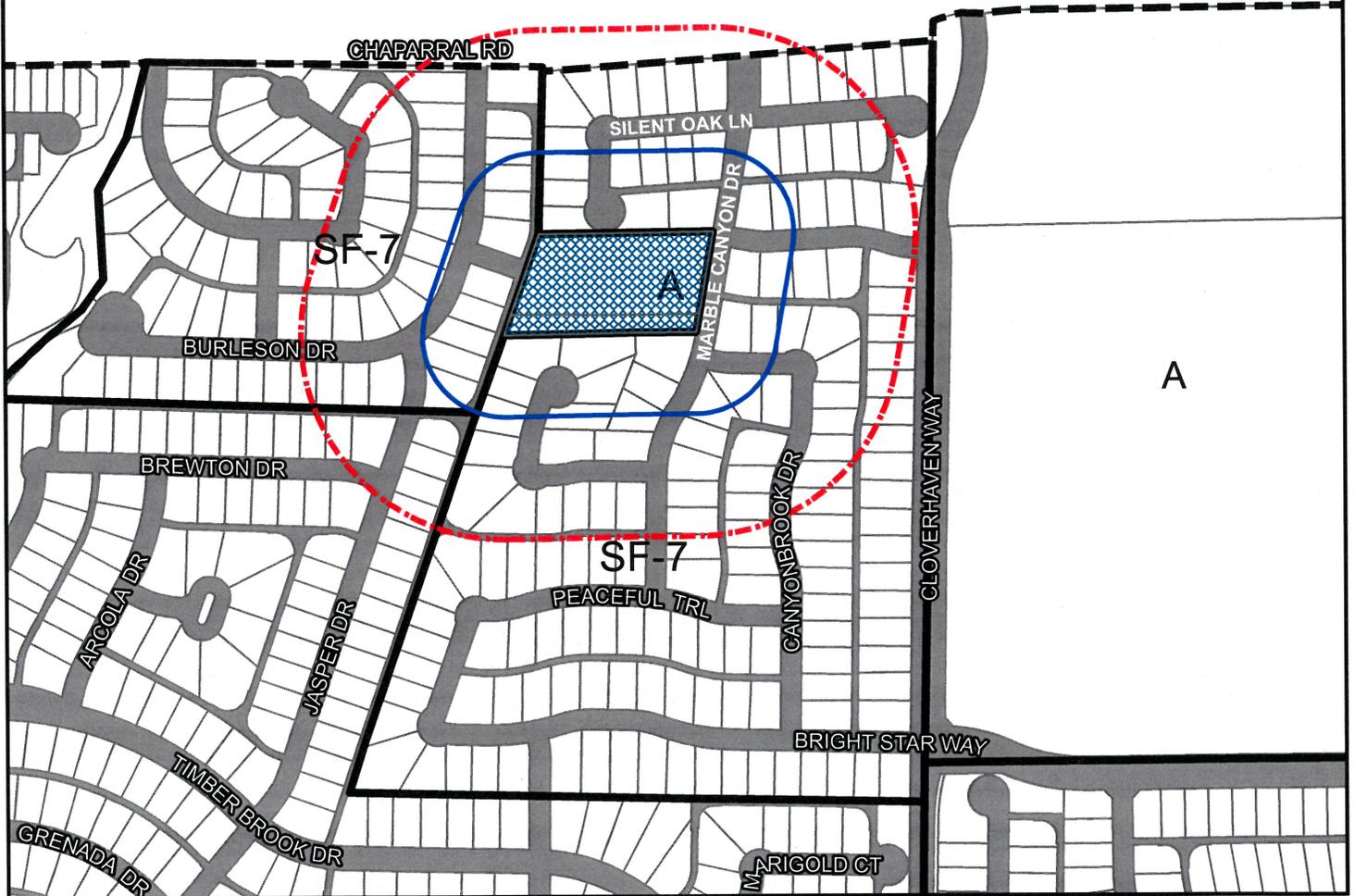
THENCE South 89°10'48" West, along the north line of said Block C, a distance of 471.02 feet to a point for the northwest corner of Lot 28 of said Block C, from which a 1/2 inch steel rod found with "USA" cap bears North 58°58'34" West, a distance of 0.51 feet, said point also being in the east line of a 20 foot alley;

THENCE, North 19°17'13" East, along the east line of said Alley, a distance of 261.45 feet to a 1 inch steel rod found for the northwest corner of said Reid tract and the southwest corner of Lot 10, Block A of Timber Brook Farms, Phase I, an addition to the City of Plano, Collin Count, Texas, according to the Plat thereof recorded in Cabinet N, Page 912 of the Plat Records of Collin Count, Texas;

THENCE, South 89°09'30" East, along the north line of said Reid tract and the south line of said Block A, a distance of 427.52 feet to a PK nail found for the northeast corner of said Reid tract and the southeast corner of Lot 12 of said Block A, from which a bent 1/2 inch steel rod found bears North 67°49'11" East, a distance of 0.34 feet, said point also being in the west right-of-way line of said Marble Canyon Drive;

THENCE South 09°52'15" West, along the west right-of-way line of said Marble Canyon Drive, a distance of 250.02 feet to the POINT OF BEGINNING and CONTAINING 2.533 acres (110,334 square feet) of land.

City of Allen



Zoning Case #: 2016-019

Existing Zoning: Agricultural (A)

Proposed Zoning: Single-Family Residence-7 (SF-7)

 500' Courtesy Notification Buffer

 200' Notification Buffer

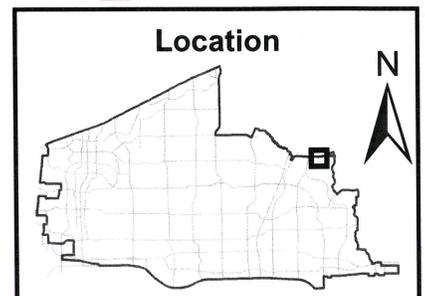
 Subject Property

 Zoning Boundary

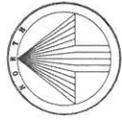
 City Limits

 Specific Use Permit

 Right-of-Way



Source: City of Plano Planning Department



GRAPHIC SCALE
1" = 40'
0 40 80



ENGINEER/SURVEYOR
Westwind
TIMOTHY & MARGARET O'CONNOR
7125 MARBLE CANYON DRIVE, SUITE 100
PLANO, TEXAS 75074
PHONE: 972.420.1100
FAX: 972.420.1101
WWW.WESTWINDPS.COM

DEVELOPER
Bloomfield Homes LP
10500 E. HIGHWAY 75, SUITE 100, PLANO, TEXAS 75092
PHONE: 972.420.1100
FAX: 972.420.1101
WWW.BLOOMFIELDHOMES.COM

PLANNING & ZONING COMMISSION
Douglas Properties Inc.
2800 AVENUE K, SUITE 100, PLANO, TX 75074
PHONE: 972.420.1100
FAX: 972.420.1101
WWW.DOUGLASPROPERTIES.COM

NOTE: 1. APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF THE PROJECT OR THE INTENT OF THE DEVELOPMENT PROCESS, PLANNING & ZONING COMMISSION HEREON OR THE CITY COUNCIL ACTION ON STUDIES, PLATS, OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.



LEGAL DESCRIPTION

BEING 2.533 acres of land located in N. McCREARY SURVEY, ABSTRACT NO. 601, City of Plano, Collin County, Texas, and being that certain tract of land conveyed to the Reed Living Trust, as described by deed recorded in Volume 4366, Page 1307 of the Deed Records of Collin County, Texas, and being that certain tract of land conveyed to The Reed Living Trust, as described by deed recorded in Volume 4366, Page 1307 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod found for the southeast corner of said Reed tract and the northeast corner of said Block A, a distance of 471.02 feet to the northeast corner of Lot 28 of said Block C, from which a 1/2 inch steel rod found with "USC" cap bears North 58 degrees 58 minutes 34 seconds West, a distance of 0.51 feet, said point also being in the east line of a 20 foot alley;

THENCE North 19 degrees 17 minutes 13 seconds East, along the east line of said Alley, a distance of 261.85 feet to a 1 inch steel rod found for the northwest corner of said Reed tract and the southwest corner of said Block A, from which a 1/2 inch steel rod found bears North 88 degrees 10 minutes 48 seconds West, along the north line of said Block C, a distance of 471.02 feet to the northeast corner of Lot 28 of said Block C, from which a 1/2 inch steel rod found with "USC" cap bears North 58 degrees 58 minutes 34 seconds West, a distance of 0.51 feet, said point also being in the east line of a 20 foot alley;

THENCE South 88 degrees 10 minutes 48 seconds West, along the north line of said Block C, a distance of 471.02 feet to the northeast corner of Lot 28 of said Block C, from which a 1/2 inch steel rod found with "USC" cap bears North 58 degrees 58 minutes 34 seconds West, a distance of 0.51 feet, said point also being in the east line of a 20 foot alley;

THENCE North 19 degrees 17 minutes 13 seconds East, along the east line of said Alley, a distance of 261.85 feet to a 1 inch steel rod found for the northwest corner of said Reed tract and the southwest corner of said Block A, from which a 1/2 inch steel rod found bears North 88 degrees 10 minutes 48 seconds West, along the north line of said Block C, a distance of 471.02 feet to the northeast corner of Lot 28 of said Block C, from which a 1/2 inch steel rod found with "USC" cap bears North 58 degrees 58 minutes 34 seconds West, a distance of 0.51 feet, said point also being in the east line of a 20 foot alley;

THENCE South 88 degrees 10 minutes 48 seconds West, along the north line of said Reed tract and the south line of said Block A, a distance of 472.52 feet to a PK nail found for the northeast corner of said Reed tract and the southeast corner of Lot 12 of said Block A, from which a bent 1/2 inch steel rod found bears North 88 degrees 10 minutes 48 seconds West, along the north line of said Block A, a distance of 0.34 feet, said point also being in the west right-of-way line of said Marble Canyon Drive;

THENCE South 09 degrees 52 minutes 15 seconds West, along the west right-of-way line of said Marble Canyon Drive, a distance of 250.02 feet to the POINT OF BEGINNING, containing 2.533 acres (110,334 square feet) of land.

Z C 2016-019
OF
TIMBER BROOK FARMS PHASE 3
2.533 ACRES

OUT OF THE
M. MCCREARY SURVEY- ABSTRACT NO. 601
IN THE
CITY OF PLANO, COLLIN COUNTY, TEXAS

- b. From ~~300~~ 250 feet south of the southern right-of-way line of Plano Pkwy. to 600 feet south of Plano Pkwy., the maximum building height shall be 6 story/125 feet, whichever is less.
 - c. From 600 feet south of the southern right-of-way line for Plano Pkwy., the maximum building height shall be 12 story.
3. Maximum Lot Coverage: 50% (excluding parking structures); 70% (including parking structures)
4. For hospital use, required parking is one space per bed.
5. Building facades, except for parking structures, shall be constructed of brick, stone, or glass.
6. Parking structure facades shall be compatible in color and texture to the materials used for the hospital facade. The northern facade of parking structures that front Plano Pkwy. shall be designed to diffuse or to decrease light overspill through the use of solid walls, ornamental metal or other material screening, landscaping, earthen berms, or a combination of these.
7. The minimum front building setback along Allied Drive shall be 30 feet beginning at a distance of 250 feet from the southern right-of-way line of Plano Pkwy. continuing south to the southern right-of-way line for Alliance Blvd.

FOR CITY COUNCIL MEETING OF: July 25, 2016 (To view the agenda for this meeting, see www.plano.gov)

ST/amf

xc: Wes Huff, Baylor Scott & White Hospital
Phillip Waters, Ascension Group Architects
Wayne Snell, Permit Services Manager

<https://goo.gl/maps/LxBYrTJtMoS2>

CITY OF PLANO
PLANNING & ZONING COMMISSION

July 5, 2016

Agenda Item No. 3A

Public Hearing: Zoning Case 2016-021

Applicant: Baylor Scott & White Hospital

DESCRIPTION:

Request to amend Planned Development-138-Retail/General Office on 30.2 acres located at the southeast corner of Plano Parkway and Allied Drive in order to modify height regulations. Zoned Planned Development-138-Retail/General Office with Specific Use Permit #164 for Outdoor Commercial Amusement Facility. Project #ZC2016-021.

REMARKS:

The purpose of this request is to amend Planned Development-138-Retail/General Office (PD-138-R/O-2) in order to modify regulations related to height. The applicant is proposing to amend the existing PD language in order to increase the allowed height of a proposed hospital expansion on a portion of the property adjacent to Plano Parkway.

The existing zoning is PD-138-R/O-2. A planned development district provides the ability to amend use, height, setback, and other development standards at the time of zoning to promote innovative design and better development controls appropriate to both off- and onsite conditions. The R district is primarily intended to provide areas for neighborhood, local, and regional shopping facilities for the retail sales of goods and services including convenience stores, shopping centers, and regional malls but not including wholesaling or warehousing. The O-2 district is intended to allow for a variety of low-, mid-, and high-rise office developments providing for professional, financial, medical, and similar services to local residents; corporate offices for regional and national operations; and major centers of employment for Plano and surrounding communities.

A revised site plan, Baylor Medical Center at Plano, Block A, Lot 1R, accompanies this request as Agenda Item No. 3B.

Surrounding Land Use and Zoning

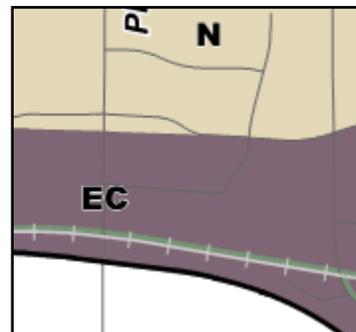
The subject property is currently developed with hospital and medical office uses. The properties to the west are zoned PD-350-R/O-2 and are developed as nursery, restaurant, hotel, and retail uses, with some undeveloped property remaining. The properties to the

east contain a hotel, convenience store with gas pumps, commercial pet sitting, medical office, and light-intensity manufacturing zoned PD-402-R/O-2 with Specific Use Permit #565 for Light-Intensity Manufacturing. To the north, across Plano Parkway, is a residential subdivision zoned Planned Development-192-Patio Home. To the south is railroad right-of-way and State Highway 190.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Employment Center (EC).

The Employment Center future land use category applies to business centers. The primary uses for employment centers are commercial uses which provide corporate office campuses, medical centers, educational facilities, technology centers, and research facilities. Limited manufacturing and warehouse uses may be allowed to support the employment centers. Adequate building setbacks must be considered when development is proposed near neighborhoods. Residential development is not appropriate within these centers in order to ensure the city's ability to attract and maintain employment generating uses.

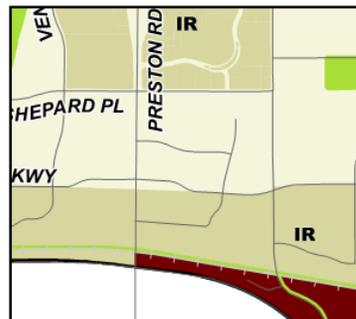


The requested changes to the height continue to allow for adequate height setbacks to protect the existing neighborhood to the north, across Plano Parkway, while allowing opportunity for additional development of the subject property. This request is in conformance with the Future Land Use Plan.

Growth and Change Map - The Growth and Change Map designates the subject property as Improve and Refine (IR).

IR areas are expected to experience moderate changes through infill, reuse, and redevelopment.

The requested modifications would allow for moderate changes to the existing PD language. This request is in conformance with the growth and change map.



Land Use Policy - Plano will support a system of organized land use to provide greater housing and employment choices, where new and redevelopment areas respect existing neighborhoods and businesses.

The proposed expansion will provide a minor benefit to employment opportunities for the medical office through additional building height while still providing sufficient restrictions to protect the existing neighborhood to the north. This request is in conformance with the Land Use Policy.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject property.

Traffic Impact Analysis (TIA) - A TIA is not required for this rezoning request.

Proposed PD Stipulations

The existing PD stipulations were established in 2005 in order to accommodate the development of the hospital, and create restrictions intended to protect the residential neighborhood to the north, across Plano Parkway. Currently, the proposed hospital could develop a six-story, 65-foot building on the subject property. With this request, the applicant is proposing to modify the existing PD language to allow the placement of a six-story, 85-foot building in a location 50-feet closer to the northern property line. The 50 foot modification will still require a 250 foot setback from the right-of-way line of Plano Parkway.

The applicant is requesting the additional 20-foot height increase to accommodate a six-story development. Due to the specifications required for the hospital expansion, it is not practical for the applicant to develop a six-story building within the current maximum building height. The requested zoning amendment is a relatively minor change to the existing planned development regulations. Although these changes will allow for some additional height in closer proximity to the residential zoning district to the north, staff does not believe the changes will create a significant impact to the existing subdivision, or to surrounding properties. For this reason, staff is in support of the requested PD amendments.

SUMMARY:

The applicant is requesting to amend Planned Development-138-Retail/General Office on 30.2 acres located at the southeast corner of Plano Parkway and Allied Drive in order to modify regulations related to height. The request is in conformance with the recommendations of the Comprehensive Plan. The proposed PD amendments are a relatively minor change to the existing regulations, and will still provide adequate height setbacks for residences to the north of the subject property. For these reasons, staff is in support of this zoning request.

RECOMMENDATION:

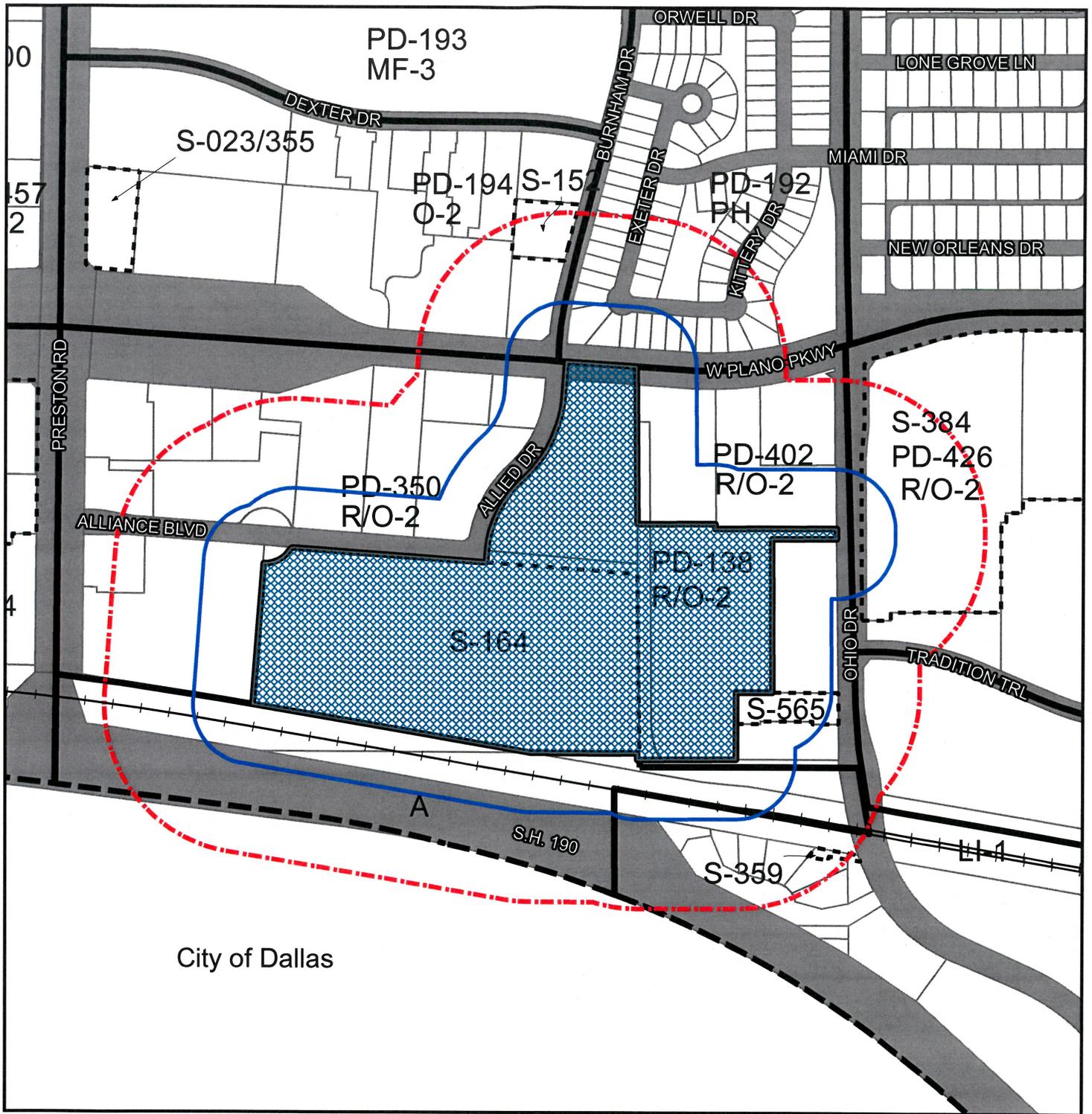
Recommended for approval as follows: (Additions are indicated in underlined text and deletions are shown as strike through text)

Restrictions:

1. A hospital and helistop are additional allowed uses. A helistop is allowed only in conjunction with a hospital use.
2. Maximum Building Height:
 - a. Beginning at a distance of 50 feet south of the southern right-of-way line of Plano Pkwy. (110 feet from the residential district boundary line) to

~~300~~ 250 feet south of Plano Pkwy., the maximum building height shall be 6 story/~~65~~ 85 feet, whichever is less.

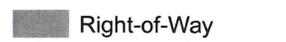
- b. From ~~300~~ 250 feet south of the southern right-of-way line of Plano Pkwy. to 600 feet south of Plano Pkwy., the maximum building height shall be 6 story/125 feet, whichever is less.
 - c. From 600 feet south of the southern right-of-way line for Plano Pkwy., the maximum building height shall be 12 story.
3. Maximum Lot Coverage: 50% (excluding parking structures); 70% (including parking structures)
 4. For hospital use, required parking is one space per bed.
 5. Building facades, except for parking structures, shall be constructed of brick, stone, or glass.
 6. Parking structure facades shall be compatible in color and texture to the materials used for the hospital facade. The northern facade of parking structures that front Plano Pkwy. shall be designed to diffuse or to decrease light overspill through the use of solid walls, ornamental metal or other material screening, landscaping, earthen berms, or a combination of these.
 7. The minimum front building setback along Allied Drive shall be 30 feet beginning at a distance of 250 feet from the southern right-of-way line of Plano Pkwy. continuing south to the southern right-of-way line for Alliance Blvd.

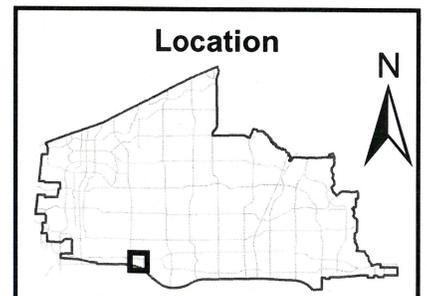


Zoning Case #: 2016-021

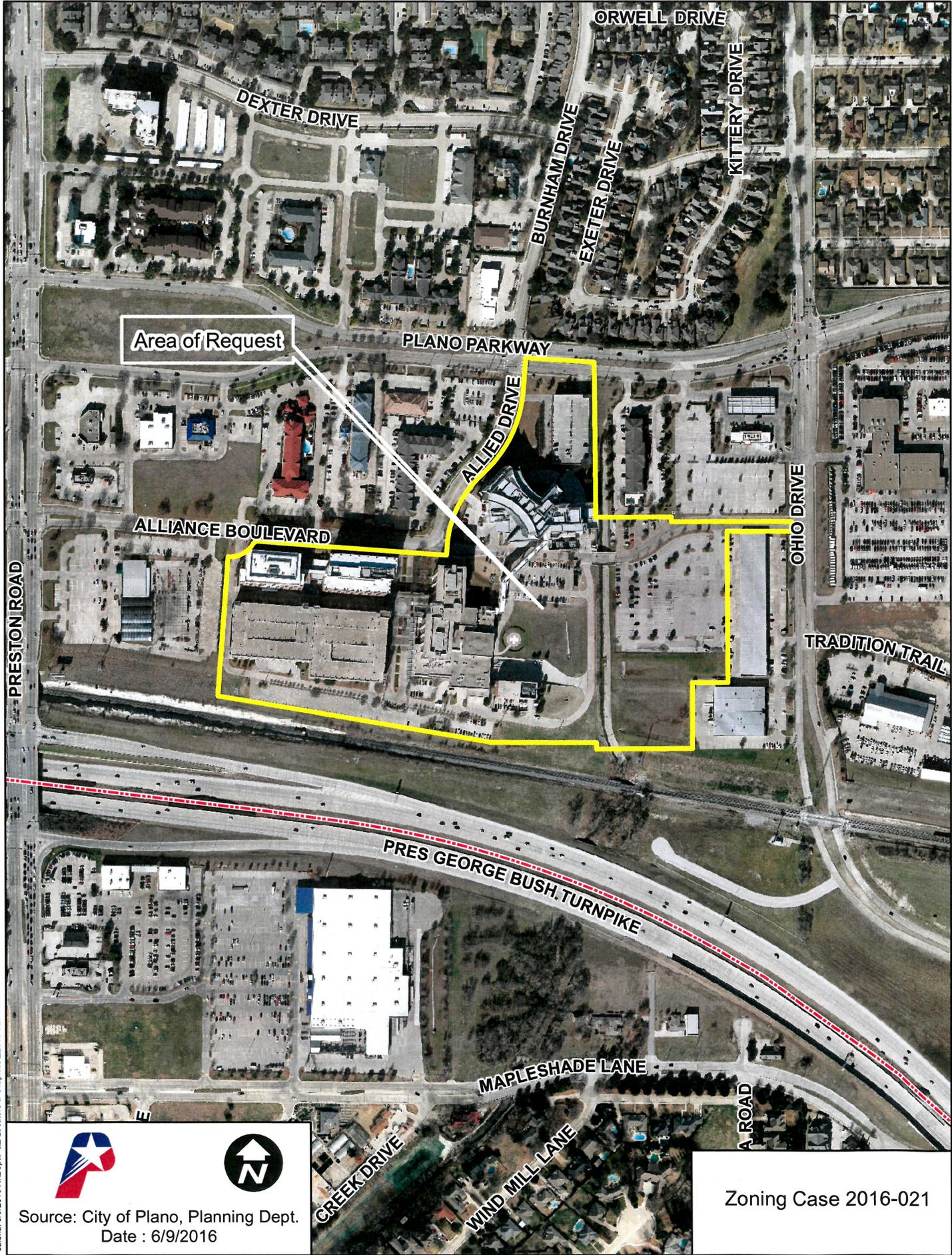
Existing Zoning: Planned Development-138-Retail/General Office (PD-138-R/O-2)/190 Tollway/Plano Parkway & Preston Road Overlay Districts w/Specific Use Permit #164

Proposed Zoning: Amend Planned Development-138-Retail/General Office (PD-138-R/O-2)/190 Tollway/Plano Parkway & Preston Road Overlay Districts w/Specific Use Permit #164

-  500' Courtesy Notification Buffer
-  200' Notification Buffer
-  Subject Property
-  Zoning Boundary
-  City Limits
-  Right-of-Way
-  Specific Use Permit



Source: City of Plano Planning Department



Area of Request

Zoning Case 2016-021



Source: City of Plano, Planning Dept.
Date : 6/9/2016

Zoning Case 2016-021

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-138-Retail/General Office on 30.2 acres of land out of the Denton Darby Survey, Abstract No. 260, located at the southeast corner of Plano Parkway and Allied Drive, in the City of Plano, Collin County, Texas, to modify height regulations; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication 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 25th day of July, 2016, for the purpose of considering amending Planned Development-138-Retail/General Office on 30.2 acres of land out of the Denton Darby Survey, Abstract No. 260, located at the southeast corner of Plano Parkway and Allied Drive, in the City of Plano, Collin County, Texas, to modify height regulations; 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 25th day of July, 2016; and

WHEREAS, the City Council is of the opinion and finds that such amendment 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 I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to amend Planned Development-138-Retail/General Office on 30.2 acres of land out of the Denton Darby Survey, Abstract No. 260, located at the southeast corner of Plano Parkway and Allied Drive in the City of Plano, Collin County, Texas, to modify height regulations, said property being described in the legal description on Exhibit "A" attached hereto.

Section II. The change granted in Section I is granted subject to the following:

Restrictions:

1. A hospital and helistop are additional allowed uses. A helistop is allowed only in conjunction with a hospital use.
2. Maximum Building Height:
 - a. Beginning at a distance of 50 feet south of the southern right-of-way line of Plano Pkwy. (110 feet from the residential district boundary line) to 250 feet south of Plano Pkwy., the maximum building height shall be 6 story/85 feet, whichever is less.
 - b. From 250 feet south of the southern right-of-way line of Plano Pkwy. to 600 feet south of Plano Pkwy., the maximum building height shall be 6 story/125 feet, whichever is less.
 - c. From 600 feet south of the southern right-of-way line for Plano Pkwy., the maximum building height shall be 12 story.
3. Maximum Lot Coverage: 50% (excluding parking structures); 70% (including parking structures)
4. For hospital use, required parking is one space per bed.
5. Building facades, except for parking structures, shall be constructed of brick, stone, or glass.
6. Parking structure facades shall be compatible in color and texture to the materials used for the hospital facade. The northern facade of parking structures that front Plano Pkwy shall be designed to diffuse or to decrease light overspill through the use of solid walls, ornamental metal or other material screening, landscaping, earthen berms, or a combination of these.
7. The minimum front building setback along Allied Drive shall be 30 feet beginning at a distance of 250 feet from the southern right-of-way line of Plano Pkwy. continuing south to the southern right-of-way line for Alliance Blvd.

Section III. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section IV. 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 V. 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 VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and 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 VII. 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 VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 25TH DAY OF JULY 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Zoning Case 2016-021

BEING a tract or parcel of land situated in the Denton Darby Survey, Abstract Number 260, City of Plano, Collin County, Texas and being all of Lot 1R, Block A, Baylor Medical Center at Plano, an addition to the City of Plano as recorded in Cabinet 2011, Slide 136, Plat Records, Collin County, Texas, all of Lot 7, Block 1, Preston Ohio Addition, an addition to the City of Plano, as recorded in Cabinet R, Slide 091, Plat Records, Collin County, Texas and part of a 40 feet wide drainage channel according to the plat recorded in Cabinet C, Slide 138. Plat Records. Collin County, Texas, and being more particularly described as follows:

BEGINNING at a point for corner at the intersection of the south line of Plano Parkway (120 feet right of way) and the east line of Allied Drive (65 feet right-of-way). Said point being the northwest corner of said Lot 1R;

THENCE South $85^{\circ}13'30''$ East, along the south line of said Plano Parkway and the north line of said Lot 1R, a distance of 242.47 feet to a point for the northeast corner of said Lot 1R and the northwest corner of Lot 1, Block 1, Preston Ohio Addition, an addition to the City of Plano as recorded in Cabinet J, Slide 622, Plat Records, Collin County, Texas;

THENCE South $00^{\circ}28'38''$ West, departing said south line of Plano Parkway and along the east line of said Lot 1R, the west line of said Lot 1 and the west line of said 40 feet wide drainage channel a distance of 466.28 feet to a point for corner;

THENCE South $89^{\circ}38'48''$ East, departing the west line of said 40 feet wide drainage channel, and along the north line of said Lot 7 and the south line of said Lot 1, a distance of 260.15 feet to a point for corner in the west line of Lot 5, Block 1, Preston Ohio Addition, an addition to the City of Plano, as recorded in Cabinet 2010, Slide 265, Plat Records Collin County, Texas, said point being the southeast corner of said Lot 1 and a north corner of said Lot 7;

THENCE South $00^{\circ}21'12''$ West, along the common line between said Lot 7 and said Lot 5 a distance of 16.00 feet to a point for corner, said point being the southwest corner of said Lot 5 and a north corner of said Lot 7;

THENCE South $89^{\circ}38'48''$ East, along the south line of said Lot 5 and the north line of said Lot 7, a distance of 409.45 feet to a point for corner in the west line of Ohio Drive (a 92 feet right-of-way), said point being the northeast corner of said Lot 7 and the southeast corner of said Lot 5;

THENCE South $00^{\circ}21'12''$ west, along said west line and the east line of said Lot 7 a distance of 33.67 feet to a point for corner;

THENCE North 89°38'48" West, departing said west line and said east line a distance of 218.20 feet to a point for corner;

THENCE South 00°21'12" West, a distance of 519.10 feet to a point for corner in a south line of said Lot 7 and the north line of Lot 3R, Block 1, Preston Ohio Addition, an addition to the City of Plano, as recorded in Cabinet P, Slide 662, Plat Records, Collin County, Texas;

THENCE North 89°13'21" West, along said south line and said north line a distance of 127.60 feet to a point for corner;

THENCE South 00°46'39" West, along an east line of said Lot 7 and the west line of said Lot 3R and the west line of Lot 6, Block 1, of said Preston Ohio Addition, a distance of 225.00 feet to a point for corner at the most southerly southeast corner of said Lot 7 and the Southwest corner of said Lot 6;

THENCE North 89°13'21" West, along the south line of said Lot 7, passing at a distance of 253.33 feet, the southwest corner of said Lot 7, continuing for a total distance of 323.86 feet to a point for corner in the west line of said 40 feet wide drainage channel;

THENCE North 00°28'38" East, along the west line of said 40 feet drainage channel a distance of 21.06 feet to a point for corner, said point being the southeast corner of said Lot 1R;

THENCE North 89°06'44" West, along the south line of said Lot 1R a distance of 365.16 feet to a point for corner in the northeasterly line of the Gulf Colorado & Santa Fe Railroad (150 feet right-of- way);

THENCE North 79°44'48" West, along said northeasterly line and the southwesterly line of said Lot 1R, a distance of 938.09 feet to a point for corner, said point being the southeasterly corner of Lot 1R, Block 1, Alliance Centre, an addition to the City of Plano as recorded in Cabinet 2015, Slide 711, Plat Records of Collin County, Texas;

THENCE North 04°46'31" East, along the east line of Lot 1R, Block 1, Alliance Centre and the west line of said Lot 1R, a distance of 474.87 feet to a point for corner in the south line of Alliance Boulevard (65 feet right- of-way), in a non-tangent curve to the left, said point being a common corner between said Lot 1R, Block 1, Alliance Center and said Lot 1R;

THENCE in a northeasterly direction along the south line of said Alliance Boulevard, the northerly line of said Lot 1R and the said non-tangent curve to the left whose chord bears North 63°41'01" East, a distance of 95.53 feet, having a radius of 92.50 feet, a central angle of 62°10'50", and an arc length of 100.39 feet to a point for corner at the end of said curve to the left, and the beginning of a curve to the right;

THENCE in a northeasterly direction along the south line of said Alliance Boulevard, the northerly line of said Lot 1R and said curve to the right whose chord bears North $63^{\circ}41'04''$ East, a distance of 20.66 feet, having a radius of 20.00 feet, a central angle of $62^{\circ}10'55''$, and an arc length of 21.71 feet, to a point for corner at the end of said curve to the right;

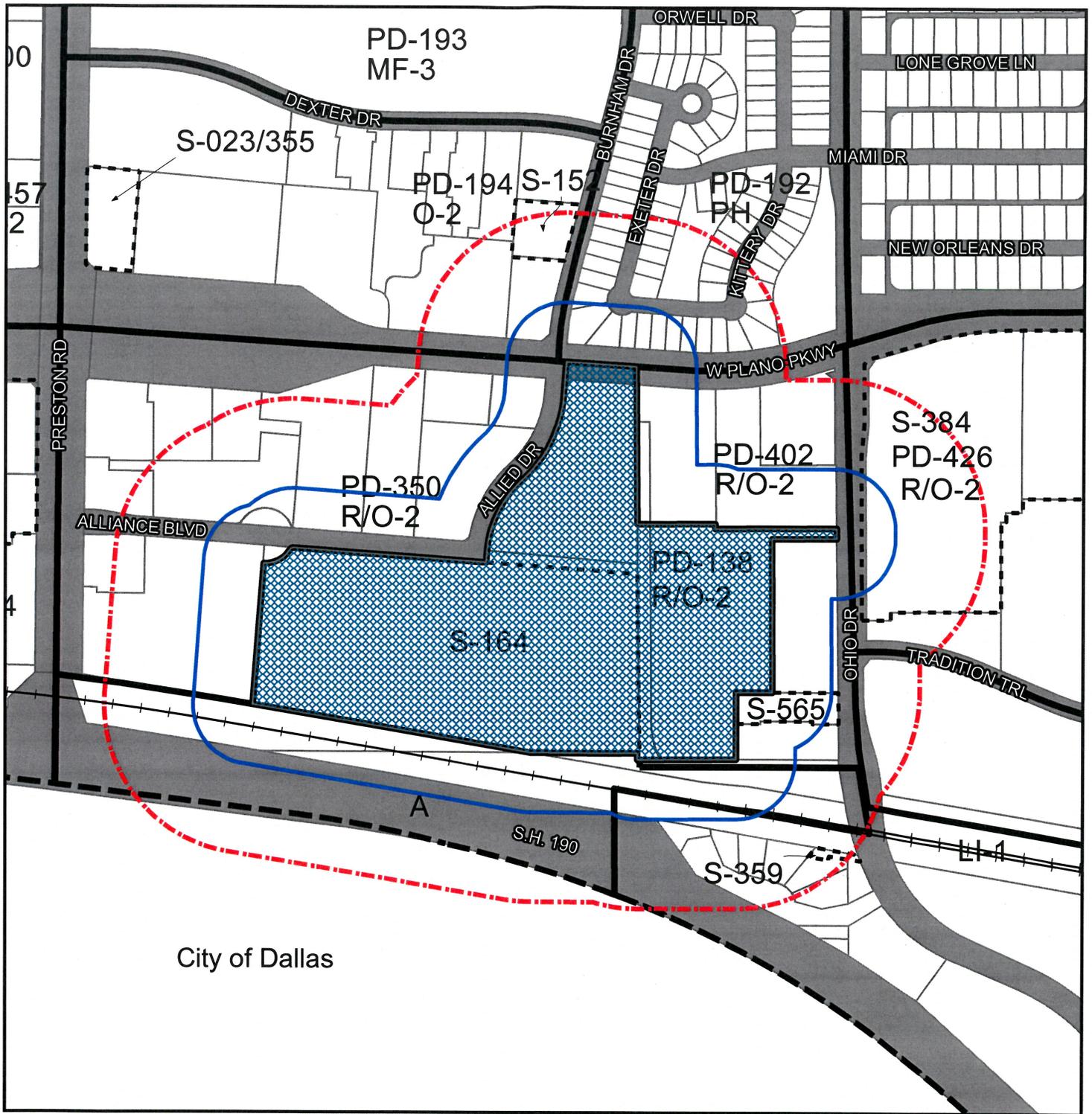
THENCE South $85^{\circ}13'29''$ East, along the south line of said Alliance Boulevard and the north line of said Lot 1R a distance of 645.53 feet to a point for corner at the Intersection of the south line of Alliance Boulevard and the east line of said Allied Drive;

THENCE North $04^{\circ}46'31''$ East, along the east line of said Allied Drive and the west line of said Lot 1R, a distance 32.50 feet to a point for corner at the beginning of a curve to the right;

THENCE in a northeasterly direction along the east line of said Allied Drive and the west line of said Lot 1R and said curve to the right whose chord bears North $26^{\circ}26'18''$ East, a distance of 271.32 feet, having a radius of 367.50 feet, a central angle of $43^{\circ}19'33''$, and an arc length of 277.90 feet to a point for corner at the end of said curve to the right and the beginning of a curve to the left;

THENCE in a northeasterly direction along the east line of said Allied Drive and the west line of said Lot 1R and said curve to the left whose chord bears North $26^{\circ}26'18''$ East, having a radius of 432.50 feet, a central angle of $43^{\circ}19'33''$, and an arc length of 327.05 feet to a point for corner;

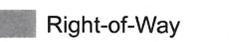
THENCE North $04^{\circ}46'31''$ East, along the east line of said Allied Drive and the west line of said Lot 1R a distance of 51.08 feet to the POINT OF BEIGNINNING, and CONTAINING 1,314,072 square feet or 30.1669 acres, more or less.

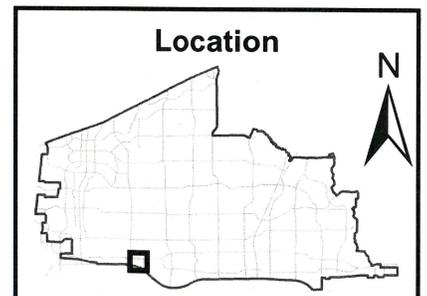


Zoning Case #: 2016-021

Existing Zoning: Planned Development-138-Retail/General Office (PD-138-R/O-2)/190 Tollway/Plano Parkway & Preston Road Overlay Districts w/Specific Use Permit #164

Proposed Zoning: Amend Planned Development-138-Retail/General Office (PD-138-R/O-2)/190 Tollway/Plano Parkway & Preston Road Overlay Districts w/Specific Use Permit #164

-  500' Courtesy Notification Buffer
-  200' Notification Buffer
-  Subject Property
-  Zoning Boundary
-  City Limits
-  Specific Use Permit
-  Right-of-Way



Source: City of Plano Planning Department



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		July 25, 2016			
Department:		Neighborhood Services			
Department Head		Lori Feild Schwarz			
Agenda Coordinator (include phone #): Doris Carter ext 8209					
CAPTION					
Public Hearing and consideration of a Resolution of the City of Plano, Texas, authorizing a Substantial Amendment to the 2014-2015 and 2015-2016 Action Plans for the use of U. S. Department of Housing and Urban Development Community Development Block Grant and HOME Investment Partnerships Program funds; and declaring an effective date.					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2014-15 and 2015-16	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
FUND(S): CDBG & HOME GRANT FUND					
<p>COMMENTS: Approval of this item reallocates the 2014-15 HOME Investment Partnerships Program funds and the 2015-16 Community Development Block Grant and HOME Investment Partnerships Program funds for activities previously approved in the 2014-15 and 2015-16 Action Plans.</p> <p>STRATEGIC PLAN GOAL: Amendments to the 2014-15 and 2015-16 Action Plans relate to the City's goals of Partnering for Community Benefit and Financially Strong City with Service Excellence.</p>					
SUMMARY OF ITEM					
The Community Services Division is proposing a substantial amendment to the City's 2014-2015 and 2015-2016 Action Plans. The purpose of the proposed substantial amendments is to reallocate funding resources to ensure timely commitment of HOME funds, allocate funds according to market and public demand, and comply with HUD regulations.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Memo					
Resolution					

Date: July 14, 2016
To: Bruce Glasscock, City Manager
From: Shanette Brown, Community Services Manager
Subject: Substantial Amendment to the 2014-2015 and 2015-2016 Action Plans

Summary

Staff is proposing a substantial amendment to the City's 2014-2015 and 2015-2016 Action Plans for the purpose of reallocating funds to ensure timely commitment of U. S. Department of Housing and Urban Development (HUD) Home Investment Partnerships Program (HOME) funds, allocate funds according to market and public demand, and comply with HUD regulations.

Background

For the past couple of years, market conditions have made it difficult for many of our HOME funded housing developers to locate reasonably priced vacant lots to build single family homes. Likewise, participants in our First Time Homebuyer program are experiencing difficulty in locating and successfully winning the bid when trying to purchase homes in the current market. Therefore, a portion of 2014 HOME funds has not been committed to address-specific projects. Failure to commit funds by September 30, 2016 will result in a loss of the uncommitted 2014 HOME funds.

Staff met with existing subrecipients of HOME funds (Christ United Methodist Church, Habitat for Humanity of South Collin County, and Plano Housing Corporation) to assist them in reallocating funds to existing projects. Additionally, the First Time Homebuyer and Housing Rehabilitation programs were reviewed to determine if funds should be reallocated to ensure timely commitment. As a result, staff recommends the below amendments to the 2014-2015 and 2015-2016 Action Plans.

HUD requires the approval of a substantial amendment when:

- (1) Changes to project budgets approved in the annual action plan exceed twenty-five percent (25%) of the action plan's approved budget; or
- (2) New activities are added to the approved annual action plan. A substantial amendment to the 2014-2015 and 2015-2016 Action Plans is required because the proposed funding reallocations exceed 25% of the approved budgets for the 2014-2015 and 2015-2016 Action Plans.

Current Request

On June 26, 2016, a public hearing notice was placed in the Plano Star Courier to inform citizens of the proposed changes. No comments have been received. The proposed amendments are as follows:

Action Plan Year	Activity	Original Amount	Proposed Amendment	Proposed Amount
2014-15	HOME First Time Homebuyer	\$90,968	-\$90,968	\$0
2014-15	HOME Housing Rehabilitation	\$0	+\$90,968	\$90,968
2015-16	HOME Housing Rehabilitation	\$161,186	-\$44,000	\$117,186
2015-16	HOME First Time Homebuyer	\$0	+\$44,000	\$44,000
2015-16	CDBG Housing Rehabilitation	\$825,996	-\$20,000	\$805,996
2015-16	CDBG First Time Homebuyer	\$45,000	+\$20,000	\$65,000

Next Steps

If approved, staff will commit HUD funds in IDIS as proposed, thereby meeting HUD's commitment of 2014 HOME funds deadline.

xc: Jack Carr, Deputy City Manager
Lori Schwarz, Director of Neighborhood Services

A Resolution of the City of Plano, Texas, authorizing a Substantial Amendment to the 2014-2015 and 2015-2016 Action Plans for the use of U. S. Department of Housing and Urban Development Community Development Block Grant and HOME Investment Partnerships Program funds; and providing an effective date.

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires local governments seeking federal assistance through the Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME), programs to develop a Five Year Consolidated Plan for Housing and Community Development and an annual Action Plan; and

WHEREAS, on June 23, 2014 the City Council adopted Resolution No. 2014-6-12(R) approving activities and proposed use of funds set forth in the 2014-2015 Action Plan; and

WHEREAS, on July 27, 2015 the City Council adopted Resolution No. 2015-7-10(R) approving activities and proposed use of funds set forth in the 2015-2016 Action Plan; and

WHEREAS, a substantial amendment to the 2014-2015 and 2015-2016 Action Plans is required to reallocate funds previously approved for action plan activities to ensure timely commitment of HOME funds, allocate funds according to market and public demands, and comply with HUD regulations; and

WHEREAS, HUD requires the approval of a substantial amendment when (1) changes to project budgets approved in the annual action plan exceed twenty-five percent (25%) of the action plan's approved budget or (2) new activities are added to the approved annual action plan; and

WHEREAS, the City's 2015-2019 Five Year Consolidated Plan for Housing and Community Development details the public participation process established by the Citizen Participation Plan required by HUD when seeking a substantial amendment to an annual action plan; and

WHEREAS, in accordance with the Citizen Participation Plan, a public notice was published in the Plano Star Courier on Sunday, on June 26, 2016, a copy of which is attached hereto as Exhibit "A", informing the public of the proposed amendment to the 2014-2015 and 2015-2016 Action Plans via a Substantial Amendment; and

WHEREAS, the City Council held a public hearing on July 25, 2016 to receive public comments regarding the proposed Substantial Amendment; and

WHEREAS, the City Council approves of the Substantial Amendment to the 2014-2015 and 2015-2016 Action Plans and the related activities and proposed uses of the Funds.

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

SECTION I. The City Council adopts the Substantial Amendment to the 2014-2015 and 2015-2016 Action Plans.

SECTION II. The adoption of the Substantial Amendment approves the reallocation of 2014-2015 HOME Investment Partnerships funds and 2015-2016 Community Development Block Grant and HOME Investment Partnerships funds for activities previously approved in the 2014-2015 and 2015-2016 Action Plans.

SECTION III. This resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED THIS 25TH DAY OF JULY, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

Approved as to form:

Paige Mims, CITY ATTORNEY

CITY OF PLANO
NOTICE OF PUBLIC HEARING AND COMMENT FOR 2016-2017 ACTION PLAN and
SUBSTANTIAL AMENDMENT TO 2014-15 and 2015-16 ACTION PLANS
FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT AND
HOME INVESTMENT PARTNERSHIP PROGRAM GRANT FUNDS
 Publication Date: June 26, 2016

In October 2016, the City of Plano anticipates receiving from the U.S. Department of Housing and Urban Development (HUD), \$1,180,560 in Community Development Block Grant (CDBG) funds and \$388,585 in HOME Investment Partnership (HOME) funds. The City also anticipates receiving \$120,000 in CDBG program income and \$6,750 in HOME program income during the period of October 1, 2016 to September 30, 2017.

The purpose of the CDBG and HOME programs is to support and perform activities that primarily benefit low and moderate income persons. Total HUD funds in the amount of \$1,695,895 will be used to fund activities from October 1, 2016 to September 30, 2017. Based on the goals and objectives of the City's HUD Consolidated Plan, the Community Relations Commission has recommended the following CDBG and HOME activities:

2016-2017 ACTION PLAN			
1.	Housing Rehabilitation	Proposed Amount	CDBG: \$820,696 HOME: \$126,682
This program provides low-interest rehabilitation and reconstruction loans to low to moderate income renter and owner-occupied households. Terms of loans are based on need and ability to repay. The program also provides for emergency repair grants and acquisition, rehabilitation, and resale of single family homes to low and moderate-income homebuyers. The program is administered at 7501-A Independence Parkway, Plano, TX 75025 and activity locations are city-wide.			
2.	First Time Homebuyer Assistance and Education	Proposed Amount	CDBG: \$45,996
Through deferred payment loans, this program provides down payment and closing cost assistance to low- to moderate-income families purchasing homes in Plano. The program offers up to \$10,000 based on the buyer's level of income. An eight-hour educational class is mandatory for program eligibility. The program is administered at 7501-A Independence Parkway, Plano, TX 75025 and activity locations are city-wide.			
3.	Homelessness Prevention	Proposed Amount	CDBG: \$102,000
This program will provide rent or mortgage payments and utility assistance for lower income families in Plano who are at immediate risk of homelessness. The activity is located at and administered by the Assistance Center of Collin County located at 900 18th Street, Plano, TX 75074.			
4.	Christ United Methodist Church	Proposed Amount	HOME: \$50,000
Funding will support the program, House on the Corner, in constructing an affordable house for an eligible homebuyer. The program is administered at 3101 Coit Road, Plano, TX 75075 and the activity is city-wide.			
5.	Habitat for Humanity of South Collin County	Proposed Amount	HOME: \$60,000
This activity will provide funding to purchase and develop residential lots for the purpose of construction of housing affordable to low- and moderate-income households. The program is administered at 1400 Summit Avenue, Suite D4, Plano, TX 75074 and activity locations are city-wide.			
6.	The Samaritan Inn, Inc.	Proposed Amount	CDBG: \$60,256
This program will provide transitional shelter and support services to homeless Plano residents. The program is located at 1725 North McDonald Street, McKinney, TX 75071.			
7.	Boys & Girls Club of Collin County	Proposed Amount	CDBG: \$35,000
This program will provide after-school and summer programs to help low-income Plano children enhance their academic success, nutrition, character, and leadership. The activity location is at the Douglass Community Center, 1111 H Avenue, Plano, TX 75074.			
8.	Grant Administration	Proposed Amount	CDBG: \$236,612 HOME: \$38,653
Grant administration includes planning, coordination, and monitoring of the CDBG and HOME programs as well as fair housing promotion, services, and counseling. The activity location is 7501-A Independence Parkway, Plano, TX 75025.			
TOTAL CDBG and HOME RECOMMENDED: \$1,695,895			

It is estimated that at least 95% of all funds to be expended will benefit low and moderate income persons. None of the proposed CDBG and HOME activities are expected to directly or indirectly result in displacement of persons. Should any displacement occur, the City has a plan to assist displaced persons that conforms to the Uniform Relocation Assistance and Real Property Acquisition Policies Act.

SUBSTANTIAL AMENDMENT

The City proposes a substantial amendment to the City's 2014-2015 and 2015-2016 Action Plans. The purpose of the proposed substantial amendments is to reallocate funding resources to ensure timely commitment of HOME funds, allocate funds according to market and public demand, and comply with HUD regulations. The proposed amendments are stated below.

2014-15 Action Plan:

The proposed changes affect the HOME funds. All of the \$90,968 First Time Homebuyer HOME funds will be reallocated to the Housing Rehabilitation Program which previously did not receive a HOME allocation.

2015-16 Action Plan:

The proposed changes affect the HOME and CDBG funds. A total of \$44,000 of the Housing Rehabilitation Program's HOME funds will be reallocated to the First Time Homebuyer Program.

A total of \$20,000 in Housing Rehabilitation Program's CDBG funds will be reallocated to the First Time Homebuyer Program. The following chart is a detailed breakdown of the proposed amendments by Action Plan year and activity:

Action Plan Year	Activity	Original Amount	Proposed Amendment	Proposed Amount
2014-15	HOME First Time Homebuyer	\$90,968	-\$90,968	\$0
2014-15	HOME Housing Rehabilitation	\$0	+\$90,968	\$90,968
2015-16	HOME Housing Rehabilitation	\$161,186	-\$44,000	\$117,186
2015-16	HOME First Time Homebuyer	\$0	+\$44,000	\$44,000
2015-16	CDBG Housing Rehabilitation	\$825,996	-\$20,000	\$802,996
2015-16	CDBG First Time Homebuyer	\$45,000	+\$20,000	\$65,000

PUBLIC COMMENTS

A 30-day public comment period will be open from June 27, 2016 to July 26, 2016. The public may review the Action Plan in-person at the Neighborhood Services Department, 7501-A Independence Parkway, Plano, TX 75025. City department office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The Action Plan may also be reviewed online at www.plano.gov/660/Housing-Urban-Development-HUD-Grants.

Comments regarding the Action Plan and Substantial Amendment should be directed to Shanette Brown, Community Services Manager, 7501-A Independence Parkway, Plano, TX 75025, Phone: (972) 208-8198, Fax: (972) 208-8158, Email: shanetteb@plano.gov. Comments received after 5:00 p.m. on Tuesday, July 26, 2016, will not be sent to HUD.

PUBLIC HEARINGS

The Action Plan and Substantial Amendment will be reviewed by City Council and the public may comment at a public hearing on Monday, July 25, 2016, to be held at 7:00 p.m. in the Council Chambers of the Plano Municipal Center, 1520 K Ave, Plano, TX 75074.

ACCESSIBILITY STATEMENT

The Plano Municipal Building is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal/L Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the Planning Department at (972) 941-7151.





CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		July 25, 2016		
Department:		Neighborhood Services		
Department Head		Lori Feild Schwarz		
Agenda Coordinator (include phone #): Doris Carter ext. 8209				
CAPTION				
Public Hearing and consideration of a Resolution of the City of Plano, Texas, adopting the 2016-2017 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2016-2017; and declaring an effective date.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2016-17	Prior Year (CIP Only)	Current Year	Future Years
		TOTALS		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(S): CDBG & HOME GRANT FUND				
COMMENTS: This item has no fiscal impact.				
STRATEGIC PLAN GOAL: The 2016-17 Action Plan, which includes the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2016-17, relates to the City's goals of Partnering for Community Benefit and Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
The Community Services Division has a total of \$1,695,895 in federal funds and program income to be allocated for 2016-17. HUD funds must be used to meet the goals set forth in the City's 2015-2019 Consolidated Plan which was approved in March 2015. Annually, HUD requires the submission of an Action Plan which explains programs and activities to be undertaken within the upcoming year to meet the City's Consolidated Plan goals. The 2016 Action Plan represents year two of the five year Consolidated Plan. These goals are identified in the Action Plan document.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memo				
Resolution				



Memorandum

Date: July 14, 2016
To: Bruce Glasscock, City Manager
From: Shanette Brown, Community Services Manager
Subject: 2016 – 2017 Federal Grant Recommendations

Summary

The Community Services Division has a total of \$1,695,895 in federal funds and program income to be allocated for 2016-17. The Community Relations Commission has recommended the below programs to receive federal funding:

Agency/Program	Recommended Amount
City of Plano Grant Administration	\$275,265
City of Plano Housing Rehabilitation	\$947,378
Habitat for Humanity of South Collin County	\$ 60,000
Christ United Methodist Church	\$ 50,000
Plano Housing Corporation	\$ 120,000
City of Plano First Time Homebuyer Assistance	\$ 45,996
Homelessness Prevention	\$102,000
Samaritan Inn, Inc.	\$ 60,256
Boys & Girls Clubs of Collin County	\$ 35,000

Background

The Community Services Division expects to receive a total of \$1,569,145 in Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD) by October 1, 2016. An additional \$126,750 is estimated to be received in payment of existing housing rehabilitation loans. The total breakdown of expected funding is as follows:

Funding Source	Amount
CDBG	\$1,180,560
Estimated CDBG Program Income	\$ 120,000
HOME	\$ 388,585
Estimated HOME Program Income	\$ 6,750
Total Federal Funding	\$1,695,895

HUD funds must be used to meet the goals set forth in the City's 2015-2019 Consolidated Plan, which was approved by City Council in March 2015. Annually, HUD requires the submission of an Action Plan that explains programs and activities to be undertaken within the upcoming year to meet the City's Consolidated Plan goals.

Public services can be funded through CDBG, but are limited to 15% of the total CDBG entitlement funds and the prior year's program income. Public services are defined as activities directed toward improving community services, including: employment, crime prevention, child care, health, drug abuse, education, fair housing counseling, energy conservation, welfare, or recreational needs; and, do not fall under any other CDBG category. The 2016-17 CDBG public service grant amount is calculated to be \$197,256, at the maximum 15%.

During the months of April and May, the Community Relations Commission held six public meetings including one public hearing to consider agency requests for 2016 CDBG and HOME funding provided to the City of Plano by HUD. On May 19, 2016, the Commission held a meeting to determine agency funding recommendations. Thirty-five (35) requests, in the amount of \$2,714,656, were considered during the Consolidated Grant process. Nine (9) requests were recommended by the Commission for CDBG and HOME funds; twenty-three (23) requests were recommended for Buffington Community Service Grant (BCSG) funds. The Commission approved these recommendations in a vote of 6-0.

Next Steps

If approved, the City Manager will make application for the use of HUD funds for the 2016-2017 fiscal year.

xc: Jack Carr, Deputy City Manager
Lori Schwarz, Director of Neighborhood Services
Raini Layne, Sr. Budget Analyst

A Resolution of the City of Plano, Texas, adopting the 2016-2017 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2016-2017; and providing an effective date.

WHEREAS, the Community Relations Commission held public meetings in 2016 on April 7, April 14, April 19, April 28, and May 5, and made final recommendations at a public hearing on May 19 concerning the 2016-2017 Action Plan which details the use of Community Development Block Grant Funds and HOME Investment Partnerships Program funds, collectively referred to herein as the “Funds”; and

WHEREAS, the City Council held a public hearing on July 25, 2016, to receive public comments concerning the recommendations of the Community Relations Commission; and

WHEREAS, the City Council approves of the 2016-2017 Action Plan, a copy of which is attached hereto as Exhibit “A,” and the related summaries, activities, and proposed uses of the Funds.

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

SECTION I. The 2016-2017 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of grant and program income funds for 2016-17, is hereby adopted with funding allocations as follows:

City of Plano Grant Administration	\$275,265
City of Plano Housing Rehabilitation	\$947,378
Habitat for Humanity of South Collin County	\$ 60,000
Christ United Methodist Church	\$ 50,000
Plano Housing Corporation	\$120,000
City of Plano First Time Homebuyer Assistance	\$ 45,996
Homelessness Prevention	\$102,000
Samaritan Inn, Inc.	\$ 60,256
Boys & Girls Club of Collin County	\$ 35,000

SECTION II. The City Manager, or his authorized designee, is hereby authorized to execute and amend contracts and related grant subrecipient agreements with the agencies listed in Section I to achieve Action Plan program goals.

SECTION III. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED THIS 25TH DAY OF JULY, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

Approved as to form:

Paige Mims, CITY ATTORNEY



**2016-2017 City of Plano
Proposed Action Plan**

**Prepared for
United States Department of
Housing and Urban Development**



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City Summary

The City of Plano 2016-17 Action Plan details the evaluation of resources and activities that will utilize Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds received from the U.S. Department of Housing and Urban Development (HUD) starting October 1, 2016. Priorities for funding are established through the 2015-2019 City of Plano Consolidated Plan and the proposed activities were recommended through the Community Relations Commission’s annual grant hearing and public participation process. This Action Plan serves as year two of the five year Consolidated Plan.

The City of Plano anticipates receiving from HUD, \$1,180,560 in CDBG funds and \$388,585 in HOME funds. The City also anticipates receiving \$120,000 in CDBG program income and \$6,750 in HOME program income during the period of October 1, 2016 to September 30, 2017. All federal funds must be used to meet one or more of the following HUD objectives:

- Create suitable living environments,
- Provide decent housing, and
- Expand economic opportunities for citizens of Plano.

The programs must also be aligned with the overall vision and policies from the City’s Plano Tomorrow Comprehensive Plan by implementing and partnering with organizations for programs that improve the City’s built and social environments.

For the City’s 2016-17 Action Plan, the following activities are proposed to meet HUD and City objectives:

Activity Name	Outcome	Grant/Amount
Grant Administration Planning, coordination, and monitoring of the CDBG and HOME programs as well as fair housing promotion, services, and technical assistance.	Not applicable	CDBG: \$236,612 HOME: \$38,653
City of Plano Housing Rehabilitation Provides low-interest rehabilitation and reconstruction loans; emergency repair grants; and, acquisition, rehabilitation, and resale of single family homes to low and moderate income homebuyers.	31 Households	CDBG: \$700,696 CDBG Program Income: \$120,000 HOME: \$119,932 HOME Program Income: \$6,750
Habitat for Humanity of South Collin County Purchases and develops residential lots for new construction of affordable housing units for sale to low and moderate income households.	Two Households	HOME: \$60,000
Christ United Methodist Church Supports their program, House on the Corner, to construct a single family home for sale to low and moderate income.	One household	HOME: \$50,000

Activity Name	Outcome	Grant/Amount
Plano Housing Corporation Provides funds for Community Housing Development Organization (CHDO) operating and construction activities to develop housing for low and moderate income households.	Two households	HOME: \$120,000
City of Plano First Time Homebuyer Provides down payment and closing cost assistance to low and moderate income families purchasing homes in Plano. Assistance amount is based on the buyer's level of income and requires completion of homeownership counseling.	Six Households	CDBG: \$45,996
Homelessness Prevention Provides short term rent, mortgage, or utility assistance to low income Plano families at immediate risk of homelessness.	105 Persons	CDBG: \$102,000
Samaritan Inn Provides transitional shelter and support services to homeless Plano residents.	39 Persons	CDBG: \$60,256
Boys & Girls Club of Collin County Provides after-school and summer programs to help low-income Plano children enhance their academic success, nutrition, character, and leadership skills.	158 Persons	CDBG: \$35,000
TOTAL CDBG and HOME RECOMMENDED: \$1,695,895		

The attached Action Plan is in a format that utilizes a reporting and planning system required by HUD. Tables and information contained in the Action Plan are auto-populated with HUD data and information.

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Plano (City) annually receives entitlement grant funds from the U.S. Department of Housing and Urban Development (HUD) to serve low and moderate income persons. This Action Plan covers the period of October 1, 2016 through September 30, 2017, which is the second year of the City's five-year 2015-2019 Consolidated Plan (Con Plan). The Action Plan is submitted every year and lists the activities the City will pursue with federal funds to meet goals previously established in the five-year Con Plan. The grants included under this Action Plan are Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME).

The City of Plano anticipates receiving from HUD, \$1,180,560 in CDBG funds and \$388,585 in HOME funds. The City also anticipates receiving \$120,000 in CDBG program income and \$6,750 in HOME program income during the period of October 1, 2016 to September 30, 2017. All federal funds must be used to meet one or more of the following HUD objectives for citizens of Plano:

- Provide decent housing,
- Create suitable living environments, and
- Expand economic opportunities.

The Con Plan and Action Plan strategies and programs are aligned with the overall vision and policies from the City's Plano Tomorrow Comprehensive Plan through programs that improve the City's built and social environments.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The following is a summary of City objectives and outcomes for the 2016-2017 Action Plan.

Decent Housing

CDBG: Housing rehabilitation for 31 homes; homebuyer financial assistance and education for six households

HOME: Develop five new affordable units including Community Development Housing Organization (CHDO) operating and development activities

Suitable Living Environment

CDBG: Homelessness prevention for 105 persons; homeless supportive services and shelter for 39 persons; children and youth after school and summer programs for 158 persons

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Below is an evaluation of City performance using grant funds from HUD during 2014-15, the final year of the five-year 2010-14 Con Plan cycle. These results affected the outcomes and objectives of this Action Plan as follows:

- Continued funding for programs that preserve and expand affordable housing opportunities in the City;
- Increased funding for homelessness prevention; and,
- Sustain funding for public services particularly for special needs populations such as homeless persons, children and youth, seniors, and disabled persons.

The City met or exceeded its goals with the exception of first time homebuyer assistance and public services. The first time homebuyer goal was not met due to a highly competitive real estate market reducing the number of affordable housing purchase opportunities. Finally, while the goal for persons receiving public services through HUD-funded programs was not met; the City met or exceeded this goal by the use of City-funded programs under its own Buffington Community Services Grant.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

A formal Citizen Participation Plan (CPP) outlines how citizens provide their input on how federal funds are used for each annual Action Plan. The CPP is included as part of the City's current five-year Con Plan and available online at <http://www.plano.gov/660/Housing-Urban-Development-HUD-Grants>.

Citizens are able to provide their input at public meetings, public hearings and during the public comment period. The City provides notice to the public regarding the meetings and hearings through publication in the newspapers. In addition, all public meetings are also posted on the City website: <http://www.plano.gov>. The following is a listing of public hearings, meetings, and notices of comment periods that give citizens the opportunity to have input on the 2016-17 Action Plan:

- Public meetings: April 7, April 14, April 19, April 28, and May 5
- Public hearings: May 19 and July 25

- Notice of public hearings and comment periods: May 15 and June 26

All notices were published in the main section of Plano Star Courier and included a listing of all projects and programs to be funded. The Action Plan was also made available for review on the City of Plano Neighborhood Services website at <http://www.plano.gov/660/Housing-Urban-Development-HUD-Grants>.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

To date, no public comments have been received. All comments, if any, will be discussed here and included in the final submission of the Action Plan to HUD.

6. Summary of comments or views not accepted and the reasons for not accepting them

To date, no public comments have been received. All comments, if any, will be discussed here and included in the final submission of the Action Plan to HUD.

7. Summary

This second program year Action Plan includes projects with objectives and outcomes that address priority needs and help meet goals set by the current five-year Con Plan. For more details about the Con Plan, please visit the City's Neighborhood Services website at <http://www.plano.gov/660/Housing-Urban-Development-HUD-Grants>. Priority needs in the Con Plan significantly outpace the amount of HUD funding received by the City so not all needs can be addressed. The City helps offsets some of this gap with its own funds for public services through the Buffington Community Services Grant (BCSG).

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	PLANO	Neighborhood Services
HOME Administrator	PLANO	Neighborhood Services

Table 1 – Responsible Agencies

Narrative (optional)

The City, a HUD entitlement grantee, is required by HUD to prepare a Consolidated Plan and Annual Action Plan that meets HUD regulations in order to receive grant program funds. The lead agency responsible for overseeing the development of these plans and reports is the City's Neighborhood Services Department. Neighborhood Services oversees the administration of the CDBG and HOME grants.

The Community Relations Commission (CRC) is a board of citizen volunteers who are appointed by City Council to make funding recommendations for the use of CDBG and HOME programs to the City Council.

Consolidated Plan Public Contact Information

City of Plano
Neighborhood Services Department
7501-A Independence Parkway
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AP-10 Consultation – 91.100, 91.200(b), 91.215(I)

1. Introduction

The City consults with multiple organizations and community representatives for preparation of the Action Plan for use of HUD grant funds. At least one public hearing during the development process before the Action Plan is published and at least one public hearing during the 30-day comment period to obtain citizen's views and to respond to comments and questions are conducted. Public hearings are held in conjunction with Community Relations Commission and City Council meetings.

A wide variety of social service and affordable housing non-profits and neighboring local governments were invited to comment on the Action Plan and grant process. The City's active involvement with the Plano Housing Authority, Collin County Social Services Association, Collin County Homeless Coalition, Metro Dallas Homeless Alliance (local Continuum of Care), and regional fair housing symposiums enhances coordination within Plano and the region.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))

In preparing the Action Plan, the City consulted with and collected information from other departments and outside agencies that have responsibility for administering programs covered by or affected by the Action Plan. Some of the key providers and agencies include:

- Plano Housing Authority (PHA)
- Collin County Homeless Coalition (CCHC)

Local service agencies were invited to participate in the grant process with services focusing on homelessness, health and elderly, children and youth, persons with disabilities, and affordable housing. Informal consultation with the social service agencies, housing developers, and other City Departments also happened throughout the development of the Action Plan and contributed to the selection of the Action Plan activities.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The City coordinates with the local Continuum of Care (COC) through regular attendance, membership, and coordination with both the COC and Collin County Homeless Coalition (CCHC). The City plans and

executes its own annual Point In Time Count and coordinates with the COC and CCHC in finalizing results and utilizing data for planning of homeless services. Services include case management to address individual needs; shelter services; and homeless prevention assistance. Homeless prevention activities in the City include a variety of agency partnerships to address housing, education, employment, health, and other human service needs. In addition, alternative sources of homeless prevention information can be obtained through the state sponsored 211 system and Collin County Cares, a 24-hour Community Information and Referral Service that provides an online list of Plano community social service providers.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

Although the City does not receive an allocation of Emergency Solutions Grant funding, the City coordinates with the local COC through regular attendance, membership, and participation in various committees within the COC and Collin County Homeless Coalition (CCHC). The City plans and executes its own annual Point In Time Count and coordinates with the COC and CCHC in finalizing results and utilizing data for planning of homeless services.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	PLANO HOUSING AUTHORITY
	Agency/Group/Organization Type	Housing PHA
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Met individually and received data and planning documents. City will continue to act as responsible entity for environmental reviews and both partners will seek partnerships to increase affordable housing opportunities in the city.
2	Agency/Group/Organization	Collin County Homeless Coalition
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Services - Victims Regional organization Planning organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Ongoing membership, attendance, and coordination of services
3	Agency/Group/Organization	Metro Dallas Homeless Alliance
	Agency/Group/Organization Type	Services-homeless Regional organization
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Ongoing membership, attendance, and coordination of services

Identify any Agency Types not consulted and provide rationale for not consulting

The City made every effort to consult all agency types and did not specifically exclude any particular agency or agency type.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Metro Dallas Homeless Alliance	The Strategic Plan incorporates strategies and efforts implemented by the COC
City of Plano Tomorrow Comprehensive Plan	City of Plano Planning Department	The Strategic Plan contributes to the Comprehensive Plan goals for Plano as a livable, organized, and changing City

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

This section is optional and was left blank intentionally.

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The City Plano encourages its citizens to provide input in the Action Plan process. Through its adopted Citizen Participation Plan (CPP), the City sets forth policies and procedures for citizens and groups to provide the City with information on housing and community development needs as part of the preparation of the Action Plan. Accordingly, two public input meetings were advertised in local newspapers and held in the city. As required by the CPP, the City conducted at least one public hearing during development of the Action Plan and at least one during the public comment period for the Action Plan. Comments received through the public comment period will be considered and included in the submission of the Action Plan to HUD.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	Non-targeted/broad community	Public meetings on April 7, April 14, April 19, April 28, and May 5. Representatives from 30+ social service agencies attended.	Each agency presented information regarding their grant application.	All comments were considered.	https://www.plano.gov/658/2016-Consolidated-Grant-Process
2	Public Hearing	Non-targeted/broad community	Public hearings held on May 19 and July 25.	No comments received to date.	No comments received to date.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Newspaper Ad	Non-targeted/broad community	Newspaper ads in Plano Star Courier main section on May 15 and June 26.	No comments received to date.	No comments received to date.	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c) (1, 2)

Introduction

The City of Plano is a Metropolitan Entitlement City and receives two grants from the U.S. Department of Housing and Urban Development (HUD):

- Community Development Block Grant (CDBG); and
- Home Investment Partnerships Program (HOME).

Through the use of federal, state, and local funds the City plans to carry out the objectives set forth in this Action Plan. The City works in partnership with public institutions, private and nonprofit partners to implement activities and projects that require multiple funding sources. The Neighborhood Services Department of the City of Plano works with other City departments to develop coordinated plans, and to leverage resources for parks, infrastructure, code enforcement, clearance of substandard structures, economic development, housing development, and other projects in targeted neighborhoods. Coordination with and support from adjacent HUD entitlement grantees is also sought when appropriate.

Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	1,180,560	120,000	0	1,300,560	4,929,208	Expected amount assumes 1% reductions each year.
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	388,585	6,750	0	395,335	1,335,064	Expected amount assumes 2% reductions each year.
Other	public - local	Public Services	547,800	0	0	547,800	1,373,583	Expected amount assumes \$1 per Plano resident and 2% population growth

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

In recent years, the City has made greater efforts to leverage private investment for affordable housing activities. It has promoted HOME funded partnerships and housing tax credit developers to produce and/or preserve an increased number of affordable housing units.

In the face of extensive needs and limited resources, the City's funding strategy is to focus its efforts in activities that offer the greatest potential for maximizing benefits from investments.

Matching requirements will be satisfied as follows:

Cities are required to make match contributions under the HOME Program. The contributions must be at least 25 percent of the HOME expenditure, unless the jurisdiction has received a reduction in the match requirement. HOME match requirements will be met with non-federal cash contributions to projects by the developer issuance of below market interest rate mortgages and other mechanisms to assist in the development of affordable housing units.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City does not retain public land for development.

Discussion

This section is optional and was left blank intentionally.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Housing Rehabilitation	2015	2019	Affordable Housing		Housing Rehabilitation	CDBG: \$820,696 HOME: \$126,682	Homeowner Housing Rehabilitated: 31 Household Housing Unit
2	Supply of Units	2015	2019	Affordable Housing		Housing Supply	HOME: \$230,000	Homeowner Housing Added: 5 Household Housing Unit
3	Homeownership	2015	2019	Affordable Housing		Homebuyer Assistance	CDBG: \$45,996	Direct Financial Assistance to Homebuyers: 6 Households Assisted
4	Homeless Prevention	2015	2019	Homeless		Homeless Prevention	CDBG: \$102,000	Homelessness Prevention: 105 Persons Assisted
5	Homeless Shelter and Services	2015	2019	Homeless		Homeless Shelter	CDBG: \$60,256	Public service activities other than Low/Moderate Income Housing Benefit: 39 Persons Assisted Homeless Person Overnight Shelter: 39 Persons Assisted
6	Public Services - Special Needs	2015	2019	Homeless Non-Homeless Special Needs		Public Services - Special Needs	CDBG: \$35,000	Public service activities other than Low/Moderate Income Housing Benefit: 158 Persons Assisted

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Housing Rehabilitation
	Goal Description	Strategy 1: Rehabilitate, retain, preserve, and improve the affordable housing stock for low and moderate income non-homeless population Goal 1: Sustain the quality of homeowner units through rehabilitation and repair.
2	Goal Name	Supply of Units
	Goal Description	Strategy 2: Increase the availability of affordable permanent housing in standard condition to low and moderate income families Goal 1: Increase supply of affordable housing units through rehabilitation, reconstruction, and/or new construction
3	Goal Name	Homeownership
	Goal Description	Strategy 2: Increase the availability of affordable permanent housing in standard condition to low and moderate income families Goal 2: Increase affordability of homeownership by providing homebuyer financial counseling and education and direct financial assistance for closing costs and down payment
4	Goal Name	Homeless Prevention
	Goal Description	Strategy 1: Meet the needs of homeless persons (including help obtaining affordable housing) and assist persons at risk of becoming homeless Goal 1: Provide direct assistance for rent and utilities for persons at risk of homelessness to maintain housing and address immediate crises and retain self-sufficiency
5	Goal Name	Homeless Shelter and Services
	Goal Description	Strategy 1: Increase access to quality homeless shelter and supportive services Goal 1: Provide for homeless shelter projects in Collin County with supportive services and shelter space set aside for homeless persons from Plano

6	Goal Name	Public Services - Special Needs
	Goal Description	Strategy 2: Meet the public service needs of low and moderate income residents Goal 1: Provide public services with an emphasis upon children, youth, homeless, and special needs populations including elderly, mentally ill, persons with disabilities, and victims of domestic violence

Table 7 – Goal Descriptions

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):

The City will provide affordable housing to approximately 147 extremely low-income, low-income, and moderate-income families and persons including rental housing and homeownership.

HOME funds will be used primarily to address affordability needs of low/moderate income homebuyers through homeownership assistance and counseling and single family housing development. Investment of HOME funds will also be leveraged to foster partnerships that increase investment of non-federal funds in the production of affordable housing.

AP-35 Projects – 91.220(d)

Introduction

The City will undertake activities that will address priority needs and objectives established and adopted by City Council. This will include a summary of proposed activities including local objectives and priority needs, and proposed accomplishments.

#	Project Name
1	16-17 Grant Administration
2	16-17 City of Plano Housing Rehabilitation
3	16-17 City of Plano First Time Homebuyer Assistance and Education
4	16-17 Homelessness Prevention
5	16-17 Christ United Methodist Church
6	16-17 Habitat for Humanity of South Collin County
7	16-17 Plano Housing Corporation
8	16-17 Samaritan Inn
9	16-17 Boys & Girls Club of Collin County

Table 8 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Results of Con Plan citizen input strongly supported housing stock rehabilitation and homeownership, as well as social and supportive services for low to moderate income individuals and families.

The City has maintained as priorities encouraging new homeownership and preserving existing homeownership. Therefore, funds are invested in the Housing Rehabilitation and First Time Homebuyer programs. The City also strives to both preserve and create opportunities for neighborhood enhancement through its Great Update Rebate and Love Where You Live programs. Additionally, the City seeks opportunities to partner with non-profit organizations that serve special needs and very low income families through public service contracts that assist the homeless and special needs populations. The City also promotes affordable housing by providing resolutions of support for housing tax credit developments.

The City has identified the following obstacles to meeting underserved needs.

1. Obstacle - Limited Funding

The primary obstacle to meeting underserved needs is limited federal and local funding. The needs of the community are greater than the available local and federal funds.

2. Obstacle - Local Market

Limited availability of developable land at affordable prices as well as increasing demand for housing within Plano, along with limited funding, significantly affects opportunities for increasing supply of affordable units.

AP-38 Projects Summary

Project Summary Information

Table 9 – Project Summary

1	Project Name	16-17 Grant Administration
	Target Area	
	Goals Supported	Housing Rehabilitation Supply of Units Homeownership Homeless Prevention Homeless Shelter and Services Public Services - Special Needs
	Needs Addressed	Housing Rehabilitation Housing Supply Homebuyer Assistance Homeless Prevention Homeless Shelter Public Services - Special Needs
	Funding	CDBG: \$236,612 HOME: \$38,653
	Description	Funds will be used to cover the cost of planning, administering, operating and monitoring the CDBG and HOME programs to ensure compliance with HUD and City policies and regulations.
	Target Date	9/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	Not applicable
	Location Description	
	Planned Activities	Funds will be used to pay for salaries and fringe benefits, insurance, supplies and associated costs to administer and oversee the CDBG and HOME programs. The primary activity location is 7501-A Independence Parkway, Plano, TX 75025.
2	Project Name	16-17 City of Plano Housing Rehabilitation
	Target Area	

	Goals Supported	Housing Rehabilitation
	Needs Addressed	Housing Rehabilitation
	Funding	CDBG: \$820,696 HOME: \$126,682
	Description	City of Plano Housing Rehabilitation
	Target Date	9/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	31 low-moderate income households
	Location Description	
	Planned Activities	This program provides low-interest rehabilitation and reconstruction loans to low to moderate income renter and owner-occupied households. Terms of loans are based on need and ability to repay. The program also provides for emergency repair grants and acquisition, rehabilitation, and resale of single family homes to low and moderate-income homebuyers. The program is administered at 7501-A Independence Parkway, Plano, Texas 75025 and activity locations are city-wide.
3	Project Name	16-17 City of Plano First Time Homebuyer Assistance and Education
	Target Area	
	Goals Supported	Homeownership
	Needs Addressed	Homebuyer Assistance
	Funding	CDBG: \$45,996
	Description	City of Plano First Time Homebuyer
	Target Date	9/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	6 low and moderate income families
	Location Description	

	Planned Activities	Through deferred payment loans, this program provides down payment and closing cost assistance to low to moderate income families purchasing homes in Plano. The program offers up to \$10,000 based on the buyer's level of income. An eight hour educational class is mandatory for program eligibility. The program is administered at 7501-A Independence Parkway, Plano, Texas 75025.
4	Project Name	16-17 Homelessness Prevention
	Target Area	
	Goals Supported	Homeless Prevention
	Needs Addressed	Homeless Prevention
	Funding	CDBG: \$102,000
	Description	City of Plano Homelessness Prevention Program
	Target Date	9/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	105 very low income persons
	Location Description	
	Planned Activities	This program will provide rent or mortgage payments and utility assistance for lower income families in Plano who are at immediate risk of homelessness. The activity is located at and administered by the Assistance Center of Collin County located at 900 18th Street, Plano, TX 75074.
5	Project Name	16-17 Christ United Methodist Church
	Target Area	
	Goals Supported	Supply of Units
	Needs Addressed	Housing Supply
	Funding	HOME: \$50,000
	Description	Christ United Methodist Church
	Target Date	9/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	One low and moderate income household

	Location Description	
	Planned Activities	Funding will support the program, House on the Corner, in constructing an affordable house for an eligible homebuyer. The program is administered at 3101 Coit Road, Plano, TX 75075 and the activity is city-wide.
6	Project Name	16-17 Habitat for Humanity of South Collin County
	Target Area	
	Goals Supported	Supply of Units
	Needs Addressed	Housing Supply
	Funding	HOME: \$60,000
	Description	Habitat for Humanity of South Collin County
	Target Date	9/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	Two low and moderate income households
	Location Description	
	Planned Activities	This activity will provide funding to purchase and develop residential lots for the purpose of construction of housing affordable to low and moderate income households. The program is administered at 1400 Summit Avenue, Suite D4, Plano, TX 75074 and activity locations are city-wide.
7	Project Name	16-17 Plano Housing Corporation
	Target Area	
	Goals Supported	Supply of Units
	Needs Addressed	Housing Supply
	Funding	HOME: \$120,000
	Description	Plano Housing Corporation
	Target Date	9/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	Two low and moderate income households
	Location Description	

	Planned Activities	HOME CHDO funds will be used for operating expenses and construction costs (hard and soft costs) to develop two housing units for sale to a low and moderate income household. The activity is administered at 1740 G Avenue, Plano, TX 75074.
8	Project Name	16-17 Samaritan Inn
	Target Area	
	Goals Supported	Homeless Shelter and Services Public Services - Special Needs
	Needs Addressed	Homeless Shelter Public Services - Special Needs
	Funding	CDBG: \$60,256
	Description	Samaritan Inn
	Target Date	9/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	39 homeless persons
	Location Description	
	Planned Activities	This program will provide transitional shelter and support services to homeless Plano residents. The program is located at 1725 North McDonald Street, McKinney, TX 75071.
9	Project Name	16-17 Boys & Girls Club of Collin County
	Target Area	
	Goals Supported	Public Services - Special Needs
	Needs Addressed	Public Services - Special Needs
	Funding	CDBG: \$35,000
	Description	Boys & Girls Club of Collin County
	Target Date	9/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	158 low and moderate income children and youths
	Location Description	

Planned Activities	This program will provide after-school and summer programs to help low-income Plano children enhance their academic success, nutrition, character, and leadership. The activity location is at the Douglass Community Center, 1111 H Avenue, Plano, TX 75074.
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AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Due to the eligibility criteria for the HUD grant programs (CDBG and HOME) and their focus on low and moderate income populations, most funds are likely to be expended in areas such as southeast Plano, that have higher concentrations of low and moderate income residents. However, some funds will be expended in all areas of the city, as low income residents reside in all areas.

The Housing Rehabilitation and First Time Homebuyer programs--the City primary housing programs--are available city-wide. The City social services and homeless programs also tend to focus on the southeast portion of the City, although eligible beneficiaries may come from all areas of Plano.

Locations of new rental housing development are dependent upon available land, so they may occur throughout the city. However, efforts are made to place new rental housing development close to transportation and employment centers whenever feasible.

Because homebuyers assisted with federal funds through the City are free to choose their own neighborhood, the locations for the First Time Homebuyer housing units may be scattered throughout all areas of the City.

Geographic Distribution

Target Area	Percentage of Funds
n/a	n/a

Table 10 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The City of Plano does not propose allocating investments geographically.

Discussion

This section is optional and was left blank intentionally.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The City’s housing priorities are: 1) increasing the supply of quality affordable housing; 2) improving existing affordable housing stock, and 3) expanding homeownership opportunities. For the 2016-17 Program year, these priorities will be addressed through the following activities in the following numbers: acquisition assistance for 6 homebuyers, homeless prevention assistance to 105 persons (approximately 40 households), new construction of five new single-family units, and housing rehabilitations for 31 low and moderate income residents.

The Plano Housing Authority (Plano Housing Authority) has been the City's primary partner in addressing rental housing needs of the very low income segment of the City’s population.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	82
Special-Needs	0
Total	82

Table 11 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	40
The Production of New Units	5
Rehab of Existing Units	31
Acquisition of Existing Units	6
Total	82

Table 12 - One Year Goals for Affordable Housing by Support Type

Discussion

The City is able to assist city-wide low and moderate income homeowners city-wide with rehabilitation by emphasizing the highest priority repair needs in its use of HUD grant funds for this purpose. Therefore, the City's Housing Rehabilitation program also provides for emergency repair for homeowners that affect health and safety needs, such as water and sewer failures, electrical and heating system failures, and urgent roof repair needs. Also, use of City general funds for the City's Great Update Rebate and Love Where You Live programs will help homeowners maintain their homes and revitalize aging neighborhoods.

It is anticipated that the City will support the production of new rental units by providing resolutions of support for housing tax credit developments to be constructed within the City.

AP-60 Public Housing – 91.220(h)

Introduction

The Housing Authority of the City of Plano (PHA) is the local public housing agency. According to PHA's most recent Annual Report, the PHA managed 24 public housing units and it assisted 2,472 low to moderate income individuals. Currently, PHA administers 1,092 Housing Choice Vouchers.

PHA owns and administers 24 single family housing units scattered throughout the City. They were built between 1962 and 1981.

Actions planned during the next year to address the needs to public housing

- Continue to provide certifications of consistency with the Consolidated Plan and serve as the PHA's responsible entity for environmental review certifications.
- Support PHA's efforts to obtain funds for renovation and improvements.
- Provide information to PHA regarding the Consolidated Plan and its activities and encourage the PHA to share information.
- Help address the needs of public housing and needs of its residents by offering housing counseling or homeownership training to tenants and Housing Choice Voucher renters.
- Ensure adequate public safety personnel are assigned to their localities.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

- Provide down payment assistance for eligible first time homebuyers
- Encourage participation in the various self-sufficiency programs
- Expand and promote homeownership opportunities for participants in the public housing and voucher program
- Fund case management, information and referral services to low-income and poverty-level families through various nonprofit organizations
- Support employment and training programs to improve the academic, basic, and technical skills of low income persons so that they can find jobs or improve their earning capacity, such as the various programs
- Provide housing counseling

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

PHA is not designated as troubled; therefore, this section does not apply.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

Comparing the 2016 and 2015 Point-in-Time (PIT) counts for the Plano/Collin County area reveals that the overall homeless increased by 36%. Low to moderate income special needs populations and families with children are particularly vulnerable to homelessness.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City of Plano reaches out to people who are homeless and assesses their individual needs through three primary methods: 1) participation in and support for the Collin County Homeless Coalition and Dallas Continuum of Care, and 2) funding of key supportive and homelessness prevention services through CDBG public services. Participation and support for the Continuum of Care includes assisting with the Point in Time Counts. Funding of supportive and preventive initiatives includes CDBG allocations for homeless services such as the Samaritan Inn. The Assistance Center of Collin County serves as a central resource for service referrals as well as the City's partner in administering the homelessness prevention program.

The City in collaboration with the Collin County Homeless Coalition and Dallas Continuum of Care will continue striving to reach out to and assess the needs of homeless persons within the City.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City addresses the emergency shelter and transitional housing needs of people who are homeless through sustained funding that maintains existing emergency shelters and services, and by the allocation of CDBG and City funds to local entities which leverage further resources for emergency shelter and transitional housing. Present efforts include allocating funds for the Samaritan Inn, Hope's Door, Emily's Place, Texas Muslim Women's Foundation, City House, and Assistance Center of Collin County.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Collaboration with service providers ensures that families seeking shelter or housing have appropriate referrals available to them and that those families are not denied admission to housing opportunities or separated when entering emergency and transitional shelter programs. It is the City's goal to prevent households from becoming homeless while maintaining available emergency and transitional housing resources for homeless Plano residents.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Homeless prevention initiatives are centered on short and long term initiatives. Cash benefits for eligible families assist them in avoiding eviction and retaining their housing. The long term strategy, on the other hand, is to facilitate employment and increase support networks as a means to preventing homelessness or return to homelessness. By preventing homelessness and supporting homeless services and outreach efforts, the City aims to identify and target those individuals and families who would otherwise become homeless without timely assistance. Supportive services and housing assistance for the special needs population are particularly important because of their vulnerability to homelessness.

Discussion

Based on the results of the Collin County Homeless Coalition 2016 Point in Time Count, there was a 36% increase in the overall homeless population since 2015. Preventing homelessness particularly among households with children remains a priority for the City. The City supports Collin County and the Dallas Continuum of Care’s efforts by providing supportive and transitional shelter services for Plano’s homeless population.

One year goals for the number of households to be provided housing through the use of HOPWA for:	
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family	n/a
Tenant-based rental assistance	n/a
Units provided in housing facilities (transitional or permanent) that are being developed, leased, or operated	n/a
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds	n/a
Total	n/a

AP-75 Barriers to affordable housing – 91.220(j)

Introduction

In 2015, the City underwent an Analysis of Impediments to Fair Housing Choice (AI). The AI reviewed property tax policies, land use controls, zoning ordinances, building codes requirements, impact and other fees, public housing, environmental requirements, public transportation, and other factors in order to determine any barriers to affordable housing. A review of the federal regulations and City programs did not reveal any City ordinances, policies, or procedures that would discourage the development of affordable housing. There were no public policies that limit or affect the return on residential investments.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

In order to continue to address and eliminate any potential barriers to affordable housing, the City has identified the following areas where the City could take action to minimize barriers to affordable housing over the next five years:

1. Develop partnerships to build and increase the number of affordable units;
2. Support and coordinate with developers for housing tax credit project applications proposed in Plano;
3. Provide homebuyer education;
4. Provide down payment assistance and closing cost assistance;
5. Maintain existing City-funded programs such as Great Update Rebate and Love Where You Live programs to assist homeowners to improve their homes and neighborhoods; and,
6. Make efforts to coordinate with local and regional transportation planning strategies to ensure, to the extent practical, that affordable housing owners and tenants have access to public transportation.

Discussion

The City remains committed to preserving and maintaining the existing stock of affordable housing, as well as increasing the number of new affordable housing units. The City regularly seeks to expand its capacity and partnership opportunities to provide affordable housing activities and will continue to seek out and support efforts that will accomplish this goal.

AP-85 Other Actions – 91.220(k)

Introduction

This section will describes the City's plans for the 2016 programs to address obstacles to meeting underserved needs, foster and maintain affordable housing, evaluate and reduce lead-based paint hazards, reduce the number of poverty-level families, develop institutional structure, and enhance coordination between public and private housing and social service agencies.

Actions planned to address obstacles to meeting underserved needs

The City has identified the following obstacles to meeting underserved needs:

1. Obstacle - Limited Funding

The primary obstacle to meeting underserved needs is limited federal and local funding. The needs of the community are greater than the available local and federal funds. The City will utilize general funds for programs such as Great Update Rebate and Love Where You Live to assist Plano residents that are low and moderate income in maintaining their homes and neighborhoods. The City has also proposed the formation of a Housing Policy Task Force to further determine need, recommend new policies and programs, and implement local solutions to meet the housing needs within the City.

2. Obstacle – Local Market

Limited availability of developable land at affordable prices as well as increasing demand for housing within Plano, along with limited funding, significantly affects opportunities for increasing supply of affordable units. The City will seek to assist developers that propose housing tax credit projects in Plano by providing resolutions of support to obtain funds through the Texas Department of Housing and Community of Affairs. The City has also proposed the formation of a Housing Policy Task Force to further determine need, recommend new policies and programs, and implement local solutions to meet the housing needs within the City.

Actions planned to foster and maintain affordable housing

The City plans to foster and maintain affordable housing for Plano residents by funding activities for homebuyer assistance and housing rehabilitation. The First Time Homebuyer Program makes the home more affordable to low and moderate income residents by assisting with down payment and closing expense. The purpose of Housing Rehabilitation program is to assist low-income property owners with repairs to meet their needs for safe and decent housing. Rehabilitation is intended to enhance, improve, and preserve neighborhoods. The City will continue to facilitate multi-family and mixed-use development projects. The City conducts a consolidated notice of availability of funding annually for the development and rehabilitation of affordable housing.

The City has also proposed the formation of a Housing Policy Task Force to further determine need, recommend new policies and programs, and implement local solutions to meet the housing needs within the City.

Actions planned to reduce lead-based paint hazards

City of Plano Community Services Division staff attends trainings, receives lead-based paint certifications and is currently in compliance with these regulations. Lead-based paint hazards are addressed through the CDBG rehabilitation and repair program and the HOME program. As homes enter these programs, they are evaluated for lead paint and, when necessary, such hazards are reduced, as required.

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.

Actions planned to reduce the number of poverty-level families

The City of Plano's anti-poverty strategy will assist in reducing the number of poverty level families by increasing access to the following services and programs:

- Programs supporting and encouraging community and neighborhood maintenance and improvements such as Habitat for Humanity of South Collin County, City of Plano Housing Rehabilitation, Great Update Rebate Program, and Love Where You Live.
- Self-sufficiency programs which combine housing assistance and supportive services such as Homelessness Prevention through the Assistance Center of Collin County, Samaritan Inn Transitional Shelter, and Texas Muslim Women's Foundation.
- Case management and information and referral services to special needs, low/moderate income, and below poverty level families through various nonprofit organizations.
- Employment and training programs to improve the academic, basic, and technical skills of low/moderate income persons to aid in obtaining or improving their earning capacity
- Supplementary and emergency assistance, rental assistance, child care, health, transportation, utility assistance, financial assistance and educational assistance to low/moderate income families, particularly those with special needs. Nonprofit organizations in the community provide these various forms of assistance.

Actions planned to develop institutional structure

It has been and remains a priority for the City to develop and enhance an effective and efficient program delivery system for the use of federal funds. The City continues to monitor, assess, and seek ways to

further improve its performance. Solid relationships have been built with public institutions, private and nonprofit partners, to implement activities and projects that require multiple funding sources. Through ongoing meetings and periodic technical assistance provided by the City, all partners are encouraged to share their thoughts on how the delivery system and programs could be made better.

The City has also proposed the formation of a Housing Policy Task Force to further determine need, recommend new policies and programs, and implement local solutions to meet the housing needs within the City.

Actions planned to enhance coordination between public and private housing and social service agencies

To enhance coordination between public and private housing and social service agencies, the City works closely with approximately 30 subrecipient agencies including those listed in the proposed projects summary, as well as agencies funded by the City funded Buffington Community Services Grant. City staff also provides support and information to the Community Relations Council, a group appointed by City Council to make funding recommendations for the provision of social services and quality, affordable, and accessible housing.

Discussion

This section is optional and was left blank intentionally.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction

This section will describe activities planned with respect to all CDBG funds expected to be available during the program year (including program income that will have been received before the start of the next program year).

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	0.00%

**HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220(l)(2)**

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The City does not and will not engage in any form of investment using HOME funds that is not described in 24 CFR 92.205 (b).

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

To ensure affordability, the City of Plano will impose recapture requirements on homeownership projects receiving subsidy that do not continue to reside in the residence for the entire affordability term.

Homebuyer HOME assistance will be provided as a deferred payment loan, amortizing annually over the course of the minimum period of affordability. If the homeowner sells the property at any time prior to the end of the affordability period, he/she will be expected to pay the full unamortized amount due at the time of sale. If, however, the net proceeds of the sale, less the amount of homeowner investment (defined as down payment and documented capital improvements), is less than the unamortized amount remaining, the City will share the net proceeds with the homeowner.

The net proceeds will be divided proportionally according to the following mathematical formulas:

$(\text{HOME Subsidy} / \text{HOME investment} + \text{Homeowner Investment}) \times \text{Net Proceeds} = \text{HOME amount recaptured by P.J.}$

$(\text{Homeowner Investment} / \text{HOME subsidy} + \text{Homeowner Investment}) \times \text{Net proceeds} = \text{Amount to Homeowner}$

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

Developers for projects utilizing City of Plano HOME funds will sign a Subordinate Deed of Trust and Promissory Note. The following will trigger repayment of the amount of HOME funds:

- Discovery that the developer knowingly falsified an application and was actually ineligible for assistance; or,
- Developer fails to meet HOME requirements or regulations; or,
- Sale of the property prior to an ineligible homebuyer.

The City will recapture the entire amount of HOME funds in the project.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

The City does not use HOME funds to refinance existing debt; therefore, this section is not applicable. Furthermore, the City does not intend to use HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds. The City does not have programs that allow the use HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds.

Discussion

This section is optional and was left blank intentionally.



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		July 25, 2016		
Department:		Neighborhood Services		
Department Head		Lori Feild Schwarz		
Agenda Coordinator (include phone #): Doris Carter ext 8209				
CAPTION				
Consideration of a Resolution of the City of Plano, Texas, authorizing the filing of applications for U.S. Department of Housing and Urban Development funds in an amount not to exceed \$1,569,145 under the Housing and Community Development Act and the HOME Investment Partnerships Act; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances, acting in connection with said application and providing required information; and providing an effective date.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2016-17	Prior Year (CIP Only)	Current Year	Future Years
		TOTALS		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	1,569,145
BALANCE		0	0	1,569,145
FUND(S): CDBG & HOME GRANT FUND				
COMMENTS: This item will allow the City of Plano to file grant applications in the amount of \$1,569,145 to provide annual funding in the Community Development Block Grant and HOME Investment Partnerships Program projected to impact the 2016-17 fiscal year. STRATEGIC PLAN GOAL: Filing for Federal grant funds for CDBG and HOME Investment Partnerships programs relates to the City's goals of Great Neighborhoods – 1st Choice to Live, Financially Strong City with Service Excellence, and Partnering for Community Benefit.				
SUMMARY OF ITEM				
This resolution authorizes the City Manager to apply to HUD for Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Resolution				

A Resolution of the City of Plano, Texas, authorizing the filing of applications for U.S. Department of Housing and Urban Development funds in an amount not to exceed \$1,569,145 under the Housing and Community Development Act and the HOME Investment Partnerships Act; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances, acting in connection with said application and providing required information; and providing an effective date.

WHEREAS, the City of Plano is eligible to receive certain funds under the Housing and Community Development Act of 1974, as amended, in the amount of \$1,180,560 based on the 2016-2017 Community Development Block Grant budget for entitlement communities, as well as certain funds under the HOME Investment Partnerships Acts of 1990, as amended, in the amount of \$388,585 based on the 2016-2017 HOME Investment Partnerships Program grant budget for entitlement communities; and

WHEREAS, it is in the public interest of the citizens of the City of Plano that application be made for such funding; and

WHEREAS, the summary of activities to be funded by Community Development Block Grant and HOME Investment Partnerships Program has been adopted by the City of Plano as its 2016-2017 Action Plan.

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

SECTION I. The City Manager, or his authorized designee, is hereby authorized to file an application for funds under the Housing and Community Development Act of 1974, as amended, and the HOME Investment Partnerships Act of 1990, as amended, on behalf of the City of Plano, Texas, and to certify to all understandings and assurances required under said Acts including, but not limited to, OMB circulars A-95 and A-1020 and Federal Management Circular 74-4, the National Environmental Policy Act of 1969, Titles VI and VII of the Civil Rights Act of 1964 and 1968, respectively, Executive Orders 11063 and 11246, and such other assurances and understandings as may be required.

SECTION II. The City Manager is hereby designated as the Chief Executive Officer and authorized representative of the City of Plano, Texas, for the purpose of acting in connection with the application and providing such additional information as may be required.

SECTION III. This Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED THIS THE 25TH DAY OF JULY, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

Approved as to form:

Paige Mims, CITY ATTORNEY