

# CITY COUNCIL

1520 AVENUE K



DATE: 8/10/2015  
CALL TO ORDER: 7:00 p.m.  
INVOCATION: Nadim Bashir, Imam & Religious Director  
East Plano Islamic Center  
PLEDGE OF ALLEGIANCE: Girl Scout Junior & Cadette Troop 2580

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><b>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</b></p> <p><b><u>PROCLAMATIONS &amp; SPECIAL RECOGNITION</u></b></p> <p>PROCLAMATION: August is Play Ball Month honoring baseball and related activities.</p> <p>PROCLAMATION: September is National Blood Cancer Awareness Month, a time to increase awareness of the different types of blood cancers.</p> <p>PRESENTATION: Oath of Office and Introduction of Sam Greif, Sr. as the new City of Plano Fire Chief.</p> <p><b><u>CERTIFICATES OF APPRECIATION</u></b></p> <p><b><u>Senior Citizens Advisory Board</u></b></p> <p>Nancy Baumgarten</p> <p><b><u>COMMENTS OF PUBLIC INTEREST</u></b></p> <p><b><u>This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.</u></b></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><b><u>CONSENT AGENDA</u></b>  <b><u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></b></p> <p><b><u>Approval of Minutes</u></b></p> <p>(a) July 27, 2015 July 29, 2015</p> <p><b><u>Approval of Expenditures</u></b></p> <p><b>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</b></p> <p>(b) Bid No. 2015-341-B for the Access Improvements at Various Pump &amp; Lift Stations, Project No. 6378 for the Public Works Department to Axis Construction, LP in the amount of \$58,640; and authorizing the City Manager to execute all necessary documents.</p> <p><b>Purchase from an Existing Contract</b></p> <p>(c) To approve the purchase of two (2) Toro Workman HDX-D Utility Vehicles for Fleet Services to be utilized by the Parks and Recreation Department in the amount of \$57,397 from Professional Turf Products through an existing TASB/BuyBoard contract; and authorizing the City Manager to execute all necessary documents. (TASB/BuyBoard Contract No. 447-14)</p> <p>(d) To approve the purchase of one (1) Crane Carrier Refuse Truck Chassis in the amount of \$172,131 from Bond Equipment Company, Inc. and one (1) Heil Liberty 32-yard Automated Body in the amount of \$124,900 from Heil of Texas for a total amount of \$297,031 for Fleet Services to be utilized by the Environmental Waste Services Division through existing TASB/BuyBoard contracts; and authorizing the City Manager to execute all necessary documents. (TASB/BuyBoard Contract No. 425-13 and 430-13)</p> <p><b>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</b></p> <p>(e) To approve a Professional Services Agreement by and between the City of Plano and GME Consulting Services, Inc. in the amount of \$64,615 for the Intersection Improvements – Plano Parkway and Los Rios Boulevard project; and authorizing the City Manager to execute all necessary documents.</p> <p><b>Approval of Contract Modification</b></p> <p>(f) To approve and authorize Contract Modification No. 2 for professional landscape architectural services in the amount of \$7,500 from Adams Consulting Engineers, Inc. This modification will provide for design and engineering services for site improvements at the Douglass Community Center.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(g)	<p><b><u>Adoption of Resolutions</u></b></p> <p>To authorize the City of Plano to participate in and receive funding through the Texas Highway Traffic Safety Program for the Intersection Traffic Control Project, PIN 17560006409000, targeting intersections regulated by a signal light; authorizing the City Manager to execute the grant agreement and any other documents necessary to effectuate the action taken; and providing an effective date.</p>	
(h)	<p><b><u>Adoption of Ordinances</u></b></p> <p>To amend Item 5 of Section II of Ordinance No. 2014-10-22 to correct a clerical error; and providing a repealer clause, a savings clause, a severability clause, and an effective date.</p>	
	<p><b><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></b></p> <p><b><u>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</u></b></p> <p><b><u>Non-Public Hearing Items: The Presiding Officer may permit limited public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.</u></b></p>	
(1)	<p>Public Hearing on the FY 2015-16 Recommended Budget and the FY 2015-16 Proposed Community Investment Program (CIP).</p>	
(2)	<p>Consideration of a Resolution to accept the Certified Appraisal Rolls for Fiscal Year 2015-16 for Collin County and Denton County, and providing an effective date.</p>	
(3)	<p>A vote on a proposal to consider an increase in the total tax revenue.</p>	
(4)	<p>Discussion of the FY 2015-16 Proposed Community Investment Program.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(5)	Public Hearing and consideration of an Appeal of the Planning & Zoning Commission's denial of Zoning Case 2014-34 - Request to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive from Regional Employment to Planned Development-Regional Employment to allow for Single-Family Residence Attached with modified development standards. Zoned Regional Employment/State Highway 121 Overlay District. Applicant: Ronald McCutchin Family Partnership, LTD. Tabled July 27, 2015.	
(6)	Consideration of an Appeal of the Planning & Zoning Commission's denial of the Concept Plan for Sam Rayburn Plaza and Villages of Prairie Commons East - General office, 116 Patio Home lots, 70 Single-Family Residence Attached lots, and seven common area lots on 43.1± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive. Zoned Regional Employment/State Highway 121 Overlay District. Applicant: Ronald McCutchin Family Partnership, LTD. Tabled July 27, 2015.	
(7)	Public Hearing and consideration of an Ordinance as requested in Zoning Case 2015-19 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 3.2± acres of land from General Office to Retail and repealing in its entirety Ordinance No. 87-9-20, thereby rescinding Specific Use Permit No. 57 for the additional use of Restaurant on 0.1± acre; Ordinance No. 2002-12-5, thereby rescinding Specific Use Permit No. 484 for Veterinary Clinic on 0.1± acre; Ordinance No. 2008-1-23, thereby rescinding Specific Use Permit No. 592 for Kennel (Indoor Pens)/Commercial Pet Sitting on 0.1± acre; and Ordinance No. 2014-9-21, thereby rescinding Specific Use Permit No. 653 for Health/Fitness Center on 0.1± acre of land, located at the southeast corner of Park Boulevard and Los Rios Boulevard in the City of Plano, Collin County, Texas; 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: Park Boulevard Center LTD.	
(8)	<p>Consideration of a Resolution to declare Downtown Plano as an Arts District and adopt the "Downtown Arts, Culture and Events Plan" as a guide to its future development; 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

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		08/10/2015		
Department:		City Manager's Office		
Department Head		Bruce Glasscock		
Agenda Coordinator (include phone #): <b>Melinda White X7548, Cindy Pierce X5161</b>				
<b>CAPTION</b>				
PROCLAMATION: August is Play Ball Month honoring baseball and related activities.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
<b>FUND(S):</b>				
<b>COMMENTS:</b>				
<b>SUMMARY OF ITEM</b>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	



# CITY OF PLANO COUNCIL AGENDA ITEM

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PROCLAMATION: September is National Blood Cancer Awareness Month, a time to increase awareness of the different types of blood cancers.				
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FISCAL YEAR:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
<b>SUMMARY OF ITEM</b>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		8/10/2015		
Department:		City Manager's Office		
Department Head		Bruce Glasscock		
Agenda Coordinator (include phone #): <b>Melinda White X7548, Cindy Pierce X5161</b>				
<b>CAPTION</b>				
PRESENTATION: Oath of Office and Introduction of Sam Greif, Sr. as the new City of Plano Fire Chief				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
<b>FUND(S):</b>				
<b>COMMENTS:</b>				
<b>SUMMARY OF ITEM</b>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
July 27, 2015**

**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**

Bruce D. Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Jim Parrish, Deputy City Manager  
Paige Mims, City Attorney  
Lisa C. Henderson, City Secretary

Mayor LaRosiliere called the meeting to order at 5:00 p.m., Monday, July 27, 2015, in Training Room A of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor LaRosiliere then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated in order to consult with an attorney and receive Legal Advice, Section 551.071; to receive information regarding Economic Development, Section 551.087; Real Estate, Section 552.072 and Security, Section 551.076; 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 6:15 p.m. in the Senator Florence Shapiro Council Chambers.

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

No items were discussed.

## **Personnel – Reappointments**

### Civil Service Commission

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

### Retirement Security Plan Committee

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

## **Comprehensive Monthly Financial Report - June 2015**

Director of Finance Tacke advised that the June 2015 report finds General Fund revenues up .4 percent compared to last year while Water and Sewer revenues are up 3.3 percent. She stated that actual General Fund revenues are up \$16.7 million, primarily due to an increase in collection of ad valorem taxes of \$10.2 million and sales tax of \$4.1 million. She spoke to the improvement in sales tax is due to business to business sales. Ms. Tacke advised that General Fund expenditures are down slightly but tracking with last year's expenditures and Water and Sewer expenditures are down slightly. She reported actual General Fund expenditures are up due to personnel services, a 3 percent non-civil and civil service pay increase in the current year. She advised that the unemployment rate is at 3.6 percent and sales tax collections were down \$141,000 for the month which includes a positive audit adjustment of \$80,867. Ms. Tacke spoke to the real estate recap stating properties were on the market an average of 18 days, sold at 100 percent of asking price, and an average sales price of \$359,438. Ms. Tacke advised the Water and Sewer actual revenues were up by \$927,000 due to the less stringent water restrictions and the expenses were up due to a rate increase from North Texas Municipal Water District. She stated hotel/motel taxes were up by \$745,000 for the month. City Manager Glasscock updated Council on current and past water usage.

## **Police Departmental Report**

Police Chief Rushin provided an overview of the organizational structure of the department and its 602 employees and 205 volunteers. He discussed the CALEA accreditation and staffing benchmarks. Chief Rushin spoke to the performance measures of crime rate, traffic safety, timely service, and quality of service, and the departmental statistics for each category. He stated the department handled 99,743 calls in 2014 and the calls for service are up 8 percent year to date for 2015. Chief Rushin provided the 2014 enforcement statistics for arrests, citations, and warnings. He spoke to citizen programs including Citizens Handicap Parking Patrol (CAPP), Citizens Police Academy, Youth Police Academy, Law Enforcement Explorer Program, and several others.

### **Police Departmental Report (Cont'd.)**

Chief Rushin discussed the major projects for the department include a space study, Westside Assembly Point remodel, facilities for Legacy and Downtown officers, firing range roof, rugged tablets for patrol and traffic officers, digital evidence management, skywatch tower upgrades, and body cameras. He stated future challenges include community partnerships, urban growth, hiring and retention, response to organized crime, effective use of technology, open records demands, homelessness and mental health issues, facilities, and DNA processing.

### **Fire Departmental Report**

Interim Fire Chief Wade presented an overview of the department, its employees, facilities, service call statistics, and accreditation. He spoke to the recent accomplishments including a new fire station alerting system, Pulse Point CPR app, AHA Mission Lifeline award, and same day plan review and inspections. Chief Wade stated future challenges include increase of call volume, aging population, changes in development generating higher population density, and station locations. Council Member Downs spoke to the option of creating “micro-stations” for areas of high density. City Manager Glasscock stated the land availability for new stations is limited.

### **Public Safety Communications Departmental Report**

This item was presented during the regular meeting.

### **Consent and Regular Agendas**

City Manager Glasscock stated Council Member Harrison requested Consent Agenda Item “S” be pulled for individual consideration.

### **Council Items for Future Discussion**

No items were discussed.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:03 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST:

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Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL  
REGULAR SESSION  
July 27, 2015**

**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**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Jim Parrish, Deputy City Manager  
Paige Mims, City Attorney  
Lisa C. Henderson, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Monday, July 27, 2015, at 7:03 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Dr. Steve Vernon, Interim Pastor of First Baptist Church Plano led the invocation and Junior Girl Scout Troop 3460 from Harrington Elementary led the Pledge of Allegiance and Texas Pledge.

**COMMENTS OF PUBLIC INTEREST**

No one appeared to speak.

**CONSENT AGENDA**

City Manager Glasscock requested that Consent Agenda Item "S" be removed for individual consideration at the request of Council Member Harrison.

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

**Approval of Minutes**

June 27, 2015

(Consent Agenda Item "A")

## **Approval of Expenditures**

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

**RFP No. 2015-183-B** for a Compensation Study to be utilized by the Human Resources Department to Public Sector Personnel Consultants, Inc. for core services in the estimated amount of \$170,000 with additional options in the estimated amount of \$7,500, equaling an estimated total amount of \$177,500; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**Bid No. 2015-151-B** for Fire Station 9 Roof and Waterproofing Replacement to Tice Enterprises, Ltd. in the amount of \$99,950; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

**Bid No. 2015-285-B** for Intersection Improvements – Plano Parkway & Los Rios Boulevard Project No. 5988 to Tiseo Paving Co. in the amount of \$2,288,199; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

**Bid No. 2015-243-C** for a one (1) year contract with three (3) one-year City optional renewals for Preformed Thermoplastic Pavement Markings and Sealer for the Public Works Department to Flint Trading, Inc. in the estimated annual amount of \$114,697; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

**Bid No. 2015-322-B** for the Dublin Road Rehabilitation Project No. 6619 for Public Works to Advanced Paving Acquisition, LTD. in the amount of \$193,340; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

**Bid No. 2015-249-C** for a one (1) year contract for Water and Wastewater Pumping Facility Maintenance for the Public Works Department to Legacy Contracting, LP dba Control Specialist Services, LP in the estimated annual amount of \$450,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

**Bid No. 2015-325-P** for the Residential and Arterial Concrete Pavement Under-Sealing Contract with two (2) City optional renewals, Project 6612 for Public Works to Nortex Concrete Lift & Stabilization, Inc. in the amount of \$1,932,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

**Bid No. 2015-316-B** for a one (1) year contract for the purchase of Manhole Rings and Covers for Inventory Control & Asset Disposal (ICAD) to Texas Water Products, Inc. in the estimated annual amount of \$161,250; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

### **Purchase from an Existing Contract**

To approve the purchase of Audio Visual Equipment for the Oak Point Park Nature and Retreat Center in the amount of \$104,059 from Videotex Systems, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents (BuyBoard Contract No. 482-15). (Consent Agenda Item “J”)

To approve the purchase of strength equipment for the Tom Muehlenbeck Recreation Center in the amount of \$61,260 from Marathon Fitness through an existing contract/agreement with BuyBoard; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 413-12) (Consent Agenda Item “K”)

To approve the purchase of Adobe software products for multiple departments in the estimated annual amount of \$39,945 for a three-year period for a total estimated amount of \$119,835 from CDW Government, LLC through an existing State of Texas Department of Information Services contract; and authorizing the City Manager to execute all necessary documents. (DIR-SDD-2504) (Consent Agenda Item “L”)

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

To approve a Professional Services Agreement by and between the City of Plano and Teague Nall & Perkins, Inc., in the amount of \$204,000 for the Maumelle Drive and Daybreak Trail Paving and Water Improvements project; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “M”)

To approve a Professional Services Agreement by and between the City of Plano and Freese and Nichols, Inc. in the amount of \$225,950 for the Water Rehab Plano East 1 project; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “N”)

To approve an Architectural Services Agreement by and between the City of Plano and SmithGroupJJR, Inc. in the amount of \$772,500 for Senior Center Expansion & Renovation designs; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “O”)

To approve an Engineering Services Agreement by and between the City of Plano and Jerry Parché Consulting Engineers in the amount of \$56,200 for floodplain analysis and FEMA Letter of Map Revision services for the Hedgoxe Undercrossing project; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “P”)

To approve a Landscape Architecture Services Agreement by and between the City of Plano and Halff Associates, Inc. in the amount of \$56,700 for design services of trail replacement construction plans along Bluebonnet Trail between Alma Drive and Blue Ridge Trail; and authorizing the City Manager to execute any necessary documents. (Consent Agenda Item “Q”)

**Approval of Contract Modification**

To approve and authorize Contract Modification No. 1 for the purchase of building lease space in the estimated amount of \$433,505 from Howard & Showalter Investments for the Facilities Department. This modification will provide for the renewal of the lease for office space used by the Radio Shop, for one (1) five-year term, with one (1) City optional five-year renewal term. (Consent Agenda Item “R”)

## **Adoption of Resolutions**

**Resolution No. 2015-7-1(R):** To ratify the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and the City of Murphy, Texas, for Interim Police Chief services; approving its execution by the City Manager; and providing an effective date. (Consent Agenda Item “T”)

**Resolution No. 2015-7-2(R):** To approve the terms and conditions of an Interlocal Agreement by and between the Texas Department of Public Safety and City of Plano, Texas to allow the City of Plano to purchase supplies from the Texas Department of Public Safety to use in the BreathTesting and Laboratory Alcohol and Drug Testing Program; authorizing the City Manager to take action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date. (Consent Agenda Item “U”)

**Resolution No. 2015-7-3(R):** To approve the terms and conditions of an Amended and Restated Tax Abatement Agreement by and between the City of Plano, Texas, Ericsson Inc., a Delaware corporation, and erPlano Property LP, a Delaware limited partnership; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “V”)

**Resolution No. 2015-7-4(R):** To nominate J. C. Penney Corporation, Inc. to the Office of the Governor Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") for designation as a qualified business and an enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act"); and providing an effective date. (Consent Agenda Item “W”)

**Resolution No. 2015-7-5(R):** To authorize the approval of a loan for the Saigling House project from the City of Plano Tax Increment Financing District Reinvestment Zone Number Two for the purpose of funding to support the restoration, repurposing, and occupancy of the Saigling House and grounds; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “X”)

**Resolution No. 2015-7-6(R):** To approve the Investment Portfolio Summary for the quarter ending June 30, 2015; and providing an effective date. (Consent Agenda Item “Y”)

## **Adoption of Ordinances**

**Ordinance No. 2015-7-7:** To amend City of Plano Ordinance No. 2003-4- 16, codified as Article V. - Street and Thoroughfare Closures, Division 2. - Neighborhood Block Parties, Section 19-93, of the Code of Ordinances; and providing a repealer clause, a savings clause, a severability clause, a publication clause and an effective date. (Consent Agenda Item “Z”)

**END OF CONSENT**

## **Adoption of Governance Guide**

Adoption of the City Council Governance Guide for 2015-2016. (Consent Agenda Item “S”)

Council Member Harrison stated he would like more time to review the Council Governance Guide for 2015-2016 and made a motion to table the item to the next Council meeting. The motion died due to lack of second.

Upon a motion made by Mayor Pro Tem Smith and seconded by Deputy Mayor Pro tem Harris, the Council voted 6-1, with Council Member Harrison voting in opposition, to adopt the City Council Governance Guide for 2015-2016.

## **Public Safety Communications Departmental Report**

Director of Public Safety Communications Carr spoke to the department’s mission statement, organization, and the Pulse Point app. She stated staff receives 14,690 9-1-1 calls and 13,318 non-emergency calls on average each month and provided the break down by police and fire dispatches. Ms. Carr discussed departmental projects and challenges include upgrades to the Next Generation 911 Infrastructure, Text-to-911, caller location with the increased use of cellular and VOIP phones, and compliance with State legislative mandates.

Ms. Carr spoke to the department providing multiple public education opportunities and the CARE program. She said the CARE program is available to any homebound or elderly citizen and provides a daily welfare check phone call with follow-up if the call goes unanswered to verify the welfare of the citizen. Ms. Carr encouraged participation in the program. She discussed the department’s vision, strengths, and CALEA accreditation.

**Resolution No. 2015-7-8(R):** To authorize a modification of the Construction Manager at Risk (CMAR) contract between the City of Plano and Turner Construction Company for Jack Carter Pool Phase 1 construction for a Guaranteed Maximum Price (GMP) that will not exceed \$1,600,000; authorizing the City Manager to execute the necessary contract documents; and providing an effective date. (Regular Item “1”)

Chief Park Planner Reeves provided a history of the Jack Carter Pool project. He spoke to the existing layout of the park, the physical and functional obsolescence, cost to repair the existing pool, and 2013 bond election funding. Mr. Reeves stated the existing location is no longer viable due to the proximity to the flood plain and public meetings with area residents and Homeowners Associations were held to discuss location and features of a new pool.

He spoke to the plan for the use of the existing pool area and new aquatic center with features for all ages. Mr. Reeves added the plan developed includes lap lanes, lazy river, tot pool, parental views of the pool areas, deep water and open water areas, and attractions for teens. He provided renderings of the proposed aquatic center and buildings. Mr. Reeves stated the funding is through the 2013 bond funds, park improvement bond funds, and capital reserve funds.

Mr. Reeves provided information regarding the Construction Manager at Risk (CMAR) process. He spoke to the phasing of the project, the construction schedule, and Turner Construction has been selected due to experience. Mr. Reeves added the CMAR will come back to the City with a guaranteed maximum price and this type of process will allow the project to move forward in an expedited manner.

In response to Council questions, Mr. Reeves stated the life of the pool will be approximately thirty years with a cost recovery of 75%, annual operations and maintenance cost of \$360,000, and capacity of 1000 people. Council Member Harrison inquired if there was a way to reduce the cost by providing incentives for early completion. City Manager Glasscock advised the RFP was not structured in that manner and a change would require re-bidding. Mr. Reeves added all bids will be reviewed during the process to ensure the lowest cost. Deputy Mayor Pro tem Harris expressed concern that the facility will become a neighborhood pool due to location. Mayor LaRosiliere and Mayor Pro Tem Smith stated the facility will become a destination and is different than other pools in the system. City Manager Glasscock stated the project is in three phases and staff will assume that if the first phase is approved the other phases will be as well.

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 7-0, to authorize a modification of the Construction Manager at Risk (CMAR) contract between the City of Plano and Turner Construction Company for Jack Carter Pool Phase 1 construction for a Guaranteed Maximum Price (GMP) that will not exceed \$1,600,000; and further to adopt Resolution No. 2015-7-8(R).

**Public Hearing and consideration of an Appeal** of the Planning & Zoning Commission's denial of Zoning Case 2014-34 - Request to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive from Regional Employment to Planned Development- Regional Employment to allow for Single-Family Residence Attached with modified development standards. Zoned Regional Employment/State Highway 121 Overlay District. Applicant: Ronald McCutchin Family Partnership, LTD. (Regular Item "2")

Director of Planning Day stated the applicant has requested the appeal of the Zoning Case be tabled until the August 10, 2015 Council Meeting.

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 6-1, with Council Member Harrison voting in opposition, to table the appeal of Zoning Case 2014-34 - Request to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive from Regional Employment to Planned Development- Regional Employment to allow for Single-Family Residence Attached with modified development standards until August 10, 2015.

**Consideration of an Appeal** of the Planning & Zoning Commission's denial of the Concept Plan for Sam Rayburn Plaza and Villages of Prairie Commons East - General office, 116 Patio Home lots, 70 Single-Family Residence Attached lots, and seven common area lots on 43.1± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive. Zoned Regional Employment/State Highway 121 Overlay District. Applicant: Ronald McCutchin Family Partnership, LTD. (Regular Item "3")

### **Consideration of an Appeal (Cont'd)**

Director of Planning Day stated the applicant has requested the appeal of the Concept Plan be tabled until the August 10, 2015 Council Meeting.

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 6-1, with Council Member Harrison voting in opposition, to table the Concept Plan until August 10, 2015.

**Public Hearing and consideration of an Appeal** of the Planning & Zoning Commission's denial of Zoning Case 2015-11 - Request to rezone 14.5± acres located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road from Research/Technology Center to Planned Development- Research/Technology Center in order to allow Office- Showroom/Warehouse with modified development standards. Zoned Research/Technology Center/190 Tollway/Plano Parkway Overlay District. Applicant: Industrial Developments International, LLC (IDI Gazeley). Tabled June 22, 2015. (Regular Item "4")

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 7-0, to remove the item from the table.

Director of Planning Day stated the applicant has requested the appeal of the Zoning Case be tabled until the August 24, 2015 Council Meeting.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Grady, the Council voted 6-1, with Council Member Harrison voting in opposition, to table the appeal of the Planning & Zoning Commission's denial of Zoning Case 2015-11 - Request to rezone 14.5± acres located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road from Research/Technology Center to Planned Development- Research/Technology Center in order to allow Office- Showroom/Warehouse with modified development standards until August 24, 2015.

**Consideration of an Appeal** of the Planning & Zoning Commission's denial of the Concept Plan for Central Plano Industrial Park, Phase 3, Block 24, Lot 1R - Office-Showroom/Warehouse on one lot on 13.7± acres located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road. Zoned Research/Technology Center/190 Tollway/Plano Parkway Overlay District. Applicant: Industrial Developments International, LLC (IDI Gazeley). Tabled June 22, 2015. (Regular Item "5")

Upon a motion made by Council Member Grady and seconded by Mayor Pro Tem Smith, the Council voted 7-0, to remove the item from the table.

Director of Planning Day stated the applicant has requested the appeal of the Concept Plan be tabled until the August 24, 2015 Council Meeting.

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Grady, the Council voted 6-1, with Council Member Harrison voting in opposition, to table the Concept Plan until August 24, 2015.

**Public Hearing and adoption of Ordinance No. 2015-7-9** as requested in Zoning Case 2015-17 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-64-Central Business-1 on 137.3± acres of land located at the southwest corner of State Highway 121 and the Dallas North Tollway, in the City of Plano, Collin County, Texas, to modify development standards for mid-rise residential; 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: SWC Tollway & 121, LLC (Regular Item “6”)

Development Review Manager Hill stated this is a request to modify the distance requirements for residential development from 700 feet to 450 feet in Legacy West. He provided details of where residential uses would be prohibited and stated the modified distance is the same as the residential development to the south. Mr. Hill advised Staff and the Planning and Zoning Commission recommend 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 Council Member Downs, the Council voted 6-1, with Council Member Harrison voting in opposition, to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-64-Central Business-1 on 137.3± acres of land located at the southwest corner of State Highway 121 and the Dallas North Tollway, in the City of Plano, Collin County, Texas, to modify development standards for mid-rise residential; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2015-17; and further to adopt Ordinance No. 2015-7-9.

**Public Hearing and adoption of Resolution No. 2015-7-10(R)** to adopt the 2015-2016 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2015-2016; and declaring an effective date. (Regular Item “7”)

Mayor Pro Tem Smith stepped down from the dais due to a conflict of interest.

Community Services Manager Brown stated the action plan consists of the proposed projects to utilize the U.S. Department of Housing and Urban Development grant funds. She spoke to the proposed projects following the Five-Year Consolidated Plan and funding requirements of the eligible activities. Ms. Brown stated for Fiscal Year 2015-2016 the following organizations are recommended for funding: Christ United Methodist Church, Habitat for Humanity, City of Plano Housing Rehabilitation, City of Plano First Time Home Buyers, Samaritan Inn, Texas Muslim Women’s Foundation, Collin County Committee on Aging, Jewish Family Services, and City of Plano Homelessness Prevention. In response to Council Member Downs, Ms. Brown advised funding is based on the type of project following the requirements and percentages set forth by the U.S. Department of Housing and Urban Development.

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

**Public Hearing and adoption of Resolution No. 2015-7-10(R) (Cont'd.)**

Upon a motion made by Council Member Downs and seconded by Council Member Grady, the Council voted 6-0, to adopt the 2015-2016 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2015-2016; and further to adopt Resolution No. 2015-7-10(R).

Mayor Pro Tem Smith returned to the dais.

**Resolution No. 2015-7-11(R):** To authorize the filing of applications for U.S. Department of Housing and Urban Development funds in an amount not to exceed \$1,543,555 under the Housing and Community Development Act and the HOME Investment Partnership Act; Designating Bruce D. Glasscock as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date. (Regular Item "8")

Mayor Pro Tem Smith stepped down from the dais due to a conflict of interest and did not return.

Community Services Manager Brown stated this resolution authorizes the City Manager to apply for the grant funds.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Downs, the Council voted 6-0, to authorize the filing of applications for U.S. Department of Housing and Urban Development funds in an amount not to exceed \$1,543,555 under the Housing and Community Development Act and the HOME Investment Partnership Act; Designating Bruce D. Glasscock as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances and acting in connection with said application and providing required information; and further to adopt Resolution No. 2015-7-11(R).

With no further business, Mayor LaRosiliere adjourned the meeting at 8:17 p.m.

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**Harry LaRosiliere, Mayor**

ATTEST

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Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL  
OPEN MEETING  
July 29, 2015**

**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**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Jim Parrish, Deputy City Manager  
Paige Mims, City Attorney  
Lisa C. Henderson, City Secretary

Mayor LaRosiliere called the meeting to order at 5:01 p.m., Wednesday, July 29, 2015, in the Senator Florence Shapiro Council Chambers of the Municipal Center, 1520 K Avenue. A quorum was present.

**Citizen Survey Results Presentation (Agenda Item I)**

Jason Morado, from the ETC, Institute, presented the Citizen Survey findings. He discussed the purpose, methodology, and balanced locations of the respondents. Mr. Morado stated overall, the residents had a positive perception of the City, ratings have generally increased since the last survey, satisfaction levels in Plano services are above the national average, and the overall citizen priorities for improvement are street and sidewalk maintenance and police services. He highlighted findings of the methods in which citizens receive information, educational program methods, library services, parks and recreation facilities and activities, and neighborhood appearance.

In response to Mayor LaRosiliere, Mr. Morado stated even though the website is improved, citizen expectations may be higher causing the lower satisfaction level. City Manager Glasscock added the website is continually updated to reflect the voice of the citizens. In response to Council Member Downs, Mr. Morado stated there was not a separate area for general comments in the survey.

### **Human Resources/Risk Management Departmental Presentation (Agenda Item II)**

Human Resources and Risk Management Director Akafia presented an overview of the Department. She stated the department's 24 employee's role is to work as a strategic business partner with internal and external customers. Ms. Akafia outlined the Risk Management Division's core functions including Worker's Compensation administration, General Liability/Property and Casualty, Family Medical Leave administration, and safety and loss prevention. She reported the Employee Engagement Division's duties include Employment services, Civil Service administration, Labor/Employee Relations, Policy Administration, and ADA coordination. Ms. Akafia stated the Employee Retention Division's responsibilities include compensation and classification, health fund administration, retirement administration, Connect4Health administration, and organizational development. She provided a brief video on the City's training opportunities for employee development and advancement, training partners, reciprocal training with other area cities, and extending training opportunities to local non-profit organizations.

### **Budget and Research Departmental Presentation (Agenda Item III)**

Budget and Research Director Rhodes-Whitley provided an overview of the department's mission and organization. She stated the core functions include budget development, three-year financial forecasts, property tax functions, revenue models, cost allocation studies, bond referendum oversight, staff liaison for the Cultural Affairs Commission, and many additional duties. Ms. Rhodes-Whitley spoke to the current and future projects, the department's certification and education, and accolades, including receiving the Distinguished Budget Presentation Award through the National Government Finance Officer Association for 29 consecutive years.

### **Resolution No. 2015-7-12(R): To confirm the appointment of Sam Greif, Sr. to serve as Plano Fire Chief beginning August 3, 2015, and providing an effective date. (Agenda Item IV)**

City Manager Glasscock stated in accordance with state civil service regulations the Council needs to confirm his selection for Fire Chief.

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Downs, the Council voted 7-0, to confirm the appointment of Sam Greif, Sr. to serve as Plano Fire Chief beginning August 3, 2015; and further to adopt Resolution No. 2015-7-12(R).

### **Overview of 2014-15 Budget & Community Investment Program (CIP) (Agenda Item V) and Recommended 2015-2016 Budget and Community Investment Program (CIP) (Agenda Item VI)**

City Manager Glasscock stated the budget continues commitment of maintaining quality services, enhancement of public safety programs, addressing capital project backlog, neighborhood investment and improvements, enhancements to the infrastructure maintenance programs, investment in our workforce, and ensuring the Economic Development Capital Reserves are adequately funded. He added Plano's economy has been robust and the City has been able to

accomplish goals and objectives without tax rate increases while maintaining a significant capital reserve fund. Mr. Glasscock reported Plano has one of the lowest tax rates in the Metroplex area, maintains desirable debt levels, and the ability to cash fund projects, allowing the City to maintain a AAA bond rating. He stated the budget presented is balanced with 30 days of operations and no tax rate increase. Mr. Glasscock requested Council to email questions before the August 15<sup>th</sup> budget work session to allow for research and presentation at the work session.

### **Budget Presentation (Agenda Item VII)**

Budget and Research Director Rhodes-Whitley provided an overview of the FY2015-16 budget stating the General Fund is balanced with 30 days of operations, the tax rate remains at 48.86 cents per \$100 of valuation, provides a 3% across the board salary increase for all employees, a General Obligation bond sale for \$40 million, an increase of the capital reserve transfer to \$23.6 million, two cents of the property tax dedicated to economic development, and funds an additional 32 full-time and 64 part-time positions.

Ms. Rhodes-Whitley spoke to combined 2015-2016 budget resources of \$530,179,162 with a general fund revenue breakdown of 42.1% property tax, 27.6% sales tax, and 30.3% from other revenue sources. She stated the assessed property value of \$31.3 billion and provided a comparison of sales tax between cities. Ms. Rhodes-Whitley discussed the residential tax exemptions and \$38.1 million revenue loss due to the exemptions. She spoke to the anticipated sales tax receipts and building and development revenue.

Ms. Rhodes-Whitley stated combined 2015-2016 budget expenses were \$490,211,089 with Public Safety and Health making up 46.2% of the overall General Fund Expenditures of \$278,962,893. She spoke to key budget highlights of Community Improvement Projects, public safety programs, increased growth in development, neighborhood reinvestment, and an increased capital reserve transfer. The Council discussed the North Texas Municipal Water District bond issuance impact on the City and the City's bond rating. Ms. Rhodes-Whitley advised \$14.1 million will be expended for the take-or-pay contract and that the Water and Sewer fund numbers will be provided at the August 15<sup>th</sup> work session. She stated the Community Investment Program expenditures are \$161,674,000. Ms. Rhodes-Whitley discussed the proposed 2016 General Obligation bond sale, water and sewer revenue bond sale, and capital reserve funding. She reviewed the budget calendar and advised that information will be posted to the City's website.

### **Tax Rate Presentation (Agenda Item VIII)**

Budget and Research Director Rhodes-Whitley stated the proposed tax rate is set at 48.86 cents per \$100 of assessed property value with a vote scheduled at the August 10, 2015 meeting in accordance with Truth-in-Taxation laws. She spoke to the effective tax rate and the rollback tax rate and stated the proposed tax rate exceeds the rollback rate. Ms. Rhodes-Whitley provided a history of the tax rate exceeding the rollback rate and schedule of key dates related to adopting the tax rate.

**The Council took a brief recess at 6:45 p.m. and reconvened at 6:55 p.m.**

## **Updated Financial Forecast (Agenda Item IX)**

### **a. General Fund**

Budget and Research Director Rhodes-Whitley presented the Three-Year Financial Forecast and advised several significant Community Investment Projects were included in the projection. City Manager Glasscock stated though the projection shows to be in the negative for future years, the budget will be balanced each year.

### **b. Water & Sewer**

Budget and Research Director Rhodes-Whitley spoke to the Water and Sewer Fund being addressed at the August 15<sup>th</sup> work session due to the proposed rates being provided just prior to this meeting.

## **Discussion and Direction re Plano Centre Name Change (Agenda Item X)**

Plano Centre Manager Jarrell provided information about the facility and stated Plano Centre is funded through Hotel/Motel tax. He spoke to the current name not accurately describing the facility and a facility name change would be appropriate with the current renovation of the facility. Mr. Jarrell stated staff recommended the name being changed to Plano Events Center. After discussion, the Council expressed concurrence to remove the “s” from “Events” to change the name to Plano Event Center.

## **Discussion and Direction re Plano Centre Parking Lot Repair (Agenda Item XI)**

Plano Centre Manager Jarrell spoke to the current condition of the parking lot and the need for repairs and updated lighting. He advised the cost for repairs is approximately \$615,000. Council Member Downs inquired if additional upgrades could be added to the parking lot. Mr. Glasscock stated additional costs can be researched and brought back to the Council at the August 15<sup>th</sup> budget work session.

## **Downtown Events, McCall Plaza Presentation (Agenda Item XII)**

Arts, Culture and Heritage Administrator Hawkins spoke to McCall Plaza construction and capacity. She discussed Plano Stages responsibilities, type of events, and facilities and added that with McCall Plaza coming online as a new facility, an additional production coordinator will be required to accommodate for McCall Plaza events. Ms. Hawkins stated to ensure a consistent visitor experience, funding for audio visual equipment has been included in the budget and that an upgrade to include a big screen for “watching” events would require additional funding. After discussion, the Council expressed concurrence to fund a production coordinator and upgraded equipment package, which will be brought back to the Council at the August 15<sup>th</sup> budget work session.

### **Discussion and Direction re Wayfinding Project (Agenda Item XIII)**

Visit Plano Director Thompson presented an overview of the project. He stated the branded signage system will direct visitors to locations within the city. Mr. Thompson spoke to the process and timeline, provided samples and cost estimates from other cities, and the prioritized items to be posted on signs. He stated the first request is for a consultant to prepare the information regarding the wayfinding signs and a possible app for wayfinding at a cost of \$50,000-\$70,000 and the project will be funded through the Hotel Motel Tax fund. City Manager Glasscock advised the consultant's recommendations will be brought back to Council to decide if they want to proceed with the project. Mr. Thompson stated the overall project may cost \$500,000 plus the upkeep of the signs. The Council discussed the usage of the signs, funding, and grant opportunities for the signs and expressed concurrence to move forward.

### **Planning and Engineering – Increased Demand Presentation (Agenda Item XIV)**

Planning Director Day presented information regarding the increase in demand for services. She provided information on the 68% zoning and filing fee revenue increases from 2010. Ms. Day spoke to the volume of major development projects and that they are increasingly complex due to the significant interest in Plano and limited land. She stated redevelopment of land is more time consuming, rezoning is more complex, and available land may have difficult topography or access issues. Ms. Day advised to ensure the level of quality and customer service, an additional staff member is included in the budget.

Engineering Director Carr provided information regarding engineering development process for the development projects. City Manager Glasscock explained the importance of the additional positions. He stated large projects require more staff, increased traffic is a challenge, and developers expect the City to handle their projects in a timely manner.

Mr. Glasscock requested Council to email questions before the August 15<sup>th</sup> budget work session.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:56 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST:

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Lisa C. Henderson, City Secretary



# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		8/10/2015		
Department:		Public Works/David Falls		
Department Head		Gerald P. Cosgrove		
Agenda Coordinator (include phone #): <b>Shawn Breen (972-769-4193)</b>				
<b>CAPTION</b>				
Bid No. 2015-341-B, for the Access Improvements at Various Pump & Lift Stations, Project No. 6378 for the Public Works Department to Axis Construction, LP, in the amount of \$58,640 and authorizing the City Manager or his authorized designee to execute all necessary documents.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: <b>2014-15</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	380,713	750,000	500,000	<b>1,630,713</b>
Encumbered/Expended Amount	-380,713	-678,818	0	<b>-1,059,531</b>
This Item	0	-58,640	0	<b>-58,640</b>
BALANCE	0	12,542	500,000	<b>512,542</b>
<b>FUND(S):</b> CAPITAL RESERVE FUND				
<p><b>COMMENTS:</b> Funding is available in the 2014-15 Capital Reserve Fund for this item. Access improvements at various pump and lift stations, in the amount of \$58,640, will leave a current year balance of \$12,542 available for future expenditures related to Pump Station Rehabilitation.</p> <p><b>STRATEGIC PLAN GOAL:</b> Improving access at water and sewer facilities for city staff and contractors relates to the City's goals of Financially Strong City with Service Excellence and Safe Large City.</p>				
<b>SUMMARY OF ITEM</b>				
Public Works recommends the bid for the Access Improvements at Various Pump & Lift Stations Project to Axis Construction, LP, in the amount of \$58,640.00 be accepted as the lowest responsible bid for the project conditioned upon timely execution of all necessary documents.				
This project involves the improvements to hatches and ladders at Maple Shade Lift Station, Shiloh Pump Station, Custer Pump Station and Ridgeview Pump Station.				
Public Works estimate for this project is \$65,000				
List of Supporting Documents: Bid Recap			Other Departments, Boards, Commissions or Agencies	

**CITY OF PLANO**

**BID NO. 2015-341-B**

**Access Improvements at Various Pump & Lift Stations Facility Maintenance**

**BID RECAP**

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**Bid opening Date/Time:** July 21, 2015 @ 1:30 pm

**Number of Vendors Notified:** 8551

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

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

**Number of Bids Submitted Responsive to Bid:** 3

Axis Construction, LP	\$58,640.00
Rey-Mar Constructions	\$85,000.00
Mart, Inc.	\$93,215.00

**Recommended Vendor:**

Axis Construction, LP	\$58,640.00
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*Nancy Corwin*

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

*July 21, 2015*

\_\_\_\_\_  
Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		8/10/15		
Department:		Public Works		
Department Head		Gerald Cosgrove		
Agenda Coordinator (include phone #): <b>Lincoln Thompson ext. 7376</b>				
<b>CAPTION</b>				
To approve the purchase of two (2) Toro Workman HDX-D Utility Vehicles for Fleet Services to be utilized by the Parks and Recreation Department in the amount of \$57,397 from Professional Turf Products through an existing TASB/BuyBoard contract and authorizing the City Manager to execute all necessary documents. (TASB/BuyBoard Contract No. 447-14)				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2014-15</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	57,397	0	<b>57,397</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	-57,397	0	<b>-57,397</b>
BALANCE	0	0	0	<b>0</b>
FUND(S):    EQUIPMENT REPLACEMENT FUND				
<b>COMMENTS:</b> Funds are available in the FY 2014-15 Adopted Budget to purchase two (2) Toro Workman HDX-D Utility Vehicles for the scheduled replacement of unit #07164 in Cost Center #673/Golf Course Maintenance and unit #06144 in Cost Center #637/Athletic Field Maintenance. <b>STRATEGIC PLAN GOAL:</b> Providing two (2) Toro Workman HDX-D Utility Vehicles for Fleet Services relates to the City's Goal of a Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
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. (TASB/BuyBoard Contract No. 447-14)				
List of Supporting Documents: Recommendation Memo Cooperative Quote Recap			Other Departments, Boards, Commissions or Agencies NA	



# Memorandum

**Date:** July 22, 2015  
**To:** Bruce D. Glasscock, City Manager  
**From:** Reid Choate, Fleet Manager  
**Subject:** Utility Vehicle Purchase Recommendation

It is the recommendation of Fleet Services to purchase two (2) Toro Workman HDX-D Utility Vehicles from Professional Turf Products, through TASB/Buyboard Contract No. 447-14 in the amount of \$57,396.79.

One unit is for the replacement of 07164 in Cost Center 673/Golf Course Maintenance and one unit is for the replacement of 06144 in Cost Center 637/Athletic Field Maintenance.

Both of these units are in need of unforeseen major repairs and Fleet Services recommends replacement due to age and hours on each. If not replaced, we would see much higher cost in vehicle maintenance and increased downtime that could limit the Parks and Recreation Department in their capacity to maintain the City's Athletic Fields, Golf Course, and Parks. As purchases necessitated by unforeseen damage, both of these units are exempt from the competitive bid process. However, the Purchasing Department confirmed that buying these two pieces of equipment through BuyBoard Contract No. 447-14 is the best value that could be found for the City.

Feel free to contact me if you have any questions at extension 4182.

**CITY OF PLANO**  
**SOLICITATION NO. 2015-370-O**  
**Two (2) Toro Workman HDX-D Utility Vehicles**  
**COOPERATIVE QUOTE RECAP**

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**Number of Vendors Contacted:** 2

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

**Quotes Deemed Nonresponsive:** 0

**Number of Responsive Quotes Submitted:** 2

Two (2) Toro Workman HDX-D Utility Vehicles  
Via Texas Association of School Boards / BuyBoard Contract 447-14      \$57,396.79

Two (2) Toro Workman HDX-D Utility Vehicles  
Manufacturer's Suggested Retail Price      \$69,450.12

**Recommended Cooperative Quote:**

Two (2) Toro Workman HDX-D Utility Vehicles  
Via Texas Association of School Boards / BuyBoard Contract 447-14      \$57,396.79

*Lincoln Thompson*

Lincoln Thompson  
Senior Buyer

*July 27, 2015*

Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		8/10/15		
Department:		Public Works		
Department Head		Gerald Cosgrove		
Agenda Coordinator (include phone #): <b>Lincoln Thompson ext. 7376</b>				
<b>CAPTION</b>				
To approve the purchase of one (1) Crane Carrier Refuse Truck Chassis in the amount of \$172,131 from Bond Equipment Company, Inc. and one (1) Heil Liberty 32-yard Automated Body in the amount of \$124,900 from Heil of Texas for a total amount of \$297,031 for Fleet Services to be utilized by the Environmental Waste Services Division through existing TASB/BuyBoard contracts and authorizing the City Manager to execute all necessary documents. (TASB/BuyBoard Contract No. 425-13 and 430-13)				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2014-15</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	290,000	0	<b>290,000</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	-297,031	0	<b>-297,031</b>
<b>BALANCE</b>	0	-7,031	0	<b>-7,031</b>
FUND(S):    EQUIPMENT REPLACEMENT FUND				
<b>COMMENTS:</b> Funds are available in the FY 2014-15 Adopted Budget to purchase one (1) Crane Carrier Refuse Truck Chassis and one (1) Heil Liberty 32-yard Automated Body for the scheduled replacement of unit #06908 in Cost Center #752/Commercial Diversion. The additional funds of \$7,031 needed for this purchase are available from savings in other Equipment Replacement Fund purchases. <b>STRATEGIC PLAN GOAL:</b> Providing one (1) Crane Carrier Refuse Truck Chassis and one (1) Heil Liberty 32-yard Automated Body for Fleet Services relates to the City's Goal of a Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
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. (TASB/BuyBoard Contract No. 425-13 and 430-13)				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Recommendation Memo		NA		
Cooperative Quote Recap				



# Memorandum

**Date:** July 21, 2015  
**To:** Bruce D. Glasscock, City Manager  
**From:** Reid Choate, Fleet Manager  
**Subject:** Refuse Truck Purchase Recommendation

It is the recommendation of Fleet Services to purchase one (1) Crane Carrier Refuse Truck Chassis from Bond Equipment Company, Inc. through TASB/BuyBoard Contract No. 430-13 in the amount of \$172,131.00 and one (1) Heil Liberty 32-yard Automated Body from Heil of Texas through the TASB/BuyBoard contract No. 425-13 in the amount of \$124,900.00.

This unit is for the scheduled replacement of unit 06908 Cost Center 752 – Commercial Diversion.

Equipment replacement is analyzed based of age, mileage, maintenance cost, and re-sale value in determining the need for replacement. Based on these criteria, Fleet Services recommends the replacement of the above vehicle. If this vehicle is not replaced we will incur additional maintenance cost and salvage value will greatly be depreciated. In addition the user department will be limited in their ability to perform their duties due to additional down time of the older equipment.

Feel free to contact me if you have any questions at extension 4182.

**CITY OF PLANO  
SOLICITATION NO. 2015-366-O  
Organic Waste Truck  
COOPERATIVE QUOTE RECAP**

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**Number of Vendors Contacted:** 2

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

**Quotes Deemed Nonresponsive:** 0

**Number of Responsive Quotes Submitted:** 4

One (1) Heil Liberty 32-yard Automated Side Loader Via Texas Association of School Boards / BuyBoard Contract 425-13	\$124,900.00
One (1) Heil Liberty 32-yard Automated Side Loader Via Houston Galveston Area Council / HGAC Contract RH08-14	\$128,685.00
One (1) Crane Carrier LET2-26 with a 300-horsepower Cummins Engine Via Texas Association of School Boards / BuyBoard Contract 430-13	\$172,131.00
One (1) Crane Carrier LET2-26 with a 300-horsepower Cummins Engine Via Houston Galveston Area Council / HGAC Contract RH08-14	\$178,722.00

**Recommended Cooperative Quotes:**

One (1) Heil Liberty 32-yard Automated Side Loader Via Texas Association of School Boards / BuyBoard Contract 425-13	\$124,900.00
One (1) Crane Carrier LET2-26 with a 300-horsepower Cummins Engine Via Texas Association of School Boards / BuyBoard Contract 430-13	<u>\$172,131.00</u>
Total Cost	\$297,031.00

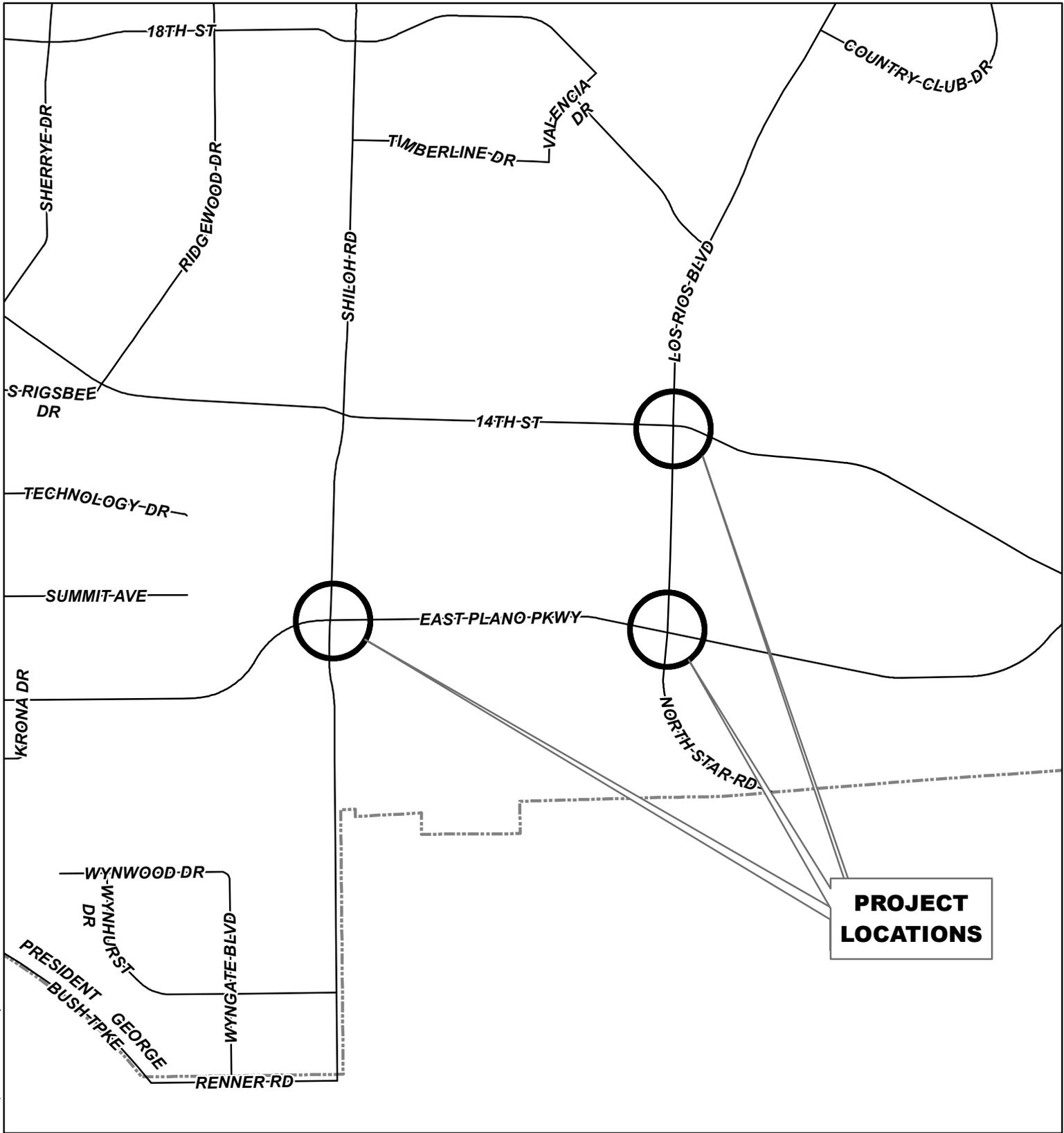
Lincoln Thompson  
Lincoln Thompson  
Senior Buyer

July 20, 2015  
Date

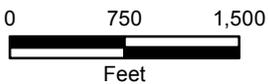


**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		08/10/15		
Department:		Engineering		
Department Head:		Jack Carr, PE		
Agenda Coordinator (include phone #):			<b>Kathleen Schonne(7198)</b> <b>Project No. 5988</b>	
<b>CAPTION</b>				
To approve a Professional Services Agreement by and between the City of Plano and GME Consulting Services, Inc., in the amount of \$64,615, for the Intersection Improvements – Plano Parkway and Los Rios Boulevard project and authorizing the City Manager to execute all necessary documents.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: <b>2014-15</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	210,252	264,716	2,600,000	<b>3,074,968</b>
Encumbered/Expended Amount	-210,252	-44,536	0	<b>-254,788</b>
This Item	0	-64,615	0	<b>-64,615</b>
BALANCE	0	155,565	2,600,000	<b>2,755,565</b>
<b>FUND(S):    STREET IMPROVEMENTS CIP</b>				
<b>COMMENTS:</b> Funding for this item is available in the 2014-15 Street Improvements CIP. Construction materials testing services, in the amount of \$64,615, will leave a current year balance of \$155,565 available for future expenditures related to the Intersection Improvements – Plano Parkway and Los Rios Boulevard project or other street improvements.				
<b>STRATEGIC PLAN GOAL:</b> Obtaining construction materials testing for street improvement projects relates to the City's goal of a Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
Staff recommends approval of this expenditure for construction materials testing on the Intersection Improvements – Plano Parkway and Los Rios Boulevard project in the amount of \$64,615.00 to GME Consulting Services, Inc. This consultant was chosen based on evaluation of SF330 and a shortlist interview.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Location Maps; Agreement		N/A		

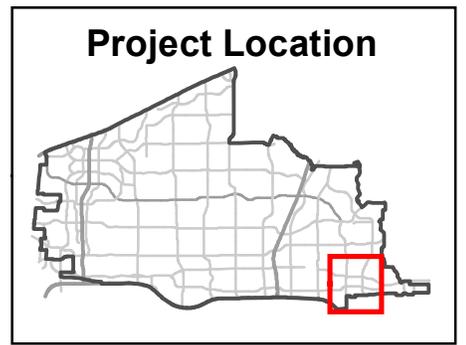


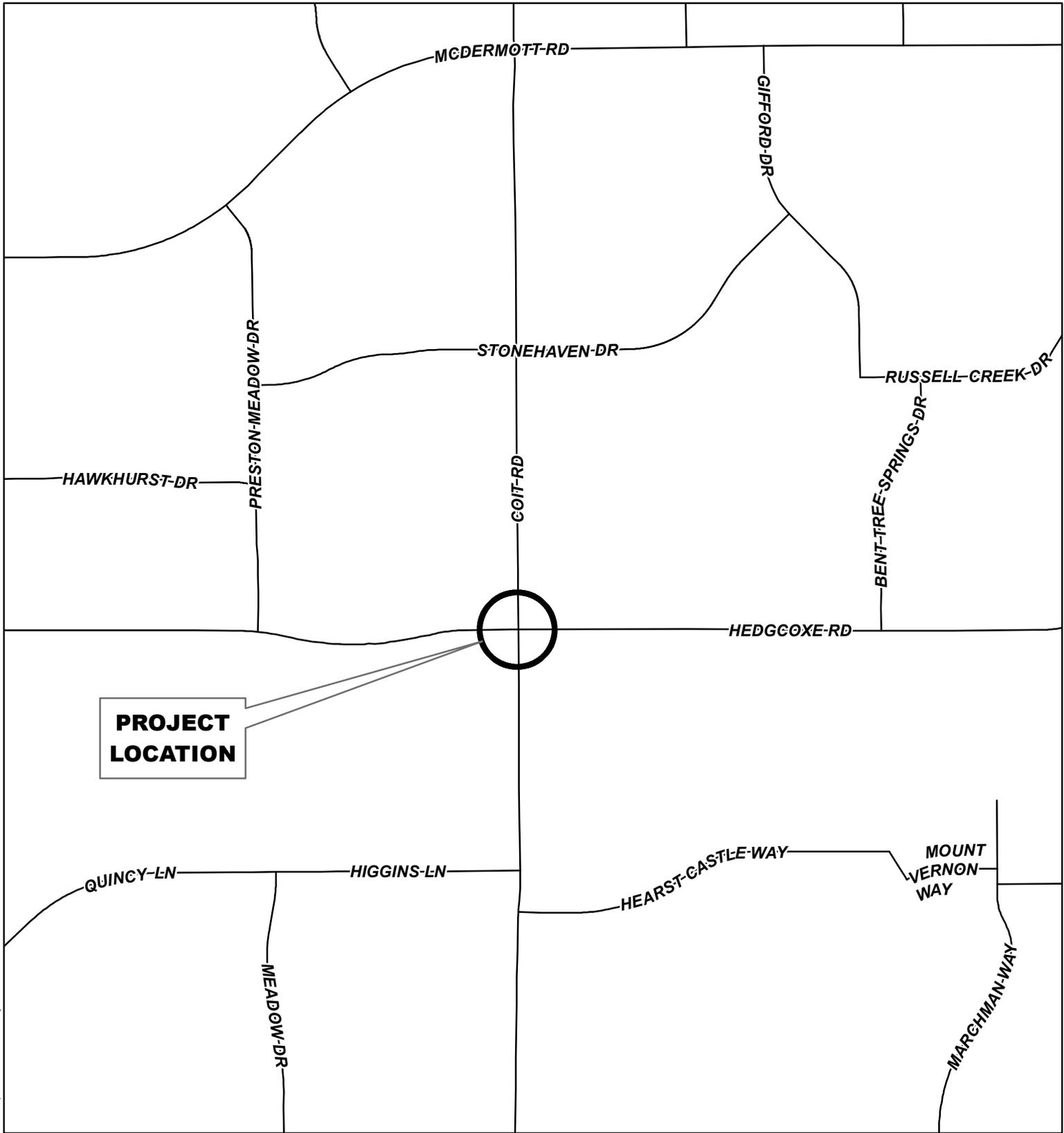
georgetown:\Projects\Engineering\Locator\maps\07-16-2015\_Intersection Improvement\Plano Pkwy & Los Rios Blvd - 1.mxd



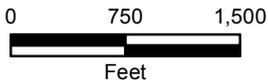
City of Plano GIS Division  
July, 2015

# Project Number 5988 Intersection Improvements Plano Parkway and Los Rios Boulevard 1 of 2





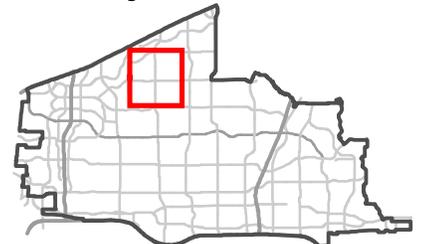
**PROJECT  
LOCATION**



City of Plano GIS Division  
July, 2015

**Project Number 5988  
Intersection Improvements  
Plano Parkway and  
Los Rios Boulevard  
2 of 2**

**Project Location**



# INTERSECTION IMPROVEMENTS - PLANO PARKWAY AND LOS RIOS BOULEVARD

PROJECT NO. 5988

## CONSTRUCTION MATERIALS TESTING 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 **GME CONSULTING SERVICES, INC.**, a **TEXAS** Corporation, hereinafter referred to as "Engineer", to be effective from and after the date as provided herein.

### WITNESSETH:

**WHEREAS**, the City desires to engage the services of the Engineer to perform material testing engineering services in connection with the **INTERSECTION IMPROVEMENTS - PLANO PARKWAY AND LOS RIOS BOULEVARD** project, located in the City of Plano, Collin County, Texas, hereinafter referred to as the "Project"; and

**WHEREAS**, the Engineer desires to render such engineering 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 Engineer**

The City hereby agrees to use the Engineer to perform professional engineering services in connection with the Project. Engineer agrees to perform such services in accordance with the terms and conditions of this Agreement.

#### **II. Scope of Services**

The parties agree that Engineer shall be able to 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 Engineer agrees to commence work immediately upon receipt of this executed agreement, and to proceed diligently with said work, except for delays beyond the reasonable control of Engineer, 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 Engineer will be compensated for all services provided under 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 on each project, all that information requested by Engineer and available in City's files.

### **VI. Insurance**

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

Engineer agrees to notify the City of any changes in insurance policy coverage, including but not limited to changes in limits and cancellation. The Engineer shall notify the City in writing of any changes within forty-eight (48) hours of the change. The Engineer'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 ENGINEER 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 ENGINEER'S, OR ITS OFFICER'S, AGENT'S, EMPLOYEE'S, CONSULTANT'S, REPRESENTATIVE'S OR ANY OTHER ENTITY OVER WHICH THE ENGINEER 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 ENGINEERS. 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.

ENGINEER 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 ENGINEER'S OBLIGATION TO DEFEND CITY OR AS A WAIVER OF ENGINEER'S OBLIGATION TO INDEMNIFY CITY PURSUANT TO THIS AGREEMENT. ENGINEER 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 ENGINEER FAILS TO RETAIN COUNSEL WITHIN THE REQUIRED TIME PERIOD, CITY SHALL HAVE THE RIGHT TO RETAIN DEFENSE COUNSEL ON ITS OWN BEHALF AND ENGINEER SHALL BE LIABLE FOR ALL COSTS INCURRED BY THE CITY.

#### **VIII. Independent Contractor**

Engineer covenants and agrees that Engineer is an independent contractor and not an officer, agent, servant or employee of City; that Engineer 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 Engineer, its officers, agents, employees, contractors, subcontractors and consultants, and nothing herein shall be construed as creating a partnership or joint enterprise between City and Engineer.

#### **IX. Assignment and Subletting**

The Engineer 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 Engineer 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 Engineer from its full obligations to the City as provided by this Agreement.

## **X. Audits and Records**

The Engineer agrees that at any time during normal business hours and as often as City may deem necessary, Engineer 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.

## **XI. Prohibited Interest**

The Engineer 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 Engineer shall execute the affidavit shown in Exhibit "E". Engineer understands and agrees that the existence of a prohibited interest during the term of this contract will render the contract voidable.

## **XII. 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 Engineer. In the event of such termination, Engineer shall deliver to City all finished or unfinished documents, data, studies, surveys, drawings, maps, models, reports, photographs or other items prepared by Engineer in connection with this Agreement. Engineer 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.

## **XIII. Mailing of Notices**

Unless instructed otherwise in writing, Engineer 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  
Engineering Department, Suite 250  
Attn: Tim Bennett, P.E.  
P.O. Box 860358  
Plano, TX 75086-0358

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

GME Consulting Services, Inc.  
Attn: Mark Kawalek, P.E., Principal  
2626 Manana Drive, Suite 109  
Dallas, TX 75220

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.

#### **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. 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, Texas. The parties further agree that exclusive venue shall lie in Collin County, Texas.

D. Successors and Assigns:

City and Engineer, 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.

**GME CONSULTANTING SERVICES, INC.**  
A Texas Corporation

DATE: 7-28-15

BY:   
Marcia S. Kawalek  
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 TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on the 28<sup>th</sup> day of July, 2015, by **MARCIA S. KAWALEK, CHIEF EXECUTIVE OFFICER** of **GME CONSULTING SERVICES, INC.**, a **TEXAS Corporation**, on behalf of said corporation.

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



STATE OF TEXAS       §  
                                  §  
COUNTY OF COLLIN   §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 by **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

#### CONSTRUCTION MATERIALS TESTING SERVICES AGREEMENT PROJECT NO. 5988

#### PROJECT DESCRIPTION:

This contract is for material testing services for INTERSECTION IMPROVEMENTS - PLANO PARYWAY AND LOS RIOS BOULEVARD.

#### BASIC SERVICES:

##### A. General

1. Work included for each material test shall include:
  - Staff time for collecting sample(s) in the field or performing tests in the field.
  - Staff time for performing lab tests.
  - Equipment (Lab or field) time and vehicle time necessary for performing tests. This includes rental fees if necessary.
  - Completing test report forms including clearly indicating the following information:
    - a) Date issued
    - b) Project title and number
    - c) Testing laboratory name, address and telephone number
    - d) Name and signature of laboratory inspector
    - e) Date and time of sampling or inspection
    - f) Record of temperature and weather conditions
    - g) Date of test
    - h) Identification of product and specification section
    - i) Location of sample of test in the Project
    - j) Type of inspection of test
    - k) Results of tests and certification of compliance with Contract Documents
    - l) Professional review and interpretation of test results and reports
  - Contacting all required project recipients within 24 hours of any failing test.
  - Transmitting reports as an attachment to an e-mail sent to all required project recipients.
  
2. The subject line for E-mails of testing reports shall be as follows:
  - Test Report(s) – TEST REPORT NOS. (CITY PROJ. NO.)

Examples: Test Report – 7 (Proj. 5996)  
Test Reports – 9, 10, 11 & 12 (Proj. 6283.1)

3. Additional material tests that may be required for this project and are not listed in this contract will be added to the contract as needed.

## **B. Miscellaneous**

1. Staff attendance at project pre-construction meetings
2. Staff attendance at project meetings when requested by the City
3. General material testing consultation when requested by the City
4. Trip charges to perform on-site material tests or observations - this includes round trip vehicle charges and technician time.
5. Cancelled test or inspection with less than 2 hours' notice
6. Provide the overtime multiplier to be used for material testing staff hourly rates when work is performed outside of normal business hours

## **C. Soil Testing**

1. Sample soil material encountered on the project that will be used as sub-grade, embankment or backfill. Perform moisture density tests (ASTM D-698) and develop the moisture density relation curve for the type of soil sampled. Determine the plastic limit, liquid limit and plasticity index (ASTM D-4318) for the sample.
2. Sample lime stabilized soil material on the project that will be used as sub-grade. Perform moisture density tests (ASTM D-698) and develop the moisture density relation curve for the lime stabilized soil sampled.
3. When requested by the City, sample soil materials encountered on the project and perform a particle-size analysis (ASTM D-422).
4. Perform boring to check depth of compacted lime stabilized subgrade.
5. Perform in-place field density tests in accordance with ASTM D-2167 or ASTM D-2922 and the frequency shown below.
  - Utility Trench – one field density every 300 linear feet per 8" loose lift
  - Fill Area – one field density every 5000 square feet per 8" loose lift
  - Pavement Sub-grade – one field density every 450 square yards
  - Sidewalk – one field density every 400 linear feet

## **D. Flexible Base**

1. Sample flexible base material for the project and perform a particle-size analysis (ASTM D-422) on the flexible base sample.
2. Sample flexible base material on the project that will be used as sub-grade and perform moisture density tests (ASTM D-1557) and develop the moisture density relation curve for the flexible base material sampled.

3. Perform in-place field density tests in accordance with ASTM D-2167 or ASTM D-2922 with a frequency of one field density every 450 sq. yards.
4. Perform boring to determine the depth of compacted flexible base.

#### **E. Portland Cement Concrete**

1. Review concrete mix design(s) furnished by the contractor relative to City of Plano and project specifications and perform a statistical analysis on each design submitted.
2. Review ready mix delivery tickets and confirm the pertinent project and specification information. Sample concrete and determine slump (ASTM C-143), air content (ASTM C-173 or C-231), and concrete temperature and mold a set of four (4) compressive test cylinders for every 150 cubic yards or at least once a day, unless otherwise authorized by the City of Plano. Test compressive test cylinders according to ASTM C-39 as follows:
  - Two cylinders at 7 days
  - Two cylinders at 28 days
3. Performing duties described in E.2 above with different sample ages (normally shorter) than the 7-days and 28-days listed above.
4. Sample and mold an additional two test cylinders when performing the testing in E.2 and E.3 above if requested by the City for additional testing. Test compressive test cylinders in accordance with ASTM C-39 at the requested age.
5. Compressive test cylinder pickup and delivery to the laboratory for up to six test cylinders.
6. Two-inch diameter boring of concrete and checking for thickness up to 10" thick. Includes patching of concrete pavement bore holes.
7. Four-inch diameter boring of concrete and testing for strength (ASTM C-42) and thickness up to 10" thick. Includes sawing, capping and the patching of concrete pavement bore holes.
8. Concrete coring (two-inch and four-inch) per inch greater than 10 inches.

#### **F. Hot Mix Asphalt Concrete (HMAC)**

1. Sample the HMAC paving mix on a periodic basis (approximately one sample for every 75 tons of asphalt). Perform extraction, stability (Tex-208-F) and lab molded density (Tex-207-F and Tex-227-F) tests on samples.
2. Two-inch boring of HMAC pavement and checking for thickness. Includes patching of HMAC pavement bore holes.
3. Six-inch boring of HMAC pavement for in-place density (ASTM D-1188) and thickness. Includes patching of HMAC pavement bore holes.

#### **G. Bridges and Brick Walls**

1. Inspection of piers during drilling, including checking size, alignment, soil conditions and depth.
2. Inspection of pier reinforcing steel and concrete during fabrication and placement.
3. Mortar: For every 3,000 sq. ft. of beam or wall cast one set of six 2" cubes from mortar being placed. The test age for the cube testing will be determined by the design Engineer. Mold, cure and test cubes in accordance with ASTM C109 to ensure compliance with the project specifications.

## H. Gabion Testing

Soil testing and concrete testing will be done as specified above and as modified by the following:

1. Wall Backfill – One field density per item C.5 above for each 8" lift.
2. Concrete Tieback Beams – Test concrete per item E.3 above for every 50 cubic yards or at least once a day, unless otherwise authorized by the City of Plano. Test dates for the cylinders will be established by the design engineer.
3. Tieback Anchor Inspection and Testing
  - a. Inspection of tiebacks during drilling, including checking size, alignment, sub-surface strata conditions and depths.
  - b. Inspect tieback anchor tendons while being installed to ensure compliance with project specifications, check for damage or deformation, and check corrosion protection for damage.
  - c. Performance Test – The first three (3) and every tenth anchor thereafter shall be performance tested by the contractor and visually inspected by the testing engineer. The actual measuring period will be ten (10) minutes. Monitor any movement or elongation of the anchors, as they are loaded to performance capacity. The testing engineer will visually observe the process and review the results.
  - d. Proof Test – All anchors that are not performance tested will be proof tested. This test is similar to the performance test except that the measuring period is for five (5) minutes. The contractor will do the testing and the testing engineer will observe the process and review the results.
  - e. The testing engineer shall prepare one (1) set of six (6) grout cubes for each day of tieback inspection and test (ASTM C109) to ensure compliance with job specifications. The test age for the cube testing will be determined by the design Engineer.

## I. Compost

1. Review compost supplier's quality control (QC) documentation meeting TxDOT Specification Item 161, Compost requirements when submitted.
2. Obtain samples of compost placed on the project and conduct lab testing to determine sieve analysis (TMECC 02.02-B), pH (TMECC 04.11-A), and organic matter content (TMECC 05.07-A) per the requirements in TxDOT Specification 161, Compost. Test representative samples for every 2,000 square yards of compost placed on the project site.

## **J. Water Tank Painting**

1. Perform on-site inspection to confirm surface preparation prior to the application of surface coating. Inspection to include checking the surface profile and providing the documented results in the test report for each inspection. The inspector shall have a minimum of a Level 1 Coating Inspector certification from the National Association of Corrosion Engineers (NACE),
2. Perform on-site inspection to verify atmospheric conditions using an electronic hygrometer to determine dry bulb air temperature, wet bulb air temperature, relative humidity, dew point and a surface contact thermometer to determine the surface temperature to be painted prior to the application of surface coatings. The inspector shall have a minimum of a NACE Level 1 Coating Inspector certification.
3. Perform on-site inspection to observe the paint mixing, paint application process and to document the mil readings of applied surface coatings using a dry film thickness gauge (magnetic) to ensure compliance with the project specifications. The finished surface shall also be tested with a low voltage Holiday detector to locate any surface pitting or voids. The inspector shall have a minimum of a NACE Level 1 Coating Inspector certification.
4. Perform on-site inspection of existing or newly installed structural steel to evaluate existing condition or confirm new installations are in conformance with the project specifications.
5. Perform on-site inspections of the welding processes and final welds performed on the tank to confirm conformance with the project specifications and design.

## EXHIBIT "B"

### SCHEDULE OF WORK

Construction materials testing for this project will begin at the commencement of construction and end with the completion of construction by the selected contractor. The City of Plano shall use Exhibit A to develop a specific scope of services required for each project. Proper notice for the scheduling of a testing technician shall be arranged throughout duration of the contract.

**COST ESTIMATE & FEE SCHEDULE**  
**GME Consulting Services, Inc.**  
**Construction Testing Budget Estimate**  
**City of Plano - Intersection Improvements Project 5988**  
**Plano Parkway and Los Rios Boulevard**  
**Proposal No. P15.05.0048**  
**23-Jul-15**

	Unit	Unit Price	Quantity	Subtotal
<b>Task 1. Site Earthwork Testing</b>				
<b>A. General Site Fill (Embankment)</b>				
Given: 83 CY				
Assumptions: 6 trips @ 2 hrs/trip				
1. Senior Engineering Technician	hr	\$ 44.00	12	\$ 528.00
<b>B. Pavement Subgrade Testing</b>				
Given: 11,634 SY of compacted subgrade; no lime stabilization				
Assumptions:				
Subgrade densities will be req'd prior to every pour				
Est. 60 trips at 3 hours per trip				
1. Senior Engineering Technician	hr	\$ 44.00	180	\$ 7,920.00
2. Nuclear Gauge Rental	day	\$ 70.00	30	\$ 2,100.00
<b>C. Utility Backfill Testing</b>				
Given:	18" RCP - 101 lf	6" Water - 258 lf		
	21" RCP - 90 lf	8" water - 158 lf		
	24" RCP - 16 lf			
Assumptions: 3 weeks installation				
12 trips; 3 hrs per trip				
1. Senior Engineering Technician	hr	\$ 44.00	36	\$ 1,584.00
2. Nuclear Gauge Rental	day	\$ 70.00	6	\$ 420.00
<b>D. Laboratory Testing</b>				
1. Standard Proctors (ASTM D-698)	ea	\$ 125.00	5	\$ 625.00
2. Atterberg Limits (ASTM D 4318)	ea	\$ 50.00	5	\$ 250.00
3. Lime Series	ea	\$ 375.00	0	\$ -
<b>E. Trip Charges for Earthwork</b>				
1. Trip Charge	ea	\$ 55.00	78	\$ 4,290.00
<b>Subtotal Task 1</b>				<b>\$ 17,717.00</b>
<b>Task 2. Concrete Testing</b>				
Given: 340 SY (56 CY) 6" driveway pavement; 11,634 SY (3,231 CY) 10" pavement				
15 median noses				
973 SY (108 CY) 4" sidewalk; 20 barrier free ramps				
14 concrete inlets; 511 lf (25 CY) of Type 6 retaining wall				
Assumptions:				
60 paving pours; 12 sidewalk and ramp pours; 8 inlet pours				
2 retaining wall pours				
10 light pole and signal foundation pours				
<b>A. Mix Design Review</b>				
Assumptions: 4 mix design reviews				
1. Mix Design Review	hr	\$ 275.00	4	\$ 1,100.00

<b>B. Street Pours (includes median noses)</b>				
Assumptions: 60 paving pours @ 6 hrs/ea; 1 set of 4 cyls				
1. Senior Engineering Technician	hr	\$ 44.00	360	\$ 15,840.00
2. Concrete Cylinder Tests	ea	\$ 14.00	240	\$ 3,360.00
<b>C. Sidewalk and Ramp Pours</b>				
Assumptions: 12 pours @ 4 hrs/pour; 1 set of 4 cyls/pour				
1. Senior Engineering Technician	hr	\$ 44.00	48	\$ 2,112.00
2. Concrete Cylinder Tests	ea	\$ 14.00	48	\$ 672.00
<b>D. Inlet Pours</b>				
Assumptions: 8 pours @ 3 hrs/pour; 1 set of 4 cyls/pour				
1. Senior Engineering Technician	hr	\$ 44.00	24	\$ 1,056.00
2. Concrete Cylinder Tests	ea	\$ 14.00	32	\$ 448.00
<b>E. Type "6" Retaining Wall Pours</b>				
Assumptions: 2 pours; 4 hrs/pour				
1. Senior Engineering Technician	hr	\$ 44.00	8	\$ 352.00
2. Concrete Cylinder Tests	ea	\$ 14.00	8	\$ 112.00
<b>F. Traffic Signal 42" Foundations &amp; Light Pole Bases</b>				
Given: 170 lf - 42" foundation piers; 26 lf - 36" foundation piers				
17 street light foundations				
Assumptions: 10 pours; 3 hrs/pour				
1. Senior Engineering Technician	hr	\$ 44.00	30	\$ 1,320.00
2. Concrete Cylinder Tests	ea	\$ 14.00	40	\$ 560.00
<b>G. Cylinder Pickup</b>				
Assumptions: 92 trips for cylinder pickup; 2 hrs/trip				
1. Senior Engineering Technician	hr	\$ 44.00	184	\$ 8,096.00
<b>H. Trip Charges for Concrete</b>				
1. Trip Charge	ea	\$ 55.00	184	\$ 10,120.00
<b>Subtotal Task 2</b>				<b>\$ 45,148.00</b>
<b>Task 3. Project Management</b>				
Given: 2 hours per month for 10 months				
Assumptions: None				
1. Senior Engineer	hr	\$ 175.00	10	\$ 1,750.00
<b>Subtotal Task 3</b>				<b>\$ 1,750.00</b>
<b>Total Tasks 1-3</b>				<b>\$ 64,615.00</b>

SUMMARY FEE SCHEDULE FOR CONSTRUCTION MATERIALS TESTING AND ENGINEERING SERVICES

PROJECT: City of Plano- Project 5988 Intersection Improvements - Plano Pkwy & Los Rios Blvd				
GME Proposal No.: P15.05.0048				
<b>2015 UNIT FEE SCHEDULE - CONSTRUCTION MATERIALS TESTING SERVICES</b>				
TASK 1: Professional / Technical Services				
		<u>UNIT</u>		<u>TASK</u>
	<u>UNIT</u>	<u>PRICE</u>	<u>QTY</u>	<u>SUBTOTAL</u>
A. Principal Engineer	hr	\$190.00	0	\$0.00
B. Senior Engineer	hr	\$175.00	0	\$0.00
C. Project Engineer/ Scientist	hr	\$120.00	0	\$0.00
D. Staff Engineer/ Scientist	hr	\$95.00	0	\$0.00
E. Laboratory Supervisor	hr	\$75.00	0	\$0.00
F. Welding Inspector	hr	\$75.00	0	\$0.00
G. Senior Technician, Regular Time	hr	\$44.00	0	\$0.00
H. Senior Technician, Overtime (1)	hr	\$61.60	0	\$0.00
I. Drafter	hr	\$49.00	0	\$0.00
J. Clerical	hr	\$33.00	0	\$0.00
K. Subconsultant Services	c+	1.10		
SUBTOTAL FOR PROFESSIONAL/TECHNICAL SERVICES				OPEN
TASK 2: LABORATORY SERVICES				
A. Soil Testing Services				
1. Standard Proctor (ASTM D698)	ea	\$125.00	0	\$0.00
2. Modified Proctor ( ASTM D1557)	ea	\$125.00	0	\$0.00
3. Atterberg Limits	ea	\$50.00	0	\$0.00
4. Moisture Content	ea	\$5.00	0	\$0.00
5. Free Swell	ea	\$70.00	0	\$0.00
6. Sieve Analysis	ea	\$35.00	0	\$0.00
7. Lime Series (pH Method)	ea	\$375.00	0	\$0.00
B. Concrete & Aggregate Testing Services				
1. Cylinders, Compressive Strength	ea	\$14.00	0	\$0.00
2. Beams, Flexural Strength	ea	\$16.00	0	\$0.00
3. Cubes, Compressive Strength	ea	\$14.00	0	\$0.00
4. Grout Prisms, Compressive Strength	ea	\$14.00	0	\$0.00
5. Sieve Analysis	ea	\$35.00	0	\$0.00
6. Mix Design Review	ea	\$275.00	0	\$0.00
SUBTOTAL FOR LABORATORY TESTING				OPEN
TASK 3: Equipment Rental & Miscellaneous				
1. Nuclear Density Gauge	day	\$70.00	0	\$0.00
2. Nuclear Density Gauge	1/2 day	\$35.00	0	\$0.00
3. Mileage	mi	\$0.55	0	\$0.00
4. Trip Charge	ea	\$55.00	0	\$0.00
5. Drill Rig Mobilization	ea	\$400.00	0	\$0.00
6. Shelby Tube Sampling	lf	\$13.00	0	\$0.00
SUBTOTAL FOR EQUIPMENT RENTAL				OPEN
(1) Overtime rate are applicable to hours worked before the hours of 7:00 am and after 5:00 pm on weekdays.				
Overtime rates will also apply to Saturdays, Sundays, & holidays.				

**EXHIBIT "D"**  
**ENGINEERING**  
**PROJECT NO. 5988**

**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 Engineer (hereinafter called "Engineer") shall not start work under this contract until the Engineer 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 Engineer 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 Engineer 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 Engineer'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 Engineer 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 Engineer 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 Engineer 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 Engineer, and the Engineer 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 Engineer. Engineer may be required to provide proof of financial ability to cover deductibles, or may be required to post a bond to cover deductibles.

**2. Engineer's Insurance - "Occurrence" Basis:**

- 2.1 The Engineer 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 Engineer 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

## ENGINEERING

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



**EXHIBIT "E"**  
**INTERSECTION IMPROVEMENTS - PLANO PARKWAY AND LOS RIOS BOULEVARD**  
**PROJECT NO. 5988**  
**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 **GME CONSULTING SERVICES, INC.**, a Corporation organized under the laws of the State of Texas, and I have made a reasonable inquiry and, to the best of my knowledge, no person or officer of **GME CONSULTING SERVICES, INC.**, is employed by the City of Plano or is an elected or appointed official of the City of Plano within the restrictions of the Plano City Charter.

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

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

**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.

GME CONSULTING SERVICES, INC.

By:

*Marcia S. Kawalek*  
Signature

MARCIA S. KAWALEK  
Print Name

CEO  
Title

7-28-15  
Date

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

SUBSCRIBED AND SWORN TO before me this 28<sup>th</sup> day of July, 2015.  
*Donna J. Lange*  
Notary Public, State of Texas





# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		8/10/15		
Department:		Parks and Recreation		
Department Head		Amy Fortenberry		
Agenda Coordinator (include phone #): <b>Susan Berger (7255)</b>				
<b>CAPTION</b>				
To approve and authorize Contract Modification No. 2 for professional landscape architectural services in the amount of \$7,500 from Adams Consulting Engineers, Inc. This modification will provide for design and engineering services for site improvements at the Douglass Community Center.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR:	<b>2014-15</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>
				<b>TOTALS</b>
Budget		39,307	460,693	0
Encumbered/Expended Amount		-39,307	-8,163	0
This Item		0	-7,500	0
BALANCE		0	445,030	0
<b>FUND(S):    RECREATION FACILITIES CIP</b>				
<p><b>COMMENTS:</b> Funding is available in the 2014-15 Recreation Facilities CIP for this item. The second contract modification to the professional design services agreement, in the amount of \$7,500, will leave a current year balance of \$445,030 available for future expenditures related to improvements at the Douglass Community Center.</p> <p><b>STRATEGIC PLAN GOAL:</b> Modifying existing contracts to obtain additional services necessary to complete CIP projects relates to the City's goal of a Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
<p>Adams Consulting Engineers, Inc. is currently contracted to provide professional landscape architectural services at the Douglass Community Center. The project includes the design and engineering of various site improvements near the Boys Club - Girls Club of Collin County building and the child care building. Improvements include pedestrian plaza reconstruction, screening of mechanical systems through the installation of awnings, drainage improvements, and landscape and irrigation improvements.</p> <p>Additional landscape and irrigation improvements on the site have been requested and will be added to the scope of work currently underway.</p> <p>The current contract amount is \$47,470. The design services contract modification is for \$7,500 and will increase the total contract to \$54,970.</p> <p>Project Location Map:  <a href="https://goo.gl/maps/vZveb">https://goo.gl/maps/vZveb</a></p>				



# CITY OF PLANO COUNCIL AGENDA ITEM

List of Supporting Documents: Contract Modification	Other Departments, Boards, Commissions or Agencies

**SECOND CONTRACT MODIFICATION**

**DOUGLASS COMMUNITY CENTER IMPROVEMENTS  
PROJECT NO. 6393**

**DEPARTMENTAL PURCHASE ORDER NO. 217555  
CIP NO. 23414-8321**

This shall serve as a Second Modification to the Contract between the City of Plano, Texas (hereinafter "City"), and **Adams Consulting Engineers, Inc.** (hereinafter "Consultant"), dated November 18, 2013, for Professional Landscape Architectural Services for the referenced project (hereinafter "Project").

**WITNESSETH:**

**WHEREAS**, City and Consultant entered into an Agreement on November 18, 2013 (hereinafter "Agreement") for Professional Landscape Architectural Services (hereinafter "Services");

**WHEREAS**, City and Consultant entered into a First Contract Modification (hereinafter "First Modification") on May 19, 2015; and

**WHEREAS**, City and Consultant desire to further amend such Agreement in certain respects as set forth herein in this Second Modification.

**NOW THEREFORE**, the Agreement is incorporated herein as if written word for word. Except as provided below, all other terms and conditions of the Agreement shall remain unchanged and shall remain in full force and effect. In the event of any conflict or inconsistency between the provisions set forth in this Second Modification and the Agreement, priority of interpretation shall be in the following order: Second Modification, First Modification, Agreement. In consideration of the foregoing, and for other good and valuable consideration, the parties hereto agree as follows:

**I.**

**Services:**

This Second Modification amends the Scope of Services as originally set forth in Exhibit A of the Agreement as follows:

**Section 4 – Additional Services**

Create base file of additional areas of the site that were not previously provided by an up-to-date survey. Base file will be drafted in CAD and traced from a pdf, provided by the City of Plano, of a previous site plan of the property. Landscape and irrigation improvements around the gymnasium building and the Douglass Community Center. Gymnasium parking lot landscape and irrigation design. Landscape, irrigation design,

sidewalk improvements, and demolition along Avenue H. Landscape, irrigation design, and retaining wall repair along Avenue G. Incorporate new irrigation with existing into an overall site irrigation plan. Incorporate all additional design elements into current construction drawing set. Incorporation of all items requested by the City in Exhibit A. All elements of landscape and irrigation will be designed in accordance with the City of Plano's standard details and specifications. Plans and cost estimate will be submitted no later than three weeks from the execution of this contract modification.

**II.**

**Compensation:**

This Second Modification amends the Compensation schedule as originally set forth in Exhibit C of the Agreement as follows:

For additional services provided pursuant to the Second Modification, City shall pay Consultant an amount not to exceed \$7,500.00. Such payment shall be made in accordance with the payment terms specified in the Contract.

**III.**

All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

**IV.**

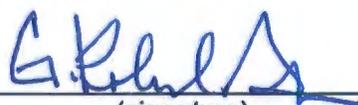
**THIS MODIFICATION WILL BE CHARGED TO CIP NO. 23414-8321.**

City and Consultant affirm, by the execution of this Second Modification, that the total amount of compensation provided for by the Agreement and all modifications thereto, including this Second Modification, are as follows:

Original Contract Amount	\$	<u>45,820.00</u>
Contract Amount (Including Previous Modifications)	\$	<u>47,470.00</u>
Amount, Modification No. 2	\$	<u>7,500.00</u>
Revised Contract Amount	\$	<u><u>54,970.00</u></u>
Total Percent Increase Including Previous Modifications		<u>19.97%</u>

**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.

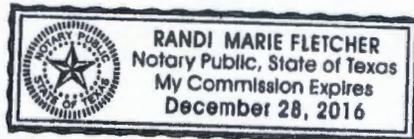
<b>CITY OF PLANO</b>	<b>ADAMS CONSULTING ENGINEERS, INC.</b>
_____ <i>OWNER</i>	_____ <i>CONSULTANT</i>
By: _____ (signature)	By:  (signature)
Print Name: Robin Reeves	Print Name: G. Robert Adams
Print Title: Chief Park Planner	Print Title: Vice President
Date: _____	Date: <u>7.28.15</u>

**ACKNOWLEDGMENTS**

STATE OF TEXAS

COUNTY OF Tarrant

This instrument was acknowledged before me on the 28 day of July, 2015, by **G. ROBERT ADAMS, VICE PRESIDENT, of ADAMS CONSULTING ENGINEERS, INC.**, a Texas corporation, on behalf of said corporation.



Randi Fletcher  
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by **ROBIN REEVES, CHIEF PARK PLANNER, of the CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

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



# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		08/10/2015		
Department:		Police		
Department Head		Gregory W. Rushin		
Agenda Coordinator (include phone #): <b>Pam Haines, ext 2538</b>				
<b>CAPTION</b>				
<p>A Resolution of the City of Plano, Texas, authorizing the City of Plano to participate in and receive funding through the Texas Highway Traffic Safety Program for the Intersection Traffic Control Project, PIN 17560006409000, targeting intersections regulated by a signal light; authorizing the City Manager or his authorized designee to execute the grant agreement and any other documents necessary to effectuate the action taken; and providing an effective date.</p>				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>2015-16</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>
		0	0	239,382
Budget		0	0	0
Encumbered/Expended Amount		0	0	-143,637
This Item		0	0	95,745
BALANCE		0	0	<b>95,745</b>
<b>FUND(S):    TRAFFIC SAFETY FUND, GENERAL FUND</b>				
<p><b>COMMENTS:</b> The grant contract, if approved, provides 60.0% ITC (Intersection Traffic Control) Grant reimbursement funding, in the estimated annual amount of \$143,637 from TXDoT (Texas Department of Transportation), to reimburse Police Officer overtime and benefit expenditures, administrative support salary and expenditures, vehicle operating expenditures, and indirect costs related to enforcing traffic intersection laws during FY 2015-16. The required City "match" of FY 2015-16 expenditures, 40.0%, totals approximately \$95,745 and is included within the recommended 2015-16 Traffic Safety and Police Department Budgets.</p> <p><b>STRATEGIC PLAN GOAL:</b> Participation in the 2016 Texas Traffic Safety Grant program relates to the City's Goal of Financially Strong City with Service Excellence and Safe, Large City.</p>				
<b>SUMMARY OF ITEM</b>				
<p>Through this grant agreement with the State of Texas, by and through the Texas Department of Transportation, the City will be reimbursed sixty percent (60%) of the overtime pay for police officers to enforce traffic laws at intersections regulated by a signal light beginning on October 1, 2015 and ending on September 30, 2016.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Resolution, Memo and Exhibit "A"				

**Date:** July 29, 2015  
**To:** LaShon Ross, Deputy City Manager  
**From:** Gregory W. Rushin, Chief of Police  
**Subject:** Matching Funds for FY 2015/16 TxDOT Traffic Safety Grant

In 2002, we applied to the Texas Department of Transportation (TxDOT) for grant funds to place additional enforcement at several problem intersections where red light crashes were resulting in injuries and deaths.

We are requesting approval to accept the FY 15/16 grant of \$239,382 for traffic enforcement, \$95,745 of which will be the required City match (\$143,637 in federal funds and \$95,745 in local funds). This grant is a 60/40 matching grant.

We are requesting the match in hard dollars for salaries and benefits in the amount of \$91,845 be funded from the Traffic Safety Fund. The vehicle mileage match in the amount of \$3,900 is adequately funded in the Police-532 basic budget for FY 15/16.

The grant will fund added speed and intersection enforcement at documented high crash locations throughout the City.

Traffic safety is one of our four Performance Measures. If funding is not approved, the Police Department's traffic enforcement activities will be adversely impacted and the state's matching funds will be forfeited.

GWR/ph

**A Resolution of the City of Plano, Texas, authorizing the City of Plano to participate in and receive funding through the Texas Highway Traffic Safety Program for the Intersection Traffic Control Project, PIN 17560006409000, targeting intersections regulated by a signal light; authorizing the City Manager or his authorized designee to execute the grant agreement and any other documents necessary to effectuate the action taken; and providing an effective date.**

**WHEREAS**, the City of Plano has applied for and been awarded a grant through the State of Texas and the Texas Highway Traffic Safety Program that provides funding for Intersection Traffic Control (ITC) projects as part of a Selective Traffic Enforcement Program (STEP), the purpose of which is to reduce fatalities, injuries, and crashes at intersections in Plano where there is a history of high frequency crashes and where traffic is regulated by a traffic signal light; and

**WHEREAS**, the City Council of the City of Plano has been presented a proposed Grant Agreement by and between the City of Plano and the State of Texas, acting by and through the Texas Department of Transportation, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Grant Agreement"); and

**WHEREAS**, upon full consideration of all matters attendant and related thereto, the City Council of the City of Plano is of the opinion that participation in and receipt of funding through the Texas Highway Traffic Safety Program, PIN 17560006409000, for the purpose of conducting an Intersection Traffic Control (ITC) project is in the best interest of the City and its citizens, and that the City Manager or his authorized designee should be authorized to execute the Grant Agreement and any other documents necessary for such participation in and receipt of funding through the Texas Highway Traffic Safety Program.

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

**Section I.** Participation in and receipt of funding through the Texas Highway Traffic Safety Program by the City of Plano and the terms and conditions of the Grant Agreement, having been found to be acceptable and in the best interest of the City of Plano by the City Council, is hereby in all things approved.

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

**Section III.** This Resolution shall become effective from and after its passage.

**DULY PASSED AND APPROVED** this the 10th day of August, 2015.

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY

# Texas Traffic Safety eGrants

## Fiscal Year 2016

**Organization Name:** City of Plano - Police Department

**Legal Name:** City of Plano

**Payee Identification Number:** 17560006409000

**Project Title:** STEP- 2016 Comprehensive

**ID:** 2016-PlanoPD-S-1YG-0012

**Period:** 10/01/2015 to 09/30/2016

## TEXAS TRAFFIC SAFETY PROGRAM GRANT AGREEMENT

THE STATE OF TEXAS  
THE COUNTY OF TRAVIS

THIS AGREEMENT IS MADE BY and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the Department and the, **City of Plano** hereinafter called the Subgrantee, and becomes effective then fully executed by both parties. For the purpose of this agreement, the Subgrantee is designated as a(n) **Local Government**.

AUTHORITY: Texas Transportation Code, Chapter 723, the Traffic Safety Act of 1967, and the Highway Safety Performance Plan for the Fiscal Year 2016.

Name of the Federal Agency: **National Highway Traffic Safety Administration**

CFDA Number: **20.600**  
CFDA Title: **State and Community Highway Safety Grant Program**  
Funding Source: Section **402**  
DUNS: **074853573**

Project Title: **STEP- 2016 Comprehensive**  
This project is **Not Research and Development**

Grant Period: This Grant becomes effective on **10/01/2015** or on the date of final signature of both parties, whichever is later, and ends on **09/30/2016** unless terminated or otherwise modified.

Total Awarded: **\$239,381.55**  
Amount Eligible for Reimbursement by the Department: **\$143,636.62**  
Match Amount provided by the Subgrantee: **\$95,744.93**

### TEXAS TRAFFIC SAFETY PROGRAM GRANT AGREEMENT

The signatory of the Subgrantee hereby represents and warrants that she/he is an officer of the organization for which she/he has executed this agreement and that she/he has full and complete authority to enter into this agreement on behalf of the organization.

THE SUBGRANTEE

THE STATE OF TEXAS

**City of Plano**

[Legal Name of Agency]

Executed for the Executive Director and  
Approved for the Texas Transportation  
Commission for the purpose and effect of  
activating and/or carrying out orders,  
established policies or work programs  
approved and authorized by the Texas  
Transportation Commission

By:

By:

\_\_\_\_\_  
[Authorized Signature]

\_\_\_\_\_  
[District Engineer Texas Department of  
Transportation]

\_\_\_\_\_  
[Name]

\_\_\_\_\_  
[Name]

\_\_\_\_\_  
[Title]

\_\_\_\_\_  
[Title]

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

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

Under the authority of Ordinance or  
Resolution Number (for local government):  
(If Applicable)

By:

\_\_\_\_\_  
[Resolution Number]

\_\_\_\_\_  
Director, Traffic Operations Division Texas  
Department of Transportation (Not required for  
local project grants under \$100,000.00)  
Date: \_\_\_\_\_

## GRANT AGREEMENT GENERAL TERMS AND CONDITIONS

### ARTICLE 1. COMPLIANCE WITH LAWS

The Subgrantee shall comply with all federal, state, and local laws, statutes, codes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any matter affecting the performance of this agreement, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, nondiscrimination laws and regulations, and licensing laws and regulations. When required, the Subgrantee shall furnish the Department with satisfactory proof of compliance.

### ARTICLE 2. STANDARD ASSURANCES

The Subgrantee assures and certifies that it will comply with the regulations, policies, guidelines, and requirements, including 2 CFR, Part 200; and the Department's Traffic Safety Program Manual, as they relate to the application, acceptance, and use of federal or state funds for this project. Also, the Subgrantee assures and certifies that:

A. It possesses legal authority to apply for the grant; and that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained in the application, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide any additional information that may be required.

B. It and its subcontractors will comply with Title VI of the Civil Rights Act of 1964 (Public Law 88-352), as amended, and in accordance with that Act, no person shall discriminate, on the grounds of race, color, sex, national origin, age, religion, or disability.

C. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970, as amended; 42 USC (United States Code) §§4601 et seq.; and United States Department of Transportation (USDOT) regulations, "Uniform Relocation and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR, Part 24, which provide for fair and equitable treatment of persons displaced as a result of federal and federally assisted programs.

D. It will comply with the provisions of the Hatch Political Activity Act, which limits the political activity of employees. (See also Article 25, Lobbying Certification.)

E. It will comply with the federal Fair Labor Standards Act's minimum wage and overtime requirements for employees performing project work.

F. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

G. It will give the Department the access to and the right to examine all records, books, papers, or documents related to this Grant Agreement.

H. It will comply with all requirements imposed by the Department concerning special requirements of law, program requirements, and other administrative requirements.

I. It recognizes that many federal and state laws imposing environmental and resource conservation requirements may apply to this Grant Agreement. Some, but not all, of the major federal laws that may affect the project include: the National Environmental Policy Act of 1969, as amended, 42 USC §§4321 et seq.; the Clean Air Act, as amended, 42 USC §§7401 et seq. and sections of 29 USC; the Federal Water Pollution Control Act, as amended, 33 USC §§1251 et seq.; the Resource Conservation and Recovery Act, as amended, 42 USC §§6901 et seq.; and the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 USC §§9601 et seq. The Subgrantee also recognizes that the U.S. Environmental Protection Agency, USDOT, and other federal agencies have issued, and in the future are expected to issue, regulations, guidelines, standards, orders, directives, or other requirements that may affect this Project. Thus, it agrees to comply, and assures the compliance of each contractor and each subcontractor, with any federal requirements that the federal government may now or in the future promulgate.

J. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 USC §4012a(a). Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where that insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any form of direct or indirect federal assistance.

K. It will assist the Department in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470 et seq.), Executive Order 11593, and the Antiquities Code of Texas (National Resources Code, Chapter 191).

L. It will comply with Chapter 573 of the Texas Government Code by ensuring that no officer, employee, or member of the Subgrantee's governing board or the Subgrantee's subcontractors shall vote or confirm the employment of any person related within the second degree of affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise that person. This prohibition shall not apply to the employment of a person described in Section 573.062 of the Texas Government Code.

M. It will ensure that all information collected, assembled, or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Chapter 552 of the Texas Government Code, unless otherwise expressly provided by law.

N. If applicable, it will comply with Chapter 551 of the Texas Government Code, which requires all regular, special, or called meetings of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.

### **ARTICLE 3. COMPENSATION**

A. The method of payment for this agreement will be based on actual costs incurred up to and not to exceed the limits specified in the Project Budget. The amount included in a Project Budget category will be deemed to be an estimate only and a higher amount can be reimbursed, subject to the conditions specified in paragraph B of this Article. If the Project Budget specifies that costs are based on a specific rate, per-unit cost, or other method of payment, reimbursement will be based on the specified method.

B. All payments will be made in accordance with the Project Budget.

1. The Subgrantee's expenditures may overrun a budget category (I, II, or III) in the approved Project Budget without a grant (budget) amendment, as long as the overrun does not exceed a total of five (5) percent of the maximum amount eligible for reimbursement (TxDOT) in the attached Project Budget for the current fiscal year. This overrun must be off-set by an equivalent underrun elsewhere in the Project Budget.

2. If the overrun is five (5) percent or less, the Subgrantee must provide written notification to the Department, through the TxDOT Electronic Grants Management System (eGrants), prior to the Request for Reimbursement being approved. The notification must indicate the amount, the percent over, and the specific reason(s) for the overrun.

3. Any overrun of more than five (5) percent of the amount eligible for reimbursement (TxDOT) in the attached Project Budget requires an amendment of this Grant Agreement.

4. The maximum amount eligible for reimbursement shall not be increased above the Grand Total TxDOT Amount in the approved Project Budget, unless this Grant Agreement is amended, as described in Article 5 of this agreement.

5. For Selective Traffic Enforcement Program (STEP) grants only: In the Project Budget, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or B, "PI&E Activities," to exceed the TxDOT amount listed in Subcategory C, "Other." Also, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or C, "Other," to exceed the TxDOT amount listed in Subcategory B, "PI&E Activities." The TxDOT amount for Subcategory B, "PI&E Activities," or C, "Other," can only be exceeded within the five (5) percent flexibility, with underrun funds from Budget Categories II or III.

C. To be eligible for reimbursement under this agreement, a cost must be incurred in accordance with the Project Budget, within the time frame specified in the Grant Period of this Grant Agreement, attributable to work covered by this agreement, and which has been completed in a manner satisfactory and acceptable to the Department.

D. Federal or TxDOT funds cannot supplant (replace) funds from any other sources. The term "supplanting," refers to the use of federal or TxDOT funds to support personnel or an activity already supported by local or state funds.

E. Payment of costs incurred under this agreement is further governed by the cost principles outlined in 2 CFR Part 200.

F. The Subgrantee agrees to submit monthly Requests for Reimbursement, as designated in this Grant Agreement, within thirty (30) days after the end of the billing period. The Request for Reimbursement and appropriate supporting documentation must be submitted through eGrants.

G. The Subgrantee agrees to submit the final Request for Reimbursement under this agreement within forty-five (45) days of the end of the grant period.

H. Payments are contingent upon the availability of appropriated funds.

I. Project agreements supported with federal or TxDOT funds are limited to the length of this Grant Period specified in this Grant Agreement. If the Department determines that the project has demonstrated merit or has potential long-range benefits, the Subgrantee may apply for funding assistance beyond the initial agreement period.

Preference for funding will be given to projects based on (1) proposed cost sharing and (2) demonstrated performance history.

#### **ARTICLE 4. LIMITATION OF LIABILITY**

Payment of costs incurred under this agreement is contingent upon the availability of funds. If at any time during this Grant Period, the Department determines that there is insufficient funding to continue the project, the Department shall notify the Subgrantee, giving notice of intent to terminate this agreement, as specified in Article 11 of this agreement. If at the end of a federal fiscal year, the Department determines that there is sufficient funding and performance to continue the project, the Department may notify the Subgrantee to continue this agreement.

#### **ARTICLE 5. AMENDMENTS**

This agreement may be amended prior to its expiration by mutual written consent of both parties, utilizing the Grant Agreement Amendment in eGrants. Any amendment must be executed by the parties within the Grant Period, as specified in this Grant Agreement.

#### **ARTICLE 6. ADDITIONAL WORK AND CHANGES IN WORK**

A. If the Subgrantee is of the opinion that any assigned work is beyond the scope of this agreement and constitutes additional work, the Subgrantee shall promptly notify the Department in writing through eGrants. If the Department finds that such work does constitute additional work, the Department shall advise the Subgrantee and a written amendment to this agreement will be executed according to Article 5, Amendments, to provide compensation for doing this work on the same basis as the original work. If performance of the additional work will cause the maximum amount payable to be exceeded, the work will not be performed before a written grant amendment is executed.

B. If the Subgrantee has submitted work in accordance with the terms of this agreement but the

Department requests changes to the completed work or parts of the work which involve changes to the original scope of services or character of work under this agreement, the Subgrantee shall make those revisions as requested and directed by the Department. This will be considered as additional work and will be paid for as specified in this Article.

C. If the Subgrantee submits work that does not comply with the terms of this agreement, the Department shall instruct the Subgrantee to make any revisions that are necessary to bring the work into compliance with this agreement. No additional compensation shall be paid for this work.

D. The Subgrantee shall make revisions to the work authorized in this agreement that are necessary to correct errors or omissions, when required to do so by the Department. No additional compensation shall be paid for this work.

E. The Department shall not be responsible for actions by the Subgrantee or any costs incurred by the Subgrantee relating to additional work not directly associated with or prior to the execution of an amendment.

#### **ARTICLE 7. REPORTING AND MONITORING**

A. Not later than thirty (30) days after the end of each reporting period, the Subgrantee shall submit a performance report through eGrants. Reporting periods vary by project duration and are defined as follows:

1. For short term projects, the reporting period is the duration of the project. Subgrantee shall submit a performance report within 30 days of project completion.

2. For longer projects, the reporting period is monthly. Subgrantee shall submit a performance report within 30 days of the completion of each project month and within 30 days of project completion.

3. For Selective Traffic Enforcement Program (STEP) Wave projects, the reporting period is each billing cycle. Subgrantee shall submit a performance report within 30 days of the completion of each billing cycle.

B. The performance report will include, as a minimum: (1) a comparison of actual accomplishments to the objectives established for the period, (2) reasons why established objectives and performance measures were not met, if appropriate, and (3) other pertinent information, including, when appropriate, an analysis and explanation of cost underruns, overruns, or high unit costs.

C. The Subgrantee shall promptly advise the Department in writing, through eGrants, of events that will have a significant impact upon this agreement, including:

1. Problems, delays, or adverse conditions, including a change of project director or other changes in Subgrantee personnel, that will materially affect the ability to attain objectives and performance measures, prevent the meeting of time schedules and objectives, or preclude the attainment of project objectives or performance measures by the established time periods.

This disclosure shall be accompanied by a statement of the action taken or contemplated and any Department or federal assistance needed to resolve the situation.

2. Favorable developments or events that enable meeting time schedules and objectives sooner than anticipated or achieving greater performance measure output than originally projected.

D. The Subgrantee shall submit the Final Performance Report through eGrants within thirty (30) days after completion of the grant.

#### **ARTICLE 8. RECORDS**

The Subgrantee agrees to maintain all reports, documents, papers, accounting records, books, and other evidence pertaining to costs incurred and work performed under this agreement (called the "Records"), and shall make the Records available at its office for the time period authorized within the Grant Period, as specified in this Grant Agreement. The Subgrantee further agrees to retain the Records for four (4) years from the date of final payment under this agreement, until completion of all audits, or until pending litigation has been completely and fully resolved, whichever occurs last.

Duly authorized representatives of the Department, the USDOT, the Office of the Inspector General, Texas State Auditor, and the Comptroller General shall have access to the Records. This right of access is not limited to the four (4) year period but shall last as long as the Records are retained.

#### **ARTICLE 9. INDEMNIFICATION**

A. To the extent permitted by law, the Subgrantee, if other than a government entity, shall indemnify, hold, and save harmless the Department and its officers and employees from all claims and liability due to the acts or omissions of the Subgrantee, its agents, or employees. The Subgrantee also agrees, to the extent permitted by law, to indemnify, hold, and save harmless the Department from any and all expenses, including but not limited to attorney fees, all court costs and awards for damages incurred by the Department in litigation or otherwise resisting claims or liabilities as result of any activities of the Subgrantee, its agents, or employees.

B. To the extent permitted by law, the Subgrantee, if other than a government entity, agrees to protect, indemnify, and save harmless the Department from and against all claims, demands, and causes of action of every kind and character brought by any employee of the Subgrantee against the Department due to personal injuries to or death of any employee resulting from any alleged negligent act, by either commission or omission on the part of the Subgrantee.

C. If the Subgrantee is a government entity, both parties to this agreement agree that no party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds, as well as the acts and deeds of its contractors, employees, representatives, and agents.

## **ARTICLE 10. DISPUTES AND REMEDIES**

This agreement supersedes any prior oral or written agreements. If a conflict arises between this agreement and the Traffic Safety Program Manual, this agreement shall govern. The Subgrantee shall be responsible for the settlement of all contractual and administrative issues arising out of procurement made by the Subgrantee in support of work under this agreement. Disputes concerning performance or payment shall be submitted to the Department for settlement, with the Executive Director or his or her designee acting as final referee.

## **ARTICLE 11. TERMINATION**

A. This agreement shall remain in effect until the Subgrantee has satisfactorily completed all services and obligations described in this agreement and these have been accepted by the Department, unless:

1. This agreement is terminated in writing with the mutual consent of both parties; or
2. There is a written thirty (30) day notice by either party; or
3. The Department determines that the performance of the project is not in the best interest of the Department and informs the Subgrantee that the project is terminated immediately.

B. The Department shall compensate the Subgrantee for only those eligible expenses incurred during the Grant Period specified in this Grant Agreement that are directly attributable to the completed portion of the work covered by this agreement, provided that the work has been completed in a manner satisfactory and acceptable to the Department. The Subgrantee shall not incur nor be reimbursed for any new obligations after the effective date of termination.

## **ARTICLE 12. INSPECTION OF WORK**

A. The Department and, when federal funds are involved, the USDOT, or any of their authorized representatives, have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this agreement and the premises in which it is being performed.

B. If any inspection or evaluation is made on the premises of the Subgrantee or its subcontractor, the Subgrantee shall provide and require its subcontractor to provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties. All inspections and evaluations shall be performed in a manner that will not unduly delay the work.

## **ARTICLE 13. AUDIT**

The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under this agreement or indirectly through a subcontract under this agreement.

Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

#### **ARTICLE 14. SUBCONTRACTS**

A subcontract in excess of \$25,000 may not be executed by the Subgrantee without prior written concurrence by the Department. Subcontracts in excess of \$25,000 shall contain all applicable terms and conditions of this agreement. No subcontract will relieve the Subgrantee of its responsibility under this agreement.

#### **ARTICLE 15. GRATUITIES**

A. Texas Transportation Commission policy mandates that employees of the Department shall not accept any benefit, gift, or favor from any person doing business with or who, reasonably speaking, may do business with the Department under this agreement. The only exceptions allowed are ordinary business lunches and items that have received the advanced written approval of the Department's Executive Director.

B. Any person doing business with or who reasonably speaking may do business with the Department under this agreement may not make any offer of benefits, gifts, or favors to Department employees, except as mentioned here above. Failure on the part of the Subgrantee to adhere to this policy may result in termination of this agreement.

#### **ARTICLE 16. NONCOLLUSION**

The Subgrantee warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Subgrantee, to solicit or secure this agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or making of this agreement. If the Subgrantee breaches or violates this warranty, the Department shall have the right to annul this agreement without liability or, in its discretion, to deduct from the agreement price or consideration, or otherwise recover the full amount of such fee, commission, brokerage fee, contingent fee, or gift.

#### **ARTICLE 17. CONFLICT OF INTEREST**

The Subgrantee represents that it or its employees have no conflict of interest that would in any way interfere with its or its employees' performance or which in any way conflicts with the interests of the Department. The Subgrantee shall exercise reasonable care and diligence to prevent any actions or conditions that could result in a conflict with the Department's interests.

#### **ARTICLE 18. SUBGRANTEE'S RESOURCES**

A. The Subgrantee certifies that it presently has adequate qualified personnel in its employment to perform the work required under this agreement, or will be able to obtain such personnel from sources other than the Department.

B. All employees of the Subgrantee shall have the knowledge and experience that will enable them to perform the duties assigned to them. Any employee of the Subgrantee who, in the opinion of the Department, is incompetent or whose conduct becomes detrimental to the work, shall immediately be removed from association with the project.

C. Unless otherwise specified, the Subgrantee shall furnish all equipment, materials, supplies, and other resources required to perform the work.

#### **ARTICLE 19. PROCUREMENT AND PROPERTY MANAGEMENT**

The Subgrantee shall establish and administer a system to procure, control, protect, preserve, use, maintain, and dispose of any property furnished to it by the Department or purchased pursuant to this agreement in accordance with its own procurement and property management procedures, provided that the procedures are not in conflict with (1) the Department's procurement and property management standards and (2) the federal procurement and property management standards provided by 2 CFR §§ 200.310-.316, 200.318-.324.

#### **ARTICLE 20. OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY**

Upon completion or termination of this Grant Agreement, whether for cause or at the convenience of the parties, all finished or unfinished documents, data, studies, surveys, reports, maps, drawings, models, photographs, etc. prepared by the Subgrantee, and equipment and supplies purchased with grant funds shall, at the option of the Department, become the property of the Department. All sketches, photographs, calculations, and other data prepared under this agreement shall be made available, upon request, to the Department without restriction or limitation of their further use.

A. Intellectual property consists of copyrights, patents, and any other form of intellectual property rights covering any databases, software, inventions, training manuals, systems design, or other proprietary information in any form or medium.

B. All rights to Department. The Department shall own all of the rights (including copyrights, copyright applications, copyright renewals, and copyright extensions), title and interests in and to all data, and other information developed under this contract and versions thereof unless otherwise agreed to in writing that there will be joint ownership.

C. All rights to Subgrantee. Classes and materials initially developed by the Subgrantee without any type of funding or resource assistance from the Department remain the Subgrantee's intellectual property. For these classes and materials, the Department payment is limited to payment for attendance at classes.

## **ARTICLE 21. SUCCESSORS AND ASSIGNS**

The Department and the Subgrantee each binds itself, its successors, executors, assigns, and administrators to the other party to this agreement and to the successors, executors, assigns, and administrators of the other party in respect to all covenants of this agreement. The Subgrantee shall not assign, sublet, or transfer interest and obligations in this agreement without written consent of the Department through eGrants.

## **ARTICLE 22. CIVIL RIGHTS COMPLIANCE**

A. Compliance with regulations: The Subgrantee shall comply with the regulations relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation (USDOT): 49 CFR, Part 21; 23 CFR, Part 200; and 41 CFR, Parts 60-74, as they may be amended periodically (called the "Regulations"). The Subgrantee agrees to comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 and as supplemented by the U.S. Department of Labor regulations (41 CFR, Part 60).

B. Nondiscrimination: The Subgrantee, with regard to the work performed during the period of this agreement, shall not discriminate on the grounds of race, color, sex, national origin, age, religion, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment.

C. Solicitations for subcontracts, including procurement of materials and equipment: In all solicitations either by competitive bidding or negotiation made by the Subgrantee for work to be performed under a subcontract, including procurements of materials and leases of equipment, each potential subcontractor or supplier shall be notified by the Subgrantee of the Subgrantee's obligations under this agreement and the regulations relative to nondiscrimination on the grounds of race, color, sex, national origin, age, religion, or disability.

D. Information and reports: The Subgrantee shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department or the USDOT to be pertinent to ascertain compliance with the Regulations or directives. Where any information required of the Subgrantee is in the exclusive possession of another who fails or refuses to furnish this information, the Subgrantee shall certify that to the Department or the USDOT, whichever is appropriate, and shall set forth what efforts the Subgrantee has made to obtain the requested information.

E. Sanctions for noncompliance: In the event of the Subgrantee's noncompliance with the nondiscrimination provision of this agreement, the Department shall impose such sanctions as it or the USDOT may determine to be appropriate.

F. Incorporation of provisions: The Subgrantee shall include the provisions of paragraphs A. through E. in every subcontract, including procurements of materials and leases of equipment, unless exempt by the regulations or directives. The Subgrantee shall take any action with respect to any subcontract or procurement that the Department may direct as a means of enforcing those provisions, including sanctions for noncompliance. However, in the event a Subgrantee becomes involved in, or is threatened with litigation with a subcontractor or

supplier as a result of such direction, the Subgrantee may request the Department to enter into litigation to protect the interests of the state; and in addition, the Subgrantee may request the United States to enter into such litigation to protect the interests of the United States.

#### **ARTICLE 23. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM**

A. The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.

B. The Subgrantee shall adopt, in its totality, the Department's federally approved DBE program.

C. The Subgrantee shall set an appropriate DBE goal consistent with the Department's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Subgrantee shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.

D. The Subgrantee shall follow all other parts of the Department's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity and attachments found at web address <http://www.txdot.gov/business/partnerships/dbe.html>

E. The Subgrantee shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Subgrantee shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of USDOT-assisted contracts. The Department's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Subgrantee of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).

F. Each contract the Subgrantee signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.

#### **ARTICLE 24. DEBARMENT AND SUSPENSION**

A. The Subgrantee certifies, to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency;
2. Have not within the three (3) year period preceding this agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local public transaction or contract under a public transaction; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted or otherwise criminally or civilly charged by a federal, state, or local governmental entity with commission of any of the offenses enumerated in paragraph A. 2. of this Article; and
4. Have not, within the three (3) year period preceding this agreement, had one or more federal, state, or local public transactions terminated for cause or default.

B. Where the Subgrantee is unable to certify to any of the statements in this Article, the Subgrantee shall attach an explanation to this agreement.

C. The Subgrantee is prohibited from making any award or permitting any award at any tier to any party which is debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Subgrantee certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549.

D. The Subgrantee shall require any party to a subcontract or purchase order awarded under this Grant Agreement to certify its eligibility to receive federal grant funds, and, when requested by the Department, to furnish a copy of the certification.

## **ARTICLE 25. LOBBYING CERTIFICATION**

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief that:

A. No federally appropriated funds have been paid or will be paid by or on behalf of the Subgrantee to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of

Congress in connection with this federal contract, grant, loan, or cooperative agreement, the party to this agreement shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

C. The Subgrantee shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that all sub- recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### **ARTICLE 26. CHILD SUPPORT CERTIFICATION**

Under Section 231.006, Texas Family Code, the Subgrantee certifies that the individual or business entity named in this agreement is not ineligible to receive the specified grant, loan, or payment and acknowledges that this agreement may be terminated and payment may be withheld if this certification is inaccurate. If the above certification is shown to be false, the Subgrantee is liable to the state for attorney's fees and any other damages provided by law or the agreement. A child support obligor or business entity ineligible to receive payments because of a payment delinquency of more than thirty (30) days remains ineligible until: all arrearages have been paid; the obligor is in compliance with a written repayment agreement or court order as to any existing delinquency; or the court of continuing jurisdiction over the child support order has granted the obligor an exemption from Subsection (a) of Section 231.006, Texas Family Code, as part of a court-supervised effort to improve earnings and child support payments.

#### **ARTICLE 27. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT REQUIREMENTS**

A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms:

<http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and

<http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>.

B. The Subgrantee agrees that it shall:

1. Obtain and provide to the State a System for Award Management (SAM) number (48 CFR subpt. 4.11) if this award provides for more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM web-site at: <https://www.sam.gov>

2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and

3. Report the total compensation and names of its top five (5) executives to the State if:
- i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
  - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

#### **ARTICLE 28. SINGLE AUDIT REPORT**

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR Part 200.
- B. If threshold expenditures of \$750,000 or more are met during the Subgrantee's fiscal year, the Subgrantee must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at [singleaudits@txdot.gov](mailto:singleaudits@txdot.gov)
- C. If expenditures are less than \$750,000 during the Subgrantee's fiscal year, the Subgrantee must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$750,000 expenditure threshold and therefore, are not required to have a single audit performed for FY --."
- D. For each year the project remains open for federal funding expenditures, the Subgrantee will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

#### **ARTICLE 29. BUY AMERICA ACT**

The Subgrantee will comply with the provisions of the Buy America Act (49 U.S.C. §5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

#### **ARTICLE 30. RESTRICTION ON STATE LOBBYING**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude

a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

**ARTICLE 31. NONGOVERNMENTAL ENTITY'S PUBLIC INFORMATION**

*[This article applies only to non-profit entities.]*

The Subgrantee is required to make any information created or exchanged with the Department pursuant to this Grant Agreement and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the Department. [SB-1368, 83rd Texas Legislature, Regular Session, Effective 9/1/13]

### RESPONSIBILITIES OF THE SUBGRANTEE

- A. Carry out all performance measures established in the grant, including fulfilling the law enforcement objectives by implementing the Operational Plan contained in this Grant Agreement.
- B. Submit all required reports to the Department (TxDOT) fully completed with the most current information, and within the required times, as defined in Article 3 and Article 7 of the General Terms and Conditions of this Grant Agreement. This includes reporting to the Department on progress, achievements, and problems in monthly Performance Reports and attaching necessary source documentation to support all costs claimed in Requests for Reimbursement (RFR).
- C. Attend Department-approved grant management training.
- D. Attend meetings according to the following:
  - 1. The Department will arrange for meetings with the Subgrantee to present status of activities and to discuss problems and the schedule for the following quarter's work.
  - 2. The project director or other appropriate qualified persons will be available to represent the Subgrantee at meetings requested by the Department.
- E. Support grant enforcement efforts with public information and education (PI&E) activities. Salaries being claimed for PI&E activities must be included in the budget.
- F. When applicable, all newly developed PI&E materials must be submitted to the Department for written approval, through the TxDOT Electronic Grants Management System (eGrants) system messaging, prior to final production. Refer to the Traffic Safety Program Manual regarding PI&E procedures.
- G. For out of state travel expenses to be reimbursable, the Subgrantee must have obtained the written approval of the Department, through eGrants system messaging, prior to the beginning of the trip. Grant approval does not satisfy this requirement. For Department district-managed grants, the Subgrantee must have obtained written Department district approval, through eGrants system messaging, for travel and related expenses if outside of the district boundaries.
- H. Maintain verification that all expenses, including wages or salaries, for which reimbursement is requested is for work exclusively related to this project.
- I. Ensure that this grant will in no way supplant (replace) funds from other sources. Supplanting refers to the use of federal funds to support personnel or any activity already supported by local or state funds.
- J. Ensure that each officer working on the STEP project will complete an officer's daily report form. The form should include at a minimum: name, date, badge or identification number, type of grant worked, grant site number, mileage (including starting and ending mileage),

hours worked, type of citation issued or arrest made, officer and supervisor signatures.

- K. All STEP agencies must provide the following provision in all daily activity report forms:  
"I understand that this information is being submitted to support a claim against a federally-funded grant program. False statements on this form may be prosecutable under 18 USC 1001. This information on this form is true, correct, and complete to the best of my knowledge and ability."
- L. Ensure that no officer above the rank of Lieutenant (or equivalent title) will be reimbursed for enforcement duty, unless the Subgrantee received specific written authorization from the Department, through eGrants system messaging, prior to incurring costs.
- M. Subgrantee may work additional STEP enforcement hours on holidays or special events not covered under the Operational Plan. However, additional work must be approved in writing by the Department, through eGrants system messaging, prior to enforcement. Additional hours must be reported in the Performance Report for the time period for which the additional hours were worked.
- N. If an officer makes a STEP-related arrest during the shift, but does not complete the arrest before the shift is scheduled to end, the officer can continue working under the grant to complete that arrest.
- O. Subgrantees with a traffic unit will utilize traffic personnel for this grant, unless such personnel are unavailable for assignment.
- P. Prior to conducting speed enforcement, the Subgrantee must select and survey enforcement sites that comply with existing state mandated speed limits in accordance with the Texas Transportation Code, Sections 545.352 through 545.356.
- Q. Officers assigned to speed sites should be trained in the use of radar or laser speed measurement devices.
- R. The Subgrantee should have a safety belt use policy. If the Subgrantee does not have a safety belt use policy in place, a policy should be implemented, and a copy maintained for verification during the grant year.
- S. Officers working DWI enforcement must be trained in the National Highway Traffic Safety Administration/International Association of Chiefs of Police Standardized Field Sobriety Testing (SFST). In the case of a first year subgrantee, the officers must be trained, or scheduled to be SFST trained, by the end of the grant year. For second or subsequent year grants, all officers working DWI enforcement must be SFST trained.
- T. The Subgrantee should have a procedure in place for contacting and using drug recognition experts (DREs) when necessary.
- U. The Subgrantee is encouraged to use the DWI On-line Reporting System available through the Buckle Up Texas Web site at [www.buckleuptexas.com](http://www.buckleuptexas.com).

### RESPONSIBILITIES OF THE DEPARTMENT

- A. Monitor the Subgrantee's compliance with the performance obligations and fiscal requirements of this Grant Agreement using appropriate and necessary monitoring and inspections, including but not limited to:
1. review of periodic reports
  2. physical inspection of project records and supporting documentation
  3. telephone conversations
  4. e-mails and letters
  5. quarterly review meetings
  6. eGrants
- B. Provide program management and technical assistance.
- C. Attend appropriate meetings.
- D. Reimburse the Subgrantee for all eligible costs as defined in the project budget. Requests for Reimbursement will be processed up to the maximum amount payable as indicated in the project budget.
- E. Perform an administrative review of the project at the close of the grant period to:
1. Ascertain whether or not the project objectives were met
  2. Review project accomplishments (performance measures completed, targets achieved)
  3. Document any progress towards self-sufficiency
  4. Account for any approved Program Income earned and expended
  5. Identify exemplary performance or best practices

**PROGRAM ELEMENT SELECTION**

**YEAR LONG**

DWI	DWI: Driving While Intoxicated
X Speed	Speed: Speed Enforcement
OP	OP: Occupant Protection (Safety Belt and Child Safety Seat)
X ITC	ITC: Intersection Traffic Control
DD	DD: Distracted Driving

**WAVE**

DWI	Jurisdiction wide (DWI enforcement effort must be focused at locations where there is an over-representation of alcohol-related crashes and/or DWI arrests)
Speed	Jurisdiction wide (Speed enforcement should be focused on areas where there is at least a 50% noncompliance with the posted speed limits and/or a higher number of speed-related crashes)
OP	Jurisdiction wide
DD	Jurisdiction wide

**CMV**

Speed,OP&H MV	CMV: Commercial Motor Vehicle; H MV: Hazardous Moving Violations
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**GOALS AND STRATEGIES**

**Goal:** To increase effective enforcement and adjudication of traffic safety-related laws to reduce crashes, fatalities, and injuries.

**Strategies:** Increase and sustain high visibility enforcement of traffic safety-related laws.  
Increase public education and information campaigns regarding enforcement activities.

**Goal:** To reduce the number of speed-related crashes, injuries, and fatalities.

**Strategy:** Increase and sustain high visibility enforcement of speed-related laws.

**Goal:** To reduce intersection-related motor vehicle crashes, injuries, and fatalities.

**Strategy:** Increase and sustain high visibility enforcement of Intersection Traffic Control (ITC) laws.

I agree to the above goals and strategies.

**BASELINE INFORMATION**

**Baseline Year (12 months)**                      From 10/1/2013 to 9/30/2014

<b>Baseline Measure</b>	<b>Baseline Number</b>	
Number of speed citations	20668	
Number of Intersection Traffic Control (ITC) citations	4771	
Number of Distracted Driving Citations		
	<b>Baseline Number</b>	<b>Month/Year of Survey</b>
Percentage of speed compliance	34 %	09/2014

**LAW ENFORCEMENT OBJECTIVE/PERFORMANCE MEASURE**

<b>Objective/Performance Measure</b>	<b>Target Number</b>
<b>1. Number and type citations/arrests to be issued under STEP</b>	
a. Increase speed citations by	5500
b. Increase ITC citations by	1100
<b>2. Proposed total number of traffic related crashes</b>	
a. Reduce the number of speed-related crashes to	900
b. Reduce the number of ITC-related crashes to	1000
<b>3. Increase speed compliance</b>	
a. Increase the speed compliance rate to	38.5%
<b>4. Number of Enforcement Hours</b>	2570

**Step Indicator** **3.00**

**Note:** Nothing in this agreement shall be interpreted as a requirement, formal or informal, that a peace officer issue a specified or predetermined number of citations in pursuance of the Subgrantee's obligations hereunder. Department and Subgrantee acknowledge that Texas Transportation Code Section 720.002 prohibits using traffic-offense quotas and agree that nothing in this Agreement is establishing an illegal quota.

In addition to the STEP enforcement activities, the subgrantee must maintain baseline non-STEP funded citation and arrest activity due to the prohibition of supplanting.

**PI&E OBJECTIVE/PERFORMANCE MEASURE**

<b>Objectives/Performance Measure</b>	<b>Target Number</b>
<b>Support Grant efforts with a public information and education (PI&amp;E) program</b>	
a. Conduct presentations	12
b. Conduct media exposures (e.g. news conferences, news releases, and interviews)	5
c. Conduct community events (e.g. health fairs, booths)	3
d. Produce the following number of public information and education materials	0
e. Number of public information and education materials distributed	2000

**Operational Plan**

Page Title: ITC1

<u>Site Number</u>	<u>Type (Speed, OP, ITC)</u>	<u>Site Description (include Miles Per Hour)</u>	<u>Survey Results (Compliance Percentage)</u>	<u>Enforcement Period (Days &amp; Times)</u>
1. 4	ITC	Parker Rd & Dallas Pkwy	%	0600-0000 / 7 days a week
2. 5	ITC	Coit Rd. & Spring Creek Pkwy	%	0600-0000 / 7 days a week
3. 7	ITC	Legacy Dr. & Dallas Pkwy	%	0600-0000 / 7 days a week
4. 8	ITC	Plano Pkwy & Preston Rd.	%	0600-0000 / 7 days a week
5. 24	ITC	Jupiter Rd & SH 190 (PGBT service rd.) W/B	%	0600-0000 / 7 days a week
6. 25	ITC	Coit Rd. & SH 190 (PGBT service rd.) W/B	%	0600-0000 / 7 days a week
7. 26	ITC	Preston Rd. & SH 121 (SRT service rd.) E/B	%	0600-0000 / 7 days a week

**Operational Plan**

Page Title: ITC2

<u>Site Number</u>	<u>Type (Speed, OP, ITC)</u>	<u>Site Description (include Miles Per Hour)</u>	<u>Survey Results (Compliance Percentage)</u>	<u>Enforcement Period (Days &amp; Times)</u>
1. 27	ITC	Alma Dr. & Spring Creek Pkwy.	%	0600-0000 / 7 days a week
2. 34	ITC	Spring Creek Pkwy. & Central Expwy (US 75 SR) N/B & S/B	%	0600-0000 / 7 days a week
3. 35	ITC	15th St. & Central Expwy (US 75 SR) N/B & S/B	%	0600-0000 / 7 days a week
4. 40	ITC	Plano Pkwy. & Central Expwy (US 75 SR) N/B & S/B	%	0600-0000 / 7 days a week
5. 44	ITC	Independence Pkwy & SH 121 (SRT service rd) E/B	%	0600-0000 / 7 days a week
6. 64	ITC	Parkwood Blvd. & SH 121 (SRT service rd) E/B	%	0600-0000 / 7 days a week
7. 1	ITC	Park Blvd. & Dallas Pkwy N/B & S/B	%	0600-0000 / 7 days a week

**Operational Plan**

Page Title: Speed1

<u>Site Number</u>	<u>Type (Speed, OP, ITC)</u>	<u>Site Description (include Miles Per Hour)</u>	<u>Survey Results (Compliance Percentage)</u>	<u>Enforcement Period (Days &amp; Times)</u>
1. 86	Speed	Legacy Dr. from 100 block (Hwy 75) to 5000 block (Preston Rd.) 40 mph 6.2 miles	31.33%	0600-0000 / 7 days a week
2. 87	Speed	W. Plano Pkwy. from 100 block (Hwy 75) to 6900 block (Marsh Ln.) 40 mph 9.4 miles	34.67%	0600-0000 / 7 days a week
3. 94	Speed	14th St. from 2500 block (Jupiter Rd.) to 4000 block (Los Rios Blvd) 40 mph 1.6 miles	40.67%	0600-0000 / 7 days a week
4. 88	Speed	N/B Central Expy SR from 400 block (south city limit) to 6000 block (Spring Creek Pkwy) 45 mph 3.7 miles	34.67%	0600-0000 / 7 days a week
5. 95	Speed	S/B Central Expy SR from 400 block (south city limit) to 6000 block (Spring Creek Pkwy) 45 mph 3.5 miles	38.67%	0600-0000 / 7 days a week
6. 89	Speed	W. Spring Creek Pkwy west from 2100 block (Custer Rd) to 7000 block (west city limit) 45 mph 7.9 miles	44.67%	0600-0000 / 7 days a week

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7.96	Speed	W. Spring Creek Pkwy east from 2000 block (Custer Rd) to 3100 block (E. Parker Rd.) 40 mph 4.3 miles	28.67%	0600-0000 / 7 days a week
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**Operational Plan**

Page Title: Speed2

<u>Site Number</u>	<u>Type (Speed, OP, ITC)</u>	<u>Site Description (include Miles Per Hour)</u>	<u>Survey Results (Compliance Percentage)</u>	<u>Enforcement Period (Days &amp; Times)</u>
1. 92	Speed	Jupiter Rd. from 1400 block (14th St.) to 3400 block (Parker Rd.) 35 mph 1.7 miles	36.00%	0600-0000 / 7 days a week
2. 84	Speed	W. 15th St. from 100 block (Hwy 75) to 4100 block (Plano Pkwy) 40 mph 3.7 miles	37.33%	0600-0000 / 7 days a week
3. 91	Speed	E. Park Blvd west from 1000 block (Ave K) to 6500 block (Midway Rd.) 40 mph 8.4 miles	30.67%	0600-0000 / 7 days a week
4. 51	Speed	N/B Dallas Pkwy SR from 1100 block (south city limit) to 8200 block (north city limit) 45 mph 5.2 miles	42.67%	0600-0000 / 7 days a week
5. 85	Speed	Independence Pkwy from 700 block (Plano Pkwy) to 1900 block (Park Blvd) 30 mph 1.3 miles	10.67%	0600-0000 / 7 days a week
6. 66	Speed	Ohio Dr. from 600 block (south city limit) to 8700 block (north city limit) 35 mph 6.6 miles	33.33%	0600-0000 / 7 days a week
		Los Rios Blvd from 1400 block		

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7.97	Speed	(14th St) to 6200 block (Jupiter Rd) 35 mph 4.5 miles	41.33%	0600-0000 / 7 days a week
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**Operational Plan**

Page Title: Speed3

<u>Site Number</u>	<u>Type (Speed, OP, ITC)</u>	<u>Site Description (include Miles Per Hour)</u>	<u>Survey Results (Compliance Percentage)</u>	<u>Enforcement Period (Days &amp; Times)</u>
1. 90	Speed	W. Parker Rd. from 100 block (Hwy 75) to 7000 block (west city limit) 40 mph 9.0 miles	26.67%	0600-0000 / 7 days a week
2. 93	Speed	Custer Rd. from 400 block (south city limit) to 6900 block (Legacy Dr.) 40 mph 4.7 miles	32.00%	0600-0000 / 7 days a week
3.			%	
4.			%	
5.			%	
6.			%	
7.			%	

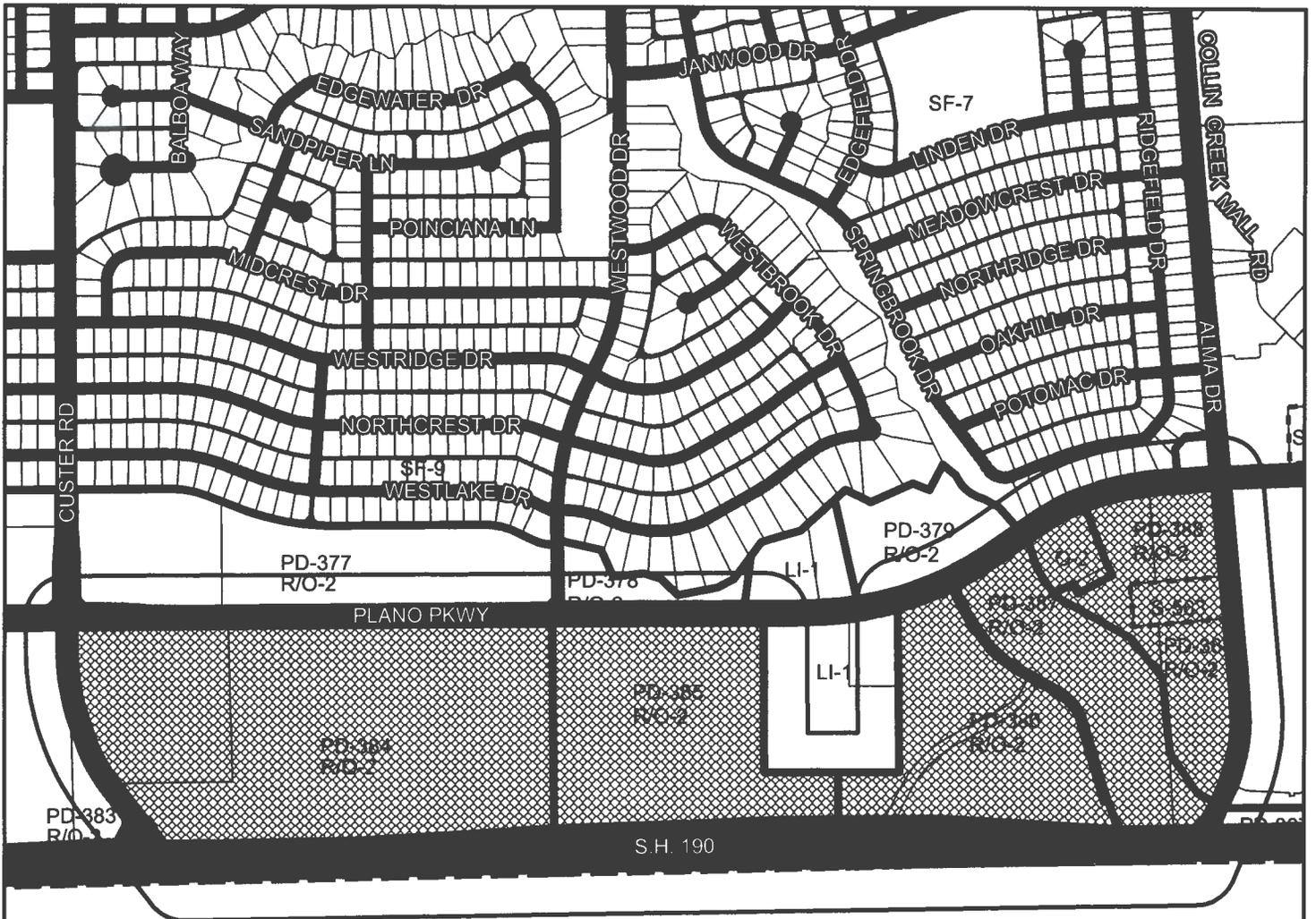
**BUDGET SUMMARY**

Budget Category		TxDOT	Match	Total
<b>Category I - Labor Costs</b>				
(100)	Salaries:	\$137,786.62	\$23,755.10	\$161,541.72
(200)	Fringe Benefits:	\$0	\$31,597.56	\$31,597.56
	<b>Sub-Total:</b>	<b>\$137,786.62</b>	<b>\$55,352.66</b>	<b>\$193,139.28</b>
<b>Category II - Other Direct Costs</b>				
(300)	Travel:	\$5,850.00	\$3,900.00	\$9,750.00
(400)	Equipment:	\$0	\$0	\$0
(500)	Supplies:	\$0	\$0	\$0
(600)	Contractual Services:	\$0	\$0	\$0
(700)	Other Miscellaneous:	\$0	\$0	\$0
	<b>Sub-Total:</b>	<b>\$5,850.00</b>	<b>\$3,900.00</b>	<b>\$9,750.00</b>
<b>Total Direct Costs:</b>		<b>\$143,636.62</b>	<b>\$59,252.66</b>	<b>\$202,889.28</b>
<b>Category III - Indirect Costs</b>				
(800)	Indirect Cost Rate:	\$0	\$36,492.27	\$36,492.27
<b>Summary</b>				
	<b>Total Labor Costs:</b>	<b>\$137,786.62</b>	<b>\$55,352.66</b>	<b>\$193,139.28</b>
	<b>Total Direct Costs:</b>	<b>\$5,850.00</b>	<b>\$3,900.00</b>	<b>\$9,750.00</b>
	<b>Total Indirect Costs:</b>	<b>\$0</b>	<b>\$36,492.27</b>	<b>\$36,492.27</b>
<b>Grand Total</b>		<b>\$143,636.62</b>	<b>\$95,744.93</b>	<b>\$239,381.55</b>
	<b>Fund Sources (Percent Share):</b>	<b>60.00%</b>	<b>40.00%</b>	
Salary and cost rates will be based on the rates submitted by the Subgrantee in its grant application in Egrants.				



# CITY OF PLANO COUNCIL AGENDA ITEM

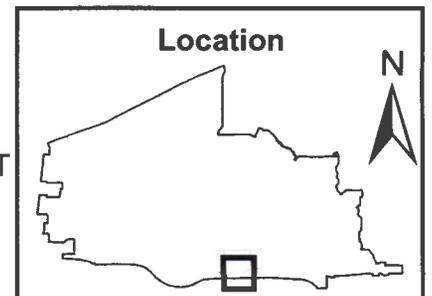
<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		August 10, 2015		
Department:	Planning			
Department Head	Christina Day			
Agenda Coordinator (include phone #): <b>Tammy Stuckey, Ext 7156</b>				
<b>CAPTION</b>				
An Ordinance of the City of Plano, Texas, amending Item 5 of Section II of Ordinance No. 2014-10-22 to correct a clerical error; and providing, a repealer clause, a savings clause, a severability clause, and an effective date.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2014-15</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
BALANCE	0	0	0	<b>0</b>
<b>FUND(s): N/A</b>				
<b>COMMENTS:</b> This item has no financial impact.				
STRATEGIC PLAN GOAL: Reviewing and deciding upon Planning & Zoning cases relates to the City's goals of a Financially Strong City with Service Excellence and Great Neighborhoods – 1 <sup>st</sup> Choice to Live.				
<b>SUMMARY OF ITEM</b>				
At the October 27, 2014 City Council meeting this item was approved. Changes were made to the block numbering that were not reflected in the approved Ordinance, 2014-10-22. This item is to correct block numbering for Zoning Case 2014-31.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Locator Map Zoning Exhibit Development Plan Ordinance				



CITY OF RICHARDSON

Zoning Case #: 2014-31

Existing Zoning: PLANNED DEVELOPMENT-384, 385, 386, 387, & 388  
 RETAIL/GENERAL OFFICE, &  
 GENERAL OFFICE w/SPECIFIC USE PERMIT #563/  
 190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT



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

Source: City of Plano Planning Department



**UMU ZONING DISTRICT SUMMARY**

GROSS ZONING EXHIBIT AREA	196.31 AC
NET AREA	188.79 AC
BLOCK AREA	58.79 AC
EASEMENT AREA	34.66 AC
NET P1 1 MF DENSITY	50 UNITS/AC
NET P1 2 MF DENSITY	50 UNITS/AC
LAND AREA TOTAL	58.19 AC
OFFICE USE TOTAL	2,367,762 SF
RETAIL RESTAURANT USE TOTAL	238,865 SF
LAND AREA TOTAL	207,378 SF
LAND AREA TOTAL	2.07 AC
SPACED UNITS	173 UNITS/240,000 SF
AVG SF DENSITY	8.07 UNITS/AC
MAXIMUM STREET SF LOTS	48%
LIVINGWORK FLEX TOTAL	73,000 SF
RETAIL RESTAURANT USE TOTAL	238,865 SF
PRIMARY/RECREATIONAL USE %	15.2%
PARKING SPACES TOTAL	158 SPACES
STRUCTURED PARKING TOTAL	1328 SPACES
ON-STREET PARKING TOTAL	871 SPACES
TOTAL OPEN SPACE	1,052 SF
TOTAL OPEN SPACE	7.67 AC

**UMU USE SUMMARY**

PRIMARY USE	OFFICE 46.16%
RESIDENTIAL	49.94%
RETAIL RESTAURANT	4.81%
TERTIARY USE	8.89%

**LEGEND**

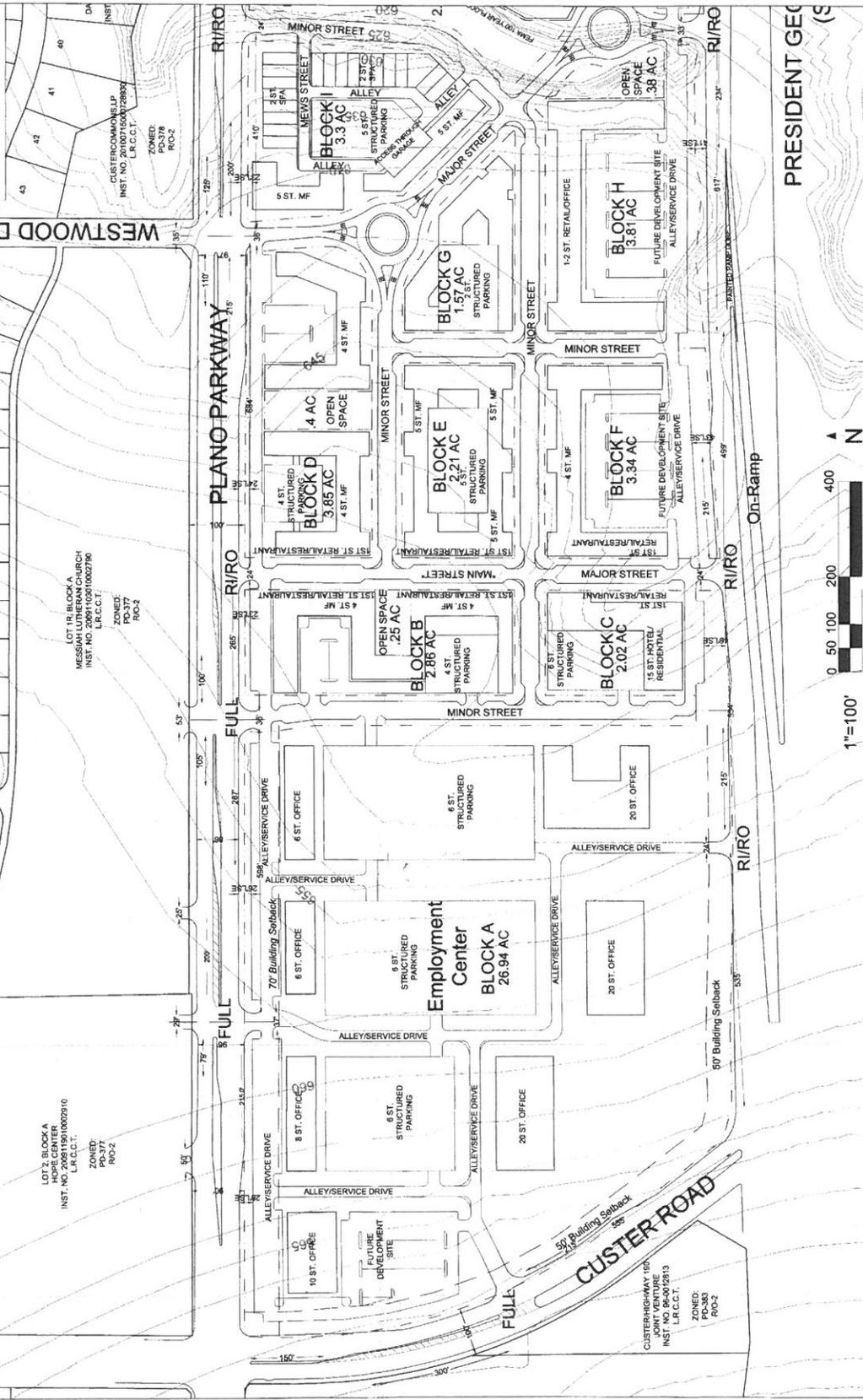
- BLOCK BOUNDARY
- - - - MULTIPLE USE TRAIL

All streets, driveways, median openings, turn lanes, and associated improvements will be constructed in accordance with the City of Plano's Comprehensive Standards Rules and Regulations and TPOD requirements.

**HERITAGE 190 DEVELOPMENT PLAN**

OWNER	RPC HERITAGE MK, LLC
ADDRESS	3100 MCKINNON ST. STE. 100 DALLAS, TX 75201
TOWN PLANNER	GATEWAY PLANNING
ADDRESS	1100 MCKINNON ST. 7TH FLOOR DALLAS, TX 75201
ENGINEER	WILLIAM DALLSTROM
ADDRESS	1000 W. WYOMING ST. SUITE 100 DALLAS, TX 75201
APPLICANT	JACKSON WALDELL, L.P.
ADDRESS	1000 W. WYOMING ST. SUITE 100 DALLAS, TX 75201

RPC HERITAGE 190 LLC  
12146 S. PLANO, TX 75075  
WILLIAM BEVERLY SURVEY ABSTRACT NO. 839  
CITY OF PLANO, TEXAS  
APPROVED  
10-15-2014



LOT 1, BLOCK A  
HOPE CENTER  
INST. NO. 20100002910  
L.R.C.C.T.  
ZONED:  
RO-2

LOT 1, BLOCK A  
MESSIAH LUTHERAN CHURCH  
INST. NO. 201000276  
L.R.C.C.T.  
ZONED:  
RO-2

LOT 1, BLOCK A  
CUSTER/OMNONS LP  
INST. NO. 2010071500128800  
L.R.C.C.T.  
ZONED:  
RO-2

LOT 1, BLOCK A  
CUSTER/OMNONS LP  
INST. NO. 2010071500128800  
L.R.C.C.T.  
ZONED:  
RO-2

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RO-2

LOT 1, BLOCK A  
CUSTER/OMNONS LP  
INST. NO. 2010071500128800  
L.R.C.C.T.  
ZONED:  
RO-2

**UMU ZONING DISTRICT SUMMARY**

GROSS ZONING EXHIBIT AREA	198.31 AC
PROPERTY AREA	171.45 AC
BLOCK AREA	30.46 AC
MF LANE COUNT	1,300 UNITS - 1,626,792 SF
NET TOTAL MF DENSITY	54.23 UNITS/AC
OFFICE USE TOTAL	2,907,782 SF
LAND AREA TOTAL	36.47 AC
LAND AREA TOTAL	236,000 SF
SPASSED UNITS	173 UNITS/346,000 SF
LAND AREA TOTAL	17.03 AC
% OF MEWS STREET SF LOTS	9.87 DENSITY
MAIN STREET FLOOR TOTAL	71,000 SF
RETAILS/ALIMENTARY	30,000 SF
PRIMARY/SECONDARY CPA USE %	75.2%
SURFACE PARKING TOTAL	1,628 SPACES
CONCRETE PARKING TOTAL	11,200 SPACES
PARKING TOTAL	12,828 SPACES
TOTAL OPEN SPACE	14,627 SPACES
TOTAL OPEN SPACE	7.57 AC

**UMU USE SUMMARY**

PRIMARY USE	OFFICE 48.19%
SECONDARY USE	RETAILS/ALIMENTARY 4.36%
TERTIARY USE	HOTEL 4.87%

**LEGEND**

- BLOCK BOUNDARY
- MULTIPURPOSE TRAIL

All block boundaries, setbacks, lot lines, and easements shown on this plan shall be in accordance with the City of Plano's Urban Ordinance and the City of Plano's Urban Ordinance. Rules and Regulations and TPOOT requirements.

**HERITAGE 190 DEVELOPMENT PLAN**

OWNER: 2101 CEDAR SPRING RD. STE. 1000 DALLAS, TX 75201

TOWN PLANNER: GALEWAY JENNINGS & ASSOCIATES, L.L.P. DALLAS, TX 75201

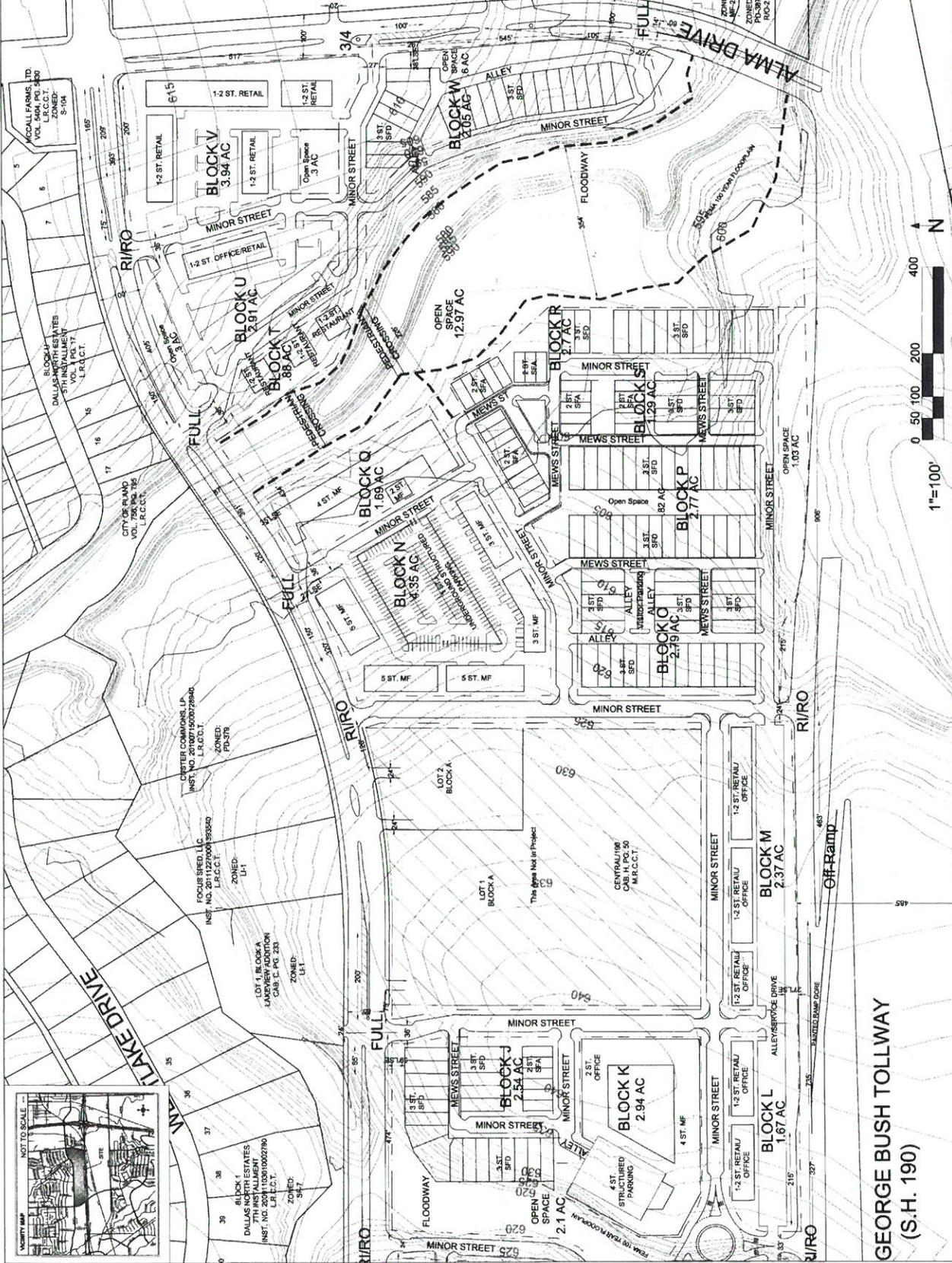
ENGINEER: KIMLEY-HORN & ASSOCIATES, INC. DALLAS, TX 75201

ARCHITECT: JACKSON WALKER, L.L.P. DALLAS, TX 75201

APPROVED

RECEIVED OCT 13 2014

PLANNING DEPARTMENT



GEORGE BUSH TOLLWAY  
(S.H. 190)





**LEGEND**

- MAJOR STREET
- MINOR STREET
- R/I/O - Right-Right-Out turns
- FULL - Right-Left turns allowed
- 3/4 - R/I/O and 1 Direction Left
- - - - - Parking Spaces
- - - - - Dimension
- - - - - Landscape Edge Dimension

All streets, when modern openings, turn lanes and associated improvements will be constructed in accordance with the City of Plano Standards Manual for Streets, Traffic Signs, Traffic Signals, Traffic Control, and Traffic Signs. The City of Plano Rules and Regulations and TDDOT requirements.

**STREET TYPE PLAN**

OWNER: RPC HERITAGE 190, LLC  
 ADDRESS: 12145 ACRES 5,200,445 SF  
 DALLAS, TX 75201

TOWN PLANNER: GATEWAY PLANNING  
 ADDRESS: 3100 MONROE ST., 7TH FLOOR  
 DALLAS, TX 75201

ENGINEER: WILLIAM DANIEL STROM  
 ADDRESS: 1725 WEST ROK SUITE 1000  
 DALLAS, TX 75201

APPLICANT REPRESENTATIVE: JACOB WILSON, LLC  
 ADDRESS: 12145 ACRES 5,200,445 SF  
 DALLAS, TX 75201

PROJECT NO.: 190-000001  
 DATE: 10/15/2014

**LOT 1R, BLOCK A**  
 MESSIAH LUTHERAN CHURCH  
 INST. NO. 06-036276  
 L.R.C.C.T.  
 ZONED: PD-377  
 R/O-2

**LOT 2, BLOCK A**  
 HOPE CENTER  
 INST. NO. 06-002910  
 L.R.C.C.T.  
 ZONED: PD-377  
 R/O-2

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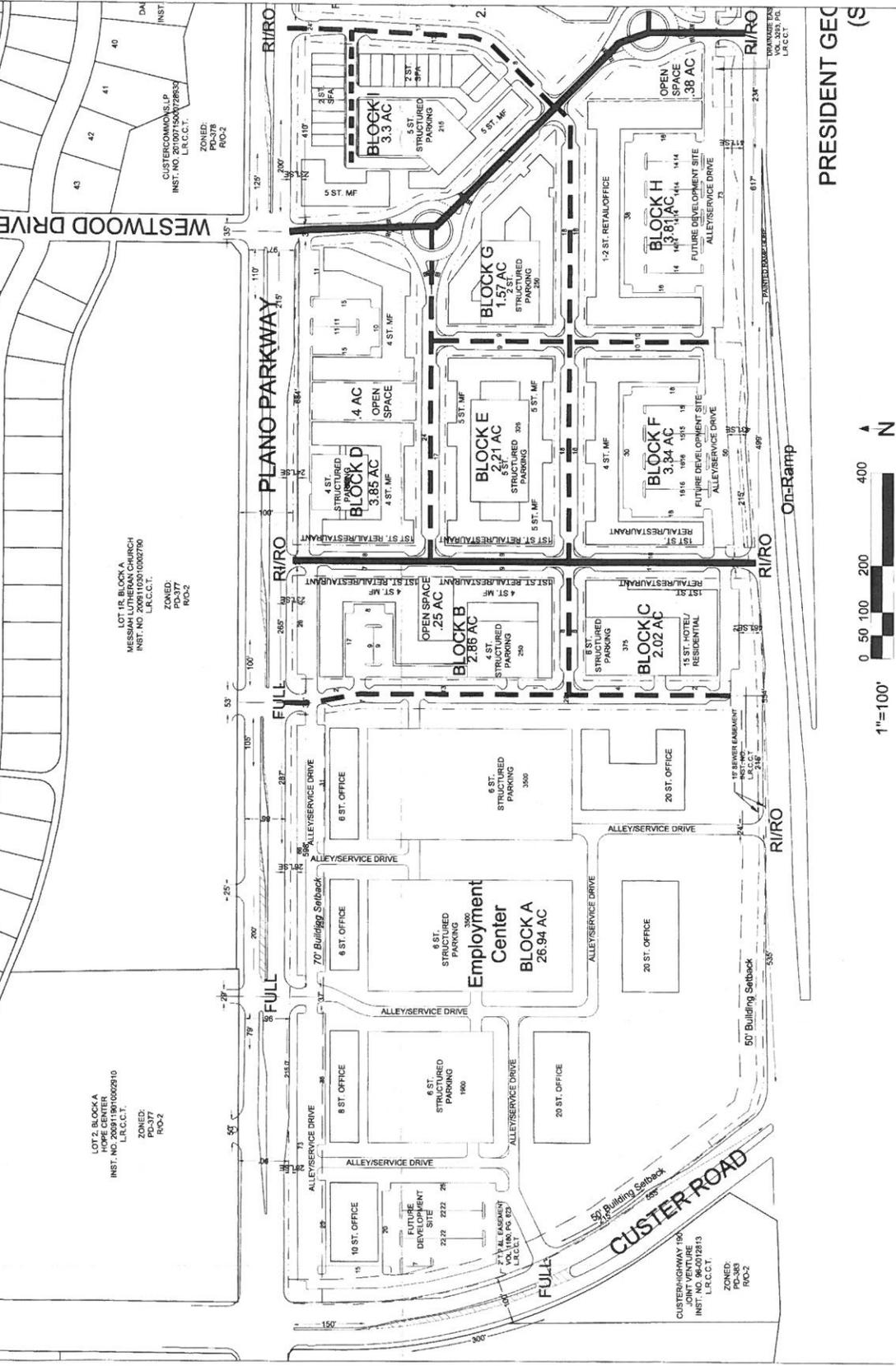
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 DALLAS, TX 75201

TOWN PLANNER: GATEWAY PLANNING  
 ADDRESS: 3100 MONROE ST., 7TH FLOOR  
 DALLAS, TX 75201

ENGINEER: WILLIAM DANIEL STROM  
 ADDRESS: 1725 WEST ROK SUITE 1000  
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APPLICANT REPRESENTATIVE: JACOB WILSON, LLC  
 ADDRESS: 12145 ACRES 5,200,445 SF  
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 ZONED: PD-377  
 R/O-2

**LEGEND**

- MAJOR STREET
- MINOR STREET
- MEWS STREET
- R/I/R/O - Right-in/Right-out turns
- FULL - Right/Left turns allowed
- 3/4 - Right/Left turns allowed
- X - for Pedestrians
- L.L.B. - Landscape Edge Dimension

All streets, drives, median openings, turn lanes, and associated improvements will be constructed in accordance with the City of Plano Standard Specifications Manual for Streets, Traffic Signs, Traffic Signals, and Traffic Control. All streets shall conform to the City of Plano Rules and Regulations and TPOCT requirements.

**STREET TYPE PLAN**

OWNER  
RPC HERITAGE 190, LLC  
1100 MCKINNEY ST. STE. 1602 214-441-9071  
DALLAS, TX 75201

TOWN PLANNER  
GATEWAY PLANNING  
3100 MCKINNEY ST. 7TH FLOOR  
DALLAS, TX 75201

ENGINEER  
ROBERT MOORE, SUITE 1000  
9227 W. 150th  
DALLAS, TX 75243

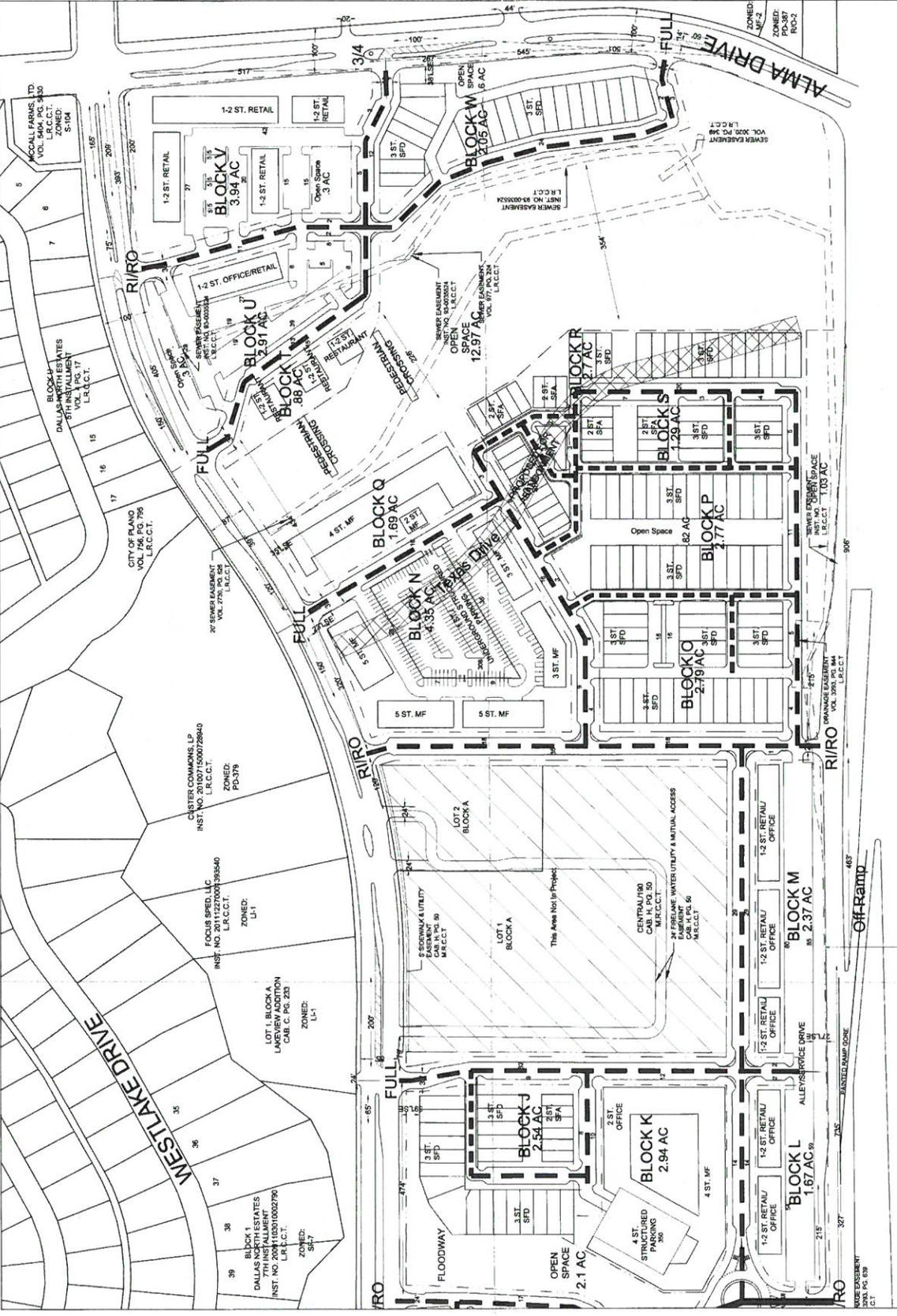
APPLICANT  
WILLIAM DAHLSTRÖM  
JACKSON WALKER, LLP  
1000 GARDNER  
DALLAS, TX 75202

REPRESENTATIVE  
WILLIAM BEVORLY SURVEY ABSTRACT NO. 209  
121451 VALLEY VIEW, 19444 SP  
WILLIAM BEVORLY SURVEY ABSTRACT NO. 209

APPROVED

DATEWAY PLANNING  
10-15-2014

6 of 6



GEORGE BUSH TOLLWAY  
(S.H. 190)

**An Ordinance of the City of Plano, Texas, amending Item 5 of Section II of Ordinance No. 2014-10-22 to correct a clerical error; and providing a repealer clause, a savings clause, a severability clause, and an effective date.**

**WHEREAS**, on October 27, 2014, the City Council of the City of Plano enacted Ordinance No. 2014-10-22; to amend the Comprehensive Zoning Ordinance and the official zoning map of the City in certain respects; and

**WHEREAS**, staff recommends amending Item 5 of Section II of such Ordinance to correct a clerical error; and

**WHEREAS**, the City Council, after all things considered, deems it is in the best interest of the citizens of the City of Plano that Item 5 of Section II of Ordinance No. 2014-10-22 be amended.

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

**Section I.** Item 5 of Section II of Ordinance No. 2014-10-22, is hereby amended to read in its entirety as follows:

5. Increase maximum block size to four acres for Blocks D, F, H, I, and V.  
Increase maximum block size to five acres for Block N.

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

**Section V.** This Ordinance shall become effective immediately upon its passage.

**DULY PASSED AND APPROVED THIS THE 10TH DAY OF AUGUST, 2015.**

\_\_\_\_\_  
Harry LaRosiliere, MAYOR

**ATTEST:**

\_\_\_\_\_  
Lisa C. Henderson, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Paige Mims, CITY ATTORNEY



# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		8/10/15		
Department:		Budget & Research		
Department Head		Karen Rhodes-Whitley		
Agenda Coordinator (include phone #): <b>Anita Bell, 7194</b>				
<b>CAPTION</b>				
A Public Hearing on the FY 2015-16 Recommended Budget and the FY 2015-16 Proposed Community Investment Program (CIP).				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2015-16</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
BALANCE	0	0	0	<b>0</b>
<b>FUND(S):    N/A</b>				
<b>COMMENTS:</b> This item has no fiscal impact.				
STRATEGIC PLAN GOAL: A Public Hearing on the Recommended Budget and Proposed CIP relates to the City's goal of Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
This is a required Public Hearing to consider the FY 2015-16 Recommended Budget and the FY 2015-16 Proposed Community Investment Program (CIP).				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Ag 213 Public Hearing on 2015-16 Rec. Budget and CIP				



# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		8/10/15		
Department:		Budget & Research		
Department Head		Karen Rhodes-Whitley		
Agenda Coordinator (include phone #): <b>Anita Bell, 7194</b>				
<b>CAPTION</b>				
A Resolution of the City of Plano, Texas, accepting the Certified Appraisal Rolls for Fiscal Year 2015-16 for Collin County and Denton County, and providing an effective date.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>2015-16</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>
		<b>TOTALS</b>		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	152,834,133
BALANCE		0	0	152,834,133
<b>FUND(S):    GENERAL FUND, GENERAL OBLIGATION DEBT FUND &amp; TIF</b>				
<p><b>COMMENTS:</b> The 2015-16 Certified Appraisal Rolls will generate revenues of approximately \$152,834,133, at the proposed rate of 48.86 cents per \$100 of assessed property value. This amount has been included in the 2015-16 Recommended Budget.</p> <p><b>STRATEGIC PLAN GOAL:</b> Accepting the Certified Appraisal Rolls relates to the City's goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
2015-16 Certified Appraisal Rolls for Collin County and Denton County.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Resolution Collin County Certification Collin County Central Appraisal District 2015 Certified Totals Denton County Certification Denton County Appraisal District 2015 Certified Totals				

**A Resolution of the City of Plano, Texas, accepting the Certified Appraisal Rolls for Fiscal Year 2015-16 for Collin County and Denton County; and providing an effective date.**

**WHEREAS**, under V.T.C.A. Tax Code Section 26.04(b), the Tax Assessor for the City is required to submit the Appraisal Roll for the unit showing the total appraised, assessed and taxable values of all property and the total taxable value of the new property to the City Council; and

**WHEREAS**, the certification of the 2015 Appraisal Roll by the Chief Appraiser, Central Appraisal District of Collin County, is attached hereto as Exhibit "A," and

**WHEREAS**, the calculation of the 2015 Collin County certified total value, including the value of new property is attached hereto as Exhibit "B," and

**WHEREAS**, the certification of the 2015 Appraisal Roll by the Chief Appraiser, Central Appraisal District of Denton County, is attached hereto as Exhibit "C," and

**WHEREAS**, the calculation of the 2015 Denton County certified total value, including the value of new property is attached hereto as Exhibit "D," and

**WHEREAS**, upon review of the Certified Appraisal Rolls of Collin County and Denton County and all matters attendant and related thereto, the City Council finds that the Certified Appraisal Rolls of Collin County and Denton County for the Fiscal Year of 2015-16 should be accepted.

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

**Section I.** The Certified Appraisal Rolls for Collin County and Denton County for the Fiscal Year 2015-16, as submitted by the City Tax Assessors/Collector, are hereby accepted.

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

**DULY PASSED AND APPROVED THIS 10<sup>TH</sup> DAY OF AUGUST, 2015.**

\_\_\_\_\_  
Harry LaRosiliere, **MAYOR**

ATTEST:

\_\_\_\_\_  
Lisa C. Henderson, CITY SECRETARY

\_\_\_\_\_  
Paige Mims, CITY ATTORNEY



# Collin Central Appraisal District

## PROPERTY TAX CODE, SECTION 26.01(a)

### CERTIFICATION OF 2015 APPRAISAL ROLL

FOR: PLANO CITY

I, Bo Daffin, Chief Appraiser for the Collin Central Appraisal District, solemnly swear that the attached is that portion of the approved Appraisal Records of the Collin Central Appraisal District which lists property taxable by PLANO CITY and constitutes the Certified Appraisal Roll for PLANO CITY with the amounts listed on the attached totals pages, with the heading "2015 Certified Totals".

  
\_\_\_\_\_  
Signature of Chief Appraiser

July 23, 2015  
\_\_\_\_\_  
Date

Note: The Collin Central Appraisal District Appraisal Review Board approved the appraisal records on July 17, 2015.

## PROPERTY TAX CODE, SECTION 26.01(c)

### CERTIFICATION OF 2015 PROPERTIES UNDER PROTEST AND NOT INCLUDED IN CERTIFIED ROLL ABOVE

FOR: PLANO CITY

I, Bo Daffin, Chief Appraiser for the Collin Central Appraisal District, solemnly swear that the attached is that portion of the Appraisal Records of the Collin Central Appraisal District which lists property taxable by PLANO CITY but NOT included on the Certified Appraisal Roll for PLANO CITY, since these properties are currently under Protest. The protested property values are listed on the attached totals pages, with the subheading "Under ARB Review Totals".

If there are no attached pages labeled with the subheading "Under ARB Review Totals" then all protests within PLANO CITY were completed by July 17, 2015 and included in the Certified Roll listed above.

  
\_\_\_\_\_  
Signature of Chief Appraiser

July 23, 2015  
\_\_\_\_\_  
Date

*\*NOTE: Please be advised that the property values appearing on the 'Under ARB Review Totals' page in your certified totals packet reflect the current 2015 Market and Taxable Values for the properties Under ARB Review without any Section 26.01(c) adjustments. In order to arrive at the taxable value to use for the effective tax rate calculations for your entity, you will need to use the taxable value from the 'ARB Approved Totals' page, along with the 'Total Value Used' that appears in the Lower Value Used section on the Effective Rate Assumption page. The Total Value Used on the Effective Rate Assumption page is the assessed value Under ARB Review that has been calculated in accordance with Property Tax Code, Section 26.01(c). The 'Grand Totals' page is the combined 'ARB Approved Totals' plus the 'Under ARB Review Totals' – which have not been adjusted. (The formula for calculating the total taxable remaining under protest is as follows: Taxable Value from "ARB Approved Totals" plus Total Value Used from the "Effective Rate Assumptions" Lower Value Used section minus Total Exemptions amount from the "Under ARB Review Totals".)*

Rev. 2015.07

**2015 CERTIFIED TOTALS**

Property Count: 86.973

CPL - PLANO CITY  
ARB Approved Totals

7/23/2015 9:44.49AM

<b>Land</b>		<b>Value</b>			
Homesite:		4,449,056,058			
Non Homesite:		4,175,583,446			
Ag Market:		555,416,702			
Timber Market:		0	<b>Total Land</b>	(+) 9,180,056,206	
<b>Improvement</b>		<b>Value</b>			
Homesite:		14,453,182,605			
Non Homesite:		11,178,831,422	<b>Total Improvements</b>	(+) 25,632,014,027	
<b>Non Real</b>		<b>Count</b>	<b>Value</b>		
Personal Property:	11,124		3,435,089,983		
Mineral Property:	0		0		
Autos:	0		0	<b>Total Non Real</b>	(+) 3,435,089,983
			<b>Market Value</b>	=	38,247,160,216
<b>Ag</b>		<b>Non Exempt</b>	<b>Exempt</b>		
Total Productivity Market:	555,416,702		0		
Ag Use:	315,276		0	<b>Productivity Loss</b>	(-) 555,101,426
Timber Use:	0		0	<b>Appraised Value</b>	= 37,692,058,790
Productivity Loss:	555,101,426		0		
			<b>Homestead Cap</b>	(-) 317,251,034	
			<b>Assessed Value</b>	=	37,374,807,756

**2015 CERTIFIED TOTALS**

CPL - PLANO CITY  
ARB Approved Totals

Property Count: 86,973

7/23/2015 9:44:49AM

Exemption	Count	Local	State	Total		
AB	50	356,171,206	0	356,171,206		
CHODO	1	11,047,223	0	11,047,223		
DP	914	34,908,437	0	34,908,437		
DPS	11	0	0	0		
DV1	288	0	2,600,000	2,600,000		
DV1S	15	0	75,000	75,000		
DV2	151	0	1,416,000	1,416,000		
DV2S	4	0	30,000	30,000		
DV3	85	0	822,000	822,000		
DV3S	3	0	30,000	30,000		
DV4	189	0	1,086,000	1,086,000		
DV4S	59	0	594,000	594,000		
DVHS	142	0	32,283,819	32,283,819		
DVHSS	11	0	2,363,827	2,363,827		
EX-XD	7	0	292,044	292,044		
EX-XD (Prorated)	5	0	53,370	53,370		
EX-XG	2	0	480,800	480,800		
EX-XI	2	0	2,711,915	2,711,915		
EX-XJ	12	0	91,922,446	91,922,446		
EX-XL	4	0	1,512,070	1,512,070		
EX-XU	4	0	482,374	482,374		
EX-XV	1,734	0	2,808,761,197	2,808,761,197		
EX-XV (Prorated)	10	0	1,263,745	1,263,745		
EX366	396	0	104,094	104,094		
FR	64	229,076,355	0	229,076,355		
HS	53,372	3,080,632,003	0	3,080,632,003		
HT	68	7,770,504	0	7,770,504		
LIH	3	0	7,128,584	7,128,584		
LVE	58	229,336,647	0	229,336,647		
OV65	13,692	539,794,763	0	539,794,763		
OV65S	100	4,000,000	0	4,000,000		
PC	12	741,630	0	741,630		
PPV	23	260,793	0	260,793		
SO	5	107,726	0	107,726		
				<b>Total Exemptions</b>	(-)	<b>7,449,860,572</b>
				<b>Net Taxable</b>	=	<b>29,924,947,184</b>

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
DP	197,048,638	116,470,634	459,493.81	473,613.74	896		
DPS	2,087,716	1,430,632	3,823.46	4,462.50	11		
OV65	3,253,788,014	2,058,382,144	8,332,271.59	8,404,048.93	12,804		
<b>Total</b>	<b>3,452,924,368</b>	<b>2,176,283,410</b>	<b>8,795,588.86</b>	<b>8,882,125.17</b>	<b>13,711</b>	<b>Freeze Taxable</b>	<b>(-) 2,176,283,410</b>
<b>Tax Rate</b>	<b>0.488600</b>						
Transfer	Assessed	Taxable	Post % Taxable	Adjustment	Count		
OV65	6,175,005	4,318,807	4,041,532	277,275	16		
<b>Total</b>	<b>6,175,005</b>	<b>4,318,807</b>	<b>4,041,532</b>	<b>277,275</b>	<b>16</b>	<b>Transfer Adjustment</b>	<b>(-) 277,275</b>
				<b>Freeze Adjusted Taxable</b>	=	<b>27,748,386,499</b>	

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 144,374,205.29 = 27,748,386,499 \* (0.488600 / 100) + 8,795,588.86

# 2015 CERTIFIED TOTALS

Property Count: 1,902

CPL - PLANO CITY  
Under ARB Review Totals

7/23/2015 9:44:49AM

Land	Value
Homesite:	135,673,564
Non Homesite:	14,668,952
Ag Market:	0
Timber Market:	0

Total Land (+) 150,342,516

Improvement	Value
Homesite:	451,466,965
Non Homesite:	6,689,041

Total Improvements (+) 458,156,006

Non Real	Count	Value
Personal Property:	46	36,455,484
Mineral Property:	0	0
Autos:	0	0

Total Non Real (+) 36,455,484  
Market Value = 644,954,006

Ag	Non Exempt	Exempt
Total Productivity Market:	0	0
Ag Use:	0	0
Timber Use:	0	0
Productivity Loss:	0	0

Productivity Loss (-) 0  
Appraised Value = 644,954,006  
Homestead Cap (-) 11,084,994  
Assessed Value = 633,869,012

Exemption	Count	Local	State	Total
AB	1	385,455	0	385,455
DP	9	360,000	0	360,000
DV1	3	0	22,000	22,000
DV2	4	0	39,000	39,000
DV3	2	0	24,000	24,000
EX366	2	0	500	500
FR	1	7,482,525	0	7,482,525
HS	1,424	97,760,007	0	97,760,007
OV65	212	8,373,600	0	8,373,600
PC	1	5,851	0	5,851
SO	1	3,647	0	3,647

Total Exemptions (-) 114,456,585  
Net Taxable = 519,412,427

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count
DP	2,177,199	1,353,886	5,400.16	5,421.46	9
OV65	53,111,105	35,086,509	147,436.75	147,594.68	177
<b>Total</b>	<b>55,288,304</b>	<b>36,440,395</b>	<b>152,836.91</b>	<b>153,016.14</b>	<b>186</b>

Tax Rate 0.488600

Freeze Taxable (-) 36,440,395

Freeze Adjusted Taxable = 482,972,032

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
2,512,638.26 = 482,972,032 \* (0.488600 / 100) + 152,836.91

**2015 CERTIFIED TOTALS**

Property Count: 88,875

CPL - PLANO CITY  
Grand Totals

7/23/2015 9:44:49AM

<b>Land</b>		<b>Value</b>			
Homesite:		4,584,729,622			
Non Homesite:		4,190,252,398			
Ag Market:		555,416,702			
Timber Market:		0	<b>Total Land</b>	(+) 9,330,398,722	
<b>Improvement</b>		<b>Value</b>			
Homesite:		14,904,649,570			
Non Homesite:		11,185,520,463	<b>Total Improvements</b>	(+) 26,090,170,033	
<b>Non Real</b>		<b>Count</b>	<b>Value</b>		
Personal Property:	11,170		3,471,545,467		
Mineral Property:	0		0		
Autos:	0		0	<b>Total Non Real</b>	(+) 3,471,545,467
			<b>Market Value</b>	=	38,892,114,222
<b>Ag</b>		<b>Non Exempt</b>	<b>Exempt</b>		
Total Productivity Market:	555,416,702		0		
Ag Use:	315,276		0	<b>Productivity Loss</b>	(-) 555,101,426
Timber Use:	0		0	<b>Appraised Value</b>	= 38,337,012,796
Productivity Loss:	555,101,426		0	<b>Homestead Cap</b>	(-) 328,336,028
			<b>Assessed Value</b>	=	38,008,676,768

# 2015 CERTIFIED TOTALS

CPL - PLANO CITY  
Grand Totals

Property Count: 88,875

7/23/2015 9:44:49AM

Exemption	Count	Local	State	Total		
AB	51	356,556,661	0	356,556,661		
CHODO	1	11,047,223	0	11,047,223		
DP	923	35,268,437	0	35,268,437		
DPS	11	0	0	0		
DV1	291	0	2,622,000	2,622,000		
DV1S	15	0	75,000	75,000		
DV2	155	0	1,455,000	1,455,000		
DV2S	4	0	30,000	30,000		
DV3	87	0	846,000	846,000		
DV3S	3	0	30,000	30,000		
DV4	189	0	1,086,000	1,086,000		
DV4S	59	0	594,000	594,000		
DVHS	142	0	32,283,819	32,283,819		
DVHSS	11	0	2,363,827	2,363,827		
EX-XD	7	0	292,044	292,044		
EX-XD (Prorated)	5	0	53,370	53,370		
EX-XG	2	0	480,800	480,800		
EX-XI	2	0	2,711,915	2,711,915		
EX-XJ	12	0	91,922,446	91,922,446		
EX-XL	4	0	1,512,070	1,512,070		
EX-XU	4	0	482,374	482,374		
EX-XV	1,734	0	2,808,761,197	2,808,761,197		
EX-XV (Prorated)	10	0	1,263,745	1,263,745		
EX366	398	0	104,594	104,594		
FR	65	236,558,880	0	236,558,880		
HS	54,796	3,178,392,010	0	3,178,392,010		
HT	68	7,770,504	0	7,770,504		
LIH	3	0	7,128,584	7,128,584		
LVE	58	229,336,647	0	229,336,647		
OV65	13,904	548,168,363	0	548,168,363		
OV65S	100	4,000,000	0	4,000,000		
PC	13	747,481	0	747,481		
PPV	23	260,793	0	260,793		
SO	6	111,373	0	111,373		
				<b>Total Exemptions</b>	(-)	7,564,317,157
				<b>Net Taxable</b>	=	30,444,359,611

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
DP	199,225,837	117,824,520	464,893.97	479,035.20	905		
DPS	2,087,716	1,430,632	3,823.46	4,462.50	11		
OV65	3,306,899,119	2,093,468,653	8,479,708.34	8,551,643.61	12,981		
<b>Total</b>	<b>3,508,212,672</b>	<b>2,212,723,805</b>	<b>8,948,425.77</b>	<b>9,035,141.31</b>	<b>13,897</b>	<b>Freeze Taxable</b>	(-) 2,212,723,805
<b>Tax Rate</b>	<b>0.488600</b>						
Transfer	Assessed	Taxable	Post % Taxable	Adjustment	Count		
OV65	6,175,005	4,318,807	4,041,532	277,275	16		
<b>Total</b>	<b>6,175,005</b>	<b>4,318,807</b>	<b>4,041,532</b>	<b>277,275</b>	<b>16</b>	<b>Transfer Adjustment</b>	(-) 277,275
				<b>Freeze Adjusted Taxable</b>	=	28,231,358,531	

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 146,886,843.55 = 28,231,358,531 \* (0.488600 / 100) + 8,948,425.77

**2015 CERTIFIED TOTALS**

Property Count: 86,973

CPL - PLANO CITY  
ARB Approved Totals

7/23/2015 9:44:59AM

**State Category Breakdown**

State Code	Description	Count	Acres	New Value Market	Market Value
A	Single-Family Residential	68,835		\$126,135,984	\$18,713,823,008
B	Multi-Family Residential	1,067		\$77,648,399	\$2,879,836,672
C1	Vacant Lots and Tracts	763		\$0	\$224,378,992
D1	Qualified Open-Space Land	180	2,057.9682	\$0	\$555,416,702
D2	Improvements on Qualified Open-Space Lan	18		\$0	\$720,357
E	Rural Land, Non Qualified Open-Space Land,	157		\$489,808	\$251,962,757
F1	Commercial Real Property	2,126		\$286,369,676	\$8,034,669,542
F2	Industrial and Manufacturing Real Property	313		\$26,101,695	\$1,139,335,129
J2	Gas Distribution Systems	2		\$0	\$27,075,051
J3	Electric Companies and Co-Ops	42		\$0	\$216,474,537
J4	Telephone Companies and Co-Ops	125		\$0	\$141,088,347
J5	Railroads	13		\$0	\$1,053,970
J6	Pipelines	2		\$0	\$284,620
J7	Cable Television Companies	3		\$0	\$4,029,077
L1	Commercial Personal Property	10,271		\$3,006,345	\$2,630,545,099
L2	Industrial and Manufacturing Personal Propert	45		\$0	\$49,003,039
M1	Tangible Personal Mobile Homes	383		\$439,750	\$4,453,143
O	Residential Real Property Inventory	626		\$25,753,511	\$77,330,699
S	Special Personal Property Inventory	102		\$0	\$140,322,173
X	Totally Exempt Property	2,260		\$19,161,686	\$3,155,357,302
	<b>Totals</b>		2,057.9682	\$565,106,854	\$38,247,160,216

**2015 CERTIFIED TOTALS**

Property Count: 1,902

CPL - PLANO CITY  
Under ARB Review Totals

7/23/2015 9:44:59AM

**State Category Breakdown**

State Code	Description	Count	Acres	New Value Market	Market Value
A	Single-Family Residential	1,819		\$1,429,131	\$585,755,168
B	Multi-Family Residential	12		\$0	\$2,280,875
C1	Vacant Lots and Tracts	3		\$0	\$2,387,433
E	Rural Land, Non Qualified Open-Space Land.	4		\$0	\$8,726,241
F1	Commercial Real Property	16		\$0	\$8,746,724
F2	Industrial and Manufacturing Real Property	2		\$0	\$534,931
J2	Gas Distribution Systems	1		\$0	\$351,470
J4	Telephone Companies and Co-Ops	1		\$0	\$544,775
L1	Commercial Personal Property	42		\$0	\$25,414,271
L2	Industrial and Manufacturing Personal Property	1		\$0	\$10,144,468
O	Residential Real Property Inventory	1		\$0	\$67,150
X	Totally Exempt Property	2		\$0	\$500
	<b>Totals</b>		0.0000	\$1,429,131	\$644,954,006

**2015 CERTIFIED TOTALS**

Property Count: 88,875

CPL - PLANO CITY  
Grand Totals

7/23/2015 9:44:59AM

**State Category Breakdown**

State Code	Description	Count	Acres	New Value Market	Market Value
A	Single-Family Residential	70,654		\$127,565,115	\$19,299,578,176
B	Multi-Family Residential	1,079		\$77,648,399	\$2,882,117,547
C1	Vacant Lots and Tracts	766		\$0	\$226,766,425
D1	Qualified Open-Space Land	180	2,057.9682	\$0	\$555,416,702
D2	Improvements on Qualified Open-Space Lan	18		\$0	\$720,357
E	Rural Land, Non Qualified Open-Space Land,	161		\$489,808	\$260,688,998
F1	Commercial Real Property	2,142		\$286,369,676	\$8,043,416,266
F2	Industrial and Manufacturing Real Property	315		\$26,101,695	\$1,139,870,060
J2	Gas Distribution Systems	3		\$0	\$27,426,521
J3	Electric Companies and Co-Ops	42		\$0	\$216,474,537
J4	Telephone Companies and Co-Ops	126		\$0	\$141,633,122
J5	Railroads	13		\$0	\$1,053,970
J6	Pipelines	2		\$0	\$284,620
J7	Cable Television Companies	3		\$0	\$4,029,077
L1	Commercial Personal Property	10,313		\$3,006,345	\$2,655,959,370
L2	Industrial and Manufacturing Personal Propert	46		\$0	\$59,147,507
M1	Tangible Personal Mobile Homes	383		\$439,750	\$4,453,143
O	Residential Real Property Inventory	627		\$25,753,511	\$77,397,849
S	Special Personal Property Inventory	102		\$0	\$140,322,173
X	Totally Exempt Property	2,262		\$19,161,686	\$3,155,357,802
	<b>Totals</b>		2,057.9682	\$566,535,985	\$38,892,114,222

**2015 CERTIFIED TOTALS**

Property Count: 88,875

CPL - PLANO CITY  
Effective Rate Assumption

7/23/2015

9:44:59AM

**New Value**

<b>TOTAL NEW VALUE MARKET:</b>	<b>\$566,535,985</b>
<b>TOTAL NEW VALUE TAXABLE:</b>	<b>\$521,953,000</b>

**New Exemptions**

Exemption	Description	Count		
EX-XD	11.181 Improving property for housing with vol	11	2014 Market Value	\$365,882
EX-XG	11.184 Primarily performing charitable functio	2	2014 Market Value	\$458,076
EX-XL	11.231 Organizations Providing Economic Deve	4	2014 Market Value	\$1,514,231
EX-XU	11.23 Miscellaneous Exemptions	1	2014 Market Value	\$0
EX-XV	Other Exemptions (including public, religious, c	68	2014 Market Value	\$14,296,019
EX366	House Bill 366 - Under \$500	117	2014 Market Value	\$102,429
<b>ABSOLUTE EXEMPTIONS VALUE LOSS</b>				<b>\$16,736,637</b>

Exemption	Description	Count	Exemption Amount
DP	Disabled Person	13	\$520,000
DPS	Disabled Person Surviving Spouse	1	\$0
DV1	Disabled Veterans 10% - 29%	5	\$25,000
DV2	Disabled Veterans 30% - 49%	5	\$42,000
DV3	Disabled Veterans 50% - 69%	3	\$30,000
DV4	Disabled Veterans 70% - 100%	23	\$252,000
DV4S	Disabled Veterans Surviving Spouse 70% - 100%	2	\$12,000
DVHS	Disabled Veteran Homestead	1	\$331,517
HS	Homestead	1,007	\$66,958,223
OV65	Over-65	966	\$38,363,178
OV65S	Over-65 Surviving Spouse	2	\$80,000
<b>PARTIAL EXEMPTIONS VALUE LOSS</b>		<b>2,028</b>	<b>\$106,613,918</b>
<b>TOTAL EXEMPTIONS VALUE LOSS</b>			<b>\$123,350,555</b>

**New Ag / Timber Exemptions****New Annexations****New Deannexations****Average Homestead Value**

## Category A and E

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
54,446	\$291,717	\$64,226	\$227,491

## Category A Only

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
54,432	\$291,684	\$64,209	\$227,475

**Lower Value Used**

Count of Protested Properties	Total Market Value	Total Value Used
1,902	\$644,954,006.00	\$467,363,898

### 2015 CERTIFIED TOTALS

TP2 - PLANO TIF #2 (Base 1999-24)  
ARB Approved Totals

Property Count: 711

7/23/2015 2:21:58PM

Land		Value				
Homesite:		5,732,621				
Non Homesite:		211,682,339				
Ag Market:		3,601,469				
Timber Market:		0		Total Land	(+)	221,016,429
Improvement		Value				
Homesite:		13,297,595				
Non Homesite:		386,218,335		Total Improvements	(+)	399,515,930
Non Real		Count	Value			
Personal Property:		0	0			
Mineral Property:		0	0			
Autos:		0	0	Total Non Real	(+)	0
				Market Value	=	620,532,359
Ag		Non Exempt	Exempt			
Total Productivity Market:		3,601,469	0			
Ag Use:		2,311	0	Productivity Loss	(-)	3,599,158
Timber Use:		0	0	Appraised Value	=	616,933,201
Productivity Loss:		3,599,158	0			
				Homestead Cap	(-)	261,986
				Assessed Value	=	616,671,215
Exemption	Count	Local	State	Total		
EX-XL	1	0	590,906	590,906		
EX-XU	2	0	427,730	427,730		
EX-XV	127	0	92,354,826	92,354,826		
EX-XV (Prorated)	4	0	488,408	488,408	Total Exemptions	(-)
						93,861,870
					Net Taxable	=
						522,809,345

APPROXIMATE TOTAL LEVY = NET TAXABLE \* (TAX RATE / 100)  
0.00 = 522,809,345 \* (0.000000 / 100)

### 2015 CERTIFIED TOTALS

Property Count: 4

TP2 - PLANO TIF #2 (Base 1999-24)  
Under ARB Review Totals

7/23/2015 2:21:58PM

Land		Value			
Homesite:		53,697			
Non Homesite:		203,334			
Ag Market:		0			
Timber Market:		0			
			<b>Total Land</b>	(+)	257,031
Improvement		Value			
Homesite:		119,689			
Non Homesite:		129,207			
			<b>Total Improvements</b>	(+)	248,896
Non Real		Count	Value		
Personal Property:		0	0		
Mineral Property:		0	0		
Autos:		0	0		
			<b>Total Non Real</b>	(+)	0
			<b>Market Value</b>	=	505,927
Ag	Non Exempt	Exempt			
Total Productivity Market:	0	0			
Ag Use:	0	0	<b>Productivity Loss</b>	(-)	0
Timber Use:	0	0	<b>Appraised Value</b>	=	505,927
Productivity Loss:	0	0			
			<b>Homestead Cap</b>	(-)	0
			<b>Assessed Value</b>	=	505,927
			<b>Net Taxable</b>	=	505,927

APPROXIMATE TOTAL LEVY = NET TAXABLE \* (TAX RATE / 100)  
0.00 = 505,927 \* (0.000000 / 100)

## 2015 CERTIFIED TOTALS

TP2 - PLANO TIF #2 (Base 1999-24)  
Grand Totals

Property Count: 715

7/23/2015 2:21:58PM

Land		Value			
Homesite:		5,786,318			
Non Homesite:		211,885,673			
Ag Market:		3,601,469			
Timber Market:		0	<b>Total Land</b>	(+) 221,273,460	
Improvement		Value			
Homesite:		13,417,284			
Non Homesite:		386,347,542	<b>Total Improvements</b>	(+) 399,764,826	
Non Real		Count	Value		
Personal Property:	0		0		
Mineral Property:	0		0		
Autos:	0		0	<b>Total Non Real</b>	(+) 0
				<b>Market Value</b>	= 621,038,286
Ag		Non Exempt	Exempt		
Total Productivity Market:	3,601,469		0		
Ag Use:	2,311		0	<b>Productivity Loss</b>	(-) 3,599,158
Timber Use:	0		0	<b>Appraised Value</b>	= 617,439,128
Productivity Loss:	3,599,158		0		
				<b>Homestead Cap</b>	(-) 261,986
				<b>Assessed Value</b>	= 617,177,142
Exemption		Count	Local	State	Total
EX-XL	1	0	590,906	590,906	
EX-XU	2	0	427,730	427,730	
EX-XV	127	0	92,354,826	92,354,826	
EX-XV (Prorated)	4	0	488,408	488,408	
				<b>Total Exemptions</b>	(-) 93,861,870
				<b>Net Taxable</b>	= 523,315,272

APPROXIMATE TOTAL LEVY = NET TAXABLE \* (TAX RATE / 100)  
0.00 = 523,315.272 \* (0.000000 / 100)

**2015 CERTIFIED TOTALS**

Property Count: 711

TP2 - PLANO TIF #2 (Base 1999-24)  
ARB Approved Totals

7/23/2015 2:22:10PM

**State Category Breakdown**

State Code	Description	Count	Acres	New Value Market	Market Value
A	Single-Family Residential	126		\$1,074,208	\$16,891,342
B	Multi-Family Residential	16		\$22,534,541	\$79,576,602
C1	Vacant Lots and Tracts	90		\$0	\$8,932,934
D1	Qualified Open-Space Land	5	13.2789	\$0	\$3,601,469
E	Rural Land, Non Qualified Open-Space Land,	2		\$0	\$606,333
F1	Commercial Real Property	272		\$2,056,054	\$326,239,267
F2	Industrial and Manufacturing Real Property	69		\$0	\$89,488,983
J2	Gas Distribution Systems	1		\$0	\$34,031
J3	Electric Companies and Co-Ops	2		\$0	\$58,163
J4	Telephone Companies and Co-Ops	2		\$0	\$1,241,365
J5	Railroads	2		\$0	\$0
X	Totally Exempt Property	134		\$319,966	\$93,861,870
	<b>Totals</b>		13.2789	\$25,984,769	\$620,532,359

Collin CAD

### 2015 CERTIFIED TOTALS

As of Certification

Property Count: 4

TP2 - PLANO TIF #2 (Base 1999-24)  
Under ARB Review Totals

7/23/2015

2:22:10PM

#### State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
A	Single-Family Residential	2		\$0	\$173,386
F1	Commercial Real Property	2		\$0	\$332,541
	<b>Totals</b>		0.0000	\$0	\$505,927

**2015 CERTIFIED TOTALS**

Property Count: 715

TP2 - PLANO TIF #2 (Base 1999-24)  
Grand Totals

7/23/2015 2:22:10PM

**State Category Breakdown**

State Code	Description	Count	Acres	New Value Market	Market Value
A	Single-Family Residential	128		\$1,074,208	\$17,064,728
B	Multi-Family Residential	16		\$22,534,541	\$79,576,602
C1	Vacant Lots and Tracts	90		\$0	\$8,932,934
D1	Qualified Open-Space Land	5	13.2789	\$0	\$3,601,469
E	Rural Land, Non Qualified Open-Space Land,	2		\$0	\$606,333
F1	Commercial Real Property	274		\$2,056,054	\$326,571,808
F2	Industrial and Manufacturing Real Property	69		\$0	\$89,488,983
J2	Gas Distribution Systems	1		\$0	\$34,031
J3	Electric Companies and Co-Ops	2		\$0	\$58,163
J4	Telephone Companies and Co-Ops	2		\$0	\$1,241,365
J5	Railroads	2		\$0	\$0
X	Totally Exempt Property	134		\$319,966	\$93,861,870
	<b>Totals</b>		13.2789	\$25,984,769	\$621,038,286

**2015 CERTIFIED TOTALS**

Property Count: 715

TP2 - PLANO TIF #2 (Base 1999-24)  
Effective Rate Assumption

7/23/2015 2:22:10PM

**New Value**

TOTAL NEW VALUE MARKET:	\$25,984,769
TOTAL NEW VALUE TAXABLE:	\$25,664,803

**New Exemptions**

Exemption	Description	Count		
EX-XL	11.231 Organizations Providing Economic Deve	1	2014 Market Value	\$590,906
EX-XV	Other Exemptions (including public, religious, c	8	2014 Market Value	\$560,594
<b>ABSOLUTE EXEMPTIONS VALUE LOSS</b>				<b>\$1,151,500</b>

Exemption	Description	Count	Exemption Amount
<b>PARTIAL EXEMPTIONS VALUE LOSS</b>			
<b>TOTAL EXEMPTIONS VALUE LOSS</b>			<b>\$1,151,500</b>

**New Ag / Timber Exemptions****New Annexations****New Deannexations****Average Homestead Value**

## Category A and E

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
57	\$143,200	\$4,596	\$138,604

## Category A Only

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
57	\$143,200	\$4,596	\$138,604

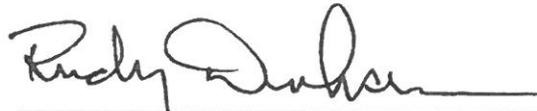
**Lower Value Used**

Count of Protested Properties	Total Market Value	Total Value Used
4	\$505,927.00	\$498,935

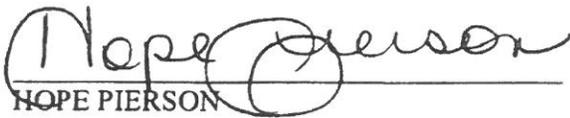
CERTIFICATION OF 2015 AND PRIOR YEAR SUPPLEMENTAL ROLL

July 17, 2015

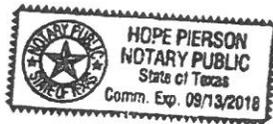
“I, Rudy Durham, Chief Appraiser for the Denton Central Appraisal District, solemnly swear that I have made, or caused to be made, a diligent inquiry to ascertain all property in the district subject to appraisal by me, and that I have included in the records all property that I am aware of at an appraised value determined as required by law.”



RUDY DURHAM, CHIEF APPRAISER  
DENTON CENTRAL APPRAISAL DISTRICT



HOPE PIERSON  
NOTARY PUBLIC  
EXPIRES: 09/13/2018



APPRAISAL REVIEW BOARD

DENTON COUNTY, TEXAS

ORDER APPROVING APPRAISAL RECORDS  
FOR 2015

On July 17, the Appraisal Review Board of Denton County, Texas, met to approve the appraisal records for tax year 2015.

The Board finds that the appraisal records, as corrected by the Chief Appraiser according to the orders of the Board, should be approved.

The Board finds that the sum of the appraised values, as determined by the Chief Appraiser, on all properties on which protests have been filed but not determined by this Board is five percent or less of the total appraised value of all other taxable properties.

The Board therefore APPROVES the appraisal records as corrected.

Signed on July 17, 2015

A handwritten signature in black ink, appearing to read 'Robert Warner', written over a horizontal line.

Robert Warner  
CHAIRPERSON APPRAISAL REVIEW BOARD

**2015 CERTIFIED TOTALS**

Property Count: 2,323

C29 - PLANO CITY OF  
ARB Approved Totals

7/19/2015 7:54:52AM

Land		Value		
Homesite:		253,385,384		
Non Homesite:		125,359,807		
Ag Market:		26,966,972		
Timber Market:		0	Total Land	(+) 405,712,163
Improvement		Value		
Homesite:		697,744,861		
Non Homesite:		119,831,600	Total Improvements	(+) 817,576,461
Non Real		Count	Value	
Personal Property:	94		41,046,332	
Mineral Property:	0		0	
Autos:	0		0	
			Total Non Real	(+) 41,046,332
			Market Value	= 1,264,334,956
Ag		Non Exempt	Exempt	
Total Productivity Market:	26,966,972		0	
Ag Use:	383,979		0	Productivity Loss (-) 26,582,993
Timber Use:	0		0	Appraised Value = 1,237,751,963
Productivity Loss:	26,582,993		0	
			Homestead Cap	(-) 12,858,990
			Assessed Value	= 1,224,892,973
			Total Exemptions Amount (Breakdown on Next Page)	(-) 229,954,835
			Net Taxable	= 994,938,138

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count	
DP	3,228,638	2,258,158	9,917.59	10,172.57	8	
OV65	189,568,388	130,793,531	559,382.61	570,442.41	478	
<b>Total</b>	<b>192,797,026</b>	<b>133,051,689</b>	<b>569,300.20</b>	<b>580,614.98</b>	<b>486</b>	Freeze Taxable (-) 133,051,689
Tax Rate	0.488600					
Transfer	Assessed	Taxable	Post % Taxable	Adjustment	Count	
OV65	718,250	534,600	516,149	18,451	1	
<b>Total</b>	<b>718,250</b>	<b>534,600</b>	<b>516,149</b>	<b>18,451</b>	<b>1</b>	Transfer Adjustment (-) 18,451
						Freeze Adjusted Taxable = 861,867,998

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 4,780.387.24 = 861,867,998 \* (0.488600 / 100) + 569,300.20

Tax Increment Finance Value: 0  
 Tax Increment Finance Levy: 0.00

**2015 CERTIFIED TOTALS**

Property Count: 2,323

C29 - PLANO CITY OF  
ARB Approved Totals

7/19/2015

7:56:08AM

**Exemption Breakdown**

Exemption	Count	Local	State	Total
DP	11	440,000	0	440,000
DV1	6	0	44,000	44,000
DV2	1	0	7,500	7,500
DV3	7	0	78,000	78,000
DV4	7	0	36,000	36,000
DV4S	4	0	48,000	48,000
DVHS	5	0	1,915,737	1,915,737
EX-XU	1	0	144,895	144,895
EX-XV	28	0	49,168,884	49,168,884
EX366	7	0	1,380	1,380
HS	1,638	157,252,008	0	157,252,008
OV65	514	20,218,431	0	20,218,431
OV65S	15	600,000	0	600,000
<b>Totals</b>		<b>178,510,439</b>	<b>51,444,396</b>	<b>229,954,835</b>

**2015 CERTIFIED TOTALS**

Property Count: 24

C29 - PLANO CITY OF  
Under ARB Review Totals

7/19/2015 7:54:52AM

Land	Value			
Homesite:	1,341,379			
Non Homesite:	904,579			
Ag Market:	0			
Timber Market:	0	<b>Total Land</b>	(+)	2,245,958

Improvement	Value			
Homesite:	4,360,331			
Non Homesite:	2,501,578	<b>Total Improvements</b>	(+)	6,861,909

Non Real	Count	Value		
Personal Property:	3	60,748		
Mineral Property:	0	0		
Autos:	0	0	<b>Total Non Real</b>	(+)
			<b>Market Value</b>	=
				9,168,615

Ag	Non Exempt	Exempt		
Total Productivity Market:	0	0		
Ag Use:	0	0	<b>Productivity Loss</b>	(-)
Timber Use:	0	0	<b>Appraised Value</b>	=
Productivity Loss:	0	0		9,168,615
			<b>Homestead Cap</b>	(-)
			<b>Assessed Value</b>	=
				9,168,615
			<b>Total Exemptions Amount</b>	(-)
			<b>(Breakdown on Next Page)</b>	876,028
			<b>Net Taxable</b>	=
				8,292,587

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
OV65	969,337	735,470	3,593.51	5,786.98	1		
<b>Total</b>	<b>969,337</b>	<b>735,470</b>	<b>3,593.51</b>	<b>5,786.98</b>	<b>1</b>	<b>Freeze Taxable</b>	(-)
<b>Tax Rate</b>	<b>0.488600</b>						735,470

**Freeze Adjusted Taxable** = 7,557,117

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 40,517.58 = 7,557,117 \* (0.488600 / 100) + 3,593.51  
 Tax Increment Finance Value: 0  
 Tax Increment Finance Levy: 0.00

DENTON County

## 2015 CERTIFIED TOTALS

As of Certification

Property Count: 24

C29 - PLANO CITY OF  
Under ARB Review Totals

7/19/2015

7:56:08AM

### Exemption Breakdown

Exemption	Count	Local	State	Total
HS	11	836,028	0	836,028
OV65	1	40,000	0	40,000
	<b>Totals</b>	<b>876,028</b>	<b>0</b>	<b>876,028</b>

# 2015 CERTIFIED TOTALS

Property Count: 2,347

C29 - PLANO CITY OF  
Grand Totals

7/19/2015 7:54:52AM

Land	Value		
Homesite:	254,726,763		
Non Homesite:	126,264,386		
Ag Market:	26,966,972		
Timber Market:	0	<b>Total Land</b>	(+) 407,958,121

Improvement	Value		
Homesite:	702,105,192		
Non Homesite:	122,333,178	<b>Total Improvements</b>	(+) 824,438,370

Non Real	Count	Value		
Personal Property:	97	41,107,080		
Mineral Property:	0	0		
Autos:	0	0	<b>Total Non Real</b>	(+) 41,107,080
			<b>Market Value</b>	= 1,273,503,571

Ag	Non Exempt	Exempt		
Total Productivity Market:	26,966,972	0		
Ag Use:	383,979	0	<b>Productivity Loss</b>	(-) 26,582,993
Timber Use:	0	0	<b>Appraised Value</b>	= 1,246,920,578
Productivity Loss:	26,582,993	0		
			<b>Homestead Cap</b>	(-) 12,858,990
			<b>Assessed Value</b>	= 1,234,061,588
			<b>Total Exemptions Amount (Breakdown on Next Page)</b>	(-) 230,830,863
			<b>Net Taxable</b>	= 1,003,230,725

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
DP	3,228,638	2,258,158	9,917.59	10,172.57	8		
OV65	190,537,725	131,529,001	562,976.12	576,229.39	479		
<b>Total</b>	<b>193,766,363</b>	<b>133,787,159</b>	<b>572,893.71</b>	<b>586,401.96</b>	<b>487</b>	<b>Freeze Taxable</b>	(-) 133,787,159
Tax Rate	0.488600						

Transfer	Assessed	Taxable	Post % Taxable	Adjustment	Count		
OV65	718,250	534,600	516,149	18,451	1		
<b>Total</b>	<b>718,250</b>	<b>534,600</b>	<b>516,149</b>	<b>18,451</b>	<b>1</b>	<b>Transfer Adjustment</b>	(-) 18,451
						<b>Freeze Adjusted Taxable</b>	= 869,425,115

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE \* (TAX RATE / 100)) + ACTUAL TAX  
 4,820,904.82 = 869,425.115 \* (0.488600 / 100) + 572,893.71

Tax Increment Finance Value: 0  
 Tax Increment Finance Levy: 0.00

**2015 CERTIFIED TOTALS**

Property Count: 2,347

C29 - PLANO CITY OF  
Grand Totals

7/19/2015

7:56:08AM

**Exemption Breakdown**

Exemption	Count	Local	State	Total
DP	11	440,000	0	440,000
DV1	6	0	44,000	44,000
DV2	1	0	7,500	7,500
DV3	7	0	78,000	78,000
DV4	7	0	36,000	36,000
DV4S	4	0	48,000	48,000
DVHS	5	0	1,915,737	1,915,737
EX-XU	1	0	144,895	144,895
EX-XV	28	0	49,168,884	49,168,884
EX366	7	0	1,380	1,380
HS	1,649	158,088,036	0	158,088,036
OV65	515	20,258,431	0	20,258,431
OV65S	15	600,000	0	600,000
<b>Totals</b>		<b>179,386,467</b>	<b>51,444,396</b>	<b>230,830,863</b>

**2015 CERTIFIED TOTALS**

Property Count: 2,323

C29 - PLANO CITY OF  
ARB Approved Totals

7/19/2015 7:56:08AM

**State Category Breakdown**

State Code	Description	Count	Acres	New Value Market	Market Value
A	SINGLE FAMILY RESIDENCE	2,033		\$12,550,967	\$946,046,758
B	MULTIFAMILY RESIDENCE	2		\$0	\$34,015,518
C1	VACANT LOTS AND LAND TRACTS	148		\$0	\$22,316,374
D1	QUALIFIED AG LAND	7	123.7576	\$0	\$26,966,972
D2	NON-QUALIFIED LAND	1		\$0	\$6,018
E	FARM OR RANCH IMPROVEMENT	10	122.9693	\$0	\$37,958,614
F1	COMMERCIAL REAL PROPERTY	9		\$2,009,492	\$110,968,190
J3	ELECTRIC COMPANY (INCLUDING CO-OP	2		\$0	\$3,458,380
J4	TELEPHONE COMPANY (INCLUDING CO-	5		\$0	\$1,586,250
J7	CABLE TELEVISION COMPANY	1		\$0	\$73,410
L1	COMMERCIAL PERSONAL PROPERTY	72		\$274,732	\$30,538,297
O	RESIDENTIAL INVENTORY	6		\$412,940	\$1,085,016
X	TOTALLY EXEMPT PROPERTY	36		\$0	\$49,315,159
	<b>Totals</b>		246.7269	\$15,248,131	\$1,264,334,956

**2015 CERTIFIED TOTALS**

Property Count: 24

C29 - PLANO CITY OF  
Under ARB Review Totals

7/19/2015 7:56:08AM

**State Category Breakdown**

State Code	Description	Count	Acres	New Value Market	Market Value
A	SINGLE FAMILY RESIDENCE	12		\$292,522	\$5,701,710
C1	VACANT LOTS AND LAND TRACTS	2		\$0	\$443,086
F1	COMMERCIAL REAL PROPERTY	7		\$0	\$2,963,071
J7	CABLE TELEVISION COMPANY	1		\$0	\$9,925
L1	COMMERCIAL PERSONAL PROPERTY	2		\$0	\$50,823
	<b>Totals</b>		0.0000	\$292,522	\$9,168,615

DENTON County

# 2015 CERTIFIED TOTALS

As of Certification

Property Count: 2,347

C29 - PLANO CITY OF  
Grand Totals

7/19/2015 7:56:08AM

## State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
A	SINGLE FAMILY RESIDENCE	2,045		\$12,843,489	\$951,748,468
B	MULTIFAMILY RESIDENCE	2		\$0	\$34,015,518
C1	VACANT LOTS AND LAND TRACTS	150		\$0	\$22,759,460
D1	QUALIFIED AG LAND	7	123.7576	\$0	\$26,966,972
D2	NON-QUALIFIED LAND	1		\$0	\$6,018
E	FARM OR RANCH IMPROVEMENT	10	122.9693	\$0	\$37,958,614
F1	COMMERCIAL REAL PROPERTY	16		\$2,009,492	\$113,931,261
J3	ELECTRIC COMPANY (INCLUDING CO-OP	2		\$0	\$3,458,380
J4	TELEPHONE COMPANY (INCLUDING CO-	5		\$0	\$1,586,250
J7	CABLE TELEVISION COMPANY	2		\$0	\$83,335
L1	COMMERCIAL PERSONAL PROPERTY	74		\$274,732	\$30,589,120
O	RESIDENTIAL INVENTORY	6		\$412,940	\$1,085,016
X	TOTALLY EXEMPT PROPERTY	36		\$0	\$49,315,159
	<b>Totals</b>		246.7269	\$15,540,653	\$1,273,503,571

**2015 CERTIFIED TOTALS**

Property Count: 2,323

C29 - PLANO CITY OF  
ARB Approved Totals

7/19/2015

7:56:08AM

**CAD State Category Breakdown**

State Code	Description	Count	Acres	New Value Market	Market Value
A015	BUILDER HOME PLANS - REFERENCE ON	1		\$0	\$0
A016	BUILDER HOME PLANS - REFERENCE ON	5		\$0	\$0
A1	REAL, RESIDENTIAL, SINGLE-FAMILY	1,480		\$12,550,967	\$836,964,306
A4	CONDOS	128		\$0	\$28,526,192
A5	TOWNHOMES	420		\$0	\$80,556,260
B1	REAL, RESIDENTIAL, APARTMENTS	2		\$0	\$34,015,518
C1	REAL, VACANT PLATTED RESIDENTIAL L	143		\$0	\$14,914,398
C2	COMMERCIAL VACANT LOT	5		\$0	\$7,401,976
D1	QUALIFIED AG LAND	7	123.7576	\$0	\$26,966,972
D2	NON AG USE ACREAGE	1		\$0	\$6,018
E1	LAND (NON AG QUALIFIED) AND MISC IM	2		\$0	\$4,965,700
E4	VACANT NON QUALIFIED NON HOMESITE	8		\$0	\$32,992,914
F010	COMMERCIAL BUILDER PLANS - REFER	1		\$337,500	\$180,765
F1	REAL COMMERCIAL	9		\$1,671,992	\$110,787,425
J3	REAL & TANGIBLE PERSONAL, UTILITIES,	2		\$0	\$3,458,380
J4	REAL & TANGIBLE PERSONAL, UTILITIES,	5		\$0	\$1,586,250
J7	REAL & TANGIBLE PERSONAL, UTILITIES,	1		\$0	\$73,410
L1	BPP TANGIBLE COMERCIAL PROPERTY	30		\$274,732	\$28,059,133
L3	BPP TANGIBLE COMMERCIAL LEASED E	42		\$0	\$2,479,164
OA1	INVENTORY, RESIDENTIAL SINGLE FAMI	2		\$412,940	\$706,420
OC1	INVENTORY, VACANT PLATTED LOTS/TR	4		\$0	\$378,596
X		36		\$0	\$49,315,159
	<b>Totals</b>		123.7576	\$15,248,131	\$1,264,334,956

DENTON County

# 2015 CERTIFIED TOTALS

As of Certification

Property Count: 24

C29 - PLANO CITY OF  
Under ARB Review Totals

7/19/2015 7:56:08AM

## CAD State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
A1	REAL RESIDENTIAL, SINGLE-FAMILY	12		\$292,522	\$5,701,710
C1	REAL VACANT PLATTED RESIDENTIAL L	2		\$0	\$443,086
F1	REAL COMMERCIAL	7		\$0	\$2,963,071
J7	REAL & TANGIBLE PERSONAL UTILITIES.	1		\$0	\$9,925
L3	BPP TANGIBLE COMMERCIAL LEASED E	2		\$0	\$50,823
	<b>Totals</b>		0.0000	\$292,522	\$9,168,615

**2015 CERTIFIED TOTALS**

Property Count: 2,347

C29 - PLANO CITY OF  
Grand Totals

7/19/2015 7:56:08AM

**CAD State Category Breakdown**

State Code	Description	Count	Acres	New Value Market	Market Value
A015	BUILDER HOME PLANS - REFERENCE ON	1		\$0	\$0
A016	BUILDER HOME PLANS - REFERENCE ON	5		\$0	\$0
A1	REAL, RESIDENTIAL, SINGLE-FAMILY	1,492		\$12,843,489	\$842,666,016
A4	CONDOS	128		\$0	\$28,526,192
A5	TOWNHOMES	420		\$0	\$80,556,260
B1	REAL, RESIDENTIAL, APARTMENTS	2		\$0	\$34,015,518
C1	REAL, VACANT PLATTED RESIDENTIAL L	145		\$0	\$15,357,484
C2	COMMERCIAL VACANT LOT	5		\$0	\$7,401,976
D1	QUALIFIED AG LAND	7	123.7576	\$0	\$26,966,972
D2	NON AG USE ACREAGE	1		\$0	\$6,018
E1	LAND (NON AG QUALIFIED) AND MISC IM	2		\$0	\$4,965,700
E4	VACANT NON QUALIFIED NON HOMESITE	8		\$0	\$32,992,914
F010	COMMERCIAL BUILDER PLANS - REFER	1		\$337,500	\$180,765
F1	REAL COMMERCIAL	16		\$1,671,992	\$113,750,496
J3	REAL & TANGIBLE PERSONAL, UTILITIES,	2		\$0	\$3,458,380
J4	REAL & TANGIBLE PERSONAL, UTILITIES,	5		\$0	\$1,586,250
J7	REAL & TANGIBLE PERSONAL, UTILITIES,	2		\$0	\$83,335
L1	BPP TANGIBLE COMERCIAL PROPERTY	30		\$274,732	\$28,059,133
L3	BPP TANGIBLE COMMERCIAL LEASED E	44		\$0	\$2,529,987
OA1	INVENTORY, RESIDENTIAL SINGLE FAMI	2		\$412,940	\$706,420
OC1	INVENTORY, VACANT PLATTED LOTS/TR	4		\$0	\$378,596
X		36		\$0	\$49,315,159
	<b>Totals</b>		123.7576	\$15,540,653	\$1,273,503,571

**2015 CERTIFIED TOTALS**

Property Count: 2,347

C29 - PLANO CITY OF  
Effective Rate Assumption

7/19/2015 7:56:08AM

**New Value**

TOTAL NEW VALUE MARKET: **\$15,540,653**  
TOTAL NEW VALUE TAXABLE: **\$14,146,837**

**New Exemptions**

Exemption	Description	Count		
EX-XV	Other Exemptions (including public property, r	1	2014 Market Value	\$0
EX366	HB366 Exempt	1	2014 Market Value	\$0
<b>ABSOLUTE EXEMPTIONS VALUE LOSS</b>				<b>\$0</b>

Exemption	Description	Count	Exemption Amount
DP	Disability	3	\$120,000
DV3	Disabled Veterans 50% - 69%	1	\$12,000
DV4	Disabled Veterans 70% - 100%	1	\$12,000
HS	Homestead	68	\$6,065,039
OV65	Over 65	46	\$1,840,000
<b>PARTIAL EXEMPTIONS VALUE LOSS</b>			<b>119</b>
<b>NEW EXEMPTIONS VALUE LOSS</b>			<b>\$8,049,039</b>

**Increased Exemptions**

Exemption	Description	Count	Increased Exemption Amount
<b>INCREASED EXEMPTIONS VALUE LOSS</b>			

**TOTAL EXEMPTIONS VALUE LOSS \$8,049,039**

**New Ag / Timber Exemptions**

**New Annexations**

**New Deannexations**

**Average Homestead Value**

Category A and E

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
1,649	\$480,566	\$103,667	\$376,899
Category A Only			

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
1,647	\$478,134	\$103,194	\$374,940

**2015 CERTIFIED TOTALS**  
C29 - PLANO CITY OF  
**Lower Value Used**

Count of Protested Properties	Total Market Value	Total Value Used
24	\$9,168,615.00	\$8,094,346



# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		8/10/15			
Department:		Budget & Research			
Department Head		Karen Rhodes-Whitley			
Agenda Coordinator (include phone #): <b>Anita Bell, 7194</b>					
<b>CAPTION</b>					
A vote on a proposal to consider an increase in the total tax revenue.					
<b>FINANCIAL SUMMARY</b>					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	<b>2015-16</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget		0	0	0	<b>0</b>
Encumbered/Expended Amount		0	0	0	<b>0</b>
This Item		0	0	152,834,133	<b>152,834,133</b>
BALANCE		0	0	152,834,133	<b>152,834,133</b>
<b>FUND(S):    GENERAL FUND, GENERAL OBLIGATION DEBT FUND &amp; TIF</b>					
<p><b>COMMENTS:</b> The 2015-16 Certified Appraisal Roll will generate revenues of approximately \$152,834,133, at the proposed rate of 48.86 cents per \$100 of assessed property value. This amount has been included in the 2015-16 Recommended Budget.</p> <p><b>STRATEGIC PLAN GOAL:</b> Approving the increase in tax revenues relates to the City's goal of Financially Strong City with Service Excellence.</p>					
<b>SUMMARY OF ITEM</b>					
If the Council intends to propose a tax rate that will increase tax revenue over the effective tax rate, then it must take a vote for the record regarding each council member's position on the proposal.					
List of Supporting Documents: Truth in Taxation Presentation			Other Departments, Boards, Commissions or Agencies		
Ag 213 Vote on Total Tax Revenue					

# Property Tax Rate Overview

*Monday, August 10, 2015*  
*7:00 p.m.*



# TRUTH-IN-TAXATION LAW

- If a proposed tax rate exceeds the rollback or the effective tax rate, whichever is lower, the taxing unit's governing body must vote to place a proposal on the agenda of a future meeting as an action item.
- The vote must be recorded.
- Proposal must specify a tax rate – Adopted tax rate cannot go above the rate voted on by Council. **Vote scheduled for this evening-Monday, August 10, 2015.**
- Debt rate is set at 13.10 cents and cannot be changed.
- Proposed Tax Rate is 48.86 cents.



# TAX RATE CALCULATIONS

Effective Tax Rate  
Rollback Tax Rate



***The Effective Tax Rate is basically the tax rate you would pass to collect the same tax revenue as last year (FY 2014-15) using this year's (FY 2015-16) appraised values.***

- The City's 2015-16 Effective Tax Rate is 45.53 cents or 3.33 cents under the proposed 48.86 cent tax rate.***
- This amount equals \$10,416,243 in additional tax revenue is projected to be collected over last year.***



***The **Rollback Rate** allows a taxing unit to raise the same amount for operations as in the prior year plus provides for an additional 8% cushion.***

- The City's 2015-16 Rollback Rate is 47.59 cents or 1.27 cents under the proposed tax rate of 48.86 cents.***
- This amount equals \$3,972,561 or \$29.64 for the average homeowner a year.***



# Rollback O&M History

- Since 1996 the City of Plano has been:
  - Even with the rollback rate twice in 1996 & 1997
  - Over the rollback rate six times
    - 1998 by .0072 cents
    - 2000 by .0077 cents
    - 2002 by .0050 cents
    - 2003 by .0036 cents
    - 2007 by .0055 cents
    - 2015 by .0027 cents
    - 2016 by .0127 cents - proposed
- If a taxing unit adopts a tax rate over the rollback rate, 7% of the registered voters shown on the most recent official list must sign the petition for an election to occur.
- If the rollback election passes, taxing unit must reduce its tax rate for the current year to the rollback rate.



# Vote On Tax Rate

- Notice of Public Hearing on Tax Increase
  - Will be published in newspapers, on web site and PTV starting Thursday, August 13<sup>th</sup>
  - Language of notice is confusing
- Notice announces two public hearings on the tax rate (August 24 & Sept. 2)
- How the members of governing body voted are listed within the notice
  - For, Against, Absent, Present and not voting
- Proposed tax rate for the FY 2015-16 Budget must be voted on.
  - Can go down from the tax rate voted on at tonight's meeting but not up



# QUESTIONS??





# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		8/10/15			
Department:		Budget & Research			
Department Head		Karen Rhodes-Whitley			
Agenda Coordinator (include phone #): <b>Anita Bell, x7154</b>					
<b>CAPTION</b>					
Discussion of the FY 2015-16 Proposed Community Investment Program					
<b>FINANCIAL SUMMARY</b>					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	<b>2015-16</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
<b>FUND(S):    CAPITAL PROJECT FUNDS</b>					
<b>COMMENTS:</b> This item has no fiscal impact.					
<b>SUMMARY OF ITEM</b>					
Presentation by staff on the various projects included in the FY 2015-16 Proposed Community Investment Program.					
List of Supporting Documents: Agenda, P&Z Letter and Presentation			Other Departments, Boards, Commissions or Agencies		

## City Council Worksession

On the 2015-16 Proposed Community Investment Program  
Senator Florence Shapiro Council Chambers, Plano Municipal Center  
1520 K Avenue, Plano, Texas  
Monday, August 10, 2015, 7:00 p.m.

<b><u>Community Investment Program Area</u></b>	<b><u>Presenter</u></b>
Overview	Glasscock
Parks <ul style="list-style-type: none"><li>• Recreation Centers Bond Program</li><li>• Park Improvements Bond Program</li><li>• Park Fee Program</li><li>• Parks Capital Reserve</li></ul>	Fortenberry
Streets <ul style="list-style-type: none"><li>• Street Improvements</li></ul>	Carr
Municipal Drainage	Carr
Water & Sewer <ul style="list-style-type: none"><li>• Water Improvements</li><li>• Sewer Improvements</li></ul>	Carr
Municipal Facilities <ul style="list-style-type: none"><li>• Facilities Bond Program</li><li>• Facilities Capital Reserve</li></ul>	Razinha
Public Works <ul style="list-style-type: none"><li>• Streets Capital Reserve</li><li>• Water &amp; Sewer Projects</li></ul>	Cosgrove



City of Plano  
1520 K Avenue  
Plano, TX 75074

P.O. Box 860358  
Plano, TX 75086-0358  
Tel: 972.941.7000  
plano.gov

August 3, 2015

Honorable Mayor and City Council  
City of Plano  
PO Box 860358  
Plano TX 75086-0358

RE: Review of Community Investment Program for Consistency with the Comprehensive Plan

Dear Mayor LaRosiliere and Council Members:

The Planning & Zoning Commission reviewed the proposed Community Investment Program (CIP) items for the 2015-16 budget year. The Commission found the CIP to be consistent with the Comprehensive Plan's recommendations for growth management and facility and infrastructure maintenance. The program also addresses present trends in development and population growth.

The Commission appreciates the opportunity to review the CIP and to present our comments.

Sincerely,

M. Nathan Barbera  
1st Vice Chair  
Planning & Zoning Commission

xc: Planning & Zoning Commission  
Jack Carr, P.E., Director of Engineering  
Gerald Cosgrove, P.E., Director of Public Works  
Christina Day, Director of Planning  
Amy Fortenberry, Director of Parks & Recreation

*Proposed*

**Community  
Investment  
Program**

**2015-16**

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**CIP Projects  
Funding Categories**

- Parks and Recreation
- Street Improvements
- Municipal Drainage
- Water Projects
- Sewer Projects
- Facility Projects
- Capital Reserve

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2

# PARKS AND RECREATION FUNDING SOURCES

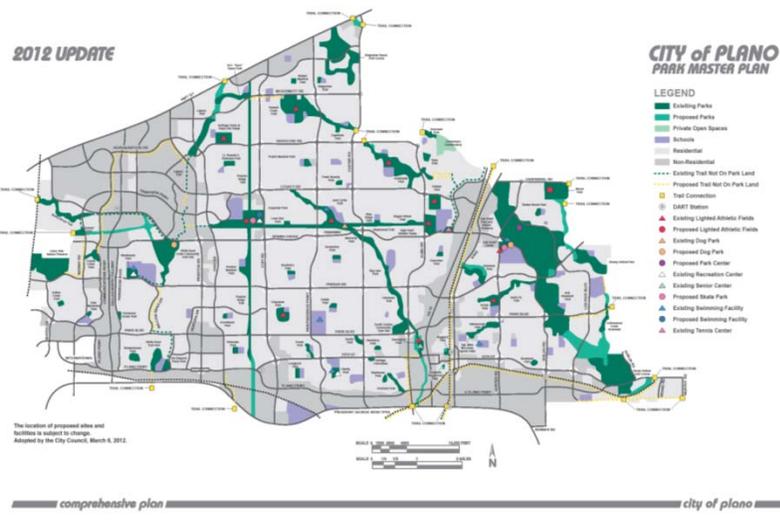
- **BOND PROGRAM**
  - Recreation Centers \$10,905,000
  - Park Improvements \$18,215,000
- **PARK FEE PROGRAM** \$425,000
- **PARKS CAPITAL RESERVE FUND** \$8,435,000
- **STREET ENHANCEMENT PROJECTS** \$350,000

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3

# Park Master Plan



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4

## Recreation Center Projects

05/09 Carpenter Rec. Center Pool	\$5,905,000
09 Senior Center Expansion	\$1,000,000
13 Jack Carter Pool	\$4,000,000
<b>Total</b>	<b>\$10,905,000</b>

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5

## 05/09 Carpenter Recreation Center Pool \$5,905,000



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6

# 09 Senior Center Expansion \$1,000,000



City of Excellence



# 13 Jack Carter Pool \$4,000,000



david mccaskill design group  
architectural, interior, park, trail, and recreation planning  
817.709.2084  
dmg@davidmccaskilldesign.com  
200 West Northville Blvd., Suite 100, Ft. Worth, TX 76202

Councilman Hunsaker  
INSPIRING BETTER LIVES

Jack Carter Pool  
Jack Carter Park  
City of Plano, TX

OCTOBER 8, 2014

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## Park Improvement Projects

09 Land Acquisitions	\$1,000,000
05/09 Maintenance Facility Exp.	\$2,200,000
09 Windhaven Meadows Park	\$2,500,000
13 Carpenter Park Renovation	\$700,000
13 Oak Point Park & Nature Preserve	\$4,000,000

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## Park Improvement Projects

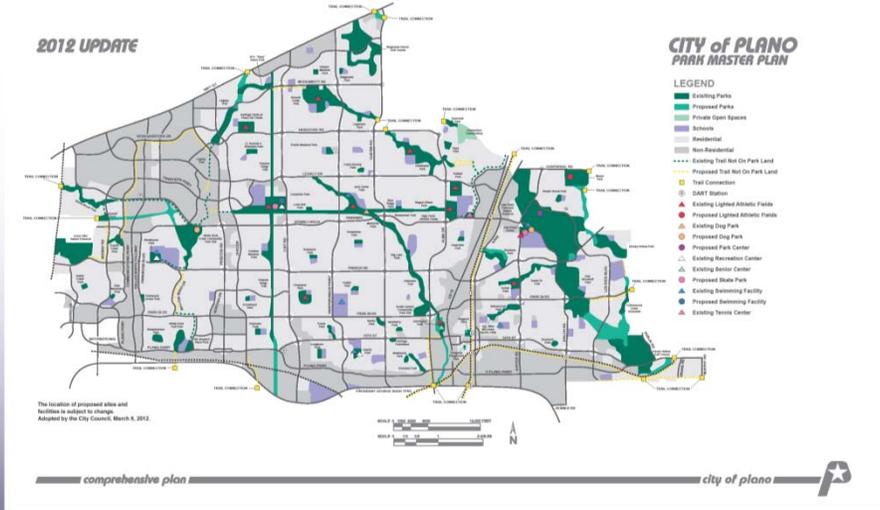
13 Park Improvements	\$4,000,000
13 Recreational Trails	\$3,000,000
05 Legacy Trail	\$640,000
05 Special Use Facilities	\$175,000
<b>Total</b>	<b>\$18,215,000</b>

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# 09 Land Acquisitions \$1,000,000



# 05/09 Maintenance Facilities \$2,200,000



# 09 Windhaven Meadows Park \$2,500,000



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# 13 Carpenter Park Renovation \$700,000



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# 13 Oak Point Park and Nature Preserve \$4,000,000



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# 13 Park Improvements \$4,000,000



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13 Trails  
\$3,000,000



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05 Legacy Trail  
\$640,000



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## 05 Special Use Facilities Skate Park at Carpenter Park \$175,000



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## Park Fee Projects

Cottonwood Creek Greenbelt South \$175,000

Windhaven Meadows Trail \$250,000

**Total \$425,000**

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## Capital Reserve - Parks

Athletic Field Renovations	\$400,000
Double Check Replacements	\$150,000
Interurban Building	\$95,000
Irrigation Renovations	\$475,000
Jack Carter Park	\$900,000

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## Capital Reserve - Parks

Jack Carter Pool	\$950,000
Lighting Replacements	\$100,000
Living Screen Replacements	\$200,000
Median Renovations	\$350,000
Neighborhood Park Renovations	\$600,000
Oak Point Recreation Center	\$750,000

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## Capital Reserve - Parks

Park & Trail Signage Replacements	\$15,000
Park Restoration	\$100,000
Park Structures and Equipment	\$400,000
Playground Replacements	\$400,000
Pool Equipment	\$100,000

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## Capital Reserve - Parks

Public Building Landscapes	\$950,000
Recreation Center Equipment	\$100,000
Saigling House	\$500,000
Trail Repairs	\$800,000
Tree Replacements	\$100,000
<b>Total</b>	<b>\$8,435,000</b>

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## Park Projects Street Enhancements

Landscape Entryways	\$350,000
<b>Total</b>	<b>\$350,000</b>

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## STREET IMPROVEMENTS Funding Sources

Bond Funds	\$ 21,957,183
Capital Reserve Funds	\$ 25,470,000
Other Funds	\$17,369,917
– Collin County	12,106,984
– NCTCOG	885,750
– RTR Funds	3,441,191
– TxDOT/Federal	935,992

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## STREET IMPROVEMENTS Project Types

Street Construction	\$20,883,100
Street Capacity Improvements	\$9,903,000
Street Design Projects	\$2,020,000
Miscellaneous	<u>\$6,521,000</u>
Total	\$39,327,100



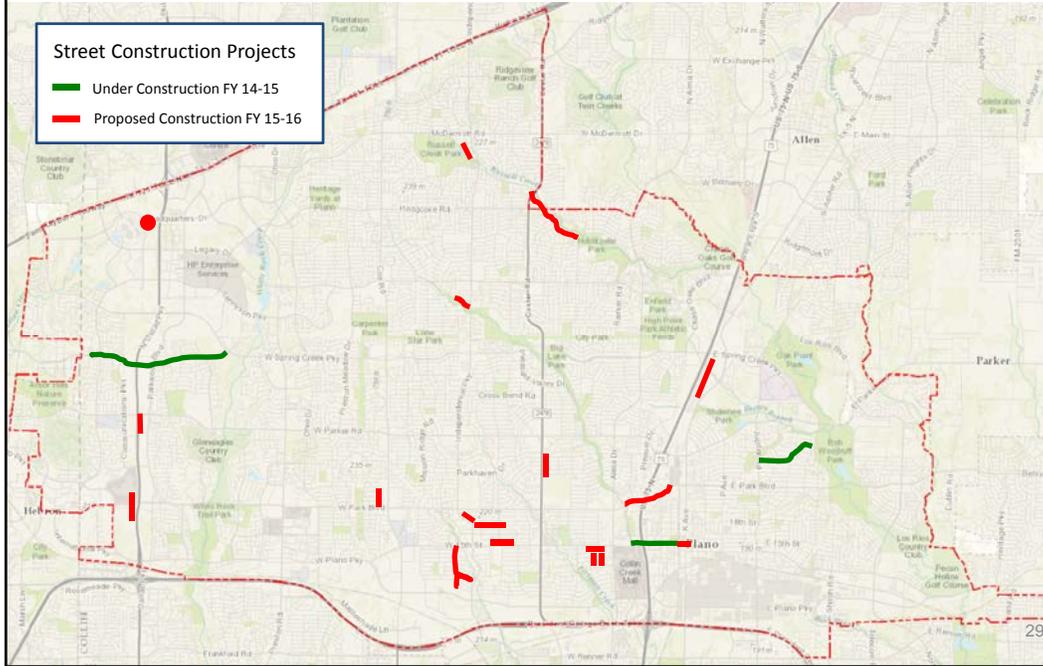
## Street Construction Projects

Total - \$20,883,100

- 15<sup>th</sup> Street – G Avenue to US 75
- Intersection – Headquarters at Communication
- Brennan, Knollwood & Casa Grande
- Russell Creek Drive
- Downtown Brick Pavers & Pavement
- Split Trail Drive
- Royal Oaks Drive
- Windhaven – City Limit to Spring Creek



## Street Construction Projects



## Street Capacity Projects

Total - \$9,903,000

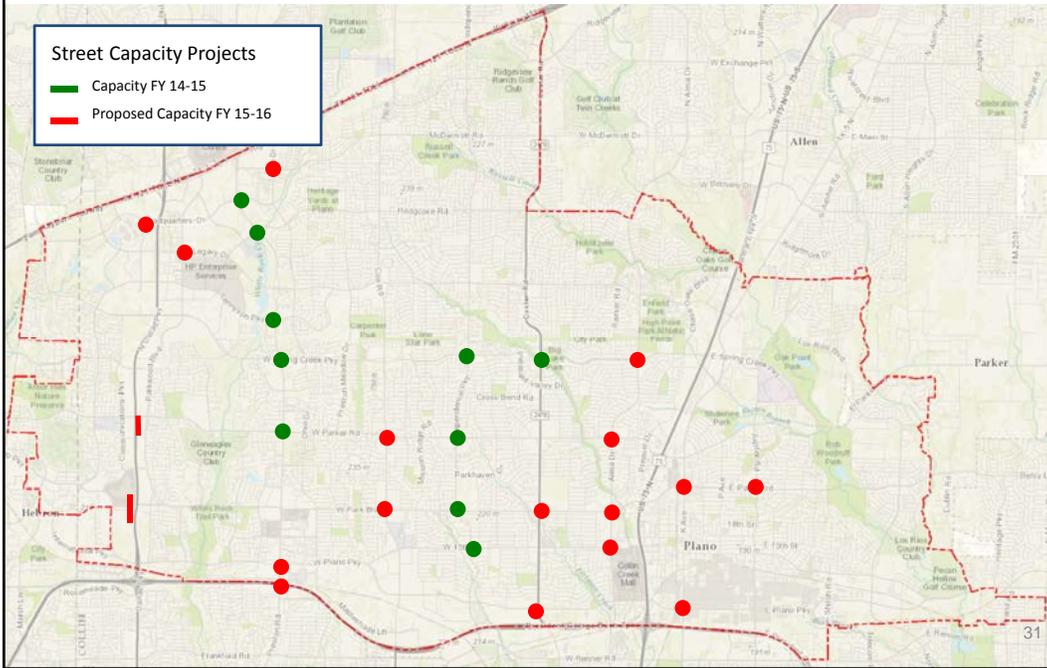
### Intersection Improvements

- Coit at 15<sup>th</sup>
- Custer at Plano Pkwy
- Plano Pkwy & Los Rios Blvd
- DNT at Park, Parker Alma at Spring Creek
- Ohio at McDermott, Alma Drive at 15<sup>th</sup>, Plano Pkwy at K Ave

### Corridor Improvements

- Independence Pkwy
- Legacy Drive
- Park Boulevard
- Parker Road

# Street Capacity Projects



# Street Design Projects

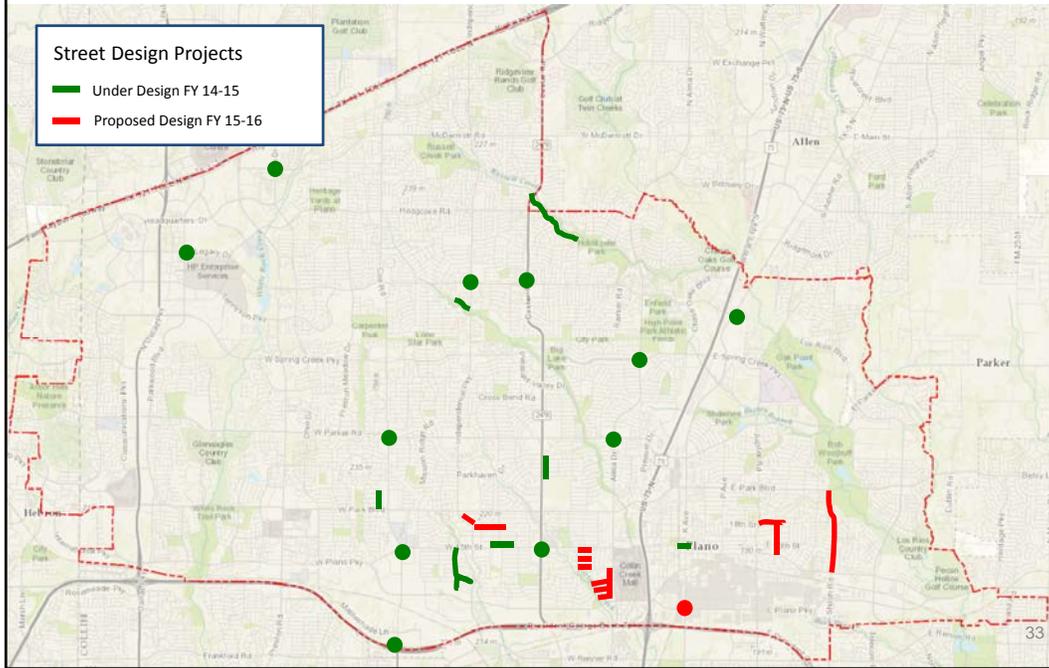
Total - \$2,020,000



- Dallas North Estates, #2, #5
- Preston / PGBT Intersection Imp.
- 18<sup>th</sup> St – Jupiter to Dale Dr
- Preston / Plano Parkway Intersection
- Spring Creek at Coit Intersection
- Meadows Addition, Ph II
- Shiloh – 14<sup>th</sup> St to Park Blvd



# Street Design Projects



# Street – Miscellaneous Projects

Total - \$6,521,000

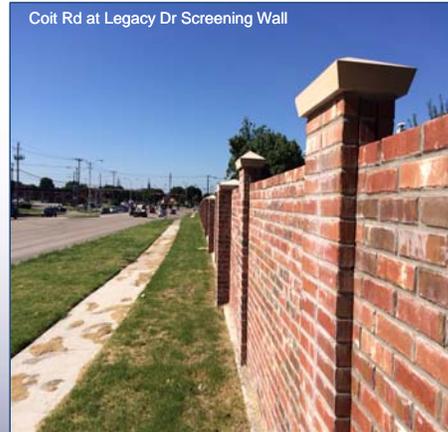


- Median Landscaping
- Computerized Traffic Signal System
- Bridge Inspection & Repair
- Park Blvd / US 75 Pedestrian Crossing
- Traffic Signalization & Street Lighting
- Screening Walls (Location TBD)



## Screening Wall Projects

- Independence Pkwy
  - Hagen to Ridgeview
- 15<sup>th</sup> Street
  - Cloister to Stratford
- Custer Rd
  - Baffin Bay to Macao Alley
  - Cross Bend to Pleasant Valley
  - Apple Valley to Private Wall



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## MUNICIPAL DRAINAGE FUND Erosion Control Projects

Total - \$2,231,000

- Valley Creek & Stone Creek
- Padre, Dunmoore, Buckboard
- Bridge Protection/Inspection
- Creek Erosion Projects



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# MUNICIPAL DRAINAGE FUND Miscellaneous Projects

Total - \$2,315,000



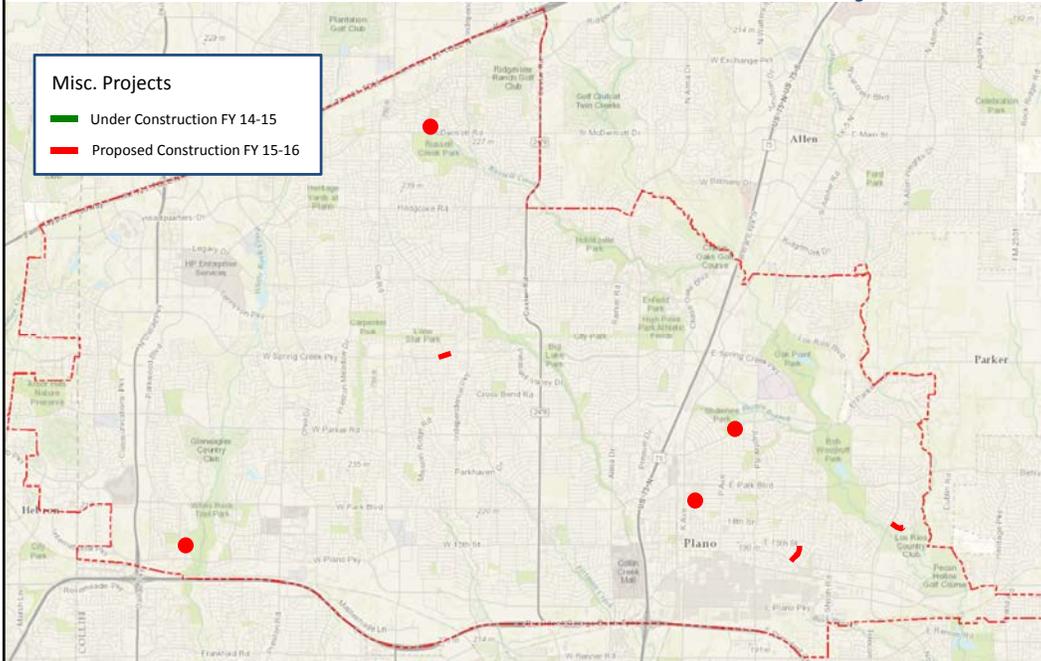
- East Side Drainage Improvements (Rowlett Creek)
- Los Rios Addn & Spring Creek Pkwy Drain
- Flood Control Structures
  - Shawnee Park
  - White Rock Creek Trail
  - Russell Creek Park

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## MUNICIPAL DRAINAGE FUND - Miscellaneous Projects



## WATER IMPROVEMENT FUND

Total - \$14,666,000

- Disinfection Improvements
- Water Rehab Plano East #1
- Water Renovation Dallas North
- US 75 Water Line
- Parkwood Tank Painting
- Misc. Water Infrastructure Renovation
- Split Trail Waterline
- Water Quality



Stadium Pump Station

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## SEWER IMPROVEMENT FUND

Total - \$21,632,300

- Rowlett Creek CIPP
- Brown Branch Sewer Line
- White Rock Creek and Prairie Creek Main Rehab
- I&I Repairs
- Manhole Sealing
- Redevelopment Capacity Improvements

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## FACILITY IMPROVEMENTS Funding Sources

Bond Funds	\$4,275,000
Capital Reserve Funds	\$5,131,600

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## FACILITY IMPROVEMENTS BOND PROJECTS

Fire Station No. 1 & Fire Admin	\$3.5M
Joint Use Facility	\$400K
Animal Shelter	\$250K
Parkway Service Center	\$125K

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## Capital Reserve - Facilities

Municipal Center	\$ 1.505 M
Fire Station 1/Admin	\$ 765 K
Parr Library	\$ 200 K
Oak Point Rec Center	\$ 1.22 M
Robinson Justice Center	\$ 445 K

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## Community Investment Program

### Projects by Public Works - Streets

Arterial Concrete Repair	\$6,500,000
Residential Street & Alley	6,000,000
Pavement Maintenance	4,000,000
Sidewalk Repair	3,000,000
Undersealing	2,000,000

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## Community Investment Program

### Projects by Public Works

Screening Wall Reconstruction	1,400,000
Traffic Signalization Upgrade	1,000,000
Pavement Markings/Buttons	775,000
Street Condition Inventory	300,000
Street Name Sign Replacement	195,000

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## Community Investment Program

### Projects by Public Works

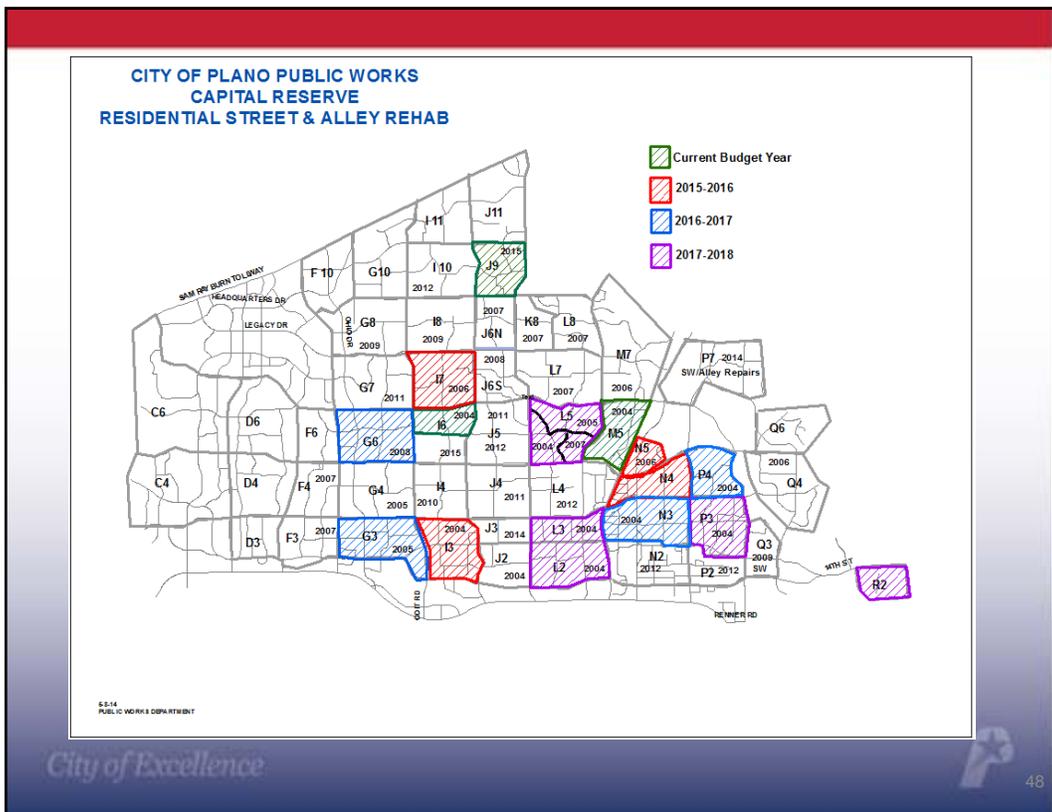
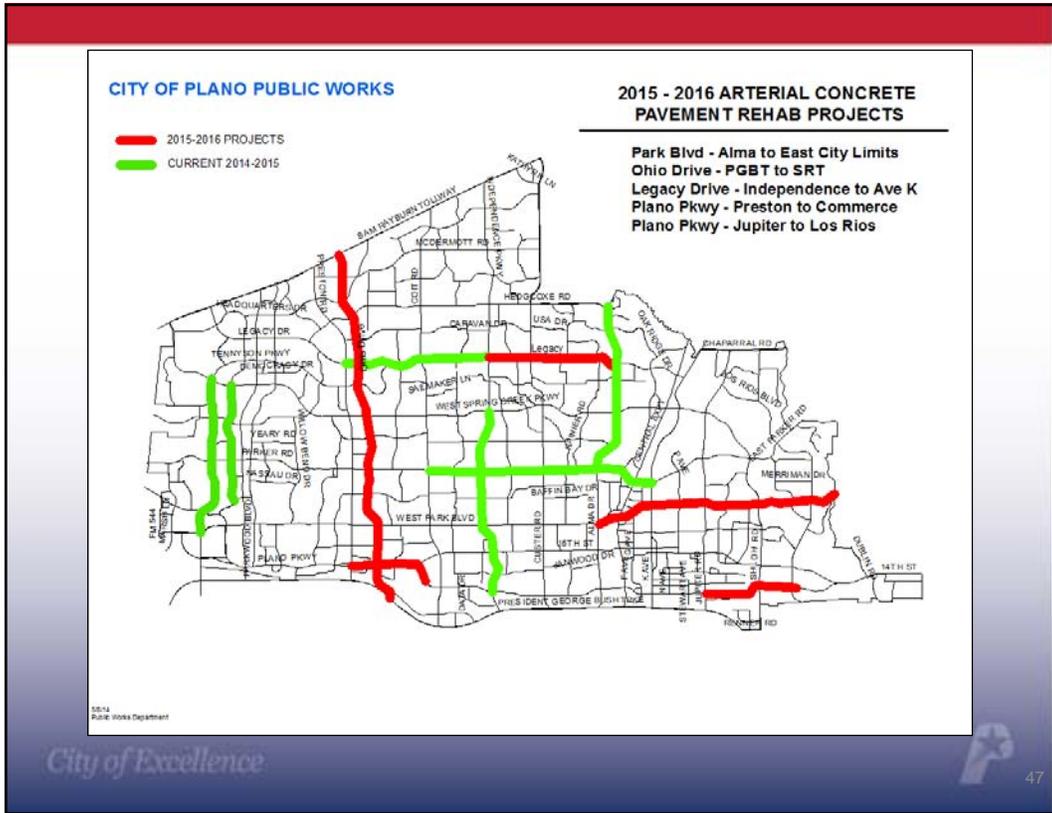
Concrete	200,000
Traffic Guardrails	100,000

**Total \$25,470,000**

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## Community Investment Program

### Projects by Public Works – W/WW

Inflow - Infiltration Repairs	\$2,000,000
Manhole Sealing	1,000,000
Pump Station Rehab	500,000
<b>Total</b>	<b>\$3,500,000</b>





# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		August 10, 2015		
Department:	Planning			
Department Head	Christina Day			
Agenda Coordinator (include phone #): <b>Tammy Stuckey, ext 7156</b>				
<b>CAPTION</b>				
Public Hearing and consideration of an Appeal of the Planning & Zoning Commission's denial of Zoning Case 2014-34 - Request to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive from Regional Employment to Planned Development-Regional Employment to allow for Single-Family Residence Attached with modified development standards. Zoned Regional Employment/State Highway 121 Overlay District. Applicant: Ronald McCutchin Family Partnership, LTD. Tabled July 27, 2015.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2014-15</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
<b>BALANCE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>FUND(S): N/A</b>				
<b>COMMENTS:</b> This item has no financial impact.				
STRATEGIC PLAN GOAL: Consideration of a request to rezone relates to the Council's goal of Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
At its April 27, 2015 meeting the City Council remanded this zoning case back to the Planning & Zoning Commission by a vote of 8-0. At its June 1, 2015 meeting, the Planning & Zoning Commission denied this request by a vote of 5-1. The applicant has appealed the Commission's denial. A super majority vote, or 6 of the 8 City Council members, is required for approval of the request. The associated Concept Plan has also been appealed and is included as a separate agenda item. At the July 27, 2015 City Council meeting the applicant requested to table this item to the August 10, 2015 meeting.				
<b>List of Supporting Documents:</b> Letter of Appeal from Applicant Second Vice Chair Report P&Z Follow-up Memo Staff Report Locator Map Aerial Map Zoning Exhibit Concept Plan		<b>Other Departments, Boards, Commissions or Agencies</b> Planning & Zoning Commission		

**RONALD LEE McCUTCHIN**  
**INVESTMENTS**

MAILING ADDRESS:  
P.O. BOX 670307  
DALLAS, TEXAS 75367-0307

TEL: 214/750-7799  
FAX: 214/750-7790

PHYSICAL ADDRESS:  
5924 ROYAL LANE  
SUITE 200  
DALLAS, TEXAS 75230

[rmccutchin@sbcglobal.net](mailto:rmccutchin@sbcglobal.net)

June 29, 2015

VIA FAX  
972-941-7396

Ross Altobelli  
City of Plano  
1520 K Ave.  
Plano, TX 75074

**RE: Proposed Zoning Change: Zoning Case 2014-34**

Dear Mr. Altobelli:

I am writing with the permission of the project sponsor to request an appeal to the P&Z recommendation on the zoning case and concept plan. I will stop by City Hall and make the required appeal fee payment in the next couple days. Is there anything else that is needed to move the appeal ahead to the City Council?

Sincerely,



Ronald Lee McCutchin

/nlh

cc: Brian D. Klein, *Ion Design Group, LLC*  
Zach Ipour, *Megatel Homes III, LLC*

**Recommendation of the Planning & Zoning Commission**  
**Second Vice Chairman's Report**  
*Zoning Case 2014-34*  
June 01, 2015

**Zoning Case 2014-34:** Agenda Item No 6A and 6B – Public Hearing. Items heard together, but voted on separately. Six Commissioners were present, with Commissioner Pittman absent and one Commissioner's seat vacant

**Applicant:** Ronald McCutchen Family Partnership, LTD.

**Description:** Request to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive from Regional Employment to Planned Development-Regional Employment to allow for single-family residence attached with modified development standards. Zoned Regional Employment/State Highway 121 Overlay District.

At its meeting on April 27, 2015, at the request of the applicant, the City Council remanded the zoning case back to the Planning & Zoning Commission to consider the amended request.

**Staff Recommendation:** Staff recommended denial of the zoning change for the following reasons:

- The request is not in conformance with the Future Land Use Plan and violates the adopted interim amendments to the Land Use Element of the Comprehensive Plan for residential use in a major corridor
- The development would create isolated residential development.
- The proposed PD stipulations would leave a narrow undeveloped parcel, more suited for small, individual pad-site development than for significant economic development opportunities
- The property is well positioned on State Highway 121 with a large amount of frontage, good access, visibility and separation from residential uses.
- The property has no physical constraints which would prohibit significant economic development from occurring at some point in the future, and should be retained for future nonresidential development
- Rezoning the property for residential uses would not further the city goal's as established in the Comprehensive Plan.

**Comments from the Applicant:**

- Applying the 550-ft Hwy. 121 setback requested by the Commission makes 2200 linear ft of the property undevelopable.
- Since the last proposal, the concept plan changed to add 86,600 SF office with a 520-foot setback from Hwy 121.
- The site is a continuation of residential – Villages of White Rock Creek and Hickory Ridge to the South
- Shape of property is a constraint.
- Limited access to Hwy. 121 because of position of entrance and exit ramp makes site not suitable for major employment opportunities
- Single family is more compatible to adjacent residential than Regional Employment.
- Single family has less traffic impact (85%).

- Provides additional residential choices for Plano
- In order to buffer the residential from noise of the Highway a 4ft. berm and sound wall may have to be added between office and the residential.

**Comments from the Commission:**

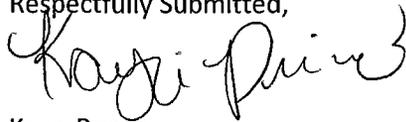
- Concerns over the quality of economic development that would occur in the office development.
- Concerns of appropriateness of site for residential given the results of the sound study for the development to the West and the need to potentially place tall sound walls on the property in order to mitigate noise for residents.
- Concerns over changing land zoned for major employment purposes for residential purposes
- Site has challenges and the ramp on 121 complicates the property

In support of staff's recommendation a motion was made for the denial of Zoning Case 2014-34, item 6A. Motion for Denial was approved by the Commission 5 votes to 1 (Commissioner Kong voted against the motion.)

**Agenda Item No. 6B – Concept Plan, Sam Rayburn Plaza and Villages of Prairie Commons East.**

This Concept plan application is contingent upon approval of Zoning Case 2013-34 (Agenda item No 6A). Since Zoning Case 2014-34 was denied, a motion was made for Denial of Agenda Item No. 6B – Concept Plano, Sam Rayburn Plaza and Villages of Prairie Commons East and was approved by the Commission 5 votes to 1 (Commissioner Kong voted against the motion.)

Respectfully Submitted,



Kayci Prince  
Second Vice-Chair  
Planning & Zoning Commission

**DATE:** June 2, 2015  
**TO:** Applicants with Items before the Planning & Zoning Commission  
**FROM:** Doug Bender, Chairman, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of June 1, 2015

**AGENDA ITEM NO. 6A - PUBLIC HEARING  
ZONING CASE 2014-34  
APPLICANT: RONALD MCCUTCHIN FAMILY PARTNERSHIP, LTD**

Request to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive **from** Regional Employment **to** Planned Development-Regional Employment to allow for single-family residence attached with modified development standards. Zoned Regional Employment/State Highway 121 Overlay District.

**APPROVED:** \_\_\_\_\_ **DENIED:** 5-1 **TABLED:** \_\_\_\_\_

**LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA:** **SUPPORT:** 0 **OPPOSE:** 0

**LETTERS RECEIVED OUTSIDE 200 FOOT NOTICE AREA:** **SUPPORT:** 0 **OPPOSE:** 1

**PETITION(s) RECEIVED:** N/A **# OF SIGNATURES:** N/A

**STIPULATIONS:**

Denied. The Commissioner voting in opposition expressed concerns regarding access for nonresidential uses.

RA/ks

xc: Ronald McCutchin Family Partnership  
Bryan D. Klein, ION Design Group, LLC  
Wayne Snell, Permit Services Manager

<http://goo.gl/maps/igz8g>

CITY OF PLANO  
PLANNING & ZONING COMMISSION

June 1, 2015

**Agenda Item No. 6A**

**Public Hearing:** Zoning Case 2014-34

**Applicant:** Ronald McCutchin Family Partnership, LTD

---

**DESCRIPTION:**

Request to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive **from** Regional Employment **to** Planned Development-Regional Employment to allow for single-family residence attached with modified development standards. Zoned Regional Employment/State Highway 121 Overlay District.

**HISTORY:**

The applicant submitted a previous request to rezone the subject property from Regional Employment to Planned Development-Single-Family Residence Attached. The Planning & Zoning Commission denied this request on March 16, 2015. The applicant subsequently appealed the Commission's denial to the City Council. At its meeting on April 27, 2015, at the request of the applicant, the City Council remanded the zoning case back to the Planning & Zoning Commission to consider this amended request. Since the applicant changed the request from Planned Development-Single-Family Residence Attached to Planned Development-Regional Employment, staff was required to send out updated public notices. The additional public notice resulted in delaying consideration of the case until this meeting.

**REMARKS:**

The applicant's modified request is to rezone the subject property from Regional Employment (RE) to Planned Development-Regional Employment (PD-RE). The RE district is intended to provide for office and limited manufacturing uses that are consistent with the regional status of certain tollways and expressways serving Plano and surrounding communities. Some retail uses are also appropriate when developed in conjunction with the primary uses. The district's standards are designed to ensure compatibility between the various uses within a corridor and surrounding residential neighborhoods.

A planned development (PD) 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 to both off- and onsite conditions. The requested PD-RE

would allow nonresidential development along the frontage road of State Highway 121 and residential uses at a minimum distance of 520 feet from the centerline of State Highway 121.

A concept plan, Sam Rayburn Plaza and Villages of Prairie Commons East, accompanies this request as Agenda Item No. 6B.

### **Surrounding Land Use and Zoning**

The area of the request is currently undeveloped. To the west, across future Ridgeview Drive, is undeveloped land zoned Planned Development-497-Single-Family Residence Attached (PD-497-SF-A). To the south, across Ridgeview Drive, are existing residences zoned Single-Family Residence-6 (SF-6). To the north, across State Highway 121, is undeveloped property located within the city of Frisco. To the east, the property is zoned RE and is partly developed as a farm.

### **Proposed Planned Development Stipulations**

The requested zoning is PD-RE. There are two primary parts to this request: land use and design standards.

**Land Use** - The applicant is proposing to keep the existing RE base zoning district with the additional use of single-family residence attached.

**Design Standards** - The language in the proposed PD would allow a portion of the property to be developed as residential uses built to comply with development standards of the SF-A zoning district. The property adjacent to 121 will be reserved for nonresidential uses built to comply with the RE zoning district's area, yard, and bulk requirements. Additional stipulations have been included with the intention of mitigating the impacts between residences and the adjacent commercial uses and State Highway 121.

The requested PD language is as follows:

Restrictions:

The permitted uses and standards shall be in accordance with the RE zoning district unless otherwise specified herein.

1. Residential lots must be set back a minimum of 520 feet from the centerline of State Highway 121.
2. A minimum 30-foot wide irrigated landscape edge must be provided between residential and nonresidential uses. The landscape edge must include a landscaped berm with a minimum height of four feet and a minimum slope of 4:1 consisting of trees, shrubs, groundcover, and related elements. A minimum of one three-inch caliper shade tree and one three-inch caliper ornamental tree (seven-foot planted height) shall be placed per 50 feet of frontage.

3. Prior to preliminary site plan approval, the applicant must submit an Environmental Noise Study to verify that residential lots will be in conformance with the City of Plano's Performance Standards.

**Conformance to the Comprehensive Plan**

**Future Land Use Plan** - The Future Land Use Plan designates this property as Major Corridor Development (MCD). The city's current land use policies recommend that land along expressway corridors be reserved for economic development and employment opportunities. However, residential development may be appropriate along expressway corridors in accordance with the interim amendment policy recommendations of the Comprehensive Plan that were adopted in April 2012. The policies that apply to this request include:

1. Residential should be set back a minimum of 1,200 feet from the centerline of State Highway 121. Factors including topography, creeks, vegetation, and existing development patterns should be considered in applying this standard.

The applicant is proposing a 520 foot setback for residential lots from the centerline of State Highway 121, with development, landscaping, and berming to serve as screening. This property is at grade with the adjacent highway and there are no physical constraints that would hinder nonresidential development on the property. This zoning request is not in compliance with this policy.

2. Isolated residential development should not be permitted; residential rezoning requests need to establish a complete neighborhood, or expand an existing neighborhood or an urban mixed-use center. Mid-rise multifamily development (5 to 12 stories) and special needs housing (i.e., senior housing) could be an exception if the surrounding land uses are compatible.

The zoning request does not expand into any existing residential neighborhoods. Ridgeview Drive, which will be a 92 foot right-of-way at full construction, separates this property from the existing residential development located to the south, and future residential development to the west. Additionally, the streets proposed for this development do not align with existing residential streets to the south.

**Adequacy of Public Facilities** - Water and sanitary sewer services are available to serve the subject property. The available sanitary sewer capacity is sufficient to handle additional commercial development in the area; however, the applicant may be responsible for making improvements to the sanitary sewer system to increase the system capacity if the property were rezoned to allow residential uses.

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

**School Capacity** - This is provided for informational purposes only. The subject property is within the Frisco Independent School District (FISD) and is served by the following schools:

<b>Elementary School</b>	<b>Borchardt</b>
<b>Middle School</b>	<b>Fowler</b>
<b>High School</b>	<b>Liberty</b>

Based upon the current projections and feeder alignments FISD has determined that current elementary facilities in Plano would be sufficient, but the middle and high school zone increases would all need to be accommodated by campuses located north of State Highway 121. FISD has stated that there may be capacity issues at Liberty High School.

**Public Safety Response Time** - Based upon existing personnel, equipment, and facilities, fire emergency response times will be sufficient to serve the site. Additional 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 not within a Park Fee service area. There are no existing neighborhood parks or linear parks to serve this area; however, the Park Master Plan identifies a future trail connection and proposed park southwest of State Highway 121 and Ridgeview Drive. Private open space, as required by the SF-A district standards, would serve the residents of this area.

The subject property is located within the Davis Library's service area. Although Davis Library is at service capacity, Schimelpfenig Library has capacity to serve additional patrons.

**Economic Development Element and Land Use Element** - The Economic Development Element and the Land Use Element policies of the Comprehensive Plan discourage rezoning properties for residential uses in prime economic development areas of the city. The intent of both policies is to ensure land that is located along the expressway corridors and in the major employment centers is developed in accordance with the Future Land Use Plan recommendations and supporting zoning districts and to take advantage of future nonresidential development opportunities.

In addition, the Economic Development Element of the Comprehensive Plan encourages the preservation of land in expressway corridors, such as the RE area, for future economic development. The element states that:

“Rezoning requests must be carefully examined to ensure that proposed locations are suitable for residential development and that Plano's economic viability is not being jeopardized in order to accommodate short-term demand. The availability of undeveloped “greenfield” sites is vital to encourage expansion and relocation of businesses. Therefore, the City should preserve land along the expressway corridors and in the employment centers for future economic development opportunities.”

The city's policies state that residential uses should be an expansion of an existing neighborhood, integrated into a mixed-use urban center, or located in an alternative neighborhood setting such as a transit-oriented development. The proposed development does not meet any of the recommended criteria. The site has good visibility and access with over 2,200 feet of frontage along State Highway 121. Additionally, the property is large enough to accommodate significant nonresidential development. Staff believes this property should be reserved for future economic development.

## **ISSUES:**

### **Residential Use in a Major Corridor**

As mentioned previously, this request is not in conformance with the city's Comprehensive Plan recommendations, and it is not an extension of residential uses. The applicant is proposing PD language intended to mitigate future residences from the effects of future nonresidential uses and the existing highway to the north through setbacks and landscaping. However, there are no physical limitations which would prohibit significant nonresidential development from occurring in the future. For these reasons, staff believes there is no compelling reason the property should be rezoned to accommodate residential development. The existing RE zoning allows a variety of nonresidential uses which would benefit from the opportunity of having a large amount of property on which to develop, with good access and visibility to State Highway 121.

### **PD Stipulations**

The requested PD standards, reflected in the companion concept plan, would leave 11.1± acres for nonresidential development adjacent to 121. Although this is a large amount of acreage, the proposed setback for residences would only leave approximately 200 feet of width, accounting for required landscape edges, for development. Staff believes that this property depth is not sufficient to allow for significant economic development to occur. The 1,200-foot buffer as recommended by the Comprehensive Plan is intended to provide an area large enough to accommodate a variety of uses while allowing flexibility in site design. Reducing the depth of the property and leaving it situated as a remainder next to a residential subdivision would encourage small pad sites or strip-style development to occur. Similar sized parcels are located at the southeast corner of Coit Road and State Highway 121, where development includes three individual bank pad sites.

The applicant is proposing to require a sound study in order to verify that residential lots will meet the city's performance standards for sound levels due to noise from State Highway 121. This requirement currently exists within PD-497-SF-A to the west where the developer is required to install a nine-foot berm along the northern property line, and a nine-foot sound wall along a portion of the western flood plain line. Staff is concerned that if this area were rezoned, similar mitigation measures would also be required. Depending on the nature of these improvements, the property reserved for nonresidential development could be significantly impacted with the imposition of additional landscaping, setbacks or walls, further reducing the area for future development.

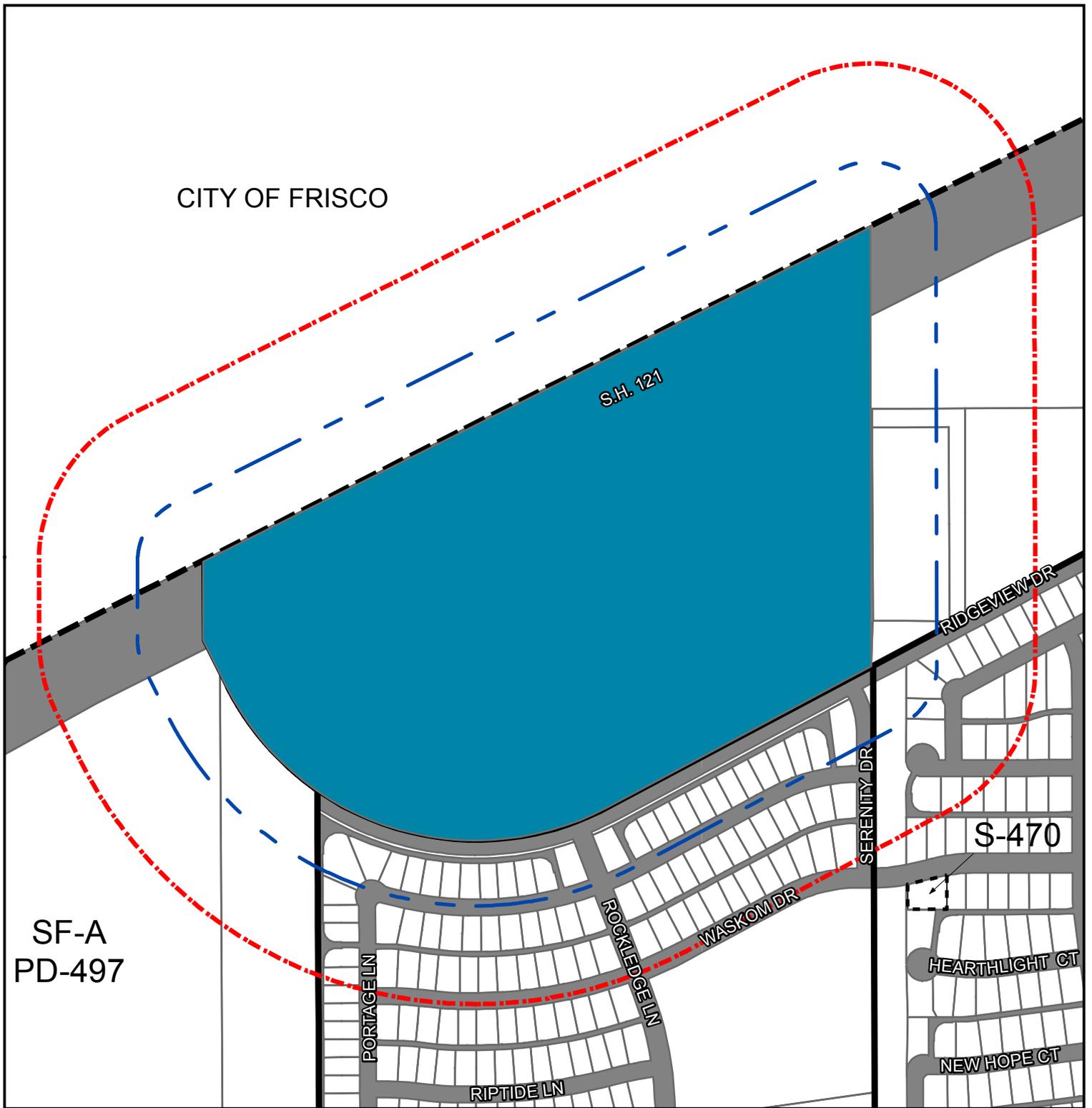
## **SUMMARY:**

The applicant is requesting to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive from RE to PD-RE to allow for single-family residences with modified development standards. The request is not in conformance with the Future Land Use Plan and violates the adopted interim amendments to the Land Use Element of the Comprehensive Plan for residential use in a major corridor and isolated residential development. Staff believes that the proposed PD stipulations would leave a narrow undeveloped parcel, more suited for small, individual pad-site development than for significant economic development opportunities. This

property is well positioned on State Highway 121 with a large amount of frontage, good access, visibility and separation from residential uses. The property has no physical constraints which would prohibit significant economic development from occurring at some point in the future. For these reason, staff believes this property should be retained for future nonresidential development and that rezoning the property for residential uses would not further the city's goals as established in the Comprehensive Plan.

**RECOMMENDATION:**

Recommended for denial.

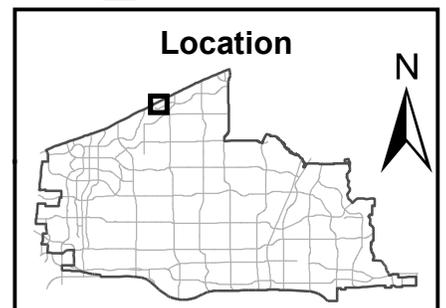


Zoning Case 2014-34

Existing Zoning: Regional Employment (RE)/State Highway 121 Overlay District

Proposed Zoning: Planned Development-Regional Employment (PD-RE) to allow for Single-Family Residence Attached as an additional use with modified development standards

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



Source: City of Plano Planning Department



Area of Request

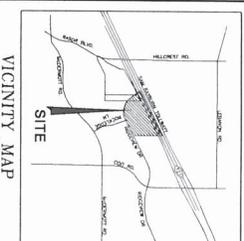
Zoning Case 2014-34



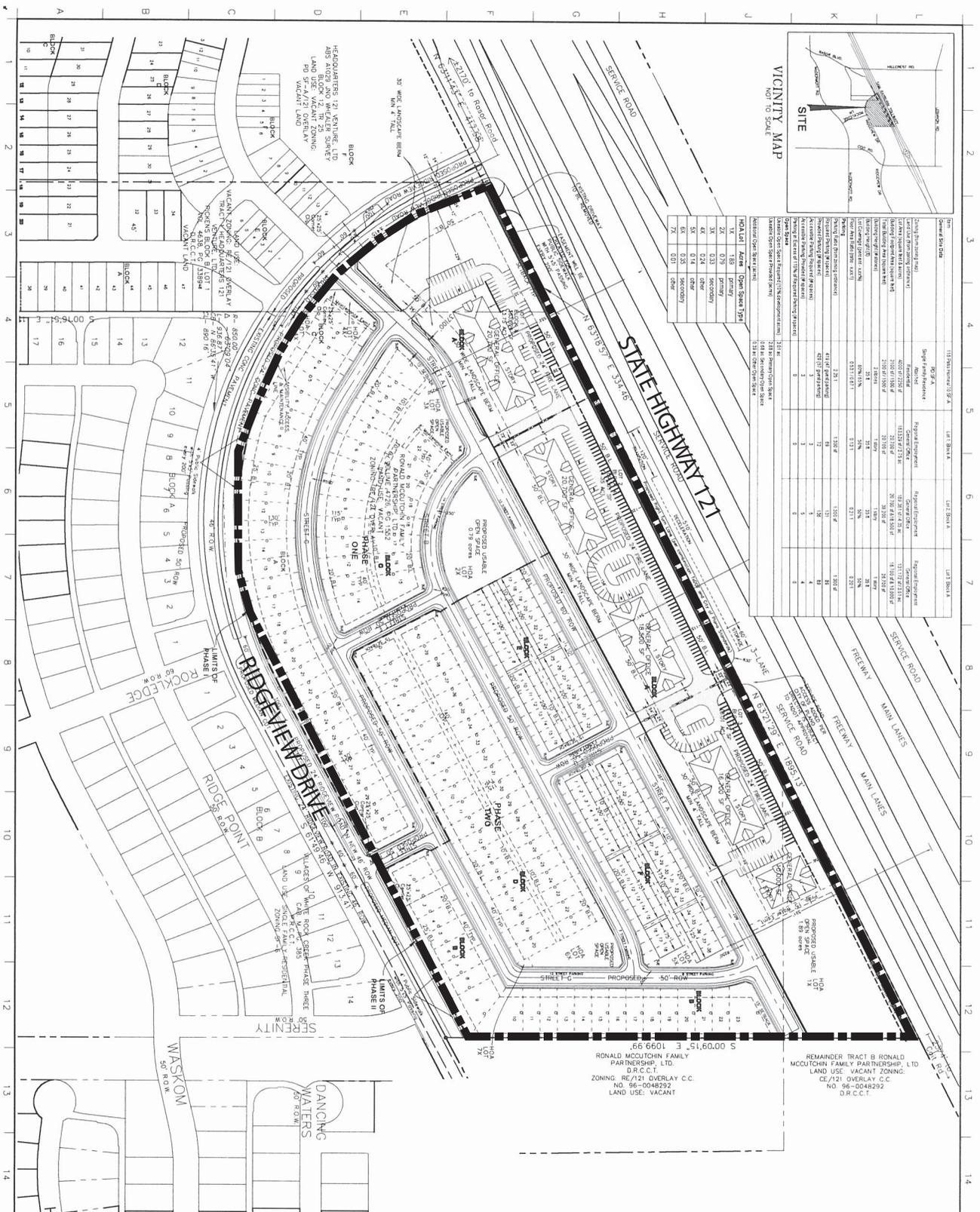
Source: City of Plano, Planning Dept.  
Date: March, 2015

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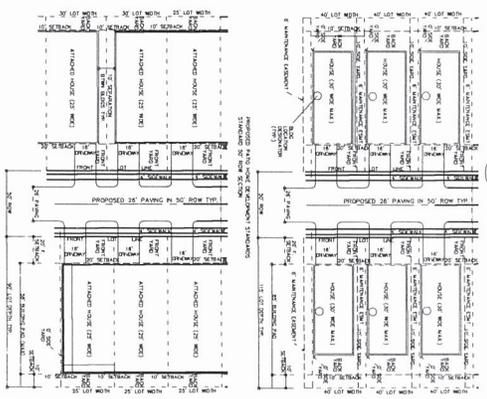


Item #	Item Description	Quantity	Unit	Value
1	Site Preparation	1	Sq. Ft.	120,000
2	Site Grading	1	Sq. Ft.	120,000
3	Site Erosion Control	1	Sq. Ft.	120,000
4	Site Fencing	1	Sq. Ft.	120,000
5	Site Lighting	1	Sq. Ft.	120,000
6	Site Security	1	Sq. Ft.	120,000
7	Site Maintenance	1	Sq. Ft.	120,000
8	Site Cleanup	1	Sq. Ft.	120,000
9	Site Restoration	1	Sq. Ft.	120,000
10	Site Decommissioning	1	Sq. Ft.	120,000



66-9601 S 151.60.00 S  
 RONALD MCCLUTCHIN FAMILY PARTNERSHIP, LTD.  
 D.R.C.C.T.  
 ZONING: CE 7/21 OVERLAY C.C.  
 NO. 96-0048292  
 LAND USE: VACANT

REMAINDER TRACT B RONALD MCCLUTCHIN FAMILY PARTNERSHIP, LTD.  
 LAND USE: VACANT ZONING: CE 7/21 OVERLAY C.C.  
 NO. 96-0048292  
 D.R.C.C.T.



**OWNER**  
 RONALD MCCLUTCHIN FAMILY PARTNERSHIP, LTD.  
 5512 N. Pecos Pkwy  
 Mesquite, TX 75049  
 Phone: 409.256.1182  
 Contact: John Pappard

**APPLICANT**  
 MCAGATEL HOMES  
 5512 N. Pecos Pkwy  
 Mesquite, TX 75049  
 Phone: 409.256.1182  
 Contact: John Pappard

**PLANNER/ENGINEER**  
 ION DESIGN, LTD.  
 7075 Fawn Hills Ave  
 Dallas, Texas 75231  
 Phone: 972.964.4416  
 Contact: Brian Maddox

**SUPERVISOR**  
 MADDOX SURVEYING, INC.  
 7075 Fawn Hills Ave  
 Dallas, Texas 75231  
 Phone: 972.964.4416  
 Contact: Brian Maddox

**CONCEPT PLAN SAM EMBRYEN FLATS**  
 LOTS 1, 2, & 3, BLOCK A  
 2500 E. UNIVERSITY BLVD  
 CONGRESS STATION  
 PRAIRIE COMMONS EAST  
 4815 ALBERTA DR. WEAVER SURVEY  
 1/2 AC. 1/4 SECTION 10, T12N, R12E, E1/4  
 CITY OF EL PASO, COLLIN COUNTY, TEXAS

**ION Design Group**  
 1070 Park Highlands  
 Suite 300  
 Dallas, Texas 75231  
 248.970.0410



# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		August 10, 2015		
Department:	Planning			
Department Head	Christina Day			
Agenda Coordinator (include phone #): <b>Tammy Stuckey, ext 7156</b>				
<b>CAPTION</b>				
<p>Consideration of an appeal of the Planning &amp; Zoning Commission's denial of the Concept Plan for Sam Rayburn Plaza and Villages of Prairie Commons East - General office, 116 Patio Home lots, 70 Single-Family Residence Attached lots, and seven common area lots on 43.1± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive. Zoned Regional Employment/State Highway 121 Overlay District. Applicant: Ronald McCutchin Family Partnership, LTD. Tabled July 27, 2015.</p>				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>2014-15</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
<b>BALANCE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>FUND(s): N/A</b>				
<p><b>COMMENTS:</b> This item has no financial impact.  <b>STRATEGIC PLAN GOAL:</b> Consideration of a request to rezone relates to the Council's goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
<p>At its June 1, 2015 meeting, the Planning &amp; Zoning Commission denied this request by a vote of 5-1. The applicant has appealed the Commission's denial. A simple majority, or 5 of the 8 City Council members, is required for approval of the request. The associated zoning case, 2014-34, has also been appealed and is included as a separate agenda item. At the July 27, 2015 City Council meeting the applicant requested to table this item to the August 10, 2015 meeting.</p>				
List of Supporting Documents: Letter of Appeal from Applicant Second Vice Chair Report P&Z Follow-up Memo Staff Report Locator Map Concept Plan			Other Departments, Boards, Commissions or Agencies Planning & Zoning Commission	

**RONALD LEE McCUTCHIN**  
**INVESTMENTS**

MAILING ADDRESS:  
P.O. BOX 670307  
DALLAS, TEXAS 75367-0307

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FAX: 214/750-7790

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DALLAS, TEXAS 75230

[rmccutchin@sbcglobal.net](mailto:rmccutchin@sbcglobal.net)

June 29, 2015

VIA FAX  
972-941-7396

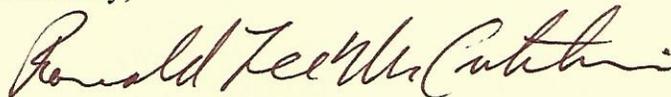
Ross Altobelli  
City of Plano  
1520 K Ave.  
Plano, TX 75074

**RE: Proposed Zoning Change: Zoning Case 2014-34**

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Sincerely,



Ronald Lee McCutchin

/nlh

cc: Brian D. Klein, *Ion Design Group, LLC*  
Zach Ipour, *Megatel Homes III, LLC*

**Recommendation of the Planning & Zoning Commission**  
**Second Vice Chairman's Report**  
*Zoning Case 2014-34*  
June 01, 2015

**Zoning Case 2014-34:** Agenda Item No 6A and 6B – Public Hearing. Items heard together, but voted on separately. Six Commissioners were present, with Commissioner Pittman absent and one Commissioner's seat vacant

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**Comments from the Applicant:**

- Applying the 550-ft Hwy. 121 setback requested by the Commission makes 2200 linear ft of the property undevelopable.
- Since the last proposal, the concept plan changed to add 86,600 SF office with a 520-foot setback from Hwy 121.
- The site is a continuation of residential – Villages of White Rock Creek and Hickory Ridge to the South
- Shape of property is a constraint.
- Limited access to Hwy. 121 because of position of entrance and exit ramp makes site not suitable for major employment opportunities
- Single family is more compatible to adjacent residential than Regional Employment.
- Single family has less traffic impact (85%).

- Provides additional residential choices for Plano
- In order to buffer the residential from noise of the Highway a 4ft. berm and sound wall may have to be added between office and the residential.

**Comments from the Commission:**

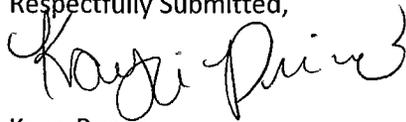
- Concerns over the quality of economic development that would occur in the office development.
- Concerns of appropriateness of site for residential given the results of the sound study for the development to the West and the need to potentially place tall sound walls on the property in order to mitigate noise for residents.
- Concerns over changing land zoned for major employment purposes for residential purposes
- Site has challenges and the ramp on 121 complicates the property

In support of staff's recommendation a motion was made for the denial of Zoning Case 2014-34, item 6A. Motion for Denial was approved by the Commission 5 votes to 1 (Commissioner Kong voted against the motion.)

**Agenda Item No. 6B – Concept Plan, Sam Rayburn Plaza and Villages of Prairie Commons East.**

This Concept plan application is contingent upon approval of Zoning Case 2013-34 (Agenda item No 6A). Since Zoning Case 2014-34 was denied, a motion was made for Denial of Agenda Item No. 6B – Concept Plano, Sam Rayburn Plaza and Villages of Prairie Commons East and was approved by the Commission 5 votes to 1 (Commissioner Kong voted against the motion.)

Respectfully Submitted,



Kayci Prince  
Second Vice-Chair  
Planning & Zoning Commission

**DATE:** June 2, 2015  
**TO:** Applicants with Items before the Planning & Zoning Commission  
**FROM:** Doug Bender, Chairman, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of June 1, 2015

**AGENDA ITEM NO. 6B - CONCEPT PLAN  
SAM RAYBURN PLAZA AND VILLAGES OF PRAIRIE COMMONS EAST  
APPLICANT: RONALD MCCUTCHIN FAMILY PARTNERSHIP, LTD**

General office, 116 patio home lots, 70 single-family residence attached lots, and seven common area lots on 43.1± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive. Zoned Regional Employment/State Highway 121 Overlay District. Neighborhood #1.

**APPROVED:** \_\_\_\_\_ **DENIED:** 5-1 **TABLED:** \_\_\_\_\_

**STIPULATIONS:**

Denied. The Commissioner voting in opposition expressed concerns regarding access for nonresidential uses.

RA/ks

xc: Ronald McCutchin Family Partnership  
Bryan D. Klein, ION Design Group, LLC  
Wayne Snell, Permit Services Manager

CITY OF PLANO  
PLANNING & ZONING COMMISSION

June 1, 2015

**Agenda Item No. 6B**

**Concept Plan:** Sam Rayburn Plaza and Villages of Prairie Commons East

**Applicant:** Ronald McCutchin Family Partnership, LTD

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**DESCRIPTION:**

General office, 116 patio home lots, 70 single-family residence attached lots, and seven common area lots on 43.1± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive. Zoned Regional Employment/State Highway 121 Overlay District. Neighborhood #1.

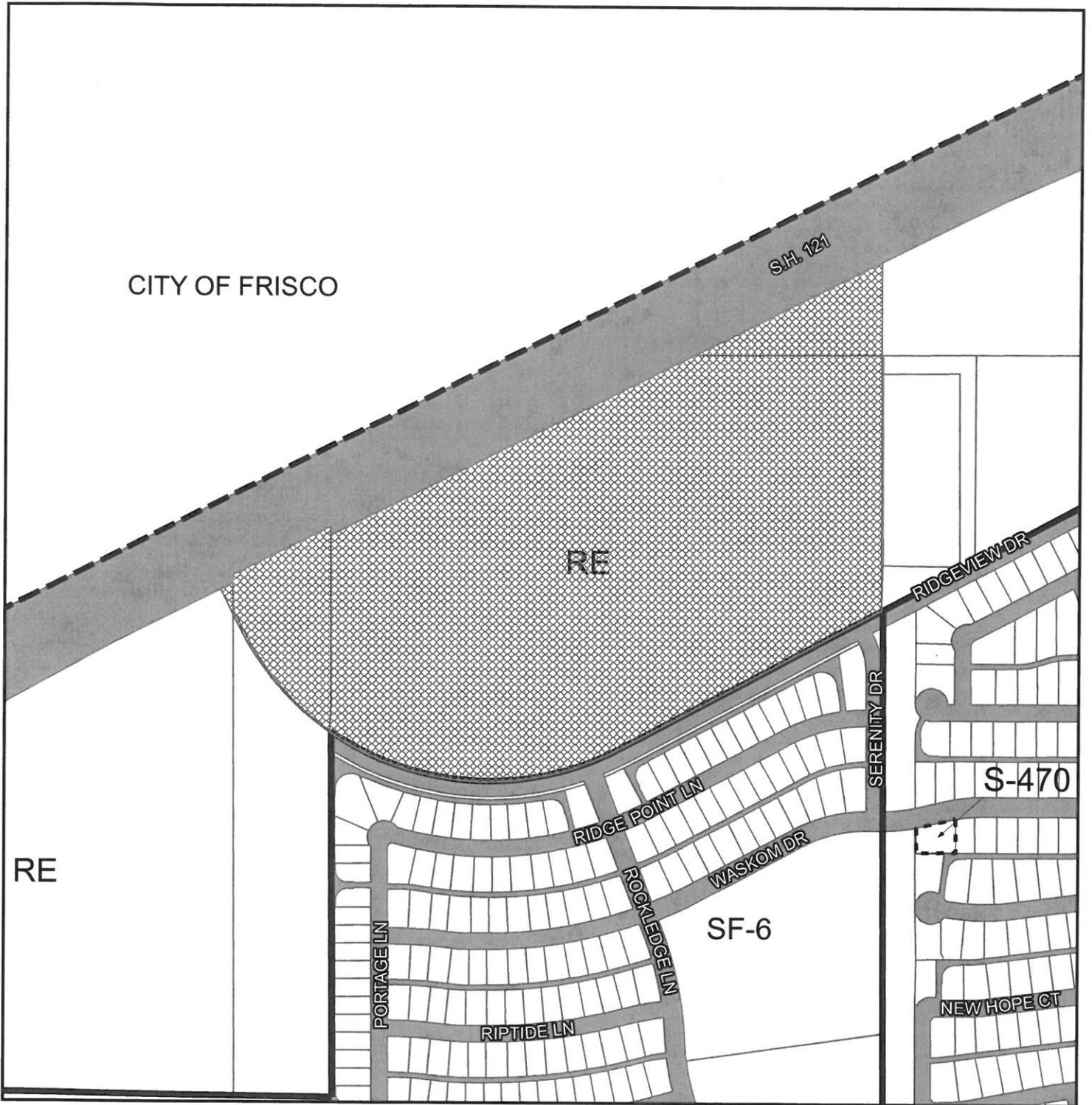
**REMARKS:**

This concept plan is associated with Zoning Case 2014-34 and is contingent upon approval of the zoning case. The purpose for the concept plan is to show the proposed commercial development and single-family subdivision. The plan meets the area, yard, and bulk requirements of the requested Regional Employment (RE) zoning district and complies with the stipulations as requested by Zoning Case 2014-34.

Due to staff's recommendation for denial of the companion case, Zoning Case 2014-34, staff recommends denial of the proposed concept plan.

**RECOMMENDATION:**

Recommended for denial.



CITY OF FRISCO

S.H. 121

RE

RIDGEVIEW DR

S-470

RE

RIDGE POINT LN

WASKOM DR

SERENITY DR

SF-6

PORTAGE LN

ROCKLEDGE LN

RIPTIDE LN

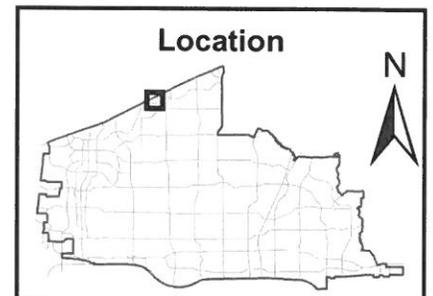
NEW HOPE CT



Item Submitted: CONCEPT PLAN

Title: VILLAGES OF PRAIRIE COMMONS EAST

Zoning: REGIONAL EMPLOYMENT/  
STATE HIGHWAY 121 OVERLAY DISTRICT



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

Source: City of Plano Planning Department



**DATE:** July 21, 2015  
**TO:** Honorable Mayor & City Council  
**FROM:** Nathan Barbera, 1st Vice Chairman, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of July 20, 2015

**AGENDA ITEM NO. 8 - PUBLIC HEARING  
ZONING CASE 2015-19  
APPLICANT: PARK BOULEVARD CENTER LTD.**

Zoning Case 2015-19 - Request to rezone 3.2± acres from General Office to Retail and rescind Specific Use Permits #57 for Restaurant, #484 for Veterinary Clinic, #592 for Kennel (Indoor Pens)/Commercial Pet Sitting, and #653 for Health/Fitness Center located at the southeast corner of Park Boulevard and Los Rios Boulevard. Zoned General Office with Specific Use Permits #57 for Restaurant, #484 for Veterinary Clinic, #592 for Kennel (Indoor Pens)/Commercial Pet Sitting, and #653 for Health/Fitness Center. Applicant: Park Boulevard Center LTD.

**APPROVED:** 6-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

**LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA:** **SUPPORT:** 2 **OPPOSE:** 0

**LETTERS RECEIVED OUTSIDE 200 FOOT NOTICE AREA:** **SUPPORT:** 0 **OPPOSE:** 0

**PETITION(S) RECEIVED:** N/A **# OF SIGNATURES:** N/A

**STIPULATIONS**

Recommended for approval as submitted.

**FOR CITY COUNCIL MEETING OF:** August 10, 2015 (To view the agenda for this meeting, see [www.plano.gov](http://www.plano.gov))

**PUBLIC HEARING - ORDINANCE**

EM/dr

xc: David Mottahedeh, Park Blvd. Center LTD  
Fred Bemenderfer  
Gene Cason, Chisholm Realty  
Wayne Snell, Permit Services Manager

<https://www.google.com/maps/@33.0307122,-96.6517139,16z/data=!3m1!1e3>

# CITY OF PLANO

## PLANNING & ZONING COMMISSION

July 20, 2015

### Agenda Item No. 8

**Public Hearing:** Zoning Case 2015-19

**Applicant:** Park Boulevard Center LTD.

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#### **DESCRIPTION:**

Request to rezone 3.2± acres from General Office to Retail and rescind Specific Use Permits #57 for Restaurant, #484 for Veterinary Clinic, #592 for Kennel (Indoor Pens)/Commercial Pet Sitting, and #653 for Health/Fitness Center located at the southeast corner of Park Boulevard and Los Rios Boulevard. Zoned General Office with Specific Use Permits #57 for Restaurant, #484 for Veterinary Clinic, #592 for Kennel (Indoor Pens)/Commercial Pet Sitting, and #653 for Health/Fitness Center.

#### **REMARKS:**

The applicant is requesting to rezone 3.2± acres located at the southeast corner of Park Boulevard and Los Rios Boulevard from General Office (O-2) to Retail (R). Concurrent with this rezoning, is a request to rescind the property's four Specific Use Permits (SUPs): #57 for Restaurant, #484 for Veterinary Clinic, #592 for Kennel (Indoor Pens)/Commercial Pet Sitting and #653 for Health/Fitness Center because these uses are permitted within the R district. 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. 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.

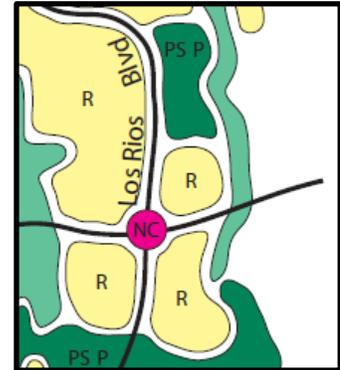
#### **Surrounding Land Use and Zoning**

The property to the north, across Park Boulevard, is developed with a retail center and is zoned Planned Development-13-Retail (PD-13-R). To the northwest is a retail center and undeveloped outparcels zoned R. To the west, across Los Rios Boulevard, are offices and a gas station zoned R. To the south are single-family residences zoned Two-Family Residence (Duplex-2F). To the east, is a proposed residential development

zoned Planned Development-6-Retail (PD-6-R) with SUP #656 for Single-Family Residence Attached.

### **Conformance with Comprehensive Plan**

**Future Land Use Plan** - The Future Land Use Plan designates this property as Neighborhood Commercial (NC). Neighborhood commercial centers are intended to serve adjacent residential neighborhoods, and include grocery stores, drugstores and small retail and service uses. This zoning request is consistent with the Future Land Use Plan.



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

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

**Public Safety Response Time** - Based upon existing personnel, equipment, and facilities, fire emergency response times will be sufficient to serve the site.

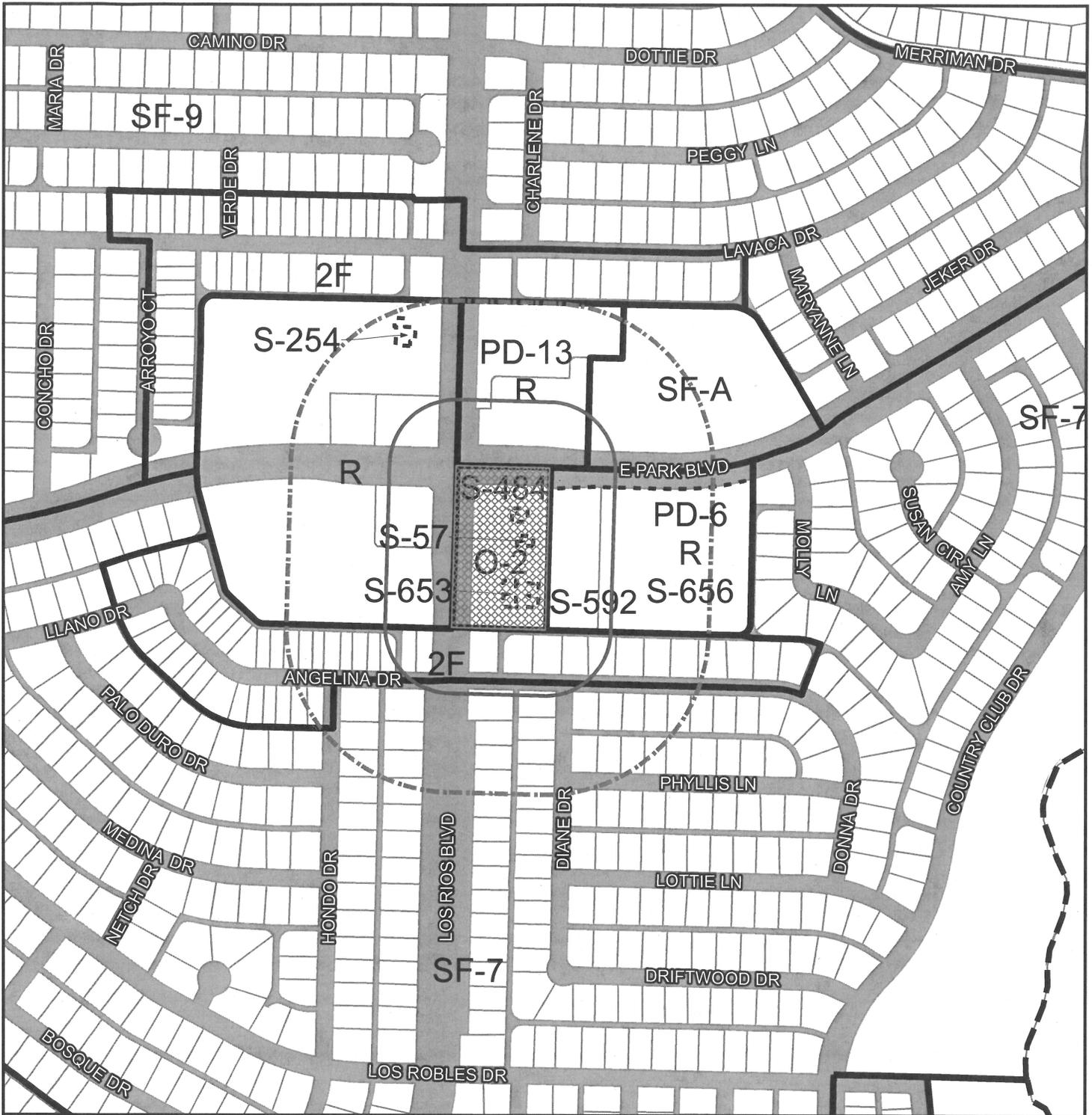
### **Purpose of Request**

The purpose of this request is to rezone the subject property to allow a dance studio within the existing 29,720 square foot multitenant building and to simplify the existing zoning. A dance studio is not permitted within the existing O-2 zoning. The rezoning request is consistent with existing zoning to the north, west and northwest of the subject property, and is complementary to the adjacent residential subdivision as a buffer from the intersection of two major thoroughfares. The applicant is also requesting to rescind the existing SUPs for restaurant, veterinary clinic, kennel (indoor pens)/commercial pet sitting, and health/fitness center. Under the existing O-2 zoning, several of the existing uses are only allowed by SUP. Rezoning allows a simpler zoning for existing uses, all of which are allowed by-right with the addition of the dance studio. O-2 zoning is not generally appropriate immediately adjacent to a neighborhood as it allows unlimited height while R zoning limits height to 35-feet.

In 2003, City Council adopted the Retail Study of Underperforming and Vacant Retail Areas initiated by the cities of Carrollton, Richardson, and Plano. The study identified Plano as having an overabundance of R zoning resulting in commercial decline. Although this rezoning would increase the amount of R zoning within the city, this zoning request is consistent with the existing retail operations on the property and nonresidential development on adjacent properties. For these reasons, staff recommends approval of the zoning case.

### **RECOMMENDATION:**

Recommended for approval as submitted.

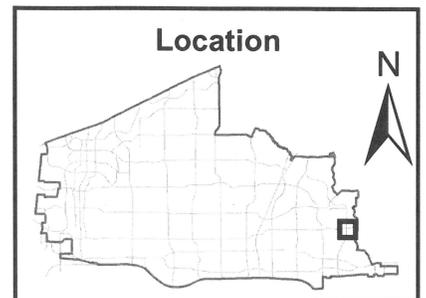


Zoning Case #: 2015-19

Existing Zoning: General Office w/Specific Use Permits #57, #484, #592, & #653 (O-2 w/SUPs #57, #484, #592, & #653)

Proposed Zoning: Retail (R)

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



Source: City of Plano Planning Department



LAVACA DRIVE

PARK BOULEVARD

Area of Request

LOS RIOS BOULEVARD

ANGELINA DRIVE

HONDO DRIVE

DIANE DRIVE

PHYLLIS LANE

LOTTIE LANE



Source: City of Plano, Planning Dept.  
Date: July, 2015

Zoning Case 2015-19



## Zoning Case 2015-19

**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 3.2± acres of land out of the Andrew Piara Survey, Abstract No. 687, from General Office to Retail and repealing in its entirety Ordinance No. 87-9-20, thereby rescinding Specific Use Permit No. 57 for Restaurant on 0.1± acre; Ordinance No. 2002-12-5, thereby rescinding Specific Use Permit No. 484 for Veterinary Clinic on 0.1± acre; Ordinance No. 2008-1-23, thereby rescinding Specific Use Permit No. 592 for Kennel (Indoor Pens)/Commercial Pet Sitting on 0.1± acre; and Ordinance No. 2014-9-21, thereby rescinding Specific Use Permit No. 653 for Health/Fitness Center on 0.1± acre of land, located at the southeast corner of Park Boulevard and Los Rios Boulevard in the City of Plano, Collin County, Texas; 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 10th day of August, 2015, for the purpose of rezoning 3.2± acres of land out of the Andrew Piara Survey, Abstract No. 687, from General Office to Retail and repealing in its entirety Ordinance No. 87-9-20, thereby rescinding Specific Use Permit No. 57 for Restaurant on 0.1± acre; Ordinance No. 2002-12-5, thereby rescinding Specific Use Permit No. 484 for Veterinary Clinic on 0.1± acre; Ordinance No. 2008-1-23, thereby rescinding Specific Use Permit No. 592 for Kennel (Indoor Pens)/Commercial Pet Sitting on 0.1± acre; and Ordinance No. 2014-9-21, thereby rescinding Specific Use Permit No. 653 for Health/Fitness Center on 0.1± acre, located at the southeast corner of Park Boulevard and Los Rios Boulevard in the City of Plano, Collin County, Texas; 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 10th day of August, 2015; 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; and

**WHEREAS**, the City Council is of the opinion and finds that the rescinding of Specific Use Permit No. 57 for Restaurant, Specific Use Permit No. 484 for Veterinary Clinic, Specific Use Permit No. 592 for Kennel (Indoor Pens)/Commercial Pet Sitting, and Specific Use Permit No. 653 for Health/Fitness Center would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

**WHEREAS**, the City Council is of the opinion and finds that such change 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 3.2± acres of land out of the Andrew Piara Survey, Abstract No. 687, located at the southeast corner of Park Boulevard and Los Rios Boulevard in the City of Plano, Collin County, Texas, from General Office to Retail, said property being described in the legal description on Exhibit "A" attached hereto.

**Section II.** Ordinance No. 87-9-20 duly passed and approved by the City Council of the City of Plano, Texas, on August 24, 1987, granting Specific Use Permit No. 57 for the additional use of a Restaurant on 0.1± acre of land out of the Andrew Piara Survey, Abstract No. 687, located at the southeast corner of Park Boulevard and Los Rios Boulevard in the City of Plano, Collin County, Texas, currently zoned General Office with Specific Use Permit No. 57 for Restaurant, more fully described on Exhibit "B" attached hereto, is hereby repealed in its entirety. Consequently, Specific Use Permit No. 57 is hereby rescinded.

**Section III.** Ordinance No. 2002-12-5 duly passed and approved by the City Council of the City of Plano, Texas, on December 9, 2002, granting Specific Use Permit No. 484 for the additional use of a Veterinary Clinic on 0.1± acre of land out of the Andrew Piara Survey, Abstract No. 687, located at the southeast corner of Park Boulevard and Los Rios Boulevard in the City of Plano, Collin County, Texas, currently zoned General Office with Specific Use Permit No. 484 for Veterinary Clinic, more fully described on Exhibit "B" attached hereto, is hereby repealed in its entirety. Consequently, Specific Use Permit No. 484 is hereby rescinded.

**Section IV.** Ordinance No. 2008-1-23 duly passed and approved by the City Council of the City of Plano, Texas, on January 28, 2008, granting Specific Use Permit No. 592 for the additional use of a Kennel (Indoor Pens)/Commercial Pet Sitting on 0.1± acre of land out of the Andrew Piara Survey, Abstract No. 687, located at the southeast corner of Park Boulevard and Los Rios Boulevard in the City of Plano, Collin County, Texas, currently zoned General Office with Specific Use Permit No. 592 for Kennel (Indoor Pens)/Commercial Pet Sitting, more fully described on Exhibit “B” attached hereto, is hereby repealed in its entirety. Consequently, Specific Use Permit No. 592 is hereby rescinded.

**Section V.** Ordinance No. 2014-9-21 duly passed and approved by the City Council of the City of Plano, Texas, on August 22, 2014, granting Specific Use Permit No. 653 for the additional use of a Health/Fitness Center on 0.1± acre of land out of the Andrew Piara Survey, Abstract No. 687, located at the southeast corner of Park Boulevard and Los Rios Boulevard in the City of Plano, Collin County, Texas, currently zoned General Office with Specific Use Permit No. 653 for Health/Fitness Center, more fully described on Exhibit “B” attached hereto, is hereby repealed in its entirety. Consequently, Specific Use Permit No. 653 is hereby rescinded.

**Section VI.** 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 VII.** 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 VIII.** 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 IX.** 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 X.** 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 XI.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED AND APPROVED THIS THE 10TH DAY OF AUGUST, 2015.**

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY

## **Exhibit "A"**

### **Zoning Case 2015-19**

BEING a tract of land situated in the State of Texas, County of Collin and City of Plano, being part of the Andrew Piara Survey, Abstract No. 687, being all of Lot 1, Block 1 of Park Rios Addition, an addition to the City of Plano as recorded in Cabinet F, Page 181 of the Collin County Map Records with said premises being more particularly described as follows:

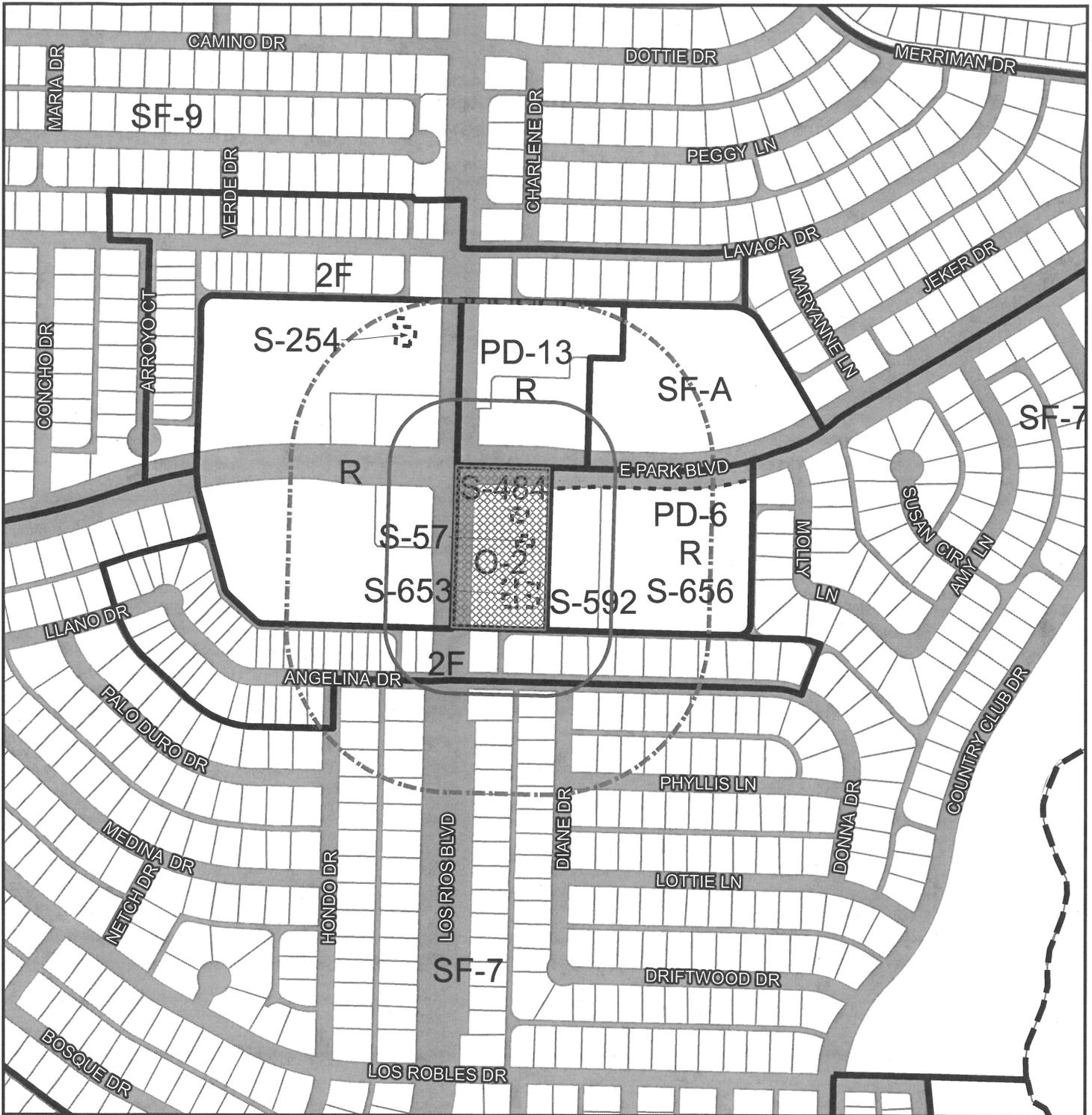
BEGINNING at a point in the centerline of Park Boulevard at the extension of the east line of said Park Rios Addition, from which a Carter & Burgess capped iron rod found in the south right-of-way line of Park Boulevard bears South 00°31'14" West, 55.00 feet;

THENCE South 00°31'14" West, passing at 55.00 feet said Carter & Burgess capped iron rod found in said south right-of-way line and marking the northeast corner of said Lot 1, the northwest corner of Lot 2, Block 1 of a Conveyance Plat of Lots 2 and 3, Block 1 of Park Rios Addition as recorded in Volume 2006, Page 81 of the Collin County Map Records, and continuing with the east line of Lot 1 and the west line of said Lot 2, a total distance of 491.33 feet to the southeast corner of Lot 1, the southwest corner of said Lot 2, and being in a north line of Creekside Estates #1, an addition to the City of Plano as recorded in Volume C, Page 291 of the Collin County Map Records;

THENCE with the south line of said Lot 1 and the north line of said Creekside Estates No. 1, North 89°28'46" West, passing at 230.00 feet the southwest corner of Lot 1, and continuing for a total distance of 285.00 feet to a point in the centerline of Los Rios Boulevard;

THENCE with the centerline of Los Rios Boulevard, North 00°31'14" East, 491.33 feet to its intersection with the centerline of Park Boulevard;

THENCE with the centerline of Park Boulevard, South 89°28'46" East, 285.00 feet to the POINT OF BEGINNING and CONTAINING 140,029 square feet or 3.21 acres of land.

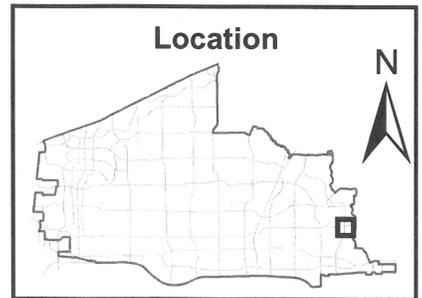


Zoning Case #: 2015-19

Existing Zoning: General Office w/Specific Use Permits #57, #484, #592, & #653 (O-2 w/SUPs #57, #484, #592, & #653)

Proposed Zoning: Retail (R)

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



Source: City of Plano Planning Department



**Exhibit "B"**

**SUP No. 57 (Ord. No. 87-9-20) – ZC 1987-55**

SITUATED in the City of Plano, Collin County, in the Andrew Piara Survey, Abstract No. 687, and being the same tract of land conveyed from Spring Creek Investments of Dallas, N.V. Inc., to Maria Deriuw, et al and recorded in Volume 1508, Page 285 of the Collin County Land Records and being more fully described as follows:

COMMENCING at a point on the east line of Los Rios Blvd., said point being south 0 deg. 31 min. 14 sec. west, a distance of 1912.0 feet from the south line of Merriman Drive, an iron stake for corner;

THENCE south 89 deg. 28 min. 46 sec. east, leaving said east line of Los Rios Blvd., a distance of 230.0 feet to an iron stake for corner;

THENCE south 0 deg. 31 min. 14 sec., west a distance of 183.833 feet to an iron stake for a corner;

THENCE 89 deg. 28 min. 46 sec., west a distance of 47.0 feet to a point on the east side of said "Park Rios Center", for the restaurant known as "Old Friend's Pizza", and more fully described as follows:

BEGINNING north 89 deg. 28 min. 46 sec., west a distance of 500 feet to a point on the west side of said "Park Rios Center";

THENCE south 0 deg. 31 min. 14 sec., west a distance of 30.0 feet to a point for a corner;

THENCE south 89 deg. 28 min. 46 sec., east leaving said west side of "Park Rios Center", a distance of 50.0 feet to a point for a corner;

THENCE north 0 deg. 31 min. 14 sec., east, along said east side of "Park Rios Center", a distance of 30.0 feet to a place of beginning and containing 0.03443 acres of land.

**SUP No. 484 (Ord. No. 2002-12-5) – ZC 2002-56**

SITUATED in the State of Texas, County of Colin and City of Plano, being part of the Andre Piara Survey, Abstract No. 687, being part of Lot 1, Block 1 of Park Rios Addition, an addition to the City of Plano as recorded in Cabinet F, Page 181 of the Collin County Map Records of said premises being more particularly described as follows:

COMMENCING at a Carter & Burgess capped Iron rod found in the south right-of-way line of East Park Boulevard marking the northeast corner of said addition;

THENCE with the south right-of-way line of Los Rios Boulevard and north line of said addition, North 89° 28' 46" West, 67.78 feet;

THENCE departing said south right-of-way line and north line of said addition, South 00° 31' 14" West, 68.42 to the northeast corner and POINT OF BEGINNING of the premises herein described, said point being in the north facing of an existing one-story masonry building;

THENCE passing through a firewall along the east line of said premises, South 00° 11' 14" West, 40.92 feet to the southeast corner of said premises;

THENCE passing through a firewall along the south line of said premises, North 89° 28' 46" West, 47.65 feet to the southwest corner of said premises;

THENCE passing through a firewall along the west line of said premises, North 00° 11' 14" East, 40.92 feet to the northwest corner of said premises in the north facing of said building;

THENCE with the north facing of said building and north line of said premises, South 89° 28' 26" East, 47.65 feet to the POINT OF BEGINNING and containing 1,950 square feet of land.

**SUP No. 592 (Ord. No. 2008-1-23) – ZC 2007-68**

SITUATED in the State of Texas, County of Collin and City of Plano, being part of the Andrew Piara Survey, Abstract No. 687, being part of Lot 1, Block 1 of Park Rios Addition, an addition to the City of Plano as recorded in Volume F, Page 181 of the Collin County Map Records with said premises being more particularly described as follows:

COMMENCING at a Carter & Burgess capped iron rod found in the south right-of-way line of Park Boulevard marking the northeast corner of said Lot 1;

THENCE South 06° 18' 05" West, 289.92 feet to the northeast corner of an existing masonry building an the POINT OF BEGINNING for the herein described premises;

THENCE with the east line of said premises along the east facing of said masonry building, South 00° 31' 14" West, 80.00 feet to the southeast corner of said building and the southeast corner of said premises;

THENCE with the south facing of said building and the south line of said premises, North 89° 28' 46" West, 69.0 feet to the southwest corner of said premises;

THENCE parsing through the interior of said building along a west line of said premises, North 00° 31' 14" East, 80.00 feet to the northwest corner of said premises;

THENCE along the south facing of an interior wall, South 89° 28' 46" West, 2.50 feet to an interior corner of said wall;

THENCE with the west facing of an interior wall, South 00° 31' 14" West, 7.75 feet to an interior corner of said wall;

THENCE along the south facing of said interior wall, South 89° 28' 46", 49.00 feet to an interior wall corner;

THENCE with the east facing of said interior wall, North 00° 31' 14" East, 7.75 feet to an interior wall corner;

THENCE with the south facing of an interior wall, South 89° 28' 46" East, 17.70 feet to the POINT OF BEGINNING AND CONTAINING 5,133 square feet or 0.12 acre of land.

**SUP No. 653 (Ord. No. 2014-9-21) – ZC 2014-29**

SITUATED in the State of Texas, County of Collin and City of Plano, being part of the Andrew Piara Survey, Abstract No. 687, being part of Lot 1, Block 1, of Park Rios Addition, an addition to the City of Plano, as recorded in Volume F, Page 181 of the Collin County Map Records with said premises being more particularly described as follows:

COMMENCING at a Carter & Burgess capped iron rod found in the south right-of-way line of Park Boulevard marking the northeast corner of said Lot 1;

THENCE South, 19° 19' 19" West, 304.7 feet to a point at the northwest corner of a demising wall in the north facing of a masonry building marking the POINT OF BEGINNING and northeast corner for the herein described premises;

THENCE with the east line of said premises along the west facing of said demising (interior) wall, South, 00° 31' 14" West, 80.00 feet to the southwest corner of said wall, the southeast corner of said premises, and being in the south facing of said masonry building;

THENCE North, 89° 28' 46" West, 38.67 feet with the south facing of said masonry building to a point marking the southwest corner of said premises;

THENCE with the wet line of said premises and partway along the east facing of an existing demising wall, North, 00° 31' 14" East, 80.00 feet to a point in the north facing of said masonry building at the northeast corner of said demising wall and the northwest corner of said premises;

THENCE with the north facing of said masonry building and the north line of said premises, South, 89° 28' 46" East, 38.67 feet to the POINT OF BEGINNING and CONTAINING 3,094 square feet or 0.071 acre.



# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		08/10/2015			
Department:		City Manager's Office			
Department Head		Frank Turner			
Agenda Coordinator (include phone #): <b>Monica Martinez - x 7122</b>					
<b>CAPTION</b>					
A Resolution of the City of Plano, Texas declaring Downtown Plano as an Arts District and adopting the "Downtown Arts, Culture and Events Plan" as a guide to its future development; and providing an effective date.					
<b>FINANCIAL SUMMARY</b>					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	<b>2014-2015</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget		0	0	0	<b>0</b>
Encumbered/Expended Amount		0	0	0	<b>0</b>
This Item		0	0	0	<b>0</b>
BALANCE		0	0	0	<b>0</b>
<b>FUND(S):    N/A</b>					
<b>COMMENTS:</b> This item has no fiscal impact.					
STRATEGIC PLAN GOAL: Adopting the "Downtown Arts, Culture and Events Plan" relates to the City's goals of Exciting Urban Centers - Designation for Residents and Guests, Partnering for Community Benefit, Strong Local Economy and Financially Strong City with Service Excellence.					
<b>SUMMARY OF ITEM</b>					
Resolution declaring Downtown Plano as an Arts District and adopting the "Downtown Arts, Culture and Events Plan" as a guide for future development.					
List of Supporting Documents: Resolution, Exhibit "A"			Other Departments, Boards, Commissions or Agencies		

**A Resolution of the City of Plano, Texas declaring Downtown Plano as an Arts District and adopting the “Downtown Arts, Culture and Events Plan” as a guide to its future development; and providing an effective date.**

**WHEREAS**, the City Council desires that Downtown Plano continue to develop as a vibrant, diverse and walkable urban center; and

**WHEREAS**, Downtown Plano is the ceremonial heart of the city and hosts many community events and festivals, and offers excellent venues for art and cultural enjoyment; and

**WHEREAS**, many artists and art and cultural organizations find Downtown Plano to offer an inspirational and creative environment and the arts greatly contribute to the image of the city and the community’s quality of life; and

**WHEREAS**, the City Council desires to provide support and guidance for Downtown Plano’s growth and development, is of the opinion that declaring Downtown Plano to be an Arts District will further the growth and development of Downtown Plano; and

**WHEREAS**, the City Council has been presented a proposed Downtown Arts, Culture and Events Plan to guide the further development of Downtown Plano; and

**WHEREAS**, upon full review and consideration of the Downtown Arts, Culture and Events Plan, the City Council is of the opinion that the plan should be adopted;

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

**Section I.** The Plano City Council declares Downtown Plano to be an Arts District and adopts the “Downtown Arts, Culture and Events Plan” to guide its future development.

**Section II.** The “Downtown Arts, Culture and Events Plan,” a copy of which is attached hereto as Exhibit “A,” is hereby approved and adopted.

**Section III.** This resolution shall become effective immediately upon its passage.

**DULY PASSED AND APPROVED** this the 10<sup>th</sup> day of August, 2015.

\_\_\_\_\_  
Harry LaRosiliere, MAYOR

ATTEST:

\_\_\_\_\_  
Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Paige Mims, CITY ATTORNEY

## **DOWNTOWN ARTS, CULTURE AND EVENTS PLAN**

Downtown Plano is emerging as an arts district, further contributing to the area's rebirth as a diverse, vibrant urban center. A city's strength and reputation are tied to its economy, schools, parks and neighborhoods, but a city must also celebrate the arts to provide a superior quality of life. Great cities are known by their architecture and urban design. They have a strong cultural infrastructure of museums, theaters and institutions. More importantly, great cities of every size value artists and the creation of art. They cultivate artistic expression in all forms, including music, dance, drama, painting, sculpture and even the culinary arts. The arts reveal a city's character and give it identity. A strong community celebrates the arts. The arts build human understanding and empathy. The arts tell of a city's past and its vision for the future.

The arts should be celebrated throughout a city, but artists and artistic endeavors often gravitate to districts that provide a physical and social environment conducive to creating and sharing art. Large cities often have multiple art districts, each with a distinctive culture. Arts districts often begin organically through the investment of artistic entrepreneurs who are attracted to older commercial districts with visual appeal, but which are economically depressed. The opening of a gallery, small theater or entertainment venue provides the catalyst that attracts more artistic investment and synergy. In Dallas, districts such as Bishop Arts, Deep Ellum and the Cedars took root in this manner. Downtown Plano bears some similarity to these districts, especially with respect to restaurants. Growing and sustaining an arts district requires cooperation and positive action among property and business owners, artists, residents and government. This is also true for Downtown Plano. The following plan describes the goals, objectives, organization and actions for furthering downtown's artistic development. It was prepared in collaboration with downtown stakeholders and artists.

### **The Arts in Downtown Plano**

The arts have a long history in downtown. The opening of the Houston and Texas Central Railroad depot in 1872 firmly established the location as the community's center of commerce. As downtown grew, hotels, saloons and opera houses were added. In 1909, the city opened a civic auditorium to host educational and cultural programs. The modern resurgence of the arts dates to the decision in the mid-1980s to enlarge Haggard Park for events and festivals. The improvements to the park included construction of a bandstand and the restoration of the Interurban Railway Station for use as a museum. The independent non-profit organization, ArtCentre of Plano, moved from Collin Creek Mall to downtown in 1991, and was soon followed by the Plano Repertory Theatre. The Plano Courtyard Theater opened in 2001 and the Cox Playhouse in 2003. In 2006, the Douglass Community Mural was completed and dedicated. During the last 15 years, more than ten restaurants have opened downtown, providing food, beverages and entertainment. Two galleries are in downtown and other artists' studios are located in the adjacent neighborhoods. Later this

year, The McCall Plaza Stage and the Saigling House cultural event center will be added to Downtown Plano's entertainment and cultural amenities.



## **Goal**

Enrich life, build community and strengthen Downtown Plano's identity and sense of place through celebration and support of the arts.

## **Objectives**

- Promote a variety of art venues downtown to create, display and perform the arts.
- Use all of downtown - dedicated venues, businesses, streets and public spaces to further the arts.
- Attract artists and patrons of the arts to downtown.
- Increase awareness of downtown as an arts district.
- Use the arts to attract people to work, shop, eat and live in downtown and surrounding neighborhoods.
- Build stronger ties to the community and region through festivals and other artistic activities and events.
- Create a unique identity and sense of place through the arts.
- Preserve historic buildings and encourage adaptive reuse where appropriate.
- Establish downtown as destination for arts and heritage tourism.



## Defining the District

The Downtown Plano arts district does not have precise boundaries. It is generally described as the commercial core and the surrounding area within walking distance. The Douglass, Haggard Park and Old Towne neighborhoods are included and provide homes and studios for area artists.

## Venues

Theatres, outdoor stages, galleries and other venues are needed for displaying and performing the arts. Downtown Plano has a good base of existing and planned public venues. There is demand for additional space, but the near term focus should be improved management and use of the existing and planned venues. Below is a brief description of downtown's venues and their primary target use.

- Courtyard Theater - A 321 seat, state-of-the-art, flexible format theater, with a large gallery space and reception hall unlike any other performing arts center in the DFW Metroplex. The modern, intimate feel is well suited for theatrical, dance and musical performances, lectures and exhibitions of visual art. Ideal events for this space are:
  - Theater performances for mainstream audiences including drama, comedy and musicals
  - Concerts from multiple musical genres - classical, rock, country, etc.

- Small ensembles and piano recitals
- Lectures, including TEDx
- Formal City events
- Cox Playhouse (the sister space to the Courtyard Theater) - An intimate black-box theater accommodating 80-100 persons in a wide variety of formats. Excellent for small, avant-garde theater and music performances and can be adapted as a gallery for display of visual arts. Ideal events include:
  - Niche market theater
  - Cabaret
  - Experimental theater or dance
  - Stand-up comedy
  - Niche market concerts
- Saigling House - A historic 4,000 square foot home restored and repurposed as a cultural, art and event center. The Saigling House serves the community as a full-time arts hub through the city's partnership with the ArtCentre of Plano. The house is well-suited for both touring and special exhibits of local and region visual art. Classrooms and meeting rooms can accommodate educational programs and cultural and social events. In addition to the home and art gallery, the large garden space can host a multitude of events, such as:
  - Weddings and receptions
  - Private parties and reunions
  - Catered dinners
  - Meetings, lectures and recitals
  - Small ensemble concerts
- Haggard Park and Bandstand - A five acre park, with a small lake and bandstand, provides an ideal setting for celebrations, ceremonies, festivals or simple leisure activities. It is a short walk to the Saigling House and the Courtyard Theater and Cox Playhouse. This location is perfect for multiple and concurrent activities and events. Ideal uses include:

- Festivals
  - Art shows
  - Weddings
  - Concerts
- McCall Plaza - Slightly larger than one-half acre, the McCall Plaza is designed as a flexible outdoor space with a covered stage designed for musical performances. The parking lot can accommodate standing room crowds of 500 people or more for performances, with dining opportunities in local restaurants and from food trucks. Small events are oriented to the plaza with room for 100-150 people. Ideal events would be:
    - Concerts - mainstream genres, regional acts
    - Local bands and “Battle of the Bands” contests
    - Street performance music and dance
    - Mimes and performance art
- 15th Street - 15<sup>th</sup> is downtown’s Main Street. On special occasions, 15<sup>th</sup> Street can be closed to traffic to accommodate large festivals and street fairs.
- Interurban Railway Museum - A historical museum and visitor center, the Interurban also serves as an archival repository for historians and an educational space for children. Exhibits include a train car that once traveled the tracks through downtown. Ideal uses include:
    - Meetings
    - Small receptions
    - Lectures



## **Future Venues**

Performance Venue - Consideration should be given to the development of a larger multi-purpose theater for community and regional performances. No site has been identified, but ideally it would be located within walking distance of K Avenue and 15<sup>th</sup> Street.

Meeting and Reception Space - An indoor multi-purpose dining and meeting room not exceeding 1,500 square feet should be built in Haggard Park, east of the Saigling House.

Studio Space - There is a lack of studio space in downtown and the immediate surrounding area. Artists need large spaces with good ceiling clearance at low rent. It is possible that some of the commercial space along the K Avenue corridor may be suitable for conversion to studios.



## Management and Coordination

Coordination of downtown activities and events is primarily the responsibility of five organizations: the City of Plano, the ArtCentre of Plano, the Plano Art Association, the Historic Downtown Plano Association and the Plano Conservancy. A brief explanation of the role of each follows:

- City of Plano – The city owns all the public venues listed previously. It is directly responsible for the management of the Courtyard Theater, Cox Playhouse, McCall Plaza and the use of streets and public rights-of-way for events. The city manages booking, scheduling and technical support for these facilities. In addition, the city produces some shows and events

at these facilities. The city maintains a master events calendar for all downtown events.

- ArtCentre of Plano – The ArtCentre manages and operates the Saigling House and the bandstand in Haggard Park. In addition to conducting its own program of arts, cultural and educational activities, the ArtCentre books, schedules and provides supports to other organizations and individuals wanting to make use of the facilities. The ArtCentre is responsible for the organization of an Arts Leadership Council dedicated to maintaining communication among arts organizations.
- Plano Art Association – The Plano Art Association encourages artistic development of its members, advances artistic values in community projects, provides art education and sponsors creative activities related to art. The Association’s offices and gallery are located in Eastside Village I adjacent to the DART rail platform.
- Historic Downtown Plano Association – HDPA is an organization of downtown property owners and businesses. It is responsible for promoting and marketing downtown, including conducting festivals and special events. HDPA is supported through member dues, event income and funds generated by the downtown Public Improvement District.
- Plano Conservancy – The Plano Conservancy advocates and supports the preservation of Plano’s historic assets. Its primary program of services is the operation of the Interurban Museum located in Haggard Park. This facility is also available for special events.

## **Art and Cultural Organizations**

Plano has a sizeable number of arts-related organizations. Most have very small administrative staff, with some part-time positions for specific technical requirements. Growth of the arts organizations is critical to the city’s cultural development and success of downtown. Most of the arts and cultural organizations are dependent on the city for funding through the hotel/motel tax. The City Council has capped annual support from this source at \$800,000 per fiscal year. Although many groups do receive philanthropic support from businesses and individual giving, current funding is a significant limitation on organizational growth. Much work is needed to build sponsorships and general philanthropic giving.

## **Organizations Conducting Programs Downtown**

- ArtCentre of Plano – founded in 1982, the ArtCentre of Plano is a community arts center for diverse arts programs and education.
- Dallas Cirque Theater – features acrobatics and other aerial acts as part of its performances held at the Courtyard Theater.
- Edge Dance – sponsors a children’s theater program and offers dance recitals for its students at the Courtyard Theater.
- Men of Note – formed in 1985 after a merger with a Dallas group devoted to a cappella harmony, the Men of Note perform regularly at the Courtyard Theater and support local charities.
- Plano Art Association – formed in 1969, the Association has a gallery located in Downtown Plano and sponsors exhibits and arts education programs.
- Plano Community Band – performs an annual series of free summer concerts in Haggard Park.
- Plano Metropolitan Ballet – founded in 1987, Plano Metropolitan Ballet offers dance classes for children and performs at the Courtyard Theater.
- Plano Children’s Theater – founded in 1991, Plano Children’s Theater provides performing arts education for children and family entertainment.
- Repertory Theater Company – founded in 1986 and based in Richardson, the Repertory Theater Company stages theatrical productions and sponsors a youth educational program in theatrical arts.
- Rover Dramawerks – founded in 2000, Rover Dramawerks produces lost or forgotten works of well-known authors. Searching for treasures, new and rediscovered, for theatre "off the beaten path."
- Theatre Britain – founded in 1996, Theatre Britain produces a full season of dramas and comedies at the Cox Playhouse and tours elementary schools with a program focusing on diversity and tolerance.

*This is not an all-inclusive list of all arts organizations active in Downtown Plano*



Photo Courtesy Mike Newman

## Events and Activities

Events and activities are important to attract people to Downtown Plano and increase regional awareness. Major festivals hold the greatest opportunity for increasing exposure, but they are resource intensive and revenues seldom cover true costs. Festivals are not uniform in their benefits to businesses and organizations, and should be planned to minimize disruption to business operations and residents. Four large annual festivals are recommended. Each should be limited to a single day in duration. Smaller events to be held in only a portion of downtown may be conducted with greater frequency.

- Festivals
  - Dickens
  - Plano International Festival
  - Steins on 15th
  - Party on the Bricks
  - Asia Fest
  
- Events
  - Haggard Park Arts Show
  - Historic Tour and Home Show
  - Night Out on 15<sup>th</sup>
  
- Series
  - Courtyard Texas Music Series

- McCall Plaza Performances
- Movie Nights
- Thursday Night Live Plano
- Unscheduled Events
  - Parties and Receptions
  - Gallery Shows
  - Organizational Activities

## **Individual Initiatives**

The most significant contributions to the arts will come from individual initiatives. Below are just a few of the ways that shops, restaurants and other downtown businesses can foster and support the arts:

- Encourage street musicians and artists in downtown.
- Display art on consignment for sale in businesses and restaurants.
- Provide live music, poetry slams and stand-up comedy.
- Incorporate the arts in business marketing.
- Offer discounts for people who attend a downtown event or are benefactors to an arts organization.
- Post announcements of upcoming events in store windows and on websites and social media.
- Open private art galleries.

## **Additional Recommendations**

The following are additional recommendations for enhancing the arts in downtown Plano:

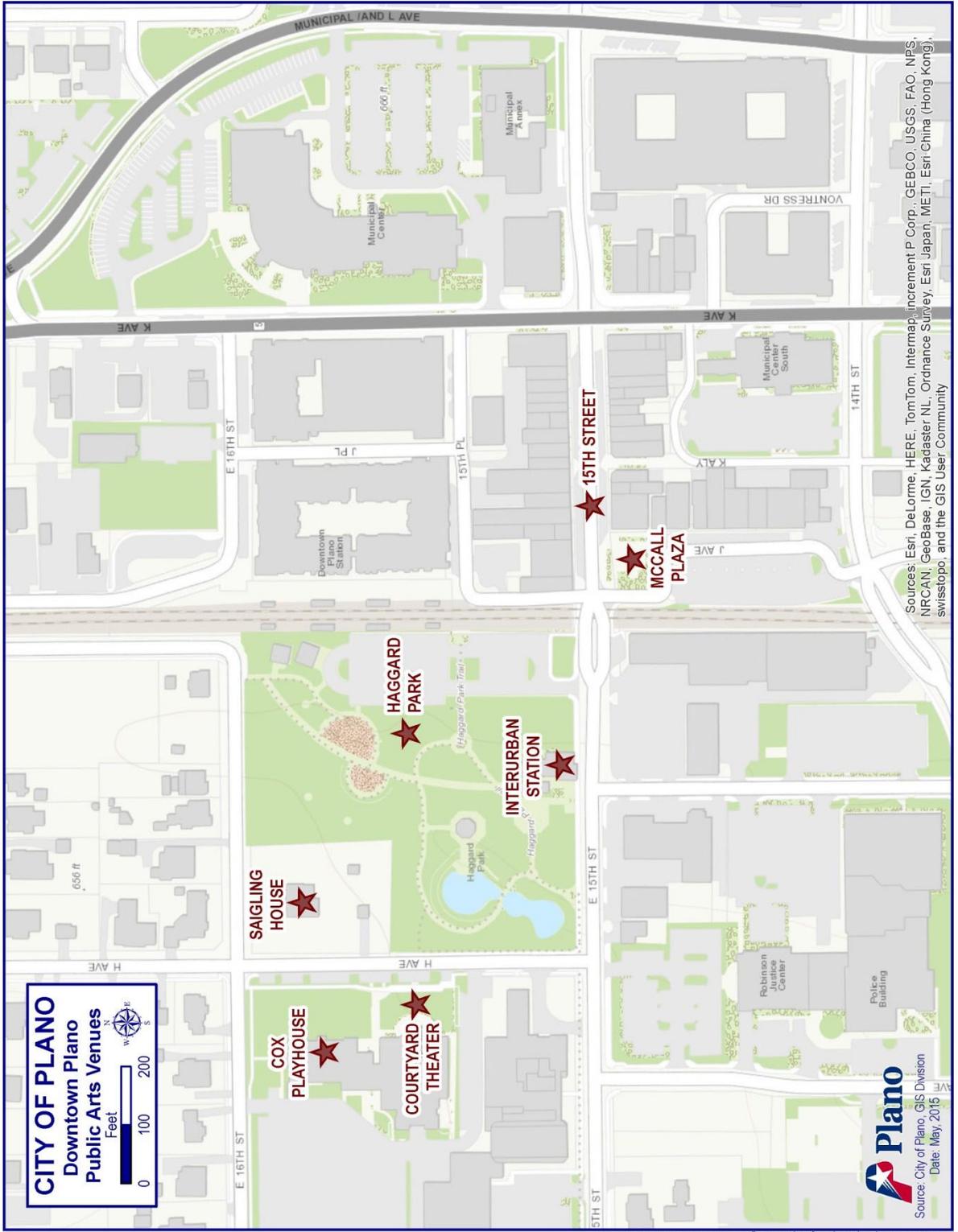
- Review and update zoning regulations for artists' studios and galleries as an accessory use in neighborhoods adjacent to downtown.
- Develop a parking management plan for events and festivals.
- Seek corporate sponsors to support downtown events and arts organizations.
- Incorporate the arts in downtown marketing.
- Conduct a cultural exchange program with other similar arts districts in the region.
- Seek formal designation as a Cultural District from the Texas Commission on the Arts.
- Link DART and ART, by offering discounts for DART riders.
- Establish an arts leaders' network for sharing information, ideas and schedules.
- Consider incentives for working artists to locate downtown and in adjacent neighborhoods.
- Develop cooperative programs with area universities to teach, perform and exhibit the arts downtown.

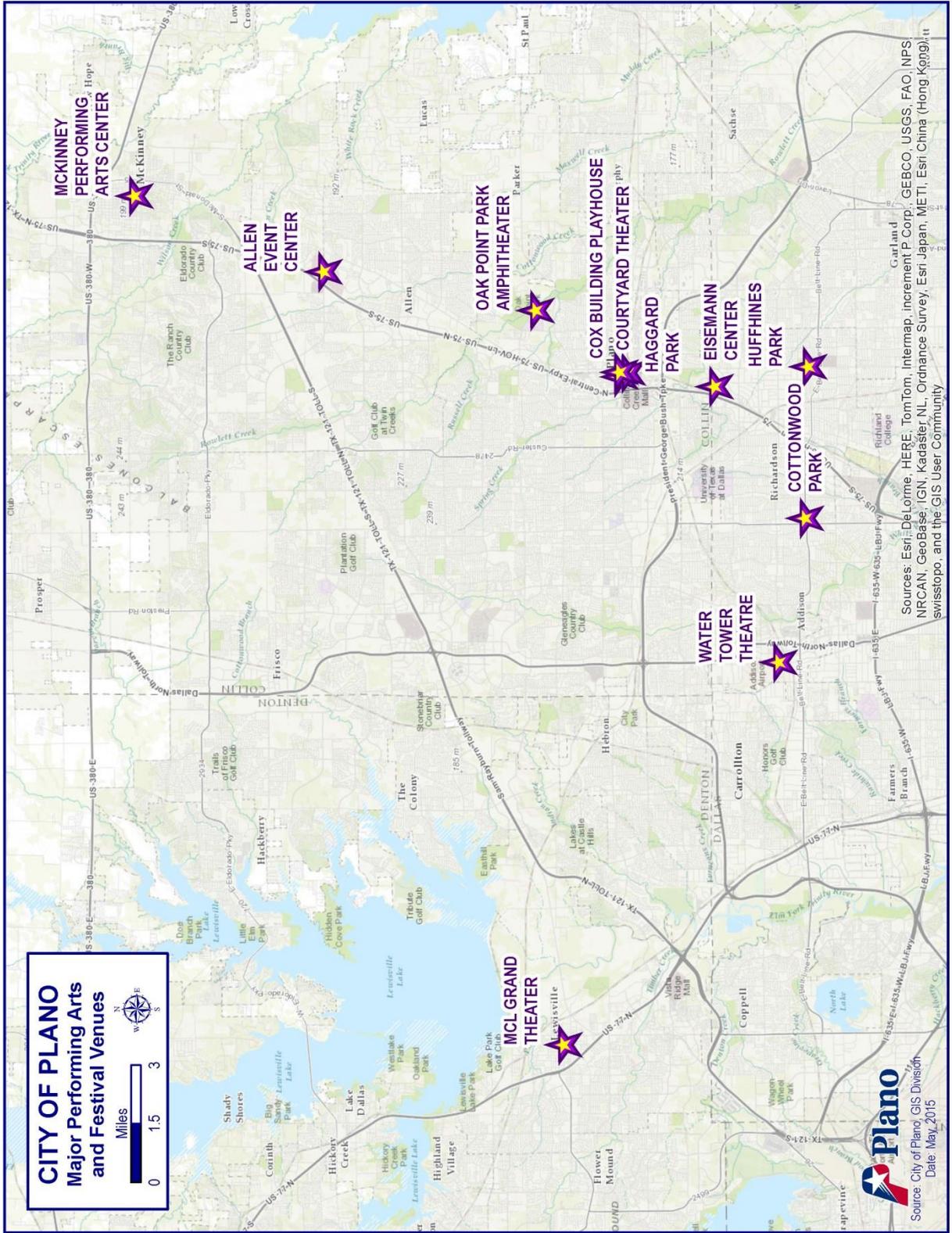
- Develop an arts themed way-finding signage program to lead people to downtown and downtown art venues.
- Encourage extended stays in downtown by promoting development of boutique hotels and bed and breakfast facilities.
- Encourage all Plano arts organizations to conduct at least one event or performance in Downtown Plano.
- Attract a boutique hotel development to Downtown Plano.
- Expand and improve the use of downtown signage and kiosks inform visitors to art venues and activities.
- Develop an interactive arts space for children.
- Increase the display of public art downtown, including streetlight banners and murals on blank parking garage walls.
- Seek grant funding to support the arts.

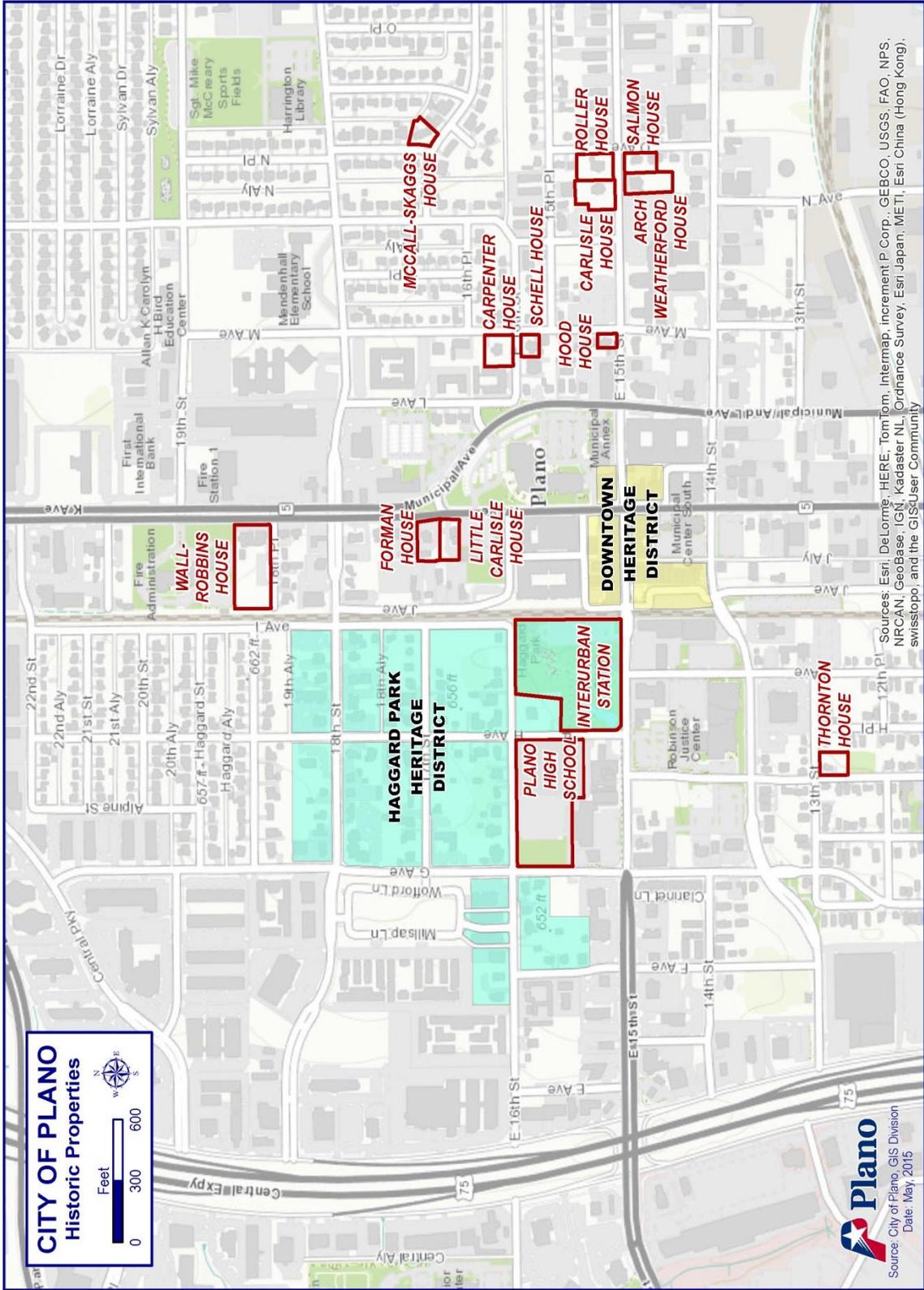


## Summary

The long-term success of Downtown Plano's establishment as a regional arts district requires collective action. Marketing, festivals, events, fundraising and other initiatives require significant coordination and management. The arts certainly add an important dimension, but must be balanced with the other core functions of downtown. However, community civic and business leaders know that art districts are place makers that enrich the community fabric and contribute to the city's economic vitality. Downtown Plano has the potential to become one of these important places.







## City of Plano

2013 ACS Population Estimate	266,740
2015 Population Estimate	271,140

### 2013 ACS 5 Year Summary Data

<b>Median Age</b>	37.5
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#### Race and Ethnicity

Hispanic	14.6%
Non-Hispanic	85.4%

African American or Black	6.9%
American Indian/Alaska Native	0.4%
Asian	18.1%
Native Hawaiian/Other Pacific Islander	0.1%
Some Other Race	0.2%
White	57.6%

Foreign Born	23.9%
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#### Educational Attainment

No High School Diploma	6.6%
High School Diploma/GED	13.3%
Some College, No Degree	19.1%
Associates Degree	6.8%
Bachelor's Degree	34.0%
Graduate/Professional Degree	20.2%

#### Household Income Distribution

Under \$25,000	11.1%
\$25,000 to \$49,999	17.9%
\$50,000 to \$74,999	16.9%
\$75,000 to \$99,999	13.6%
\$100,000 to \$149,000	19.1%
Over \$150,000	21.5%

<b>Median Household Income</b>	\$82,484
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<b>Per Capita Income</b>	\$40,938
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#### Poverty

Population below poverty	7.7%
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<b>Median Housing Value</b>	\$217,800
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## 3 Mile Radius of Downtown Plano

(Source: 2013 American Community Survey (ACS))

<b>Total Population</b>	89,979
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<b>Median Age</b>	41.1 years
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#### Race and Ethnicity

Hispanic	25.5%
Non-Hispanic	74.5%
African American or Black	8.3%
American Indian/Alaska Native	0.2%
Asian	9.2%
Native Hawaiian/Other Pacific Islander	0.1%
Some other Race	0.0%
White, Non-Hispanic	54.6%

#### Educational Attainment

No high school diploma	12.6%
High School Diploma and Higher	87.4%
Bachelor's Degree or higher	40.9%

#### Household Income Distribution

Under \$25,000	14.4%
\$25,000 to \$49,999	23.3%
\$50,000 to \$74,999	18.7%
\$75,000 to \$99,999	14.4%
\$100,000 to \$149,000	16.2%
Over \$150,000	13.1%

For more demographic and community information visit:

<http://www.plano.gov/664/Maps-Demographics>

<http://www.planotexas.org/>