



Pat Evans
Mayor

Sally Magnuson
Mayor Pro Tem

Jean Callison
Deputy Mayor Pro Tem

Shep Stahel
Place 1

Scott Johnson
Place 2

Loretta Ellerbe
Place 3

Harry LaRosiliere
Place 5

Lee Dunlap
Place 8

Thomas H. Muehlenbeck
City Manager

August 7, 2007

Mayor Pat Evans
City Council Members
City of Plano
Plano, TX 75074

Honorable Mayor and City Council:

We will begin our meeting Monday evening with legal advice from the City Attorney as well as hear two items of litigation. We will also discuss economic development prospects.

The Preliminary Open Meeting agenda will begin with reappointments to several Boards and Commissions. There will also be discussion regarding the naming of two parks within the City. David Stephens will make a presentation on the moto-mesh installation procedure and Selso Mata will conclude the open meeting with a review the Temporary Sign Ordinance.

I look forward to seeing you Monday evening.

Sincerely yours,

Thomas H. Muehlenbeck
City Manager

THM/cp

PLANO CITY COUNCIL

WILL CONVENE INTO EXECUTIVE SESSION AT 5:00 P.M. ON AUGUST 13, 2007, FOLLOWED BY PRELIMINARY OPEN MEETING IMMEDIATELY THEREAFTER, IN THE PLANO MUNICIPAL BUILDING, 1520 K AVENUE, IN COMPLIANCE WITH VERNON'S TEXAS CODES ANNOTATED, GOVERNMENT CODE CHAPTER 551 (OPEN MEETINGS ACT), AS FOLLOWS:

Mission Statement: The mission of the City of Plano is to provide outstanding services and facilities, through cooperative efforts with our citizens, that contribute to the quality of life in our community.

EXECUTIVE SESSION

- | | | | |
|------|--|-------------|---------|
| I. | Legal Advice | Wetherbee | 5 min. |
| | A. Respond to questions and receive legal advice on agenda items | | |
| II. | Litigation | Wetherbee | 10 min. |
| | A. Linda Sanders-Burns, individually and as an heir to the Estate of Anthony Demille Sanders, deceased v. City of Plano and Joseph Cabuzela | | |
| | B. Candice Holcomb v. City of Plano and American Civil Constructors | | |
| III. | Economic Development | Muehlenbeck | 15 min. |
| | A. Discuss a financial offer or other incentive to a business prospect to locate, stay, or expand in Plano and consider any commercial and financial information from the business prospect. | | |

PRELIMINARY OPEN MEETING

- | | | | |
|----|---|---------|--------|
| I. | Consideration and action resulting from Executive Session discussion: | Council | 5 min. |
|----|---|---------|--------|

II.	Personnel	Council	10 min.
	A. Reappointments:		
	Heritage Commission		
	Plano Housing Authority		
	Public Arts Committee		
	Tax Increment Financing Reinvestment Zone - No. 2 Board		
	Transition & Revitalization Commission		
III.	Discussion and Direction regarding the Naming of a City Park in the Northeast Area of Plano	Muehlenbeck	5 min.
IV.	Discussion and Direction regarding the Naming of A City Park in the North Central Area of Plano	Muehlenbeck	5 min.
V.	Presentation re Moto-Mesh Installation	Stephens	10 min.
VI.	Review of Temporary Signs Ordinance Concerning Open House Signs	Mata	10 min.
VII.	Council items for discussion/action on future agendas	Council	5 min.
VIII.	Consent and Regular Agenda	Council	5 min.
IX.	Council Reports	Council	5 min.
	A. Council May Receive Information, discuss and provide direction on the following reports:		
	B. Council may receive reports from its other members who serve as liaisons to boards, commissions, and committees		

In accordance with the provisions of the Open Meetings Act, during Preliminary Open Meetings, agenda items will be discussed and votes may be taken where appropriate.

Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Avenue L, with specially marked parking spaces nearby. Access and special parking are also available on the north side of building. The Council Chamber 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.

MEMO

DATE: August 7, 2007

TO: Honorable Mayor and City Council
City Manager Muehlenbeck
City Secretary Zucco

FROM: Kristy Land, Assistant City Secretary

RE: Personnel Appointments -
Worksession Meeting

The following reappointments will be considered at the August 13, 2007 Council Meeting.

<u>Executive Meeting</u>	<u>Worksession Meeting</u>
No items to consider	<u>Reappointments:</u> Heritage Commission Plano Housing Authority Public Arts Committee Tax Increment Financing Reinvestment Zone No. 2 Board Transition & Revitalization Commission

94

III and IV
of

Preliminary Open Meeting Agenda Item V

Moto-Mesh

Stephens

Va

✓ 10



INTEROFFICE MEMORANDUM



TO: TOM MUEHLENBECK, CITY MANAGER
FRANK TURNER, EXECUTIVE DIRECTOR

FROM: SELSO MATA, CHIEF BUILDING OFFICIAL

SUBJECT: OPEN HOUSE SIGNS

DATE: 7/11/2007

CC: DIANE WETHERBEE, CITY ATTORNEY

At its June 26th 2006 meeting, the City Council approved Ordinance No. 2006-6-33 which amended the Temporary Signs Ordinance concerning open house signs. Rules for off-site signs, a definition, and advertising open house signage criteria was created and approved.

Section III of the Ordinance states that the City Council shall review this Ordinance twelve (12) months following its passage for the purpose of seeking input regarding its implementation, progress, and effectiveness.

In compliance with the ordinance I would ask for this issue to be placed on a future Preliminary Open Meeting agenda for report to Council.

Please let me know if you need additional information.

Via

V16

Discussion/Action Items for Future Council Agendas

2007

August 7 – National Night Out

August 18
Council Budget Worksession

August 22 - Council/PISD Trustee Retreat, Plano Station, 8 a.m. – 12 noon

August 23
- First Public Hearing on Tax Rate, Council Chambers, 5 p.m.
- District 4 Neighborhood Roundtable, PSA StarCenter, 7 p.m.

August 25 – Board and Commission Reception, Municipal Center, 2 p.m.

August 27
Parks and Recreation Planning Board
Mobility Report
DART Report
Comprehensive Monthly Financial Report

Discussion & Direction: Proposed 2007-2008 Community Investment Program Discussion and direction on the proposed 2007-2008 Community Investment Program.

Consideration and Approval: Clearview Neighborhood Action Plan - Consideration of the Clearview Neighborhood Action Plan for the area bounded by West Spring Creek Parkway to the north, Bowman Branch Creek

- Second Public Hearing on Tax Rate

August 30 – Board and Commission Reception, PSA StarCenter, 6 p.m.

September 3 – Labor Day

September 10
Self Sufficiency Committee

September 11 – City Council/P&Z Commission Retreat, Plano Station, noon – 5 p.m.

Vila

September 24

Plano Housing Authority
Mobility Report
DART Report
Comprehensive Monthly Financial Report

Board and Commission Appointments

October 7 – 10, ICMA Conference, Pittsburgh

October 8

TIF #1 & #2 Boards

October 18 – District 2 Neighborhood Roundtable, Sockwell Center, 7 p.m.

October 22

Youth Advisory Committee
Mobility Report
DART Report
Comprehensive Monthly Financial Report

October 29 – Chamber Joint Meeting, Plano Chamber, 5:30 p.m.

November 7 – 9, TML Conference, Dallas

November 12

Technology Commission

November 13 – 17, NLC Conference, New Orleans

November 22 & 23 – Thanksgiving Holidays

November 27

Mobility Report
DART Report
Comprehensive Monthly Financial Report

December 10

December 18

Mobility Report
DART Report
Comprehensive Monthly Financial Report

December 24 & 25 – Christmas & Winter Holidays





CITY COUNCIL

1520 AVENUE K

DATE: August 13, 2007

CALL TO ORDER: 7:00 p.m.

INVOCATION: Reverend Clint Kerley
Christ Church Plano

PLEDGE OF ALLEGIANCE: Girl Scout Troup 2232 – Plano East Senior
High School & Williams High School

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>THE MISSION OF THE CITY OF PLANO IS TO PROVIDE OUTSTANDING SERVICES AND FACILITIES, THROUGH COOPERATIVE EFFORTS WITH OUR CITIZENS THAT CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.</p> <p>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p><u>SPECIAL RECOGNITIONS</u></p> <p>Presentation: Accreditation to Building Inspections Department by the International Accreditation Service</p> <p>Special Recognition: Plano Police Department Crime Scene Investigations – Accreditation by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board</p> <p>Special Recognition: Nancy Nevil, Director of Sustainability & Environmental Services – 25 Years of Service to the City of Plano</p> <p>Special Recognition: Andrew Chen and Anurag Matharasi – 2007 USA Table Tennis Open Champions</p> <p><u>THE CITY SECRETARY RECEIVES SPEAKER CARDS AT THE BEGINNING OF THE MEETING</u></p> <p><u>COMMENTS OF PUBLIC INTEREST</u></p> <p><u>This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.</u></p> <p><u>BOARD AND COMMISSION REPORT</u></p> <p>Retirement Security Plan Committee, Mark Israelson</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>CONSENT AGENDA</u></p> <p><u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></p> <p>(a) <u>Approval of Minutes</u></p> <p>July 23, 2007 July 25, 2007</p> <p><u>Approval of Expenditures</u></p> <p>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</p> <p>(b) Bid No. 2007-159-C for Tandberg Video Conference Equipment and Maintenance to I-2-I Technologies in the amount of \$34,994. This item also approves a maintenance contract for three additional years subject to annual budget appropriations in the estimated amount of \$4,005/year.</p> <p>(c) CSP No. 2007-147-C for Voice and Data Wiring Services to Able Communications, Inc., with an annual amount not to exceed \$150,000. This will establish an annual fixed price contract, with three optional one-year renewals.</p> <p>(d) CSP No. 2007-155-C for Nortel Telecommunications Equipment and Services to Affiliated Telephone, Inc., with an estimated annual amount of \$500,000. This item approves expenditures from various funds for the Nortel Infrastructures and Telecommunications Equipment, including maintenance, moves, adds, changes, hardware, upgrades, and software. This will establish an annual fixed price contract with four optional one-year renewals.</p> <p>(e) Bid No. 2007-177-B 2006-2007 Sidewalk and Barrier Free Ramp Construction Project to Jim Bowman Construction Company, L.P. in the amount of \$253,048. This project involves construction of new sidewalk at eight locations along major thoroughfares in the City where pedestrian traffic is increasing and construction of barrier free ramps at various locations.</p> <p>Approval of Change Order</p> <p>(f) To Roadway Solutions, Inc., increasing the contract by \$90,000 for Traffic Signal Construction. (Bid No. 2006-203-P). This change will allow for the installation of cable and breakers for the MOTOMESH network. Change Order #1. Project No. 5750.</p> <p>(g) To Walter P. Moore & Associates, Inc., increasing the professional services contract by \$18,000 for design in connection with Erosion Control – Waasland Drive and Pittman Creek Rehabilitation, Contract Modification #4.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>Purchase from Existing Contract/Agreement: (Purchase of products/services through Cooperative Purchasing Interlocal Contract with another governmental/quasi-governmental agency or an additional purchase from current City of Plano annual purchase agreement).</p> <p>(h) To approve the purchase of UPS's for network infrastructure switches in the amount of \$43,398 from AT&T through an existing contract/agreement with Department of Information Resources (DIR), and authorizing the City Manager to execute all necessary documents. (DIR-SDD-232)</p> <p>(i) To approve the purchase of five Crane Carrier Cab and Chassis' with Automated Side Loaders and two Crane Carrier Crew Cabs with Rear Loaders in the amount of \$843,030 from Bond Equipment Company, Inc. through the Texas Association of School Buyboard Purchase Program, and authorizing the City Manager to execute all necessary documents. (#208-04)</p> <p>(j) To approve the Lease of a Full Color Digital Press Copier for the Print Shop in the estimated annual amount of \$76,764 from Oce North America through an existing contract/agreement with Texas Building and Procurement Commission, and authorizing the City Manager to execute all necessary documents. (State Contract #985-A6). This item approves an annual contract with three renewals.</p> <p>(k) To approve the purchase of Convenience Copier Contract Rentals in the amount of \$176,782 from Oce North America through an existing contract/agreement with Texas Building and Procurement Commission, and authorizing the City Manager to execute all necessary documents. (State Contract #985-A6). This item approves an annual contract with three renewals.</p> <p>Approval of Agreement</p> <p>(l) To approve an Interlocal Agreement by and between the City of Plano and Plano Independent School District providing the terms and conditions for the placement of wireless electronic equipment on Plano Independent School District Facilities and authorizing the City Manager to execute all necessary documents.</p> <p>Adoption of Resolutions</p> <p>(m) To approve the terms and conditions of a Plano ISD Partnership Agreement by and between the City of Plano, Texas, Plano Independent School District and Plano Balloon Festival, Inc.; authorizing its execution by the City Manager; and providing an effective date.</p> <p>(n) To approve the terms and conditions of a License Agreement for the construction, use and installation of recreational equipment on a portion of Timber Brook Park by and between the City of Plano, Texas and Plano Independent School District; authorizing its execution by the City Manager; and providing an effective date.</p> <p>(o) To accept the Certified Appraisal Roll for Fiscal Year 2007-2008; and providing an effective date.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(p)	To approve the terms and conditions of an Interlocal Agreement by and between City of Plano and University of Texas at Dallas for educational services; authorizing its execution by the City Manager; and providing an effective date.	
	<u>Adoption of Ordinances</u>	
(q)	To amend Ordinance No. 2006-6-29, currently codified under Chapter 12 (Motor Vehicles and Traffic), Article IV (Speed), Section 12-73(d) of the City of Plano Code of Ordinances, to delete a school zone for Barron Early Childhood School located on Parker Road from five hundred feet east of P Avenue to one hundred fifty feet west of P Avenue; to revise the designated times of school zone operation for Fowler Middle School; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.	
(r)	To amend Section 11-144(a) of Division 2 of Article IV (Peddlers and Solicitors) of Chapter 11 (Licenses and Business Regulations), amending Section 12-12(b) of Article I (In General) of Chapter 12 (Motor Vehicles and Traffic), amending Section 12-74(b) of Article IV (Speed) of Chapter 12 and amending Section 12-101 of Article V (Stopping, Standing and Parking) of Chapter 12 of the City of Plano Code of Ordinances, to change the names of the service roads on U.S. Highway 75 and the President George Bush Turnpike within the incorporated limits of the City of Plano; providing for a change in the official records to reflect such action; and providing a repealer clause, a severability clause, a savings clause, a publication clause and an effective date	
(s)	To amend Section 11-144 of Article IV Peddlers and Solicitors Chapter 11 Licenses and Business Regulations of the Code of Ordinances of the City of Plano; by repealing Section 11-144(b) and adding Sections 11-144(b)(c)(d)(e) to provide application requirements for employees to solicit charitable contributions in the roadway and penalties for violations; to provide for a repealer clause, a severability clause, a savings clause, and an effective date.	
(t)	To repeal Article XXI. Technology Commission of Chapter 2 Administration of the Plano Code of Ordinances which established the Technology Commission; and providing an effective date.	
(u)	To amend Subsections (C)(1), (C)(3), and (D) of Section 2-12, Chapter 2, Plano Code of Ordinances, granting the City Manager the authority to approve contracts equal to or less than \$50,000; and delegating to the Chief Purchasing Officer the authority to determine the procurement method that provides the best value for the City; providing a repealer clause, a severability clause, and an effective date.	
	<p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p><u>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</u></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Non-Public Hearing Items: The Presiding Officer may permit limited public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.</u></p> <p>(1) Discussion of the FY 2007-08 Recommended Community Investment Program</p> <p>(2) A Public Hearing on the Recommended 2007-08 Budget and 2007-08 Community Investment Program (CIP). "This budget will raise more total property taxes than last year's budget by \$7,965,972 or 7.37%, and of that amount \$2,689,719 is tax revenue to be raised from new property added to the tax roll this year."</p> <p>(3) Vote on a proposal to consider an increase in total tax revenue.</p> <p>(4) Public Hearing and approval of disbursement of grant funds in the total amount of \$96,981 awarded through the Byrne Justice Assistance Grant Project for the purpose of purchasing equipment resources, pursuant to the amendments made by Section 201 of H.R. 3036 of the 108th Congress, as passed by the House of Representatives on March 30, 2004. Under this Grant, the City of Plano will be the Fiscal agent and will disburse funds to the City of McKinney and the Collin County Sheriff's Office as agreed upon in the Memorandum of Understanding signed by the three entities.</p> <p>(5) A Resolution to approve the terms and conditions of an Interlocal Cooperation Agreement between the City of Plano, Texas, the City of McKinney, Texas, and the County of Collin, Texas for the disbursement of the 2007 Byrne Justice Assistance Grant Funds; authorizing its execution by the City Manager; and providing an effective date.</p> <p>(6) An Ordinance to repeal City of Plano Ordinance Nos. 98-2-26, and 98-8-35, codified as Article VI, Historic Landmark Preservation, of Chapter 16 of the Code of Ordinances of the City of Plano; and adopting new and amended provisions for Heritage Resource Preservation for the City.</p> <p><u>Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. Training Room A/Building Inspections Training Room are located on the first floor. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.</u></p>	



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	City Manager's Office	Initials	Date	
Department Head	Tom Muehlenbeck	Executive Director	<i>[Signature]</i> 8/13/07	
Dept Signature:		City Manager		
Agenda Coordinator (include phone #):		Sharon Wright ext. 7107		
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input checked="" type="checkbox"/> OTHER				
CAPTION				
Presentation: Accreditation to Building Inspections Department by the International Accreditation Service				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	City Manager's Office	Initials	Date	
Department Head	Tom Muehlenbeck	Executive Director		
Dept Signature:		City Manager	<i>[Signature]</i>	5/20/07
Agenda Coordinator (include phone #):		Sharon Wright ext. 7107		
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input checked="" type="checkbox"/> OTHER				
CAPTION				
Special Recognition: Plano Police Department Crime Scene Investigations - Accreditation by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	City Manager's Office		Initials	Date
Department Head	Tom Muehlenbeck	Executive Director	<i>[Signature]</i>	8/1/07
Dept Signature:		City Manager		
Agenda Coordinator (include phone #): Sharon Wright ext. 7107				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input checked="" type="checkbox"/> OTHER				
CAPTION				
Special Recognition: Nancy Nevil, Director of Sustainability & Environmental Services - 25 Years of Service to the City of Plano				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	

2



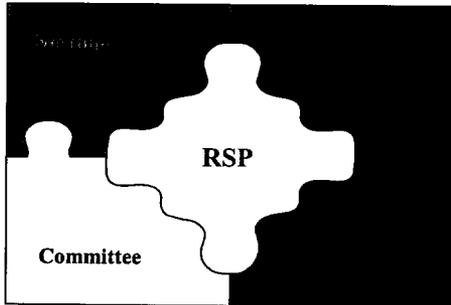
CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07		Reviewed by Legal	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Applicable
Department:	City Manager's Office		Initials	Date
Department Head	Tom Muehlenbeck		Executive Director	
Dept Signature:			City Manager	
Agenda Coordinator (include phone #):		Sharon Wright ext. 7107		
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Special Recognition: Andrew Chen and Anurag Matharasi - 2007 USA Table Tennis Open Champions				
FINANCIAL SUMMARY				
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FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(s):				
COMMENTS:				
SUMMARY OF ITEM				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		

City of Plano
Retirement Security Plan
City Council Presentation
August 13, 2007

Establishment & Purpose of Plan

- Established by the City Council on January 1, 1983 when the City opted out of Social Security.
- Purpose is to provide retirement and incidental benefits (life insurance) to all full-time employees who meet eligibility requirements.
- All benefits provided by the Plan paid from the RSP Trust Fund which is totally funded by the City.



Meeting Schedule:
 •4 times annually; January, April, July, October

Current Committee Members:
 •Ron Timmons (employee), Chairperson
 •Steve Doud (citizen), Vice Chairperson
 •Mark Israelson (employee), Committee Member
 •Kien Liew (citizen), Committee Member
 •Denise Tacke (employee), Committee Member

The pieces to the RSP puzzle...

Investment Manager:
 •U.S. Trust

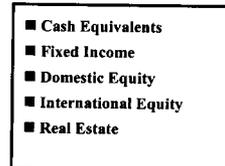
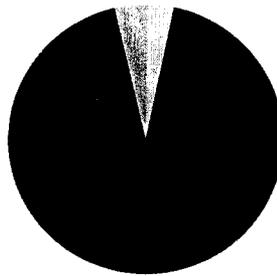
Actuary:
 •Gabriel, Roeder,
 Smith & Co.

Trustee Bank:
 •Comerica Bank

Financial Information: (as of 6-30-2007)

- Assets: \$66,565,910
- Covered retirees: 373
- 2006 Retiree Benefits Paid: \$1,055,330
- 2007 Contribution Rate: 3.13%

**CURRENT ASSET ALLOCATION
 AND ESTIMATED INCOME**
City of Plano Retirement Security Plan as of June 30, 2007



	Market Value	% Portfolio	% Current Guidelines
Cash Equivalents	2,191,793	3%	
Fixed Income	17,629,471	27%	40-25%
Domestic Equity	35,988,641	56%	45-60%
International Equity	7,877,455	10%	5-15%
Real Estate	2,878,550	4%	0-5%
Total	\$66,565,910	100%	100%

ACTIVITIES

Comerica selected as
the Trustee Bank.



Gabriel, Roeder, Smith was
selected to continue as
the Actuaries for the Plan.



**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
JULY 23, 2007**

COUNCIL MEMBERS

Pat Evans, Mayor
Sally Magnuson, Mayor Pro Tem
Jean Callison, Deputy Mayor Pro Tem
Shep Stahel
Scott Johnson
Loretta Ellerbe
Harry LaRosiliere
Lee Dunlap

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Executive Director
Bruce Glasscock, Executive Director
Rod Hogan, Executive Director
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Evans called the meeting to order at 5:11 p.m., Monday, July 23, 2007, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Deputy Mayor Pro Tem Callison and Council Member Johnson. Council Member LaRosiliere arrived at 5:16 p.m. Mayor Evans 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, discuss Economic Development, Section 551.087 and to discuss Personnel, Section 551.074 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 6:12 p.m. in the Council Chambers where the following matters were discussed:

**Consideration and Action Resulting from Executive Session Discussion:
Personnel Reappointments**

Board of Adjustment

Upon a motion made by Council Member Dunlap and seconded by Council Member Ellerbe, the Council voted 6-0 to reappoint Cameron McCall, Chris Caso and Joe Wolens Milkes.

Building Standards Commission

Upon a motion made by Council Member Dunlap and seconded by Council Member Stahel, the Council voted 6-0 to reappoint James M. Degnan, Brian Eisenrich and Arthur Reed Snyder, Jr.

Planning and Zoning Commission

Upon a motion made by Council Member Ellerbe and seconded by Council Member LaRosiliere, the Council voted 6-0 to reappoint James Duggan, Maggie Armstrong and Jim Norton.

Personnel - Appointments

Global Advisory Committee Member/Chair

Upon a motion made by Mayor Evans and seconded by Mayor Pro Tem Magnuson, the Council voted 6-0 to appoint Jim Falk as member and chair.

Reappointments

Animal Shelter Advisory Committee

Upon a motion made by Council Member Stahel and seconded by Mayor Pro Tem Magnuson, the Council voted 6-0 to reappoint John Carver DVM and Amanda Earl.

Civil Service Commission

Upon a motion made by Mayor Pro Tem Magnuson and seconded by Council Member Ellerbe, the Council voted 6-0 to reappoint R. James Akers.

Community Relations Commission

Upon a motion made by Mayor Pro Tem Magnuson and seconded by Council Member Stahel, the Council voted 6-0 to reappoint Richard Shlakman, Pamela S. Harvey and Betty Monday Mahan.

Cultural Affairs Commission

Upon a motion made by Mayor Pro Tem Magnuson and seconded by Council Member LaRosiliere, the Council voted 6-0 to reappoint Christopher Griffith.

Heritage Commission

The Council concurred to defer consideration of reappointment at this time.

Keep Plano Beautiful Commission

Upon a motion made by Council Member Stahel and seconded by Council Member Dunlap, the Council voted 6-0 to reappoint Kelly Marie Carlson and John R. Caldwell.

Library Advisory Board

Upon a motion made by Council Member LaRosiliere and seconded by Council Member Stahel, the Council voted 6-0 to reappoint R. James Akers and Gregory J. Myer.

Parks and Recreation Planning Board

Upon a motion made by Council Member Ellerbe and seconded by Council Member Stahel, the Council voted 6-0 to reappoint M. Nathan Barbera.

Plano Housing Authority

Mayor Evans requested consideration of reappointment be deferred at this time.

Public Arts Committee

The Council concurred to defer consideration of reappointments at this time.

Retirement Security Plan Committee

Upon a motion made by Mayor Pro Tem Magnuson and seconded by Council Member Dunlap, the Council voted 6-0 to reappoint Ron Timmons.

Self Sufficiency Committee

Upon a motion made by Council Member Dunlap and seconded by Council Member Stahel, the Council voted 6-0 to reappoint Marci Lynn Holloway, Prissy Wisnewski, Dollie V. Thomas and Cathie Stanford Alexander.

Senior Citizens Advisory Board

Upon a motion made by Council Member Dunlap and seconded by Council Member Stahel, the Council voted 6-0 to reappoint Annette S. Vineyard, Kevin A. J. Yarrow and Sonja Hammar.

Tax Increment Financing Reinvestment Zone No. 2 Board

The Council concurred to defer consideration of reappointments at this time.

Technology Commission

The Council concurred to defer consideration of reappointments.

Transition & Revitalization Commission

The Council concurred to defer consideration of reappointments at this time.

Transportation Advisory Committee

Upon a motion made by Mayor Pro Tem Magnuson and seconded by Council Member Stahel, the Council voted 6-0 to reappoint Regina M. Richardson and Candace T. Noble.

DART Report

DART Board Representative Paulk spoke to objectives established for the board including the build-out schedule and budget, safety and security, ridership, equity and establishing accountability measures and advised that DART has been asked to look at establishing new revenue streams so that service continues to improve. She provided an update on the Parker Road Station including plans for additional parking and spoke to discussion regarding fee-paid parking. Ms. Paulk advised that there are currently no plans regarding use of City of Plano property at Park Boulevard and K Avenue. She spoke to the west side "Park and Ride" being back in discussions, a feasibility assessment for development, and stated she will keep Council apprised as the project moves forward. Ms. Paulk spoke to Cottonbelt Corridor implementation in 2025-2030 and long-term feasibility studies and analysis focusing on connectivity and technology choice. She spoke to CCart demand-responsive service being costly and not very efficient and looking at other options.

Ms. Paul spoke to DART reviewing possible modifications to their On-Call Program to be more attractive as an alternative to senior citizens. She spoke to discussions on how to best approach the Regional Transit Initiative in the next legislative session. Ms. Paulk responded to the Council, stating that meetings are scheduled to discuss the west side transit center and that she may look for input from the Council in the future. City Manager Muehlenbeck spoke to property purchased by DART and removal of construction costs from their budget. He spoke to a possible agreement with DART to utilize a portion of the City's CDA funds for the facility.

Comprehensive Monthly Financial Report

Director of Finance McGrane presented the Comprehensive Monthly Financial Report for the month of June 2007 advising the Council that the General Fund is doing well. He stated that the Water and Sewer Fund is low primarily due to the limitation on watering and significant amount of rain received. Mr. McGrane spoke to the expenditure side where things are tracking as they should. Mr. Muehlenbeck spoke to the latest sales tax received being down by 9.2% and the City returning \$2 million as a result of a comptroller's audit. Mr. McGrane advised that the unemployment rate is still down and spoke to other cities where sales tax revenues are down.

Mr. McGrane advised that housing starts are down from June of 2006, but that inventory is moving quickly. He spoke to the increase in commercial permits, the solid trend in hotel/motel occupancy and the performance and diversity of the portfolio. Mr. McGrane responded to the Council, advising that a report has not yet been received for the new hotel on Coit Road.

Mobility Report

Transportation Engineering Manager Neal advised that activities involving a mid-block crossing on Pebble Creek are moving forward, spoke to a consensus reached regarding alley bumps on Meadow Hills Lane and recent speed zone changes on SH 190 and US 75 frontages. He spoke to removal of the school speed zone on Parker Road at Barron Early Childhood School. Mr. Neal spoke to the school becoming an early-childhood development center where 98% of attendees are brought in by vehicle versus walking and to retaining speed zones in the neighborhood.

Presentation, Discussion and Direction Regarding Proposed CDA Projects

Transportation Engineering Manager Neal spoke to the goal of maximizing intersection safety by upgrading/lengthening left-turn pockets, installing additional through lanes, retiming signals, etc. He spoke to completing build-out of major arterial roads and reconstruction, seeking funding for the west DART transit facility and addressing highway bottleneck areas.

Mr. Neal spoke to projects including intersection improvements in the amount of \$14 million, roadway widening at \$32.8 million and thoroughfare reconstruction at \$176 million. He advised that reconstruction will not be a part of the CDA submittal, but information will be included in hopes of program expansion to include these projects in the near future. Mr. Neal spoke to proposals for the west side transit center, homeland security and improvement of bottleneck operations. He spoke to "double" submitting items to CDA and COG to receive the best funding available with the goal to leverage funding sources maximizing mobility and safety in Plano.

Mr. Neal spoke to the CDA not recognizing concerns related to reconstruction of major thoroughfares and to working with the legislature for revision. Mr. Muehlenbeck spoke to the importance of moving traffic through the City. Mr. Neal spoke to reconstruction and rehabilitation becoming a larger portion of cities' budgets and work to acknowledge the problem and find solutions.

Council Items for Discussion/Action on Future Agendas

No items were brought forward. City Manager Muehlenbeck spoke regarding the August 23 meeting being required if there is any increase in property taxes.

Consent Agenda

No items were discussed.

Council Reports - Report from Board and Commission Review Committee

Mayor Pro Tem Magnuson spoke to review by the committee and stated that boards provided information regarding their missions, plans and members. She spoke to the exception being the Technology Commission whose Chair and Staff liaison advised that the board had fulfilled its mandate and would not be necessary as a stand-alone commission. City Attorney Wetherbee stated that Staff would prepare an ordinance to disband the committee for Council consideration at the August 13 meeting.

Nothing further was discussed. Mayor Evans adjourned the Preliminary meeting at 6:58 p.m.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, City Secretary

PLANO CITY COUNCIL
July 23, 2007

COUNCIL MEMBERS

Pat Evans, Mayor
Sally Magnuson, Mayor Pro Tem
Jean Callison, Deputy Mayor Pro Tem
Shep Stahel
Scott Johnson
Loretta L. Ellerbe
Harry LaRosiliere
Lee Dunlap

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Executive Director
Bruce Glasscock, Executive Director
Rod Hogan, Executive Director
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Evans convened the Council into the Regular Session on Monday, July 23, 2007, at 7:09 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Deputy Mayor Pro Tem Callison and Council Member Johnson.

The invocation was led by Mayor Pro Tem Magnuson.

The Pledge of Allegiance was led by Nathan Hozer of Boy Scout Troop 380.

The Plano Fire Department received a \$45,000 Grant from Fireman's Fund Insurance and Mike Rapplean, Public Works Operations Manager received the 2007 Professional Manager of the Year Award (Water Resources) from the Texas Chapter of the Public Works Association. The Plano Early Lions Club made a presentation to the Council and Mayor Evans presented special recognition to Parade Magazine's All-America High School Boys Soccer Team Member and All-America High School Girls Soccer Team Members.

Mayor Evans administered an oath of office to incoming Self Sufficiency Committee member Marci Lynn Holloway.

Mayor Evans presented a certificate of appreciation to outgoing Senior Citizens Advisory Board member Dr. Frida Alperovich.

COMMENTS OF PUBLIC INTEREST

Jack Lagos, citizen of the City, spoke to there being no follow-up with regard to a review of the Arts of Collin County (ACC) by finance directors of the participating cities. He stated concern regarding the legal/financial aspects of a contract donating land to the ACC and requested an audit.

BOARD AND COMMISSION REPORT

Building Standards Commission Chair Jeff D. Bulla III spoke regarding membership and Staff support and to Chief Building Official Mata and the department receiving accreditation by the International Accreditation Service. He stated the responsibilities of the board to enforce health and safety ordinances with duties of enforcement in response to an ordinance violation, use of alternative materials and appeal. Mr. Bulla spoke to code interpretation and the authority to hear appeals from the decision of the Fire Chief or Chief Building Official. He advised regarding other functions including proposing amendments to the fire and building codes, receiving input requesting a change to the fire or building code, acting as an advisor, and reviewing contractors' registrations for reinstatement. Mr. Bulla spoke to the thirty six cases heard during the past year and reviewed the results. Council Member Stahel thanked the Commission for their efforts.

CONSENT AGENDA

Citizen Jack Lagos requested Consent Agenda Item "V," Resolution to approve the terms and conditions of an Economic Development Program Agreement by and between the City of Plano, Texas, and SCOR Life U.S. Re Insurance Company be removed for individual consideration.

Upon a motion made by Council Member LaRosiliere and seconded by Mayor Pro Tem Magnuson, the Council voted 6-0 to approve and adopt all remaining items on the Consent Agenda as recommended and as follows:

Approval of Minutes [Consent Agenda Item (A)]

June 25, 2007

Approval of Expenditures

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

RFP No. 2007-70-C for an annual fixed price contract for Occupational Resource Services to Merit Insurance Services, Inc. in the annual amount of \$500,000. This will establish an annual contract with four City Optional one year renewals for Occupational Resource Services in the amount of \$500,000 for the first year, and a 3% annual increase for each renewal period. [Consent Agenda Item (B)] (See Exhibit "A")

Bid No. 2007-157-B for the purchase of Gladys Harrington Library Renovation-Furniture, Fixtures & Equipment - Project No. 5728 Schedule 2: Architectural Woodwork to Cultural Surroundings in the amount of \$2,084; Schedule 3: Library Furniture to TUSA Office Solutions, Inc. in the amount of \$12,340; Schedule 4: The Midlands Company to Libra Tech in the amount of \$13,054; and Schedule 5: Worden to Cultural Surroundings in the amount of \$59,997 for the total amount of \$87,475. [Consent Agenda Item (C)] (See Exhibit "B")

Bid No. 2007-158-B for the purchase of W.O. Haggard Library Renovation-Furniture, Fixtures & Equipment - Project No. 5728 Schedule 1: Library Shelving to Libra Tech in the amount of \$30,815, which includes alternate pricing for 12" shelves; Schedule 2: Architectural Woodwork to Cultural Surroundings in the amount of \$39,404; Schedule 3: Library Furniture to Business Interiors in the amount of \$27,570; Schedule 4: Worden to Cultural Surroundings in the amount of \$29,999; and Schedule 5: Steelcase to Business Interiors in the amount of \$4,728 for the total amount of \$132,516. [Consent Agenda Item (D)] (See Exhibit "C")

Purchase from Existing Contract/Agreement: (Purchase of products/services through Cooperative Purchasing Interlocal Contract with another governmental/quasi-governmental agency or an additional purchase from current City of Plano annual purchase agreement).

To authorize the purchase of a Firearms and Toolmarks Comparison Microscope System in an amount not to exceed \$70,000 from Leeds Instruments, Inc. through a Texas Building and Procurement Commission contract, and authorizing the City Manager to execute all necessary documents. (TBPC Contract #490-N1 Microscopes and Accessories). [Consent Agenda Item (E)]

To authorize the purchase of furniture in the amount of \$38,608 for Haggard Library and \$37,983 for Harrington Library, for a total purchase of \$76,591, from workplace resource, A Certified @HermanMiller Dealer utilizing a U.S. Communities Contract (Contract No. AG0607) and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (F)]

To approve the purchase and installation of bay flooring for Fire Stations No. 1, 2, 7, and 8, in the amount of \$152,852, from Hisaw & Associates General Contractors, Inc., through an existing Contract/Agreement with The Interlocal Purchasing System (TIPS), and authorizing the City Manager to execute all necessary documents. (TIPS Vendor Contract No. 14012707) [Consent Agenda Item (G)]

To approve the purchase and installation of apparatus bay ventilation and miscellaneous improvements at Fire Stations No. 2, 5, 6, and 7, in the amount of \$196,820, from Centennial Contractors Enterprises, Inc., through an existing Contract/Agreement with The Cooperative Purchasing Network (TCPN), and authorizing the City Manager to execute all necessary documents. (TCPN Vendor Contract No. R4538). [Consent Agenda Item (H)]

To approve the purchase of one Ford F-450 Cab/Chassis with Aerial Man-Lift (replacement for unit #98125 for Fleet and Equipment Services) in the amount of \$66,028 from Philpott Motors through an existing Contract/Agreement with the Texas Association School Buyboard Purchase Program, and authorizing the City Manager to execute all necessary documents. (#208-04) [Consent Agenda Item (I)]

To approve the purchase of one Ford F-450 Cab/Chassis with Aerial Man-Lift for Fleet and Equipment Services in the amount of \$66,031 from Philpott Motors through an existing Contract/Agreement with the Texas Association School Buyboard Purchase Program, and authorizing the City Manager to execute all necessary documents. (#208-04) [Consent Agenda Item (J)]

To approve the purchase of three Toro #3300 Workman Utility Vehicles, one Toro #3300 Workman Utility Vehicle with Rahn Ballfield Attachments, one Toro #687 Aerator and one Toro Groundmaster 580D for Fleet and Equipment Services in the amount of \$155,986 from Professional Turf Products through an existing Contract/Agreement with the Texas Association School Buyboard Purchase Program, and authorizing the City Manager to execute all necessary documents. (#225-05) [Consent Agenda Item (K)]

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

To approve an Engineering Professional Services Agreement contract by and between the City and Teague, Nall & Perkins, Inc., in the amount of \$397,472, for design engineering services for the Windhaven - Spring Creek Parkway to West City Limits project, and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (L)]

To approve the terms and conditions of an agreement by and between the City of Plano and Environmental Systems Research Institute (ESRI) in the amount of \$29,826 to upgrade the City's Geographic Information System (GIS) Engineering Drawing As-Built imaging system to support the latest release of the City's GIS software and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (M)]

To approve an Engineering Professional Services Agreement contract by and between the City and BW2 Engineers, Inc., in the amount of \$41,155, for engineering design services for the 2007 Alley Reconstruction project, and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (N)]

To approve an Engineering Professional Services Agreement contract by and between the City and PBS&J, in the amount of \$239,107, for engineering design services for Chaparral - Avenue K to East City Limits, and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (O)]

Approval of Agreement

To approve an agreement with Oncor Electric Delivery for the installation of street lights and appurtenances in Dominion Parkway from Hedgcoxe Road to Parkwood Boulevard, in the amount of \$86,505; authorizing the City Manager to execute the agreement. [Consent Agenda Item (P)]

Reimbursement of Oversize Participation

To approve and authorize reimbursement to Newmark Homes L.P. for oversized paving in Cloverhaven Way and streets adjacent to parks in Bright Star Way in the amount of \$45,574. [Consent Agenda Item (Q)]

To approve and authorize reimbursement to Tennyson Office Center L.P. for oversized paving and water line participation in the amount of \$73,369 in Communications Parkway. [Consent Agenda Item (R)]

Approval of Change Order

To McMahon Contracting, L.P., increasing the contract by \$37,500, for Midway Road Widening - Parker Road to Spring Creek Parkway (Project No. 5507), Change Order No. 3, Bid No. 2006-150-B. [Consent Agenda Item (S)]

Adoption of Resolutions

Resolution No. 2007-7-1(R): To approve the terms and conditions of an agreement between the City of Plano, Texas and Teresa Camozzi, a qualified professional artist, for the design of five artworks at each of the five City libraries: Haggard, Parr, Davis, Harrington and Schimelpfenig; and authorizing the City Manager to execute such agreement with Teresa Camozzi; and providing an effective date. [Consent Agenda Item (T)]

Resolution No. 2007-7-2(R): To approve the dedication of a 1,830 square foot tract of land owned by the City of Plano, Texas for dedication as a sanitary sewer easement for the 15th Street Village No. 2 Addition, said parcel situated in the Sanford Beck Survey, Abstract No. 73, in the City of Plano, Collin County, Texas, and providing an effective date. [Consent Agenda Item (U)]

Adoption of Ordinances

Ordinance No. 2007-7-3: To repeal Ordinance No. 2006-9-28; establishing the number of certain classifications within the Police and Fire Departments for Fiscal Year 2006-2007; establishing the authorized number and effective dates of such positions for each classification; establishing a salary plan for the Police and Fire Departments effective October 2, 2006; and providing a repealer clause, a severability clause and an effective date. [Consent Agenda Item (W)]

Ordinance No. 2007-7-4: To grant a permit to Andrus Water Well Drilling Company to drill a water well to supply irrigation needs at 5601 Banister Court, Plano, Texas, located west of Willow Bend Drive and north of West Park Boulevard; authorizing the City Manager to execute any and all documents in connection therewith; and providing an effective date. [Consent Agenda Item (X)]

Ordinance No. 2007-7-5: To abandon all right, title and interest of the City, in and to that certain twenty foot (20') sanitary sewer easement being situated in the Jacob Baccus survey, Abstract Number 53, which is located within the City limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, Estancia at Ridgeview Ranch, L.P., to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. [Consent Agenda Item (Y)]

Ordinance No. 2007-7-6: To repeal Ordinance No. 93-11-14, codified in subsection entitled "U.S. Highway 75 Service Roads" under Section 12-74(b) of Chapter 12, Motor Vehicles and Traffic, of the City of Plano Code of Ordinances and repealing Ordinance Nos. 2000-4-7 and 2001-2-26, codified in subsection entitled "State Highway 190 Service Roads" under Section 12-74(b) of Chapter 12, Motor Vehicles and Traffic, to establish prima facie maximum speed limits on U.S. Highway 75 Service Roads and the State Highway 190 Service Roads within the incorporated limits of the City of Plano; providing a fine for criminal penalties not to exceed \$200 for each offense; and providing a repealer clause, a penalty clause, a severability clause, a savings clause, a publication clause and an effective date. [Consent Agenda Item (Z)]

ITEMS FOR INDIVIDUAL CONSIDERATION:

Resolution No. 2007-7-7(R): To approve the terms and conditions of an Economic Development Program Agreement by and between the City of Plano, Texas, and SCOR Life U.S. Re Insurance Company, to promote state and local economic development and to stimulate business and commercial activity in the City and County, and authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (V)]

Jack Lagos, citizen of the City, requested clarification regarding the financial summary and encumbrances. City Manager Muehlenbeck advised that the documents are produced to advise Council regarding the amount in the budget and that a running total could be provided. He spoke to instances where amounts may be encumbered but if the company does not continue to perform, money would go back to the City.

Upon a motion made by Council Member Stahel and seconded by Council Member Ellerbe, the Council voted 6-0 to approve the terms and conditions of an Economic Development Program Agreement by and between the City of Plano, Texas, and SCOR Life U.S. Re Insurance Company, to promote state and local economic development and to stimulate business and commercial activity in the City and County, and authorizing its execution by the City Manager; and providing an effective date; and further to adopt Resolution No. 2007-7-7(R).

Public Hearing an adoption of Ordinance No. 2007-7-8 as requested in Zoning Case 2007-14 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 6.6± acres located on the east side of Spring Creek Parkway, 3,100± feet west of Tennyson Parkway in the City of Plano, Denton County, Texas, from Commercial Employment to Neighborhood Office and grant Specific Use Permit No. 585 for the additional use of veterinary clinic and kennel (indoor pens); 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, and an effective date. Applicant: HW Spring Creek Partners, L.P. [Regular Agenda Item (1)]

Director of Planning Jarrell advised the Council that the applicant intends to construct a veterinary clinic with indoor pens on property adjacent to Spring Creek Parkway, that the Future Land Use Plan recommends property in the area be developed for low intensity offices uses and that the Planning and Zoning Commission has recommended approval as submitted.

Mayor Evans opened the Public Hearing. Shane Jordan, representing the applicant, spoke to the reduction in density, height of buildings and advised regarding plans for the facility. He further spoke to contact made with those expressing concerns. No one else spoke either for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Dunlap and seconded by Mayor Pro Tem Magnuson, the Council voted 6-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 6.6± acres located on the east side of Spring Creek Parkway, 3,100± feet west of Tennyson Parkway in the City of Plano, Denton County, Texas, from Commercial Employment to Neighborhood Office and grant Specific Use Permit No. 585 for the additional use of veterinary clinic and kennel (indoor pens) as requested in Zoning Case 2007-14 and as recommended by the Planning and Zoning Commission; 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, and an effective date; and further to adopt Ordinance No. 2007-7-8.

There being no further discussion, Mayor Evans adjourned the meeting at 8:02 p.m.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, City Secretary



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date:	7/23/07		Reviewed by Legal <i>PM</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Purchasing		Initials	Date	
Department Head	Mike Ryan		Executive Director		
Dept Signature:	<i>[Signature]</i>		City Manager	<i>[Signature]</i>	7/16/07
Agenda Coordinator (include phone #)		January M. Cook X7376			

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER

CAPTION

Award/Rejection of Bid/Proposal for RFP No. 2007-70-C for an annual fixed price contract for Occupational Resource Services to Merit Insurance Services, Inc. in the annual amount of \$500,000.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0

FUND(S): PROPERTY & LIABILITY LOSS

COMMENTS: This item approves price quotes. Expenditures will be made in the Property & Liability Loss Fund within the approved budget appropriations. The estimated annual amount is \$500,000.

STRATEGIC PLAN GOAL: Claims Administration and Occupational Resource Services relates to the City's goal of "Service Excellence".

SUMMARY OF ITEM

(ANNUAL CONTRACT WITH RENEWALS)

Staff recommends proposals of Merit Insurance Services, Inc. in the annual amount of \$500,000 be accepted as the best proposal meeting specifications conditioned upon timely execution of any necessary contract documents. This will establish an annual contract with four City optional one year renewals for Occupational Resource Services in the amount of \$500,000 for the first year, and a 3% annual increase for each renewal period to be provided by Merit Insurance Services, Inc.

List of Supporting Documents: Memo Recap	Other Departments, Boards, Commissions or Agencies
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**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 07/23/07		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department: Purchasing				Initials	Date
Department Head: Mike Ryan				Executive Director	
Dept Signature: <i>Carol Palmer</i>				City Manager	<i>[Signature]</i> 7/13/07
Agenda Coordinator (include phone #): Sharron Mason, Ext. 7247					
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input checked="" type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER					
CAPTION					
Award/Rejection of Bid/Proposal for Bid No. 2007-157-B for the purchase of Gladys Harrington Library Renovation-Furniture, Fixtures & Equipment - Project No. 5728 Schedule 2: Architectural Woodwork to Cultural Surroundings in the amount of \$2,084.00; Schedule 3: Library Furniture to TUSA Office Solutions, Inc. in the amount of \$12,340.05; Schedule 4: The Midlands Company to Libra Tech in the amount of \$13,054.22; and Schedule 5: Worden to Cultural Surroundings in the amount of \$59,997.00 for the total amount of \$87,475.00.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP					
FISCAL YEAR: 2006-07	Prior Year (CIP Only)	Current Year	Future Years	TOTALS	
Budget	96,160	1,333,000	0	1,429,160	
Encumbered/Expended Amount	-96,160	-167,074	0	-263,234	
This Item	0	-87,475	0	-87,475	
BALANCE	0	1,078,451	0	1,078,451	
FUND(S): LIBRARY FACILITIES CIP					
COMMENTS: Funds are included in the 2006-07 Library Facilities CIP. This item, in the amount of \$87,475, will leave a current year balance of \$1,078,451 for the Library Improvements project.					
STRATEGIC PLAN GOAL: Library improvements related to the City's Goal of Premier City in which to live.					
SUMMARY OF ITEM					
Staff recommends the award of Bid No. 2007-157-B Gladys Harrington Library Renovation – Furniture, Fixtures & Equipment-Project No. 5728 as follows: Schedule 2: Architectural Woodwork to Cultural Surroundings in the amount of \$2,084.00; Schedule 3: Library Furniture to TUSA Office Solutions, Inc. in the amount of \$12,340.05; Schedule 4: Libra-Tech-Midland Company in the amount of \$13,054.22; Schedule 5: Worden to Cultural Surroundings in the amount of \$59,997.00 as the lowest responsible, responsive bid meeting specifications conditioned upon timely execution of any necessary contract documents.					
List of Supporting Documents: Memorandum, Bid Tabulation			Other Departments, Boards, Commissions or Agencies		



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 07/23/07		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Purchasing		Initials	Date	
Department Head	Mike Ryan	Executive Director			
Dept Signature:	<i>Sharon Mason</i>	City Manager	<i>SM</i>	7/18/07	
Agenda Coordinator (include phone #): Sharron Mason, Ext. 7247					

ACTION REQUESTED:

ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER

CAPTION

Award/Rejection of Bid/Proposal for Bid No. 2007-158-B for the purchase of W.O. Haggard Library Renovation-Furniture, Fixtures & Equipment - Project No. 5728 **Schedule 1:** Library Shelving to Libra Tech in the amount of \$30,815, which includes alternate pricing for 12" shelves; **Schedule 2:** Architectural Woodwork to Cultural Surroundings in the amount of \$39,404; **Schedule 3:** Library Furniture to Business Interiors in the amount of \$27,570; **Schedule 4:** Worden to Cultural Surrounding in the amount of \$29,999; and **Schedule 5:** Steelcase to Business Interiors in the amount of \$4,728 for the total amount of \$132,516.00.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 2006-07	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	96,160	1,333,000	0	1,429,160
Encumbered/Expended Amount	-96,160	-167,074	0	-263,234
This Item	0	-132,516	0	-132,516
BALANCE	0	-1,033,410	0	1,033,410

FUND(S): LIBRARY FACILITIES CIP

COMMENTS: Funds are included in the 2006-07 Library Facilities CIP. This item, in the amount of \$132,516, will leave a current year balance of \$1,033,410 for the Library Improvements project.

STRATEGIC PLAN GOAL: Library improvements related to the City's Goal of Premier City in which to live.

SUMMARY OF ITEM

Staff recommends the award of Bid No. 2007-158-B W.O. Haggard Library Renovation – Furniture, Fixtures & Equipment-Project No. 5728 as follows: **Schedule 1:** Library Shelving to Libra Tech in the amount of \$30,815, which includes alternate pricing for 12" shelves; **Schedule 2:** Architectural Woodwork to Cultural Surroundings in the amount of \$39,404; **Schedule 3:** Library Furniture to Business Interiors in the amount of \$27,570; **Schedule 4:** Worden to Cultural Surrounding in the amount of \$29,999; and **Schedule 5:** Steelcase to Business Interiors in the amount of \$4,728 for the total amount of \$132,516 as the lowest responsible, responsive bid meeting specifications conditioned upon timely execution of any necessary contract documents.

List of Supporting Documents: Memorandum, Bid Tabulation	Other Departments, Boards, Commissions or Agencies
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**PLANO CITY COUNCIL
PRELIMINAR/REGULAR OPEN MEETING
July 25, 2007**

COUNCIL MEMBERS

Pat Evans, Mayor
Sally Magnuson, Mayor Pro Tem
Jean Callison, Deputy Mayor Pro Tem
Shep Stahel
Loretta Ellerbe
Scott Johnson
Harry LaRosiliere
Lee Dunlap

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Executive Director
Bruce Glasscock, Executive Director
Rod Hogan, Executive Director
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Evans called the Preliminary/Regular Open Meeting to order at 5:03 p.m., Wednesday, July 25, 2007, in the Council Chambers, 1520 K Avenue. All Council Members were present with the exception of Deputy Mayor Pro Tem Callison and Council Members Stahel and Johnson. The following matters were discussed:

Presentation of the 2007-2008 Recommended Budget and Proposed Community Investment Program (CIP) to the City Council

City Manager Muehlenbeck stated that the total recommended budget of \$388.7 million represents an increase of \$17.7 million or 4.8% over the 2006-07 re-estimated budget and an increase of \$20.0 million, or 5.4% over the adopted budget and that the Community Investment Program totals \$135 million with \$24 million in joint venture street improvement projects with Collin County. He advised that the proposed budget focuses on the priorities established at the June 2007 City Council Retreat which include establishing the City of Plano as a premier city in which to live, providing for a livable and sustainable community, service excellence, a diverse business center and providing for safe and efficient travel.

Mr. Muehlenbeck advised that the budget proposed maintains the current tax rate of 47.35 cents per \$100 of assessed valuation with two cents dedicated solely for the Economic Development Incentive Program.

Mr. Muehlenbeck stated concern regarding the Water and Sewer Fund which is projected to have zero days of working capital due to the record rainfall and water restrictions that have been in place since last summer as well as sales tax collections which will be reduced due to taxpayer's adjustments. He spoke to signs that this revenue source is leveling out and to remaining cautious regarding projections.

Mr. Muehlenbeck spoke to a recommended merit increase of 0% to 5% for non-civil service employees and a 4% across the board for civil service employees totaling \$5.6 million as being essential to the City's success in recruiting and retaining a high quality workforce and remaining competitive with other cities and private industry. He spoke to a 10% health insurance increase totaling \$2.1 million to provide for additional funding for the implementation of GASB 45 which requires a change from "pay as you go" accounting for post employment benefits to accrual basis. Mr. Muehlenbeck spoke to the addition of 49 new full-time employees and 6 part-time employees with 25 related to Public Safety and 12 for CIP Projects coming on-line. He spoke to additional financial support for Public Safety in the amount of \$3.7 million, \$1.5 million for CIP projects coming on-line and \$1.1 million for Parks and Recreation.

Budget Director Rhodes spoke to the total budget for 2007-08 projected at \$389 million with 25% designated for Public Safety, 24% for Water & Sewer, 15% for General Government, 11% for Debt Service and 9% for Parks. She advised that the total General Fund is projected at \$203 million and is divided into three areas: property tax at \$77.4 million or 38%; sales tax at \$61.2 million or 30%; and other revenue of \$64.7 million. She spoke to other revenue including building and development related revenues, municipal court fines, parks and recreation fees, and library fines.

Ms. Rhodes advised that final projections from the Central Appraisal District show assessed property values will total \$24.5 billion for 2007-08 with the average single family home value at \$253,380. She spoke to the total tax base increasing by \$1.7 billion or 7.37% with new property increasing by \$568 million and existing property increasing by \$1.1 billion, or 4.88%. Ms. Rhodes advised that the City has not had this substantial of an increase in existing property since 2002 and spoke to exemptions and tax freezes which total \$4.84 billion in assessed property value. She stated that this translates into \$22.9 million in lost property tax revenue for exemptions and that the amounts transferred out for the tax increment financing districts is approximately \$2.1 million.

Ms. Rhodes advised that the recommended budget proposes to keep the current tax rate of 47.35 cents per \$100 of assessed property valuation with two cents of the rate to be dedicated solely to the Economic Development Incentive Program. She spoke to the City not increasing the tax rate since 1990, advised regarding the average tax bill of \$960 after subtraction of the homestead exemption, spoke regarding the school district's tax rate and Plano maintaining one of the lowest tax rates in the Metroplex.

Ms. Rhodes spoke regarding sales tax collections for the first nine months of the fiscal year being up \$4.1 million compared to last year and projecting to end the year with a 4.3% increase. She spoke to the volatility of this revenue source and projecting sales tax to remain flat for Fiscal Year 2007-08. Ms. Rhodes spoke to building and development related revenues performing on track with estimates for this year and projecting a 15% decrease to \$3.9 million for Fiscal Year 2007-08 in anticipation of reductions in local growth.

Ms. Rhodes spoke to the General Fund projected to increase by \$14 million to \$222 million with the largest expenditure for salary and wages accounting for 68% of the total expenditures with 65% allocated for public safety employees. She advised that the second largest expenditure is for contractual services at 22%.

Ms. Rhodes spoke to the transfer of \$6 million dollars into the Economic Development Incentive Fund; inclusion of \$5.6 million for a 0% to 5% merit increase for non-civil service employees and a 4% across the board increase for civil service employees; \$3.8 million allocated for Public Safety Programs; \$66 million in new debt to be issued in January; and inclusion of \$3.1 million for interest payments. She spoke to the North Texas Municipal Water District increase equaling \$2.6 million and allocations of an additional \$2.1 million for a 10% health insurance increase to provide additional funding for the implementation of GASB 45. Ms. Rhodes spoke to inclusion of \$1.5 million for CIP Projects, \$1.5 million for retiree payouts, an additional \$1 million for parks and recreation programs, \$1 million for new library books, \$393,000 for the expansion of the Sustainability Program and \$285,000 for a TMRS increase.

Ms. Rhodes advised that the Water and Sewer Fund is budgeted at zero days working capital, the financial policy speaks to 45 days of working capital and that only 18.6 billion gallons of water have been used out of the 26.7 billion that the City pays for under the take or pay contract resulting in a loss of \$7.5 million in revenue. She spoke regarding the major sewer line break, increased rates by the water district and the City's rate increase scheduled for May 2008.

Ms. Rhodes spoke to Capital Improvement expenditures proposed for 2007-08 in the amount of \$135 million including municipal facilities, park and recreation improvements and street improvements approved by voters in the 2005 bond election along with \$24 million in joint venture street projects with the County. She advised that other expenditures include projects supported by drainage revenue bonds and pay-as-you-go Water and Sewer Capital Improvements.

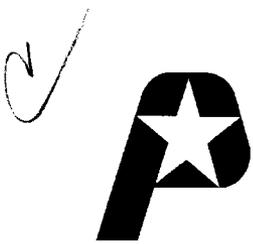
Ms. Rhodes reviewed the upcoming budget calendar including the upcoming presentation of the 2007-08 Community Investment Program, Public Hearing, vote on tax rate and approval of the appraisal roll. She spoke to the Budget Worksession scheduled for Saturday, August 18 and Public Hearings on August 23 and August 27, adoption of the operating budget, CIP and setting of the tax rate on September 10 with October 1 marking the beginning of a new fiscal year.

Nothing further was discussed. Mayor Evans adjourned the meeting at 5:27 p.m.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, City Secretary



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07		Reviewed by Legal	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Applicable
Department:	Purchasing		Initials	Date
Department Head	Mike Ryan	<i>[Signature]</i>	Executive Director	
Dept Signature:		<i>[Signature]</i>	City Manager	<i>[Signature]</i> 8/6/07
Agenda Coordinator (include phone #): Glenna Hayes x 7539				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER				

CAPTION

Award of bid/proposal for bid no. 2007-159-C for the purchase of Tandberg Video Conference Equipment and Maintenance to I-2-I Technologies in the amount of \$34,993.90.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 06/07	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	44620.00	0	44620.00
Encumbered/Expended Amount	0	0	0	0
This Item	0	-34,994.00	0	-34,994.00
BALANCE	0	9,626.00	0	9,626.00

FUND(S): GENERAL FUND (01)

Comments: Funds are available in the approved 2005-06 Carryforward Funds to FY 2006-07 for the purchase of Video Conference Equipment and the first year Maintenance contract for the Emergency Management/Homeland Security Department. The balance of funds will be used for other purchases related to the project.

STRAGIC PLAN GOAL: The purchase of Video Conference Equipment related to the City's Goal of "Service Excellence".

SUMMARY OF ITEM

Award of Bid and Annual Contract

Staff recommends bid of I-2-I Technologies in the amount of \$34,993.50 be accepted as the lowest responsible bidder, conditioned upon timely execution of any necessary contract documents, for the purchase of Tandberg Video Conferencing Equipment and first year maintenance. This item also approves a maintenance contract for 3 additional years subject to annual budget appropriations in the estimated amount of \$4005.00/year.

2007-159-C

List of Supporting Documents: Bid Recap;	Other Departments, Boards, Commissions or Agencies
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CITY OF PLANO

BID NO. 2007-159-C TANDBERG VIDEO CONFERENCE EQUIPMENT & MAINTENANCE

BID RECAP

Bid opening Date/Time: July 2, 2007 @ 3:00 pm

Number of Vendors Notified: 671

Vendors Submitting "No Bids": 3

Number of Bids Submitted: 3

I-2-I Technologies LC
ECI Video
Taurus Technologies

Bids Evaluated Non-Responsive to Specification: 0

Recommended Vendor(s):

I-2-I Technologies LC	\$34,993.90 (year 1)
	\$ 4,005.00 (years 2-4) *
	* subject to budget appropriations

Glenna Hayes

Glenna Hayes
Senior Buyer, A.P.P.

August 3, 2007

Date



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07	Reviewed by Legal <i>JW</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Purchasing		Initials	Date
Department Head	Mike Ryan	Executive Director		
Dept Signature:	<i>Mike Ryan</i>	City Manager	<i>[Signature]</i>	
Agenda Coordinator (include phone #):		Dianna Wike Ext. 7549		
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input checked="" type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER				
CAPTION				
Award/Rejection of Bid/Proposal for CSP No 2007-147-C for Voice and Data Wiring Services to Able Communications, Inc., with an annual amount not to exceed \$150,000.00.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): GENERAL FUND, CIP FUNDS, AND OTHER FUNDS AS NEEDED.				
COMMENTS: This item approves expenditures from various departments and funds within the annually approved budget appropriations for the purchase of Voice and Data Wiring Services. Estimated annual expenditures are not to exceed \$150,000 for moves, adds, and changes.				
STRATEGIC PLAN GOAL: Voice and Data wiring contracts relate to the City's Goal of "Service Excellence".				
SUMMARY OF ITEM				
Annual Contract With Renewals				
Staff recommends proposal of Able Communications, Inc., with an annual amount not to exceed \$150,000.00, be accepted as the best proposal meeting specifications for the purchase of Voice and Data Wiring Services, conditioned upon timely execution of any necessary contract documents. This will establish an annual fixed price contract, with three optional one-year renewals.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Bid Summary				

CITY OF PLANO

CSP NO. 2007-147-C FOR VOICE AND DATA WIRING SERVICES CSP RECAP

CSP opening Date/Time: May 29, 2007 @ 3:30pm

Number of Vendors Notified: 595

Vendors Submitting "No Bids": 3

Number of Proposals Submitted: 6 **Total Weighted Score**

Able Communications, Inc.	5.00
Henkels & McCoy, Inc.	4.67
Lazo Technologies, Ltd.	3.77
Premier Communications	3.71
ComNet Communications, LLC	3.23
Superior Fiber	2.90

Proposals Evaluated Non-Responsive to Specification: 0

Recommended Vendor(s):

Able Communications, Inc.

Dianna Wike

July 20, 2007

Dianna Wike, Buyer

Date

.....

City Of Plano

July 17, 2007

Dear Sir or Madam:

The results of the voice and data wiring service proposal has been calculated and the contract is being awarded to Able Communications based on the evaluation. They will provide day to day wiring services to the City of Plano. CSP 2007-147-C Voice and Wiring Services Award amount \$150,000.00

Sincerely,

Edward Jenkins
Support Services Manager

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[Click here and type slogan]

C



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Council Meeting Date: 8/13/07		Reviewed by Legal <i>JPD</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Purchasing		Initials	Date	
Department Head	Mike Ryan	Executive Director			
Dept Signature:	<i>Dianna Wike</i>	City Manager	<i>JPD</i>	<i>8/13/07</i>	
Agenda Coordinator (include phone #): Dianna Wike Ext. 7549					
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input checked="" type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER					
CAPTION					
Award/Rejection of Bid/Proposal for CSP No 2007-155-C for Nortel Telecommunications Equipment and Services to Affiliated Telephone, Inc., with an estimated annual amount of \$500,000.00.					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2006-07, 2007-08, 2008-09, 2009-10, 2010-11	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
FUND(S): TECHNOLOGY SERVICES FUND (66), VARIOUS OTHER DEPARTMENTS AND FUNDS					
COMMENTS: This item approves expenditures from various funds for the Nortel Infrastructure and Telecommunications Equipment, including maintenance, moves, adds, changes, hardware, upgrades, and software. The estimated annual amount is \$500,000 and is subject to annual budget appropriations. STRATEGIC PLAN GOAL: Establishing an annual contract for telephone and communications infrastructure expenditures relates to the City's Goal of "Service Excellence".					
SUMMARY OF ITEM					
Annual Contract With Renewals					
Staff recommends proposal of Affiliated Telephone, Inc., with an estimated annual amount of \$500,000.00 be accepted as the best proposal meeting specifications for the purchase of Nortel Telecommunications Equipment and Services, conditioned upon timely execution of any necessary contract documents. This will establish an annual fixed price contract, with four optional one-year renewals.					
List of Supporting Documents: Bid Summary		Other Departments, Boards, Commissions or Agencies			

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City Of Plano

August 1, 2007

Dear Sir or Madam:

The results of the Nortel Telecommunications Equipment and Services proposal have been calculated and the contract is being awarded to Affiliated Communications based on the evaluation. They will provide day to day services to the City of Plano on the Nortel infrastructure. CSP 2007-155-C Award Estimated annual amount of \$500,000 for maintenance, moves adds and changes, hardware, upgrades and software.

Sincerely,

Edward Jenkins
Support Services Manager

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CITY OF PLANO

CSP NO. 2007-155-C FOR NORTEL TELECOMMUNICATIONS EQUIPMENT AND SERVICES CSP RECAP

CSP opening Date/Time: June 13, 2007 @ 3:30pm

Number of Vendors Notified: 2080

Vendors Submitting "No Bids": 13

Number of Proposals Submitted: 4 **Total Weighted Score**

Affiliated Telephone, Inc.	4.55
Verizon Business Network Services, Inc.	3.88
AT&T Global Services, Inc.	3.22
DTEL Communications, Inc.	3.15

Proposals Evaluated Non-Responsive to Specification: 0

Recommended Vendor(s):

Affiliated Telephone, Inc.

Dianna Wike

August 1, 2007

Dianna Wike, Buyer

Date



**CITY OF PLANO
COUNCIL AGENDA ITEM**

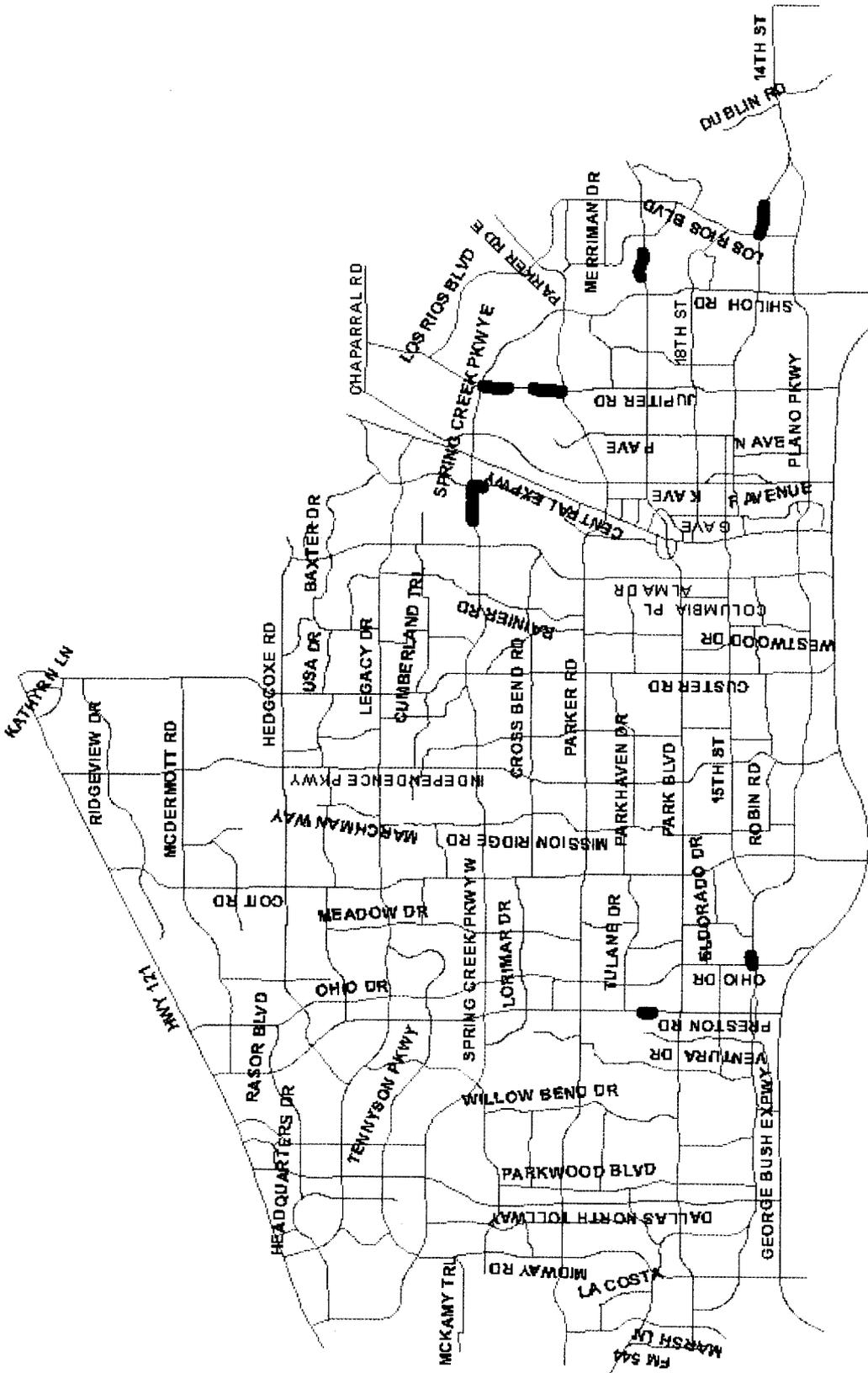
CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	Public Works Administration / Michael Rapplean	Initials	Date	
Department Head	Jimmy Foster	Executive Director	<i>[Signature]</i>	8-2-07
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	8/13/07
Agenda Coordinator (include phone #):		Margie Stephens (X4104)		
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input checked="" type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER				
CAPTION				
Award, Rejection of Bids/Proposals, Bid No. 2007-177- B, 2006-07 Sidewalk and Barrier Free Ramp Construction Project to Jim Bowman Construction Company, L.P. in the amount of \$253,047.50.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR:	2006-07	Prior Year (CIP Only)	Current Year	Future Years
Budget		1,222	503,000	250,000
Encumbered/Expended Amount		-1,222	-201,948	0
This Item		0	-253,048	0
BALANCE		0	48,004	250,000
FUND(S): CAPITAL RESERVE				
COMMENTS: Funds are included in the Re-Estimated 2006-07 Capital Reserve Fund. This item, in the amount of \$253,048, will leave a current year balance of \$48,004 for the Sidewalk Repairs project.				
STRATEGIC PLAN GOAL: Ramp and sidewalk construction relates to the City's Goals of Livable and Sustainable Community and Safe, Efficient Travel.				
SUMMARY OF ITEM				
Staff recommends the bid of Jim Bowman Construction Company, L.P. in the amount of \$253,047.50, be accepted as the lowest responsible bid for the project conditioned upon timely execution of all necessary documents.				
This project involves the construction of new sidewalk at 8 locations along major thoroughfares in the City where pedestrian traffic is increasing and construction of barrier free ramps at various locations.				
The secondary vendor being recommended is Hencie International, Inc. in the amount of \$289,355.00.				
Engineer's estimate for this project is \$300,000.00.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Bid Tabulation Location Map				

**CITY OF PLANO
BID OPENING
2006-2007 SIDEWALK AND BARRIER FREE RAMP CONSTRUCTION
PROJECT NO. 5825
BID NO. 2007-177-B
JULY 20, 2007
03:30 P.M.**

VENDOR	TOTAL BID
JIM BOWMAN CONSTRUCTION CO. L.P.	\$253,047.50
HENCIE INTERNATIONAL	\$289,355.00
ESTRADA CONCRETE CO, LLC	\$347,035.00
SMITH CONTRACTING, INC.	\$383,265.00
GLOBE ENGINEERS	\$548,000.00

e-2

2006-2007 SIDEWALK CONSTRUCTION PROJECT LOCATION MAP





**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/13/07		Reviewed by Legal <i>JS</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Technology Services		Initials	Date
Department Head	David Stephens	Executive Director	<i>JS</i>	08.06.07
Dept Signature:	<i>David Stephens</i>	City Manager	<i>JS</i>	8/16/07
Agenda Coordinator (include phone #): Lisa Prunty Ext. 7342				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER				
CAPTION				
Approving a Change Order to Roadway Solutions, Inc., increasing the contract by \$90,000 for Traffic Signal Construction. (Bid No. 2006-203-P)				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2006-07	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	11,000,000	9,500,000	20,500,000
Encumbered/Expended Amount	0	-8,115,692	0	-8,115,692
This Item	0	-90,000	0	-90,000
BALANCE	0	2,794,308	9,500,000	12,294,308
FUND(s): TECHNOLOGY IMPROVEMENTS (TAX NOTES)				
COMMENTS: Funds are included in the Re-Estimated 2006-07 Technology Improvements Fund. This item, in the amount of \$90,000, will leave a current balance of \$2,794,308 for the MOTOMesh Network project. STRATEGIC PLAN GOAL: The wireless mesh network extension relates to the City's Goal of "Service Excellence".				
SUMMARY OF ITEM				
CHANGE ORDER #1				
Technology Services recommends council approval for Change Order #1 to the 2006 Traffic Signal Construction Contract # 2006-203-P with Roadway Solutions, Inc. in the amount of \$90,000. This change will allow for the installation of cable and breakers for the MOTOMESH network. Original Contract Amount \$504,327; New contract amount \$594,327. Project No. 5750), (CIP NO. 36-727 & 36-726), (BID No. 2006-203-P).				
List of Supporting Documents: Change Order No.1, Memo		Other Departments, Boards, Commissions or Agencies		

CHANGE ORDER NO. 1

2006 TRAFFIC SIGNAL CONSTRUCTION REQUIREMENTS CONTRACT
PROJECT NO.5750
CIP NO. 36-727 & 36-726
BID NO. 2006-203-P

A. INTENT OF CHANGE ORDER

The intent of this change order is to modify the provisions of the contract entered into by the **CITY OF PLANO, TEXAS** and **ROADWAY SOLUTIONS, INC.** for the **2006 TRAFFIC SIGNAL CONSTRUCTION REQUIREMENTS CONTRACT**, dated **SEPTEMBER 25, 2006**.

B. DESCRIPTION OF CHANGE

The change order is for the addition of two bid items that were not include in the original contract. These items are for the installation of the MOTOMESH network.

C. EFFECT OF CHANGE

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

<i>ITEM NO.</i>	<i>ITEM DESCRIPTION</i>	<i>ORIGINAL QUANTITY</i>	<i>REVISED QUANTITY</i>	<i>UNIT</i>	<i>UNIT PRICE</i>	<i>AMOUNT OF CHANGE</i>
167	F/I #3 Conductor Tray Cable	0	13000	LF	\$6.00	\$78,000.00
168	F/I 20 Amp Breakers	0	100	EACH	\$120.00	\$12,000.00
						\$0.00
	TOTAL:					\$90,000.00

These items will be charge to account number 29-94101-6312

Original Contract Amount	<u>\$ 504,327.00</u>
Contract Amount (Including Previous Change Orders)	<u>\$ 504,327.00</u>
Amount, Change Order No. 1	<u>\$ 90,000.00</u>
Revised Contract Amount	<u>\$ 594,327.00</u>
Total Percent Increase Including Previous Change Orders	<u>17.85%</u>

D. EFFECT OF CHANGE ON CONTRACT TIME

The work required under this change order will add 0 day(s) to this contract, this is an annual fixed price contract based on work orders issued by the Traffic Department:

Original Contract Time	<u>0 working days</u>
Amount (Including Previous Change Orders)	<u>0 working days</u>
Amount, Change Order No. _____	<u>0 working days</u>
Revised Contract Time	<u>0 working days</u>
Total Percent Increase Including Previous Change Orders	<u>#DIV/0!</u>

E. AGREEMENT

By the signatures below, duly authorized agents of the City of Plano, Texas and Roadway Solutions, Inc., do hereby agree to append this Change Order No. 1 to the original contract between themselves, dated September 25, 2006.

OWNER: CITY OF PLANO

CONTRACTOR: ROADWAY SOLUTIONS, INC.

By: _____
(signature)

By: _____
(signature)

Print Name: _____

Print Name: Morrie Gamini

Print Title: _____

Print Title: Vice President

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Diane C. Wetherbee, City Attorney

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the _____ day of _____, 2007, by **MORRI GAMINI, VICE PRESIDENT of ROADWAY SOLUTIONS, 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 _____, 2007, by **THOMAS H. MUEHLENBECK, CITY MANAGER** of the **City of Plano, Texas**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

Notary Public, State of Texas

f-4

Interoffice Memo

Date: 08/01/07

To: David Stephens, Director Technology Services

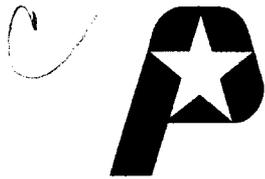
Cc:

From: Chester M. Helt, Infrastructure Manager

RE: Mesh Project: Change Order for Traffic Signal Work

We are requesting permission to add change order no.1 to the existing contract for 2006 Traffic Signal Construction Requirements Contract. This change order adds two items to the contract for the installation of power for the Motomesh wireless network devices to be mounted on the signal lights. This change order is for a total of \$ 90,000.00 and will be in effect until all of the designated devices are installed for the Motomesh installations.

The contract is an annual fixed price contract based on work orders issued by the Traffic Department.



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/13/07		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Engineering		Initials	Date	
Department Head	Alan J. Upchurch	Executive Director	<i>[Signature]</i>	8/16/07	
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	8/16/07	
Agenda Coordinator (include phone #):		Irene Pegues (7198)	(Project No. 5634)		

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER

CAPTION

To Walter P. Moore & Associates, Inc., increasing the professional services contract by \$18,000.00 for design in connection with Erosion Control - Waasland Drive and Pittman Creek Rehabilitation, Contract Modification #4.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 2006-07	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	75,658	289,000	310,000	674,658
Encumbered/Expended Amount	-75,658	-567,246	0	-642,904
This Item	0	-18,000	0	-18,000
BALANCE	0	-296,246	310,000	13,754

FUND(S): MUNICIPAL DRAINAGE CIP

COMMENTS: Funds are included in the Re-Estimated 2006-07 Municipal Drainage CIP for the Erosion Control – Waasland & Timothy project. This item, in the amount of \$18,000, will be encumbered in the current year and carry forward into the cash allocations of FY 2007-08.

STRATEGIC PLAN GOAL: Design for erosion control relates to the City's Goal of Livable and Sustainable Community.

SUMMARY OF ITEM

Additional design services are required to include erosion control improvements at 2133 Meadowcreek Drive. The original contract amount was \$136,270.00. The Engineering Department is seeking City Council approval of this fourth modification because we have exceeded 25% of the original contract amount with Walter P. Moore & Associates, Inc. The revised contract amount is \$188,070.00. The previous contract modifications have brought the current contract amount to \$170,070.00.

List of Supporting Documents: Contract Modification Location Map	Other Departments, Boards, Commissions or Agencies N/A
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CONTRACT MODIFICATION

**EROSION CONTROL
WAASLAND DRIVE AND PITTMAN CREEK REHABILITATION
PROJECT NO. 5634**

**PURCHASE ORDER NO. 102995
CIP NO. 70109**

This shall serve as a **Fourth** Modification to the Contract between the City of Plano, Texas (hereinafter "City"), and **Walter P. Moore & Associates, Inc.** (hereinafter "Consultant"), dated February 22, 2006, for Professional Engineering Services for the referenced project (hereinafter "Project").

Services:

This Modification amends the scope of services as originally set forth in the contract as follows:

Design Engineering Services to include erosion control improvements at one additional location as follows:

1. Creek area behind 2133 Meadowcreek Drive

Such services shall be completed as expeditiously as possible. It is intended that the work at this location be added to another construction contract planned for this vicinity by change order. Therefore, no additional specifications or bid documents will be required as part of this contract modification.

Compensation:

For additional services provided pursuant to this Modification, City shall pay Consultant an amount not to exceed \$18,000.00. Such payment shall be made in accordance with the payment terms specified in the Contract.

See attached letter from Ernest L. Fields, P.E., dated July 5, 2007 (revised July 23, 2007), for additional project description and fee information.

g-2

In the event of any conflict or inconsistency between the provisions set forth in this Modification and the Contract, this Modification shall govern and control. For and in consideration of the covenants, duties and obligations herein contained, the parties do mutually agree that, except as provided above, all other terms and conditions of the Contract shall remain unchanged and in full force and effect.

Original Contract Amount	<u>\$ 136,270.00</u>
Contract Amount (Including Previous Modifications)	<u>\$ 170,070.00</u>
Amount Modification No. 4	<u>\$ 18,000.00</u>
Revised Contract Amount	<u>\$ 188,070.00</u>
Total Percent Increase Including Previous	<u>38.01%</u>

CITY OF PLANO
OWNER

WALTER P. MOORE & ASSOCIATES, INC.
CONSULTANT

By: _____
(signature)

By: _____
(signature)

Print Name: Thomas H. Muehlenbeck

Print Name: Edwin Friedrichs, P.E.

Print Title: City Manager

Print Title: President/Infrastructure Div.

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Diane C. Wetherbee, City Attorney

ACKNOWLEDGMENTS

STATE OF TEXAS

COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, 2007, by **EDWIN FRIEDRICHS, P.E., PRESIDENT/INFRASTRUCTURE DIVISION, of WALTER P. MOORE & ASSOCIATES, 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 _____, 2007, by **THOMAS H. MUEHLENBECK, CITY MANAGER, of the CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

Notary Public, State of Texas

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WALTER P MOORE

July 5, 2007 revised July 23, 2007

Mr. Jim Caswell, P.E.
Senior Engineer
City of Plano
P.O. Box 860358
Plano, Texas 75086-0358

Re: Request for Additional Services - Erosion Remediation
2133 Meadowcreek
City of Plano Project No. 5634 - Walter P. Moore Project No. 24-06001-00

Dear Jim:

In response to your request and according to the site visit we made together we have prepared the following contract modification request for additional services. It is our understanding that these services will be added to our above referenced contract, but the drawings will be supplied under separate submittal.

It is our understanding that the City would like to construct erosion remediation measures at the above referenced location. We anticipate the project will consist of a gabion retaining wall approximately 10 feet in height and protecting approximately 100 feet of creek bank. It is our understanding that the construction work will be added to another construction project and therefore no specifications or bid documents will be provided. The additional fee for the services will be as follows:

1. Topographic Surveying -	\$3,000
2. Geotechnical Services -	4,600
3. Engineering Services -	10,100
4. Anchored Gabion License -	300
Total Fee Requested	<u>\$18,000</u>

Please let me know if there is any further information that you will need. We appreciate the opportunity to work with you on this project.

Sincerely,

WALTER P. MOORE AND ASSOCIATES, INC.

Ernest L. Fields

for Ernest L. Fields, P.E.
Managing Director
Dallas Civil Engineering Services

1845 WOODALL ROGERS FREEWAY, SUITE 1050
DALLAS, TEXAS 75201-2290
PHONE: 214.740.6200 FAX: 214.740.6300

HOLSTON DALLAS TAMPA ATLANTA
ORLANDO KANSAS CITY AUSTIN LOS ANGELES LAS VEGAS

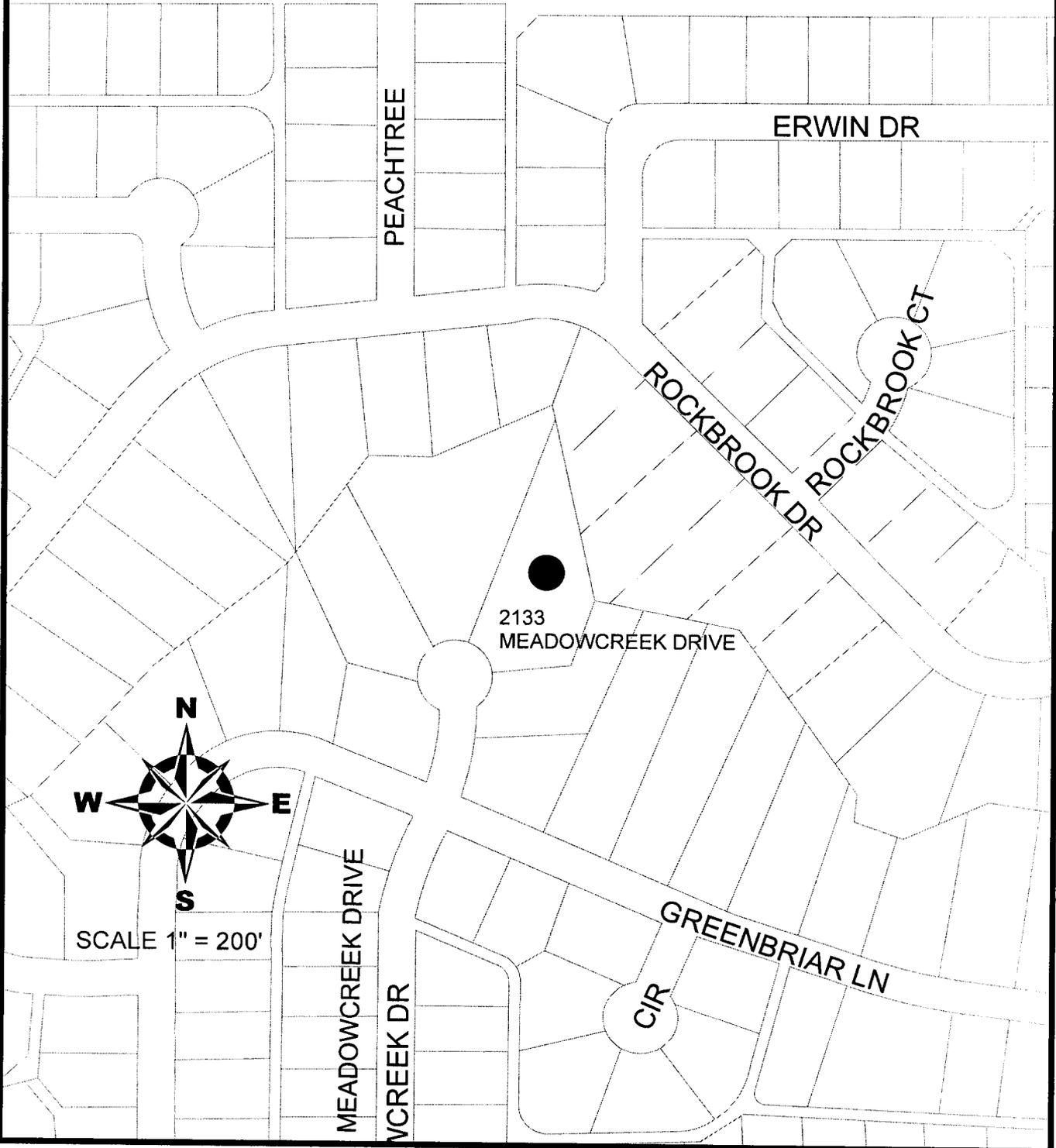
WWW.WALTERPMOORE.COM

g-5

EROSION CONTROL - WAASLAND DRIVE AND PITTMAN CREEK REHABILITATION PROJECT NO. 5634

PARK BLVD

PARK



g-6

1



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/13/07		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Technology Services		Initials	Date
Department Head	David Stephens	Executive Director	<i>[Signature]</i>	08.06.07
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	8/6/07
Agenda Coordinator (include phone #): Lisa Prunty, Ext. 7342				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input checked="" type="checkbox"/> OTHER EXISTING CONTRACT				
CAPTION				
Approval of the purchase of UPS's in the amount of \$43,398.45 from AT&T through an existing contract/agreement with Department of Information Resources (DIR), and authorizing the City Manager or his designee to execute all necessary documents. (DIR-SDD-232)				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
2006-07	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	1,200,000	0	1,200,000
Encumbered/Expended Amount	0	-837,266	0	-837,266
This Item	0	-48,398	0	-48,398
BALANCE	0	314,336	0	314,336
FUND(S): TECHNOLOGY FUND (062)				
COMMENTS: Funds are included in the 2006-07 Technology Fund budget for the purchase of Universal Power Supply (UPS) equipment for the electrical re-wiring project in the Technology Services building. The balance of funds will be used for other items related to this project.				
STRATEGIC PLAN GOAL: The purchase of UPS equipment relates to the City's Goal of "Service Excellence".				
SUMMARY OF ITEM				
Technology Services recommends Council approve an expenditure of \$43,398.45 to AT&T through the Department of Information Resources (DIR) for UPS's for network infrastructure switches. The City is authorized to purchase from the State Contract List pursuant to Section 271 Subchapter D of the Local Government Code, and by doing so satisfies any State Law requiring the local government to seek competitive bids for the items. (DIR-SDD-232)				
List of Supporting Documents: Memo , Quote		Other Departments, Boards, Commissions or Agencies		

Interoffice Memo

Date: 08/02/07

To: David Stephens, Director Technology Services

Cc:

From: Chester M. Helt, Infrastructure Manager

RE: UPS's for Switch Replacement

We are requesting permission to award this purchase of the UPS's for our switch replacement project to ATT under their DIR contract number DIR-SDD-232 for a total price of \$ 43,398.45. ATT is a State of Texas vendor.



AT&T DATACOMM

2600 N. Central Expressway
Richardson, TX 75080
Phone: 214-576-7420
Fax: 214-576-7771

Date: 07/24/07

Quote#: City of Plano x072407a

Company Name: City of Plano

Contact Person: Todd Mckown

Contact Number: 972-941-7103

SDD-232

DIR-SDD-232 must be referenced on the PO

<u>Product Number</u>	<u>Product Description</u>	<u>Qty</u>	<u>List Price</u>	<u>Unit Price</u>	<u>Extended Price</u>
SURT10000XLT	APC Smart-UPS RT 10000VA 208V	9	\$ 7,905.00	\$ 4,822.05	\$ 43,398.45
Total: \$					43,398.45

AT&T ISE Michael Mayhew
Contact Number: 214-587-5080
Inside Sales: Donna Cromer
Contact Number: 214-576-7234

Quote Valid For: 30 Days
Payment Terms: Net 30 Days

Terms: Net 30, subject to credit approval
F.O.B. SHIP.PT., PPD/CHARGE

Shipment note: Order acceptance based upon prior credit approval
Pricing does not include shipping or maintenance costs unless otherwise noted.

This quote is valid for 30 days from the date it is originally created.
Prices will be those in effect at time of shipment unless otherwise stated.
Please inspect equipment thoroughly against packing list before opening. Opened product is non-returnable.
Unopened equipment is non-returnable after 30 days from shipment.
Verify that contents are those listed on packing slip before opening.
Products received by customer in conformity with the packing slip must be inspected immediately.
All returns subject to manufacturer's terms and conditions.
Return authorization by AT&T DATACOMM required prior to return.
Returns subject to AT&T DATACOMM Terms & Conditions. Restocking charges may apply.



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/13/07		Reviewed by Legal <i>wjw</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Equipment Services			Initials	Date
Department Head	Karl Henry	Jimmy Foster	Executive Director	<i>[Signature]</i>	8-3-07
Dept Signature:	<i>[Signature]</i>			City Manager	<i>[Signature]</i>
Agenda Coordinator (include phone #):		Linda M. Robinson x4180			

ACTION REQUESTED:

<input type="checkbox"/> ORDINANCE	<input type="checkbox"/> RESOLUTION	<input type="checkbox"/> CHANGE ORDER	<input type="checkbox"/> AGREEMENT
<input type="checkbox"/> APPROVAL OF BID	<input type="checkbox"/> AWARD OF CONTRACT	<input checked="" type="checkbox"/> OTHER PURCHASE OFF EXISTING CONTRACT	

CAPTION

Approval of the purchase of five (5) Crane Carrier Cab and Chassis with Automated Side Loader and two (2) Crane Carrier Crew Cab with Rear Loader in the amount of \$843,030.00 from Bond Equipment Company, Inc. through the Texas Association of School Buyboard Purchase Program, and authorizing the City Manager or his designee to execute all necessary documents. (#208-04)

FINANCIAL SUMMARY

NOT APPLICABLE
 OPERATING EXPENSE
 REVENUE
 CIP

FISCAL YEAR:	07/08	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	1,770,000	1,770,000	
Encumbered/Expended Amount	0	0	0	0	
This Item	0	0	-843,030	-843,030	
BALANCE	0	0	926,970	926,970	

FUND(S): EQUIPMENT REPLACEMENT FUND (071)

COMMENTS: This is an early order for the purchase of scheduled replacements that are recommended to be included in the FY 2007-08 Budget. The balance of funds will be used for other rolling stock purchases.

STRATEGIC PLAN GOAL; Equipment replacement relates to the City's goal of "Service Excellence".

SUMMARY OF ITEM

Equipment Services request the purchase of five (5) Crane Carrier Cab and Chassis and two (2) Crane Carrier with Crew Cab and Rear Loader Chassis through the Texas Association for School Buyboard Program, Contract #208-04 awarded to Bond Equipment Company, Inc. Due to the operational demands, these units are scheduled replacements per fiscal year 07/08 approved by Rod Hogan for early replacement for units 00910, 01900, 01905, 01907, 01909, 01911 and 30729 for Dept. 748/Environmental Collections; Account: #071-8421.

The City is authorized to purchase from a Local Cooperative Organization pursuant to Section 271, Subchapter F of the Texas Local Govt. Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (Contract #208-04)

Total purchase price of all seven units including buyboard fee is \$843,030.00

Other Departments, Boards, Commissions or Agencies



**CITY OF PLANO
COUNCIL AGENDA ITEM**

Cover, Memo, Vendor Quotes

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MEMORANDUM

Date: July 19, 2007
To: Steve Tillman, Senior Buyer
From: Gloria Marlow, Technical Coordinator
Subject: Request to purchase two separate items through the Texas Association of School Buyboard Purchase Program, Contract #208-04, awarded to Bond Equipment Company, Inc. as follows:

Item 1: 5-Crane Carrier Cab/Chassis w/Automated Side Loader to replace units 01905, 01907, 01909, 01911, and 30729 for Dept 748/Environmental Collections. Units are approved for early replacements per FY 07/08 by Rod Hogan from Account 071-8421. Budgeted Amount \$225,000.00 each (\$1,125,000.00)

Base Price:	\$85,913.00 x 5 =	\$429,656.00
Published Options:	\$23,143.00 x 5 =	\$115,715.00
Unpublished Options:	\$10,170.00 x 5 =	\$ 50,850.00
Buyboard Fee:		\$ 400.00
Purchase Price:		\$596,530.00

Item 2: 2-Crane Carrier w/Crew Cab with Rear Loader Chassis to replace units 01900, and 00910 for Dept 748/Environmental Collections. Units are approved for early replacements per FY 07/08 by Rod Hogan from Account 071-8421. Budgeted Amount \$210,000.00 each (\$420,000.00)

Base Price:	\$85,913.00 x 2 =	\$171,826.00
Published Options:	\$27,651.00 x 2 =	\$ 55,302.00
Unpublished Options:	\$ 9,686.00 x 2 =	\$ 19,372.00
Purchase Price:		\$246,500.00

TOTAL OF ITEMS 1 & ITEMS 2: **\$843,030.00**

Please reference Requisition Order No: 904518.

Feel free to call me if you have any questions at extension 4185.

Cc: Jimmy Foster
Karl Henry
Nancy Nevil
Robert Smouse
Diane Palmer
Mike Ryan
Stephen Teiper

ITEM 1
(5)

BOND EQUIPMENT COMPANY, INC
2946 IRVING BLVD. DALLAS, TEXAS 75247
214-637-0760 FAX 214-637-4731

APRIL 6,2007

TO: CITY OF PLANO EQUIPMENT SERVICE
4200 W.PLANO PARKWAY
PLANO, TEXAS 75093

BUY BOARD QUOTE #208-04

CRANECARRIER LET2-26 26,000 lb. REAR AXLE , 43,000 GVW,
ALLISON 3500 RDS TRANS, ISC 260 CUMMINS ENGINE BASE PRICE \$85,913.00

315-80-RTS REAR TIRES BRIDGESTONE M843 20PLY	1,806.00
315-TR-SP REAR SPARE TIRE & RIM BRIDGESTONE M843 20PLY	1,235.00
14-E2-02 CRANKSHAFT ADAPTER 1260/1310	217.00
16-E2-10 STARTER DELCO 42MT/TYPE 450	70.00
18-E2-04 BLOCK HEATER W/DOOR 1000 WATTS	147.00
18-A6-06 REMOTE RADIATOR FILL	154.00
18-BD-BS RADIATOR BUG SCREEN	100.00
18-BD-WJ WATER JUG HOLDER IGLOO	100.00
18-J2-SP DONALDSON VERTICAL INLINE PRECLEANER	182.00
18-G4-02 FILTER MINDER DASH MOUNTED	56.00
20-A2-10 3 GRP 31 925CCA BATTERY	119.00
20-E2-02 FLAMING RIVER BATTERY DISCONNECT SWITCH	196.00
20-C2-12 CUSTOM BATTERY BOX LOCATION	158.00
24-A6-14 CUSTOM FUEL TANK LOCATION	158.00
24-AN-TI ANTI-SIPHON 2" NECK	21.00
24-490-10 RACOR MODEL 490RP10 FUEL SEPARATOR	298.00
26-E6-18 DAUL TRANSMISSION CONTROLS	368.00
26-J2-04 HAYDEN AUXILIARY TRANSMISSION COOLER	221.00
30-E6-06 MERITOR SLACK ADJUSTERS FRONT	53.00
30-E6-06 MERITOR SLACK ADJUSTERS REAR	53.00
30-G2-P20 PARABOLIC 20K TAPERLEAF FRONT SPRINGS	175.00
36-A2-06 NATIONAL WHEEL SEALS FRONT AXLE	77.00
38-A6-02 DAUL DRIVE RH SIT DOWN	2,706.00
40-A2-14 REAR AXLE 30K 30105S	2,051.00
26-L2-WB WORK BRAKE	473.00

52-BD-DM	AIR DRAIN MANIFOLD	200.00
52-C2-10	WABCO SYSTEM SAVER AIR DRYER	445.00
60-A2-30	DOUBLE FRAME RAIL 25'X11'	1,141.00
70-G2-26	INTERMITTENT WIPER CONTROL DAUL	126.00
72-C2-04	ELECTRIC CAB JACK	375.00
74-BD-10	10" SPOT MIRRORS	100.00
74-E2-08	AIR HORN DAUL TONE & DAUL CONTROL	123.00
74-E2-04	2 ND ELECTRIC HORN	21.00
74-J2-16	DAYTIME RUNNING LIGHTS	35.00
74-LED	LED MARKER LIGHTS & FRONT TURN SIGNAL	126.00
76-CN-DEL	DELETE RADIO & LIGHT CONSOLE TO INSTALL ROOF AC	133.00
76-E2-06	CAB FLOR LIGHTS	63.00
76-P4-04	SEARS ALTAS AIR RIDE SEATS,GREY LH & RH	644.00
78-E2-04	RH INSTRUMENTION	473.00
78-J2-10	CAB FANS LH & RH	98.00
78-R2-02	CHASSIS KEYED ALIKE	28.00
78-BD-EC	AM/FM RADIO MOUNTED ON ENGINE COVER	600.00
78-J2-RF	ROOF MOUNT AC R2000/R6260 & DASH SYSTEM	5,400.00
BP-PAINT	PAINT BUMPER BLACK	105.00
FRIEGHT	TULSA TO HEIL	<u>1,713.00</u>

TOTAL PUBLISHED OPTIONS \$23,143.00

UNPUBLISHED OPTIONS:

52-BV-BM	AIR DRAIN MANIFOLD T/A	50.00
36-A2-ST	SENTINEL FRONT HUBCAP	42.00
70-E2-06	DAUL OUTSIDE GRAB HANDLES	46.00
18-NS-BS	UPGRADE BUG SCREEN	200.00
2005-06SA	SINGLE AXLE UPGRADE	1,621.00
2007-285	ENGINE UPGRADE 2007/285HP	7,727.00
ING-MD	CENTER IGNITION SWITCH	67.00
RH-BT-KN	RH STEERING SHAFT BOOT	35.00
BC-RW-2	OMIT 2 REAR SIDE WINDOWS	382.00

TOTAL UNPUBLISHED OPTIONS \$10,170.00

BUY BOARD FEE TOTAL PRICE PER PO NUMBER \$400.00

TOTAL DELIVERED PRICE \$119,226.00

FRIEGHT PRICE INCLUDES TRANSPORTATION FOR 3 PLANO EMPLOYEES TO INSPECT CHASSIS & TRAINING AT CRANE CARRIER FACTORY.

ANDY BOND

Item #2

BOND EQUIPMENT COMPANY, INC
 2946 IRVING BLVD. DALLAS, TEXAS 75247
 214-637-0760 FAX 214-637-4731

APRIL 10,2007

TO: CITY OF PLANO EQUIPMENT SERVICE
 4200 W.PLANO PARKWAY
 PLANO, TEXAS 75093

BUY BOARD QUOTE #208-04

CRANECARRIER LET2-26 26,000 lb. REAR AXLE , 43,000 GVW,
 ALLISON 3500 RDS TRANS, ISC 260 CUMMINS ENGINE BASE PRICE \$85,913.00

70-A6-04	CREW CAB	2,198.00
315-80-RTS	REAR TIRES BRIDGESTONE M860 20PLY	1,806.00
315-TR-SP	REAR SPARE TIRE & RIM BRIDGESTONE M860 20PLY	1,235.00
14-E2-02	CRANKSHAFT ADAPTER 1260/1310	217.00
16-E2-10	STARTER DELCO 42MT/TYP 450	70.00
18-E2-04	BLOCK HEATER W/DOOR 1000 WATTS	147.00
18-A6-06	REMOTE RADIATOR FILL	154.00
18-BD-BS	RADIATOR BUG SCREEN	100.00
18-BD-WJ	WATER JUG HOLDER IGLOO	100.00
18-J2-SP	DONALDSON VERTICAL INLINE PRECLEANER	182.00
18-G4-02	FILTER MINDER DASH MOUNTED	56.00
20-A2-10	3 GRP 31 925CCA BATTERY	119.00
20-E2-02	FLAMING RIVER BATTERY DISCONNECT SWITCH	196.00
20-C2-12	CUSTOM BATTERY BOX LOCATION	158.00
24-A6-14	CUSTOM FUEL TANK LOCATION	158.00
24-AN-TI	ANTI-SIPHON 2" NECK	21.00
24-490-10	RACOR MODEL 490RP10 FUEL SEPARATOR	298.00
26-E6-10	SINGLE LEVER TRANSMISSION CONTROL	216.00
26-J2-04	HAYDEN AUXILIARY TRANSMISSION COOLER	221.00
30-E6-06	MERITOR SLACK ADJUSTERS FRONT	53.00
30-E6-06	MERITOR SLACK ADJUSTERS REAR	53.00
30-G2-P20	PARABOLIC 20K TAPERLEAF FRONT SPRINGS	175.00
36-A2-06	NATIONAL WHEEL SEALS FRONT AXLE	77.00
40-A2-14	REAR AXLE 30K 30105S	2,051.00
26-L2-WB	WORK BRAKE	473.00

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	PAGE 2	
52-BD-DM	AIR DRAIN MANIFOLD	200.00
52-C2-10	WABCO SYSTEM SAVER AIR DRYER	445.00
60-A2-30	DOUBLE FRAME RAIL 25'X11'	1,141.00
40-A6-02	AIR LIFT PUSHER RCA235	5,919.00
255-70PT	PUSHER TIRES GOODYEAR 255/70R22.5	159.00
70-G2-22	INTERMITTENT WIPER	90.00
72-C2-04	ELECTRIC CAB JACK	375.00
74-BD-10	10" SPOT MIRRORS	100.00
74-E2-06	AIR HORN	116.00
74-J2-16	DAYTIME RUNNING LIGHTS	35.00
74-LED	LED MARKER LIGHTS & FRONT TURN SIGNAL	126.00
76-E2-06	CAB FLOR LIGHTS	63.00
76-P4-04	SEARS ALTAS AIR RIDE SEATS,GREY LH & RH	644.00
78-J2-10	CAB FANS LH & RH	98.00
78-R2-02	CHASSIS KEYED ALIKE	28.00
78-P2-02W	AM/FM RADIO	360.00
78-J2-RF	ROOF MOUNT AC R2000/R6260 & DASH SYSTEM	5,400.00
BP-PAINT	PAINT BUMPER BLACK	105.00
FRIEGHT	TULSA TO HEIL	<u>1,713.00</u>

TOTAL PUBLISHED OPTIONS \$27,651.00

UNPUBLISHED OPTIONS:

52-BV-BM	AIR DRAIN MANIFOLD T/A	50.00
36-A2-ST	SENTINEL FRONT HUBCAP	42.00
70-E2-06	DAUL OUTSIDE GRAB HANDLES	46.00
18-NS-BS	UPGRADE BUG SCREEN	200.00
2005-06SA	SINGLE AXLE UPGRADE	1,621.00
2007-285	ENGINE UPGRADE 2007/285HP	7,727.00

TOTAL UNPUBLISHED OPTIONS \$9686.00

TOTAL DELIVERED PRICE \$123,250.00

FRIEGHT PRICE INCLUDES TRANSPORTATION FOR 3 PLANO EMPLOYEES TO INSPECT CHASSIS & TRAINING AT CRANE CARRIER FACTORY.

ANDY BOND

CITY OF PLANO

07/18/07

Page - 1

P.O. Number 904518 OR
 Cost Center 071

Supplier BOND EQUIPMENT COMPANY INC
 2946 IRVING BOULEVARD
 DALLAS TX 75247

Ship To CITY OF PLANO
 FLEET & EQUIPMENT SERVICES DIVISION
 4200 W PLANO PARKWAY
 PLANO TX 75093

Ordered 07/05/07 Freight
 Requested 07/05/07 Order Taken By
 Delivery

Description	Ordered	UOM	Unit Price	Extended Price	Request Date
CRANE CARRIER W/ CREW CAB W/AUTOMATED SIDE LOADER REQUEST TO PURCHASE TWO (2) SEPARATE ITEMS THROUGH THE TEXAS ASSOCIATION OF SCHOOL BUYBOARD PURCHASE PROGRAM, CONTRACT #208-04. AWARDED TO BOND EQUIPMENT COMPANY, INC. ITEM 1. FIVE (5) CRANE CARRIER/CHASSIS W/AUTOMATED SIDE LOADERS TO REPLACE UNITS 01905, 01907, 01909, 01911, AND 30729. DEPT. 748/ ENVIRONMENTAL COLLECTIONS. UNITS ARE APPROVED FOR EARLY REPLACEMENTS FOR FY07/08 PER ROD HOGAN, EXECUTIVE DIRECTOR. ACCOUNT 071-8421 BUDGETED AMOUNT \$225,000.00 EACH, (\$1,125,000.00).	5	EA	85,913.0000	429,565.00	07/05/07
PUBLISHED OPTIONS INVOICE TO FOLLOW	5	EA	23,143.0000	115,715.00	07/05/07
UNPUBLISHED OPTIONS INVOICE TO FOLLOW	5	EA	10,170.0000	50,850.00	07/05/07
BUYBOARD FEE		EA	.0000	400.00	07/05/07

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CITY OF PLANO

07/18/07

Page - 2

P.O. Number 904518 OR
 Extended Price Request Date

Description	Ordered	UOM	Unit Price	Extended Price	Request Date
INVOICE TO FOLLOW					
CRANE CARRIER W/ CREW CAB W/REAR LOADER CHASSIS ITEM 2. PURCHASE OF TWO (2) CRANE CARRIER CAB/CHASSIS WITH CREW CAB AND REAR LOAD CHASSIS. REPLACES UNITS 01900 AND 00910 , DEPT. 748 - ENVIRONMENTAL COLLECTIONS. UNITS ARE APPROVED FOR EARLY REPLACEMENT BY ROD HOGAN. FY 2007-2008 BUDGET; ACCOUNT 071-8421. BUDGETED AMOUNT IS \$210,000.00 EACH. (\$420,000.00)	2	EA	85,913.0000	171,826.00	07/05/07
PUBLISHED OPTIONS INVOICE TO FOLLOW	2	EA	27,651.0000	55,302.00	07/05/07
UNPUBLISHED OPTIONS INVOICE TO FOLLOW	2	EA	9,686.0000	19,372.00	07/05/07
				Total Order	
TermNet 30 Days				843,030.00	



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	Print Shop		<i>[Signature]</i>	Date	07.31.07
Department Head	Billie Clayton x5196		Executive Director	<i>[Signature]</i>	8/1/07
Dept Signature:	<i>[Signature]</i>		City Manager	<i>[Signature]</i>	8/1/07
Agenda Coordinator (include phone #): Steve Tillman X7248					

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER EXISTING CONTRACT

CAPTION

Approve the Lease of a Full Color Digital Press Copier for the Print Shop in the estimated annual amount of \$76,764.00 from Oce North America through an existing contract/agreement with Texas Building and Procurement Commission, and authorizing the City Manager or his designee to execute all necessary documents. (State Contract #985-A6).

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 2007-2011	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0

FUND(s): OFFICE SERVICES FUND (063)

COMMENTS: This item approves expenditures from the Office Services Fund for the Lease of a full color digital press copier beginning in August 2007. The estimated annual amount is \$76,764.00 and is subject to annual budget appropriations for equipment rentals.

STRATEGIC PLAN GOAL: Establishing an annual contract for the lease of equipment for the Print Shop relates to the City's Goal of "Service Excellence".

**SUMMARY OF ITEM
(ANNUAL CONTRACT W/RENEWALS)**

Public Information recommends Council approve an annual contract with three renewals in the estimated amount of \$76,764.00 to Oce North America for the lease of a full color digital press copier at assigned City Print Shop location. The City is authorized to purchase from the State Contract list pursuant to Section 271 Subchapter D of the Local Government Code and by doing so satisfies any State law requiring local governments to seek competitive bids for Items. (State Contract #985-A6).

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



**CITY OF PLANO
COUNCIL AGENDA ITEM**

Bid Recap	

j-2

CITY OF PLANO

RFP No. 2007-196-B
RFI – Lease of a Full Color Digital Press Copier

RECAP

Opening Date/Time: June 29, 2007 @ 3:00pm

Number of Vendors Notified: 2

Vendors Submitting "No Response": None

Vendors Submitting Bids

Oce North America
Xerox Corporation

Recommended Vendor(s):

Oce North America \$76,764.00

Steve Tillman
Steve Tillman
Senior Buyer
Purchasing Division

July 26, 2007
Date



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Council Meeting Date:	8/13/07	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Print Shop	Initials	Date		
Department Head	Billie Clayton x5196	Executive Director			
Dept Signature:		City Manager			
Agenda Coordinator (include phone #):		Steve Tillman X7248			
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input checked="" type="checkbox"/> OTHER EXISTING CONTRACT					
CAPTION					
Approval of the purchase of Convenience Copier Contract Rentals in the amount of \$176,781.96 from Oce North America through an existing contract/agreement with Texas Building and Procurement Commission, and authorizing the City Manager or his designee to execute all necessary documents. (State Contract #985-A6).					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2007-2011	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
FUND(s): OFFICE SERVICES FUND (063)					
COMMENTS: This item approves expenditures from the Office Services Fund for the rental of copiers beginning in August 2007. The estimated annual amount is \$176,781.96 and is subject to annual budget appropriations for copier rentals. STRATEGIC PLAN GOAL: Establishing a contract for new Copiers relates to the City's Goal of "Service Excellence".					
SUMMARY OF ITEM					
(ANNUAL CONTRACT W/RENEWALS)					
Public Information recommends Council approve an annual contract with three renewals in the estimated amount of \$176,781.96 to Oce North America for the rental and installation of copiers at assigned City locations. The City is authorized to purchase from the State Contract list pursuant to Section 271 Subchapter D of the Local Government Code and by doing so satisfies any State law requiring local governments to seek competitive bids for Items. (State Contract #985-A6).					
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies			
Bid Recap					

CITY OF PLANO

RFP No. 2007-168-B
RFI – Convenience Copier Contract Rentals

RECAP

Opening Date/Time: June 29, 2007 @ 3:00pm

Number of Vendors Notified: 11

Vendors Submitting "No Response": None

Vendors Submitting Bids

Oce North America
Xerox Corporation

Recommended Vendor(s):

Oce North America	\$176,781.96
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Steve Tillman

Steve Tillman
Senior Buyer
Purchasing Division

July 23, 2007

Date



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/13/07		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Technology Services			Date	
Department Head	David Stephens	Executive Director	<i>[Signature]</i> 08/06/07 <i>[Signature]</i> 8/16/07		
Dept Signature:	<i>[Signature]</i>	City Manager			
Agenda Coordinator (include phone #): Lisa Prunty Ext. 7342					
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input checked="" type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER					
CAPTION					
Approval of a Interlocal Agreement by and between the City of Plano and Plano Independent School District providing the Terms and Conditions for the placement of wireless electronic equipment on Plano Independent School District Facilities and authorizing the City Manager or his designee to execute all necessary documents.					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS	
Budget	0	0	0	0	
Encumbered/Expended Amount	0	0	0	0	
This Item	0	0	0	0	
BALANCE	0	0	0	0	
FUND(s): N/A					
COMMENTS: THIS INTERLOCAL AGREEMENT HAS NO FINANCIAL IMPACT TO THE CITY OF PLANO.					
STRATEGIC PLAN GOAL: THIS ITEM RELATES TO THE CITY'S GOAL OF "SERVICE EXCELLENCE".					
SUMMARY OF ITEM					
Interlocal Agreement by and between the City of Plano and Plano Independent School District providing Terms and Conditions for the placement of wireless electronics equipment on Plano Independent School District Facilities for the use by Public Safety and other City personnel.					
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies			
Agreement					

**AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS AND
THE PLANO INDEPENDENT SCHOOL DISTRICT
PROVIDING TERMS AND CONDITIONS FOR THE PLACEMENT
OF WIRELESS ELECTRONICS EQUIPMENT
ON PLANO INDEPENEDENT SCHOOL DISTRICT FACILITIES**

WHEREAS, the Plano Independent School District (“District”) and the City of Plano, Texas (“City”) desire to enter into an agreement concerning the placement of wireless electronics equipment on District facilities for the use by Public Safety and other City personnel.

WHEREAS, the City and District have determined that the installation of said equipment may be accomplished most economically by implementing this agreement.

NOW, THEREFORE, this agreement is made and entered into by the District and the City upon and for the mutual consideration stated herein.

WITNESSETH:

ARTICLE I.

The City shall arrange for the design, installation and maintenance of wireless electronics equipment on District facilities. The project will be designed to meet City standards.

The Project shall include, but not be limited to, the District facilities identified in the attached Exhibit “A”. A sketch illustrating a typical installation of wireless electronic equipment is attached as Exhibit “B”.

ARTICLE II.

The City shall prepare plans and specifications for the installation and submit the same to District for its approval, which shall not be unreasonably withheld. The City will administer the design, installation and maintenance contracts for the Project. In all such activities, the City shall

comply with all state statutory requirements. The City shall provide the District with a copy of the executed design documents for the Project.

The District will assign a staff member to represent the District throughout the installation of the Project. The City will include the District's representative in regular progress meetings throughout the installation of the Project. Progress meetings will take place no less frequently than every 30 days until the Project is complete. The Project is scheduled to be completed no later than December 2008.

ARTICLE III.

The District agrees to grant the City access to school facilities with prior notification to, and supervision by, District facility personnel.

ARTICLE IV.

INDEMNIFICATION. To the extent allowed by law, each party agrees to release, defend, indemnify, and hold harmless the other (and its officers, agents, and employees) from and against all claims or causes of action for injuries (including death), property damages (including loss of use), and any other losses, demands, suits, judgments, and costs, including reasonable attorneys' fees and expenses, in any way arising out of, related to, or resulting from its performance under this agreement, or caused by its negligent acts or omissions (or those of its respective officers, agents, employees, or any other third parties for whom it is legally responsible) in connection with performing this agreement.

ARTICLE V.

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

ARTICLE VI.

SEVERABILITY. The provisions of this agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and

effect of the law, the remaining portions of the agreement shall be enforced as if the invalid provision had never been included.

ARTICLE VII.

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

ARTICLE VIII.

IMMUNITY. It is expressly understood and agreed that, in the execution of this agreement, neither party waives nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this agreement, the parties do not create any obligations, express or implied, other than those set forth herein, and this agreement shall not create any rights in parties not signatories hereto.

ARTICLE IX.

TERM. This agreement shall be effective upon execution by both parties and the initial term of this agreement shall be one (1) year. This agreement shall remain in effect from year to year thereafter unless terminated by either party upon sixty (60) days written notice to the other.

APPROVED AS TO FORM:

PLANO INDEPENDENT SCHOOL DISTRICT

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

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

APPROVED AS TO FORM:

CITY OF PLANO, TEXAS

By: _____
Name: Diane C. Wetherbee
Title: City Attorney
Date: _____

By: _____
Name: Thomas H. Muehlenbeck
Title: City Manager
Date: _____

L-4

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the ___ day of _____,
200__ by _____, _____ of **PLANO**
INDEPENDENT SCHOOL DISTRICT, on behalf of said entity.

Notary Public in and for the
State of Texas

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the ___ day of _____,
200__ by **THOMAS H. MUEHLENBECK**, City Manager of the
CITY OF PLANO, TEXAS, a home-rule municipal corporation, on behalf of said
corporation.

Notary Public in and for the
State of Texas

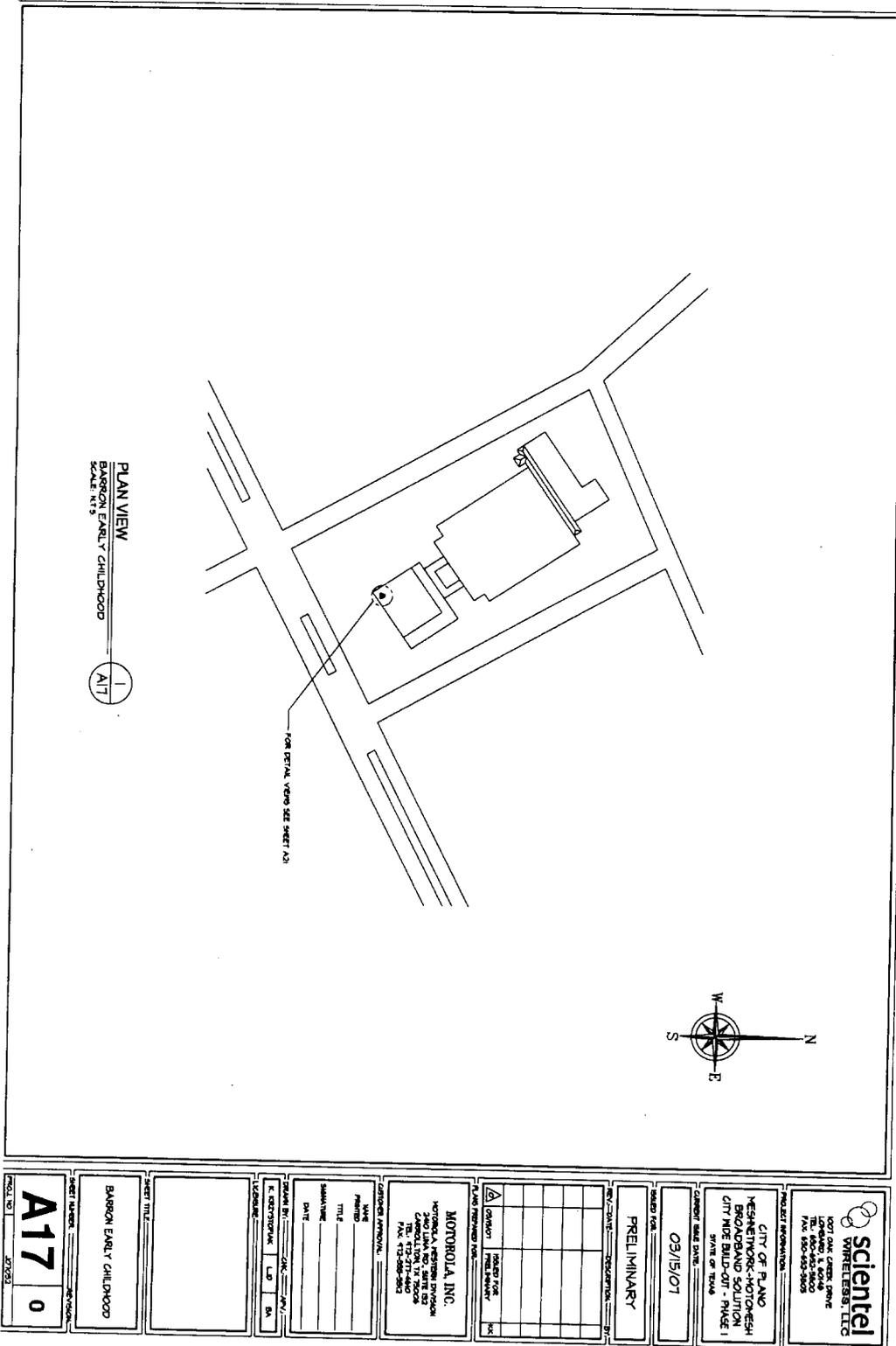
Exhibit A

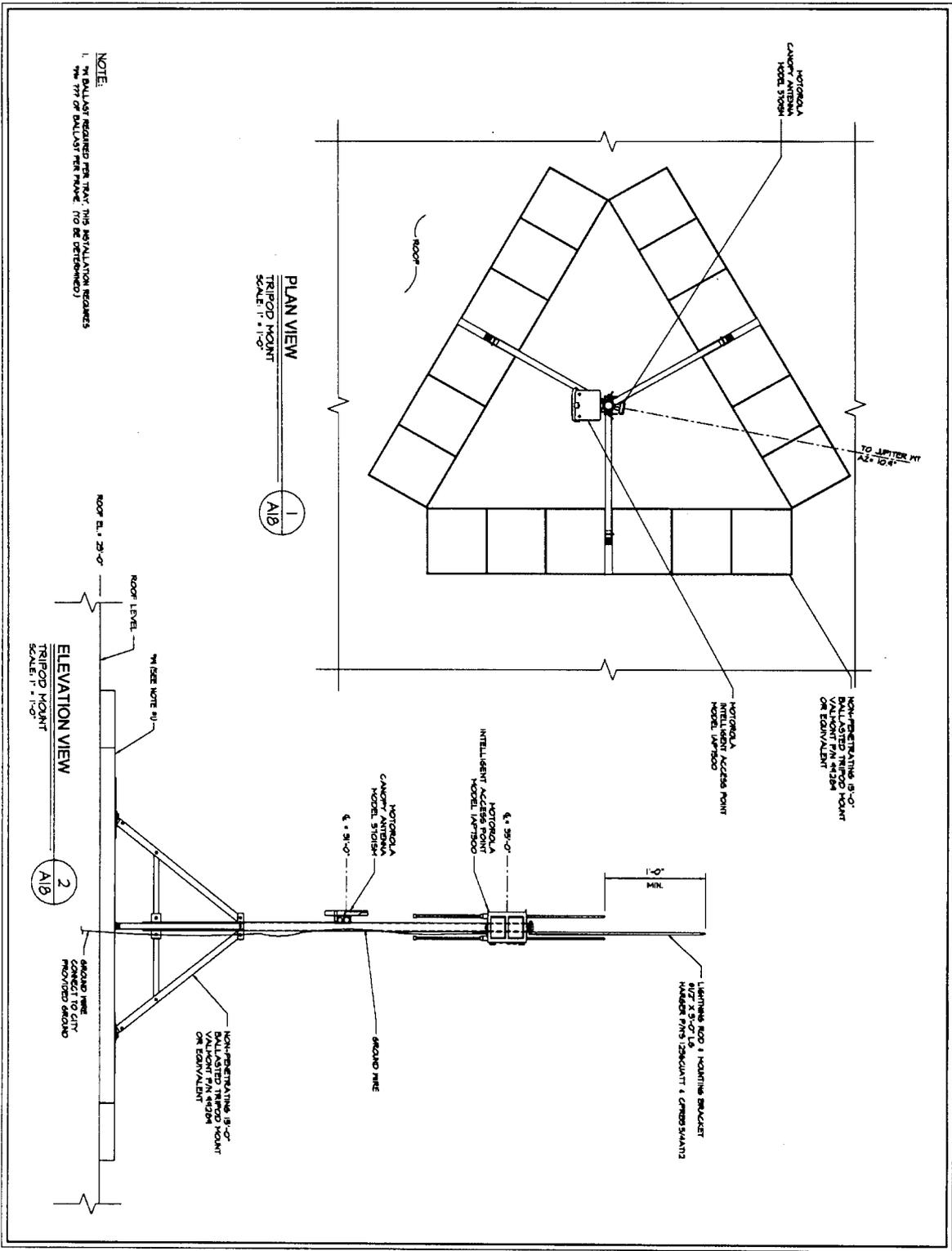
Listing of District facilities to be utilized in Project

Location	Address
Barron Early Childhood School	3300 Avenue P
Bowman Middle School	2501 Jupiter Road
Clark High School	523 Spring Creek Parkway
Plano East High School	3000 Los Rios Boulevard
Plano Senior High School	2200 Independence Parkway
Plano Special Program Center	2221 Legacy Drive

Exhibit B

Diagram of typical installation on District facility





NOTE:
 1. 7/8\"/>

PLAN VIEW
 TRIPOD MOUNT
 SCALE: 1" = 1'-0"
 A18

ELEVATION VIEW
 TRIPOD MOUNT
 SCALE: 1" = 1'-0"
 2
 A18

 1001 OAK CREEK DRIVE FAYETTEVILLE, AR 72703 TEL: 800-453-5800 FAX: 800-453-5805	PROJECT INFORMATION CITY OF PLANO MESANETWORK-MOTOROLA BROADBAND SOLUTION CITY WIDE BUILD-OUT - PHASE I STATE OF TEXAS
	CLIENT'S NAME 03/15/07 PRELIMINARY
DRAWN BY: [] CHECKED BY: [] DATE: []	CUSTOMER APPROVAL: NAME: [] TITLE: [] SIGNATURE: [] DATE: []
MOTOROLA, INC. MOTOROLA A WESTERN DIVISION 2340 LUNA RD., SUITE 100 CARROLLTON, TX 75006 FAX: 972-555-5800	SHEET NUMBER: A18 0 SHEET TITLE: BARON TRIPOD MOUNT

7-8



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07		Reviewed by Legal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
Department:	Parks and Recreation		Initials	Date
Department Head	Don Wendell	Executive Director	<i>[Signature]</i>	8-1-07
Dept Signature:	<i>[Signature]</i> ^{FOR} Don Wendell	City Manager	<i>[Signature]</i>	8/1/07
Agenda Coordinator (include phone #):		Susn Berger (7255)		

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER

CAPTION

Approving the terms and conditions of a Plano ISD Partnership Agreement by and between the City of Plano, Texas, Plano Independent School District and Plano Balloon Festival, Inc.; authorizing its execution by the City Manager or, in his absence, an Executive Director; and providing an effective date.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0

FUND(S):

COMMENTS: STRATEGIC PLAN GOAL: Partnership Agreement promoting the Plano Balloon Festival relates to the City's Goals of "Premier City in Which to Live" and "Service Excellence."

SUMMARY OF ITEM

It is recommended that Council approve the Partnership Agreement between the Plano Independent School District (PISD), the Plano Balloon Festival, Inc., and City of Plano to promote the PISD "Go and Glow-Plano ISD Night" at the Plano Balloon Festival scheduled on September 21, 2007.



**CITY OF PLANO
COUNCIL AGENDA ITEM**

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

m-2

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PLANO ISD PARTNERSHIP AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS, PLANO INDEPENDENT SCHOOL DISTRICT AND PLANO BALLOON FESTIVAL, INC.; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER OR, IN HIS ABSENCE, AN EXECUTIVE DIRECTOR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Plano ISD Partnership Agreement By and Between the City of Plano, Texas, Plano Independent School District and Plano Balloon Festival, Inc., a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Partnership Agreement"); and,

WHEREAS, upon full review and consideration of the Partnership Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager or, in his absence, an Executive Director, shall be authorized to execute it on behalf of the City of Plano.

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

Section I. The terms and conditions of the Partnership Agreement, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interests of the City of Plano and its citizens, are hereby in all things approved.

Section II. The City Manager, or in his absence, an Executive Director, is hereby authorized to execute the Partnership 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 Partnership Agreement.

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

DULY PASSED AND APPROVED this the ____ day of _____, 2007.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

Teamwork for Excellence



PLANO ISD PARTNERSHIP AGREEMENT

Plano Balloon Festival / City of Plano

This Agreement is made by and between the Plano Independent School District ("PISD"), Plano Balloon Festival, Inc. ("PBF"), and the City of Plano ("City"), hereafter collectively, the Parties, effective on the date the last party signs and extending through December 31, 2007. This Agreement represents the entire agreement between the Parties and supersedes all prior negotiations, representations and agreements concerning the rights and obligations set forth below. This agreement may be amended in writing to include such provisions upon which all parties agree.

The PBF and/or City will receive the following during the period of this agreement:

1. Promotion by PISD of "Go and Glow-Plano ISD Night" at the Plano Balloon Festival, scheduled on September 21, 2007.
2. PISD shall produce at its own cost a special ticket which will be printed for Plano ISD students & staff, grades pre-k through 5, and used for admission to Plano ISD Night at the Balloon Festival, September 21.
3. PISD will coordinate the design, production and distribution of the free tickets via the PISD Youngest-Only (YO)/Go-Home Packs.
4. Distribution date for the tickets will be Thursday, September 13, 2007.
5. Ticket will display event information, PISD logo, PBF logo, and City of Plano logo.
6. Information about the Plano Balloon Festival and Plano ISD Night will be promoted in PISD eNews, District Digest and the PISD Calendar Book.
7. Acknowledgement by PISD that:
 - a. The Plano Balloon Festival is a signature community event;
 - b. The Balloon Festival is part of the fabric of the Plano community; and
 - c. Plano ISD Night encourages families to attend the Plano Balloon Festival.
8. A PISD representative will present a letter to the Plano Balloon Festival Board of Directors formally recognizing the partnership between PISD, PBF, and the City.

Plano ISD will receive the following during the period of this agreement:

1. The right to issue free general admission tickets for all PISD students and staff in the grades pre-K through Grade 5 for "Plano ISD Night" at the Plano Balloon Festival for the evening of September 21, 2007.
2. Acknowledgement from the Plano Balloon Festival Board of Directors and the City of Plano of the Plano ISD's collaboration in its partnership of the Plano Balloon Festival as a signature community event.
 - Promotion of the partnership on the Balloon Festival website, two (2) announcements during the Friday night event, inclusion in the Tab and Thank You ad.

[Remainder of this page intentionally blank]

All costs incurred as a result of this partnership shall be borne by the party incurring the cost.

Points of contact are:

Plano Balloon Festival, Inc. City of Plano

Jessica Jackson
P. O. Box 867706
Plano, TX 75086
P: 972-867-7566
F: 972-985-0155

Dana Conklin
P.O. Box 860358
Plano, TX 75086
P: 972-941-7321
F: 972-941-7118

Plano ISD

Jimmy Frush
2700 W. 15th Street
Plano, TX 75075
P: 469-752-8094
F: 469-752-8096

We agree to create an educational partnership that will enhance and improve the quality of education and meet the needs of students, educators and the community.

PLANO INDEPENDENT SCHOOL DISTRICT

Date _____

By: _____
Title: _____

PLANO BALLOON FESTIVAL, INC.

Date _____

By: _____
Title: _____

CITY OF PLANO, TEXAS

Date _____

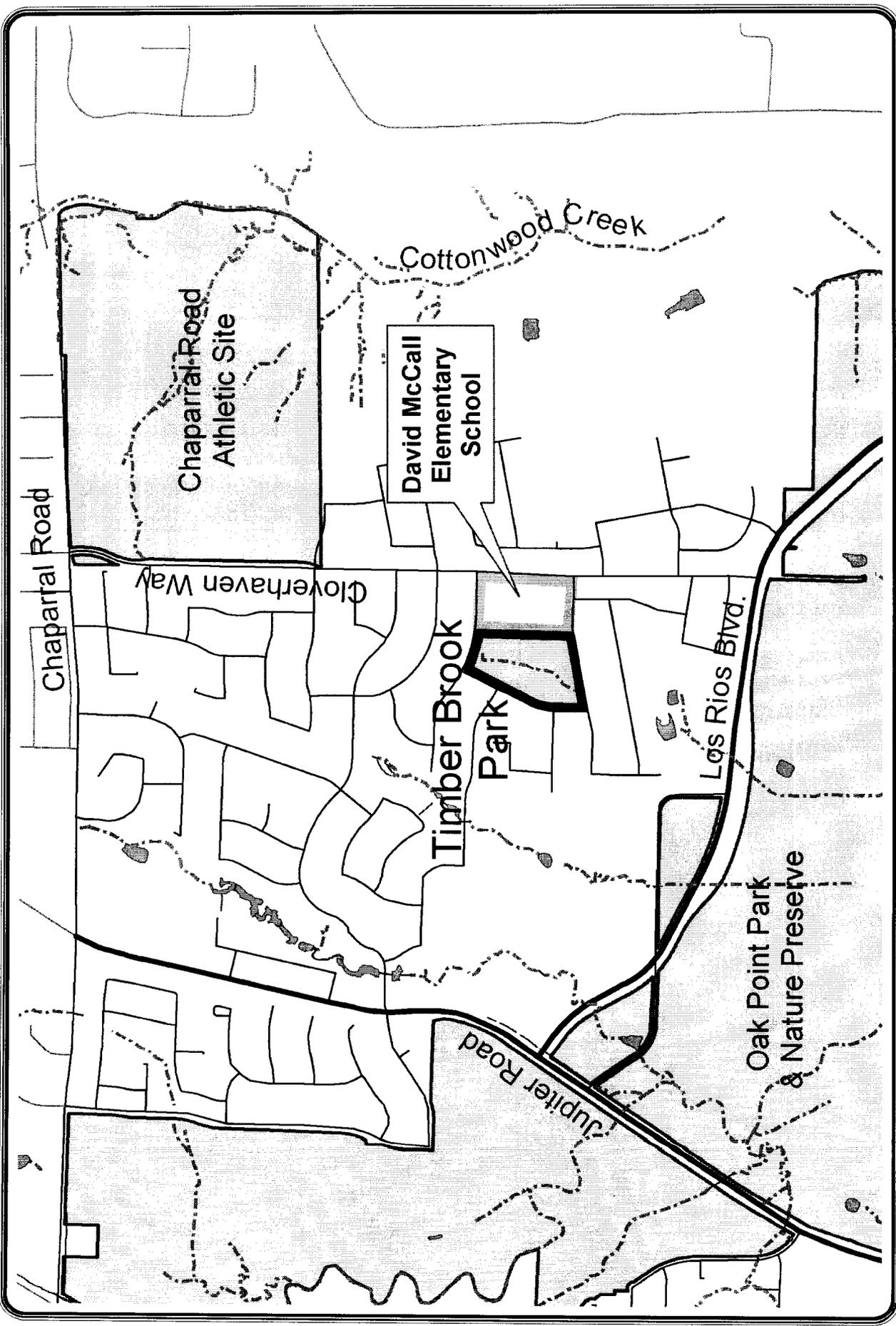
By: _____
Title: _____



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Applicable
Council Meeting Date: 8/13/07		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Parks and Recreation		Initials	Date
Department Head	Don Wendell	Executive Director	<i>[Signature]</i>	8-2-07
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	8/3/07
Agenda Coordinator (include phone #):		Susan Berger (7255)		
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER				
CAPTION				
Approving the terms and conditions of a license agreement for the construction, use and installation of recreational equipment on a portion of Timber Brook Park by and between the City of Plano, Texas and Plano Independent School District; authorizing its execution by the City Manager or, in his absence, an Executive Director; and providing an effective date.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS: STRATEGIC PLAN GOAL: License Agreement for the construction, use and installation of a playground at Timber Brook Park relates to the City's Goal of "Premier City in Which to Live."				
SUMMARY OF ITEM				
This Resolution permits PISD to construct, install and use a playground to be located on a portion of Timber Brook Park in conjunction with activities at David McCall Elementary School. A Chapter 26 hearing is not required because the proposed playground is a park use. The proposed improvements do not interfere with any existing or proposed park uses. No trees will be removed.				
Funding for construction and installation of the playground will be provided by the Plano Independent School District at no cost to the City of Plano.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Location Map Resolution License Agreement				

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Parks & Recreation Department
Park Planning

Timber Brook Park

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A LICENSE AGREEMENT FOR THE CONSTRUCTION, USE AND INSTALLATION OF RECREATIONAL EQUIPMENT ON A PORTION OF TIMBER BROOK PARK BY AND BETWEEN THE CITY OF PLANO, TEXAS AND PLANO INDEPENDENT SCHOOL DISTRICT; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER OR, IN HIS ABSENCE, AN EXECUTIVE DIRECTOR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed License Agreement for the Construction, Use and Installation of Recreational Equipment on a Portion of Timber Brook Park By and Between the City of Plano, Texas and Plano Independent School District, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "License Agreement"); and,

WHEREAS, upon full review and consideration of the License Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager or, in his absence, an Executive Director, shall be authorized to execute it on behalf of the City of Plano.

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

Section I. The terms and conditions of the License Agreement, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interests of the City of Plano and its citizens, are hereby in all things approved.

Section II. The City Manager, or in his absence, an Executive Director, is hereby authorized to execute the License 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 License Agreement.

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

DULY PASSED AND APPROVED this the ____ day of _____, 2007.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

LICENSE AGREEMENT
FOR THE CONSTRUCTION, USE AND INSTALLATION OF RECREATIONAL
EQUIPMENT ON A PORTION OF TIMBER BROOK PARK

The **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, hereinafter called Licensor, and the **PLANO INDEPENDENT SCHOOL DISTRICT**, a political subdivision of the State of Texas, hereinafter called Licensee, enter into this License Agreement ("Agreement") to permit Licensee to construct, install and use certain recreational Equipment ("Equipment") to be located on a portion of Timber Brook Park, located in the City of Plano, Collin County, Texas, for use by Licensee in conjunction with activities at McCall Elementary School.

WHEREAS, Licensor and Licensee entered into that certain License Agreement for the Construction and Use of a Parking Lot on December 13, 2003 wherein Licensor granted Licensee a license to construct and use a parking lot located on a portion of Timber Brook Park. Such Parking Lot is adjacent to the portion of Timber Brook Park contemplated to be licensed to Licensee by this Agreement.

NOW, THEREFORE, in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** cash and other good and valuable consideration given by Licensee to Licensor, the receipt and sufficiency of which are hereby acknowledged by Licensor, Licensor hereby grants, subject to the terms and conditions below, a revocable non-exclusive license ("License") to Licensee for the construction, use and installation of the Equipment on a forty five feet by fifty five feet (45' x 55') portion of the property described on Exhibit "A," attached hereto and incorporated herein for all purposes, (hereinafter called the "Licensed Property,") and as further shown on Exhibit "B," (the "Site Plan"), attached hereto and incorporated herein for all purposes.

The Licensor grants this license subject to the terms and conditions set forth below:

1. License Term. Licensor grants this License for a term of ten (10) years, commencing on the date of execution. Unless terminated as provided under Paragraph 6, this License is renewable under the same terms and conditions for additional ten (10) year terms upon prior written approval by both parties before the start of each term.

2. Permitted Use. Licensee may use and permit others to use the Equipment located on the Licensed Property for recreational purposes and in accordance with all laws that affect Licensee. Licensee may not use the Licensed Property for any other purpose without the written consent of Licensor.

Licensee may exclude others from using the Equipment when Licensee is not using the Equipment.

3. Construction, Operation and Maintenance. Licensee shall construct and install the Equipment on the Licensed Property, at its sole cost and expense, and shall be responsible for and shall obtain licenses, permits, or other approvals, if any, from all governmental agencies, federal, state or local, required in connection with the construction and/or installation of the Equipment. Licensee shall maintain the Equipment on the Licensed Property so that it is safe for its intended use.

4. Other Good and Valuable Consideration. Licensee agrees to allow open access to the Equipment for the use and benefit of persons using Timber Brook Park.

5. Indemnity. Licensee undertakes and assumes for its officers, agents, employees, servants, affiliates, contractors and subcontractors, all risk of dangerous conditions, if any, on or about the Licensed Property, and Licensee hereby agrees to release, defend, indemnify and hold harmless Licensor, its officers, officials, agents, servants and employees against and from any claim asserted or liability imposed upon Licensor, its officers, officials, agents, servants, and employees for personal injury or property damage to any person arising out of Licensee's installation, operation, maintenance or use of the Equipment located on the Licensed Property or Licensee's failure to comply with any federal, state or local statute, ordinance or regulation, to the extent allowed by law.

6. Methods of Termination. This Agreement and the License granted herein may terminate through one of the following events:

(a) Automatically upon Licensee's sale or cessation of the use of the Equipment and/or the property and Equipment presently used at/for McCall Elementary School; or

(b) Upon the failure of either party (the "Defaulting Party") to perform its obligations as set forth in this Agreement after notice of such default and a reasonable opportunity to cure; or

(c) Expiration of the term.

7. Condition Upon Termination. Upon termination of this Agreement Agreement, Licensee shall surrender the Licensed Property and all Equipment thereon, which will become Licensor's property at no cost or expense to Licensor.

8. Assignment and Subletting. This Agreement is personal to Licensee, and may not be sold, transferred, assigned or sublet without the express written consent of Licensor.

9. Notices. All written notices required under this Agreement must be hand delivered or sent by certified mail addressed to the proper party at the following addresses:

Licensor

City of Plano, Texas
Attention: Don Wendell
Director of Parks and Recreation
P. O. Box 860358
Plano, TX 75086-0358

Licensee

Plano Independent School District
Attention: Mr. Richard Matkin
Associate Superintendent of Business Services
2700 W. 15th Street
Plano, Texas 75075

Each party may change the address for receipt of notices by giving the other party notice, within ten (10) days, of the new address in the manner provided by this paragraph.

10. Prior Agreements. This Agreement constitutes the sole and only agreement of the parties to the License and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this License Agreement.

11. Capacity. Both Licensor and Licensee represent that they have full capacity and authority to grant all rights and assume all obligations they have granted and assumed under this Agreement

12. Texas Law. This Agreement shall be construed under, and in accordance with, the laws of the State of Texas, and exclusive venue for any action concerning this Agreement shall be in Collin County, Texas.

13. Amendment. No amendment, modification, or alteration of the terms of this Agreement is binding unless it is in writing, dated subsequent to this Agreement, and duly executed by the parties to this Agreement.

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14. Parties Bound. This Agreement is binding upon and shall inure to the benefit of the executing parties and their successors and assigns.

EXECUTED as of the _____ day of _____, 2007.

LICENSOR

CITY OF PLANO, TEXAS

By: _____
Thomas H. Muehlenbeck
CITY MANAGER

LICENSEE

PLANO INDEPENDENT SCHOOL DISTRICT

By: _____
Name: Richard Matkin
Title: Associate Superintendent of Business Services

APPROVED AS TO FORM:

Diane C. Wetherbee
CITY ATTORNEY

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ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2007 by **THOMAS H. MUEHLENBECK**, City Manager of the **CITY OF PLANO, TEXAS**, a home-rule municipal 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 _____, 2007 by Richard Matkin, Associate Superintendent of Business Services of **PLANO INDEPENDENT SCHOOL DISTRICT**, a political subdivision of the State of Texas, on behalf of said political subdivision.

Notary Public, State of Texas

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EXHIBIT "A"

Licensed Property Legal Description & Equipment Exhibit
(see attached)

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EXHIBIT A

BEING situated in the William McCreary Survey, Abstract No. 601, City of Plano, Collin County, Texas, and being in a tract of land conveyed to the City of Plano by deed recorded in Collin County Clerk's File No. 96-0092678, and being more particularly described as follows:

COMMENCING at a ½" iron rod found in the south line of Marsalis Lane (a 60' R.O.W.) said point being the northwest corner of Lot 1, Block A, David McCall Elementary School, and addition to the City of Plano as recorded in Cabinet Q, Page 493, Plat Records of Collin County Texas;

THENCE S18°40'56"W, leaving Marsalis Lane, a distance of 263.75 feet to the POINT OF BEGINNING;

THENCE S13°12'43"W, a distance of 55.00 feet to a point;

THENCE N76°47'17"W, a distance of 45.00 feet to a point;

THENCE N13°12'43"E, a distance of 55.00 feet to a point;

THENCE S76°47'17"E, a distance of 45.00 feet to the POINT OF BEGINNING and CONTAINING 2,475 square feet of land.

Mackie Lee Klingbeil
R.P.L.S. No. 3957

Block N
Timber Brook Estates Phase III
Cab. K, Pg. 263



Point of Commencement

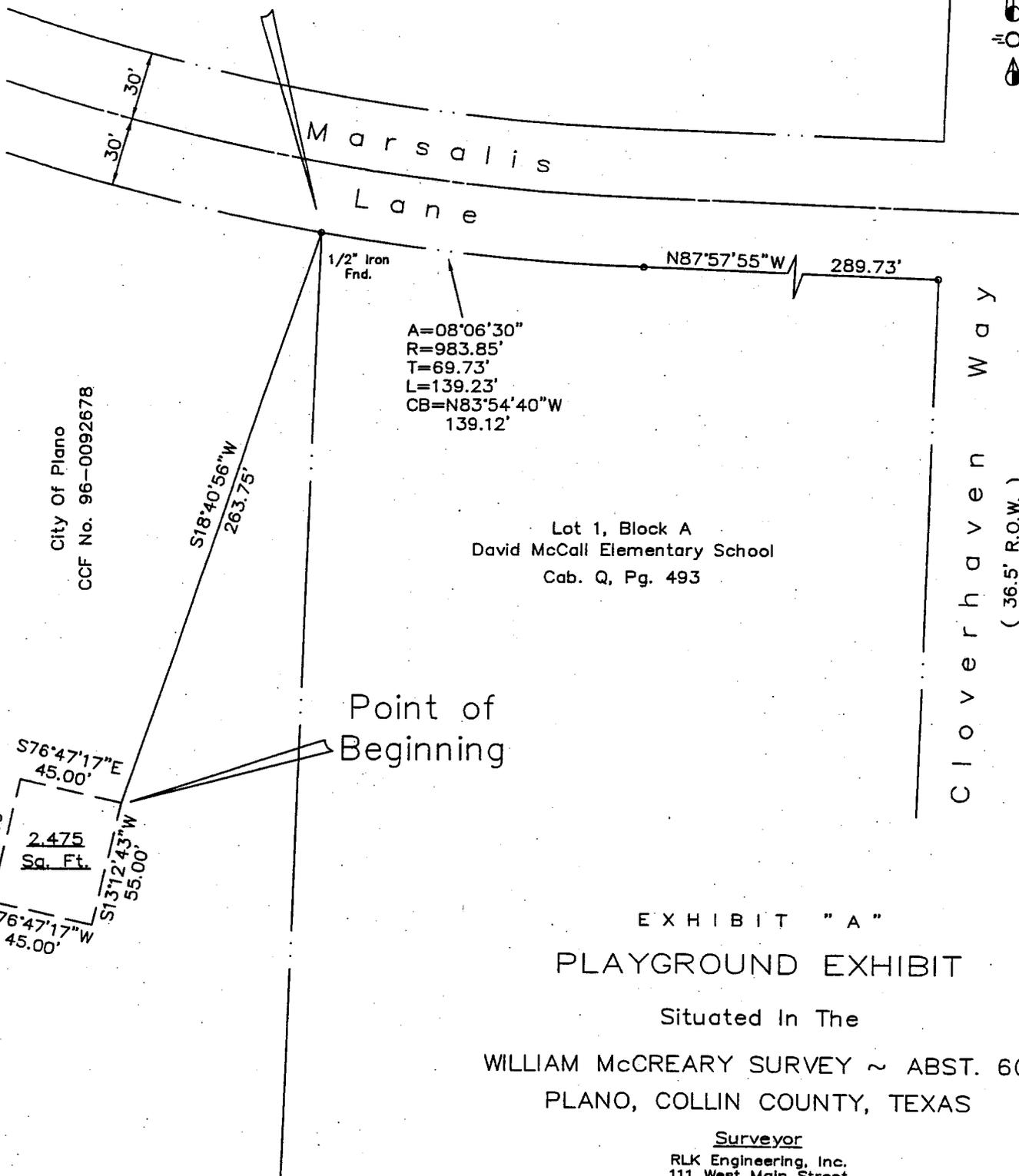


EXHIBIT "A"
PLAYGROUND EXHIBIT

Situated In The
WILLIAM McCREARY SURVEY ~ ABST. 601
PLANO, COLLIN COUNTY, TEXAS

Surveyor
RLK Engineering, Inc.
111 West Main Street
Allen, Texas 75013
Telephone 972 359-1733

Scale 1"=60' June 26, 2007

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EXHIBIT "B"
(Site Plan)
(see attached)



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**CITY OF PLANO
COUNCIL AGENDA ITEM**



CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07		Reviewed by Legal <i>W</i>	<input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
Department:	Budget		Initials	Date
Department Head	Karen Rhodes		Executive Director	
Dept Signature:	<i>Karen Rhodes</i>		City Manager	<i>AR</i> 8/13/07
Agenda Coordinator (include phone #): Anita Bell x7194				

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER

CAPTION

A Resolution accepting the Certified Appraisal Roll for Fiscal Year 2007-08.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 2007-08	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	116,061,955	116,061,955
BALANCE	0	0	116,061,955	116,061,955

FUND(S): **GENERAL FUND; GENERAL OBLIGATION FUND; TIF**

COMMENTS: The 2007-08 appraisal roll will generate revenues of approximately \$116,061,955 at the proposed tax rate of 47.35 cents per \$100 of assessed property value. This amount has been included within the FY 2007-08 Recommended Budget.

STRATEGIC PLAN GOAL: Accepting the Certified Appraisal Roll relates to the city's Goal of "Service Excellence".

SUMMARY OF ITEM

2007-08 Certified Appraisal Roll

List of Supporting Documents: Exhibit A - Certification of the 2007 Appraisal Roll by Chief Appraiser Exhibit B - 2007 Certified Totals	Other Departments, Boards, Commissions or Agencies
---	--

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, ACCEPTING THE CERTIFIED APPRAISAL ROLL FOR FISCAL YEAR 2007-2008, 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 new property to the City Council; and

WHEREAS, the certification of the 2007 Appraisal Roll by the Chief Appraiser, Central Appraisal District of Collin County, is attached hereto as Exhibit "A," and

WHEREAS, the calculation of the 2007 certified total value, including the value of new property is attached hereto as Exhibit "B," and

WHEREAS, upon review of the Appraisal Roll and all matters attendant and related thereto, the City Council finds that the Certified Appraisal Roll for Fiscal Year 2007-2008, should be accepted.

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

Section I. The Certified Appraisal Roll for Fiscal Year 2007-2008, as submitted by the City Tax Assessor/Collector, is hereby accepted.

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

DULY PASSED AND APPROVED this ____ day of _____, 2007.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY



Collin Central Appraisal District

PROPERTY TAX CODE, SECTION 26.01(a)

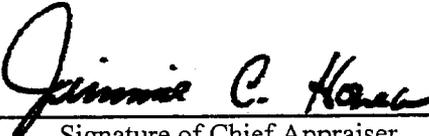
CERTIFICATION OF 2007 APPRAISAL ROLL

FOR: PLANO CITY

I, Jimmie C. Honea, Chief Appraiser for the Collin Central Appraisal District, solemnly swear that the attached is that portion of the approved Appraisal Roll of the Collin Central Appraisal District which lists property taxable by PLANO CITY and constitutes the appraisal roll for PLANO CITY with the amounts listed on the attached totals pages.

July 24, 2007

Date


Signature of Chief Appraiser

Approval of the appraisal records by the Collin Central Appraisal District Appraisal Review Board recorded on the 17th day of July, 2007.



Collin Central Appraisal District

PROPERTY TAX CODE, SECTION 26.01(a)

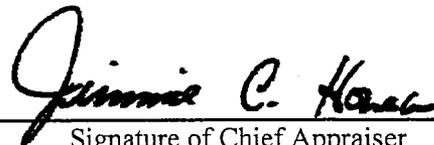
CERTIFICATION OF 2007 APPRAISAL ROLL

FOR: PLANO #2 TIF

I, Jimmie C. Honea, Chief Appraiser for the Collin Central Appraisal District, solemnly swear that the attached is that portion of the approved Appraisal Roll of the Collin Central Appraisal District which lists property taxable by PLANO #2 TIF and constitutes the appraisal roll for PLANO #2 TIF with the amounts listed on the attached totals pages.

July 24, 2007

Date


Signature of Chief Appraiser

Approval of the appraisal records by the Collin Central Appraisal District Appraisal Review Board recorded on the 17th day of July, 2007.



Collin Central Appraisal District

PROPERTY TAX CODE, SECTION 26.01(a)

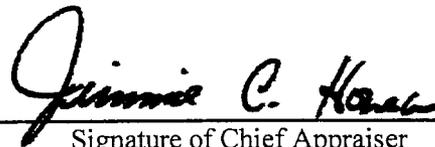
CERTIFICATION OF 2007 APPRAISAL ROLL

FOR: PLANO #1 TIF

I, Jimmie C. Honea, Chief Appraiser for the Collin Central Appraisal District, solemnly swear that the attached is that portion of the approved Appraisal Roll of the Collin Central Appraisal District which lists property taxable by PLANO #1 TIF and constitutes the appraisal roll for PLANO #1 TIF with the amounts listed on the attached totals pages.

July 24, 2007

Date


Signature of Chief Appraiser

Approval of the appraisal records by the Collin Central Appraisal District Appraisal Review Board recorded on the 17th day of July, 2007.

Collin County

2007 CERTIFIED TOTALS

As of Certification

CPL - PLANO CITY

Property Count: 86,783

Grand Totals

7/24/2007

8:20:01AM

Land		Value		
Homesite:		4,093,267,218		
Non Homesite:		3,092,908,890		
Ag Market:		662,849,055		
Timber Market:		0	Total Land	(+) 7,849,025,163

Improvement		Value		
Homesite:		12,865,621,580		
Non Homesite:		6,870,877,823	Total Improvements	(+) 19,736,499,403

Non Real	Count	Value		
Personal Property:	9,580	2,449,631,410		
Mineral Property:	0	0		
Autos:	0	0	Total Non Real	(+) 2,449,631,410
			Market Value	= 30,035,155,976

Ag	Non Exempt	Exempt		
Total Productivity Market:	662,458,759	390,296		
Ag Use:	1,449,087	1,022	Productivity Loss	(-) 661,009,672
Timber Use:	0	0	Appraised Value	= 29,374,146,304
Productivity Loss:	661,009,672	389,274	Homestead Cap	(-) 22,391,794
			Assessed Value	= 29,351,754,510

Exemption	Count	Local	State	Total		
AB	115	497,145,772	0	497,145,772		
CHODO	144	24,262,857	0	24,262,857		
CHODO(Partial)	1	4,589,138	0	4,589,138		
DP	693	27,366,356	0	27,366,356		
DV1	425	0	3,149,000	3,149,000		
DV1S	11	0	52,500	52,500		
DV2	90	0	792,000	792,000		
DV2S	1	0	7,500	7,500		
DV3	55	0	588,000	588,000		
DV3S	2	0	20,000	20,000		
DV4	101	0	1,206,000	1,206,000		
DV4S	55	0	660,000	660,000		
EX	1,477	0	865,456,655	865,456,655		
EX(Prorated)	7	0	3,533,520	3,533,520		
EX366	475	0	88,221	88,221		
FR	62	199,336,764	0	199,336,764		
HS	57,298	2,893,657,267	0	2,893,657,267		
HT	72	6,501,731	0	6,501,731		
OV65	7,758	307,417,936	0	307,417,936		
OV65S	75	3,000,000	0	3,000,000		
PC	14	1,422,618	0	1,422,618	Total Exemptions	(-) 4,840,253,835
					Net Taxable	= 24,511,500,675

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count		
DP	124,316,422	73,573,517	304,971.68	307,722.75	643		
OV65	1,498,158,616	909,578,421	3,809,042.46	3,829,602.64	7,171		
Total	1,622,475,038	983,151,938	4,114,014.14	4,137,325.39	7,814	Freeze Taxable	(-) 983,151,938
Tax Rate	0.473500						

Transfer	Assessed	Taxable	Post % Taxable	Adjustment	Count		
DP	325,230	220,184	192,668	27,516	1		
OV65	5,468,759	3,669,556	3,238,326	431,230	25		
Total	5,793,989	3,889,740	3,430,994	458,746	26	Transfer Adjustment	(-) 458,746

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Collin County

2007 CERTIFIED TOTALS

As of Certification

Property Count: 86,783

CPL - PLANO CITY
Grand Totals

7/24/2007 8:20:01AM

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE * (TAX RATE / 100)) + ACTUAL TAX
115,518,573.25 = 23,527,889,991 * (0.473500 / 100) + 4,114,014.14

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

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Collin County

2007 CERTIFIED TOTALS

As of Certification

Property Count: 86,783

CPL - PLANO CITY
Grand Totals

7/24/2007 8:20:18AM

State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
A	SINGLE FAMILY RESIDENCE	69,831		\$176,830,325	\$16,754,946,899
B	MULTIFAMILY RESIDENCE	942		\$99,057,055	\$1,868,893,599
C	VACANT LOT	545		\$0	\$189,231,995
D1	QUALIFIED AG LAND	273	3,636.3813	\$0	\$662,458,759
D2	NON-QUALIFIED LAND	156	1,620.8870	\$0	\$196,774,296
E	FARM OR RANCH IMPROVEMENT	43		\$0	\$9,705,813
F1	COMMERCIAL REAL PROPERTY	1,869		\$263,812,388	\$6,099,506,880
F2	INDUSTRIAL REAL PROPERTY	269		\$895,515	\$759,130,107
J2	GAS DISTRIBUTION SYSTEM	3		\$0	\$11,985,289
J3	ELECTRIC COMPANY (INCLUDING CO-OP)	42		\$0	\$186,485,076
J4	TELEPHONE COMPANY (INCLUDING CO-O	470		\$0	\$185,529,490
J5	RAILROAD	24		\$0	\$424,221
J6	PIPELAND COMPANY	2		\$0	\$24,361
J7	CABLE TELEVISION COMPANY	11		\$0	\$19,177,736
L1	COMMERCIAL PERSONAL PROPERTY	8,370		\$10,213,976	\$1,889,435,447
L2	INDUSTRIAL PERSONAL PROPERTY	96		\$0	\$73,113,947
M1	TANGIBLE OTHER PERSONAL, MOBILE HC	347		\$396,319	\$4,724,302
O	RESIDENTIAL INVENTORY	1,690		\$43,587,544	\$141,751,190
S	SPECIAL INVENTORY TAX	80		\$0	\$92,048,627
X	TOTALLY EXEMPT PROPERTY	2,095		\$36,981,677	\$889,807,942
	Totals		5,257.2683	\$631,774,799	\$30,035,155,976

Collin County

2007 CERTIFIED TOTALS

As of Certification

CPL - PLANO CITY
Grand Totals

Property Count: 86,783

7/24/2007 8:20:18AM

CAD State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
A1	RESIDENTIAL SINGLE FAMILY	65,569		\$132,723,185	\$16,312,776,611
A2	RESIDENTIAL MOBILE HOME (OWN LAND)	1		\$0	\$26,189
A3	RESIDENTIAL CONDOMINIUMS	1,335		\$373,659	\$120,173,700
A4	RESIDENTIAL TOWNHOMES	1,998		\$28,063,887	\$293,268,715
A6	IMPROVEMENT % COMPLETE RESIDENTI/	118		\$15,669,594	\$27,686,707
A9	NEW IMP CLASSED NV (NO VALUE)	319		\$0	\$35,128
B1	RESIDENTIAL MULTI-FAMILY	135		\$59,367,160	\$1,700,531,683
B2	RESIDENTIAL DUPLEX	796		\$6,850	\$111,471,908
B3	RESIDENTIAL TRIPLEX	1		\$0	\$184,703
B4	RESIDENTIAL QUADPLEX	4		\$0	\$632,821
B6	IMPROVEMENT % COMPLETE	8		\$39,683,045	\$56,072,484
C1	VACANT RESIDENTIAL LOTS IN CITY UNDE	148		\$0	\$12,654,453
C2	VACANT RESIDENTIAL LOTS OUT OF CITY	1		\$0	\$220,535
C3	VACANT COMMERCIAL LOTS IN CITY UNDE	393		\$0	\$174,606,924
C5	VACANT INDUSTRIAL IN CITY UNDER 5 AC	3		\$0	\$1,750,083
D1	NATIVE PASTURE	273	3,636.3813	\$0	\$662,458,759
D2	IMPROVED PASTURE	156	1,620.8870	\$0	\$196,774,296
E1	REAL FARM & RANCH SINGLE FAMILY	34		\$0	\$8,000
E2	FARM AND RANCH MOBILE HOMES	1		\$0	\$791,118
E3	FARM AND RANCH OTHER IMPROVEMENT	13		\$128,500,254	\$3,430,919,902
F1	REAL COMMERCIAL	1,216		\$895,515	\$759,130,107
F2	REAL INDUSTRIAL	269		\$51,563,501	\$2,413,026,223
F3	OFFICE COMMERCIAL REAL	441		\$5,838,700	\$112,040,277
F4	CONDOMINIUM COMMERCIAL REAL	247		\$77,909,933	\$143,520,478
F6	COMMERCIAL REAL IMP PERCENT COMPI	52		\$0	\$34,031
J2A	REAL GAS COMPANIES	1		\$0	\$11,951,258
J2B	PERSONAL GAS COMPANIES	2		\$0	\$2,128,936
J3	ELECTRIC COMPANIES	3		\$0	\$11,275,750
J3A	REAL ELECTRIC COMPANIES	34		\$0	\$173,080,390
J3B	PERSONAL ELECTRIC COMPANIES	5		\$0	\$125,940,091
J4	TELEPHONE (ALL TELE-COMMUNICATION	451		\$0	\$5,010,348
J4A	REAL TELEPHONE COMPANIES	9		\$0	\$54,579,051
J4B	PERSONAL TELEPHONE COMPANIES	10		\$0	\$424,221
J5	RAILROADS & CORRIDORS	24		\$0	\$24,361
J6B	PERSONAL PIPELINES	2		\$0	\$19,177,736
J7	CABLE COMPANIES	11		\$10,213,976	\$1,889,435,447
L1	TANGIBLE COMMERCIAL PERSONAL	8,370		\$0	\$73,113,947
L2	TANGIBLE INDUSTRIAL PERSONAL	96		\$396,319	\$4,724,302
M3	TANGIBLE PERSONAL MOBILE HOMES	347		\$0	\$979,849
M4	MISCELLANEOUS	587		\$43,587,544	\$141,751,190
O	RESIDENTIAL INVENTORY	1,690		\$0	\$92,048,627
S	SPECIAL INVENTORY BPP	80		\$36,981,677	\$889,807,942
X	TOTALLY EXEMPT PROPERTY	2,095			
Totals			5,257.2683	\$631,774,799	\$30,035,155,976

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Collin County

2007 CERTIFIED TOTALS

As of Certification

Property Count: 86,783

CPL - PLANO CITY
Effective Rate Assumption

7/24/2007 8:20:18AM

New Value

TOTAL NEW VALUE MARKET: \$631,774,799
TOTAL NEW VALUE TAXABLE: \$568,050,666

New Exemptions

Exemption	Description	Count	2006 Market Value	2006 Market Value
EX	TOTAL EXEMPTION	88		\$17,663,781
EX366	HOUSE BILL 366	255		\$9,145,338
ABSOLUTE EXEMPTIONS VALUE LOSS				\$26,809,119

Exemption	Description	Count	Exemption Amount	
DP	DISABILITY	29	\$1,113,600	
DV1	DISABLED VET	19	\$102,000	
DV2	DISABLED VET	4	\$34,500	
DV3	DISABLED VET	1	\$10,000	
DV4	DISABLED VET	12	\$144,000	
DV4S	DISABLED VET	1	\$12,000	
HS	HOMESTEAD	1,615	\$87,022,773	
OV65	OVER 65	525	\$20,652,502	
PARTIAL EXEMPTIONS VALUE LOSS				\$109,091,375
TOTAL EXEMPTIONS VALUE LOSS				\$135,900,494

New Ag / Timber Exemptions

2006 Market Value \$371,516
2007 Ag/Timber Use \$902
Count: 1
NEW AG / TIMBER VALUE LOSS \$370,614

New Annexations

New Deannexations

Count	Market Value	Taxable Value
1	\$0	\$0

Average Homestead Value

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
56,928	\$253,380	\$51,063	\$202,317

Lower Value Used

Count of Protested Properties	Total Market Value	Total Value Used

0-10

Collin County

2007 CERTIFIED TOTALS

As of Certification

TP2 - PLANO #2 TIF - BASE 1999

Property Count: 656

Grand Totals

7/24/2007 8:20:01AM

Land		Value			
Homesite:		3,332,101			
Non Homesite:		191,982,935			
Ag Market:		3,961,575			
Timber Market:		0		Total Land	(+) 199,276,611
Improvement		Value			
Homesite:		10,124,642		Total Improvements	(+) 336,026,932
Non Homesite:		325,902,290			
Non Real		Count	Value		
Personal Property:		0	0	Total Non Real	(+) 0
Mineral Property:		0	0	Market Value	= 535,303,543
Autos:		0	0		
Ag		Non Exempt	Exempt		
Total Productivity Market:		3,961,575	0	Productivity Loss	(-) 3,959,368
Ag Use:		2,207	0	Appraised Value	= 531,344,175
Timber Use:		0	0		
Productivity Loss:		3,959,368	0	Homestead Cap	(-) 15,738
				Assessed Value	= 531,328,437
Exemption	Count	Local	State	Total	
EX	108	0	40,709,351	40,709,351	
EX(Prorated)	2	0	6,080	6,080	
HT	1	0	0	0	Total Exemptions (-) 40,715,431
					Net Taxable = 490,613,006

APPROXIMATE TOTAL LEVY = NET TAXABLE * (TAX RATE / 100)
 0.00 = 490,613,006 * (0.000000 / 100)

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

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Collin County

2007 CERTIFIED TOTALS

As of Certification

TP2 - PLANO #2 TIF - BASE 1999

Property Count: 656

Grand Totals

7/24/2007

8:20:18AM

State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
A	SINGLE FAMILY RESIDENCE	100		\$203,087	\$13,069,939
B	MULTIFAMILY RESIDENCE	15		\$0	\$49,618,887
C	VACANT LOT	91		\$0	\$9,703,202
D1	QUALIFIED AG LAND	4	13.1368	\$0	\$3,961,575
D2	NON-QUALIFIED LAND	2	13.4960	\$0	\$4,125,199
F1	COMMERCIAL REAL PROPERTY	264		\$3,489,098	\$342,168,746
F2	INDUSTRIAL REAL PROPERTY	65		\$533,770	\$70,620,862
J2	GAS DISTRIBUTION SYSTEM	1		\$0	\$34,031
J3	ELECTRIC COMPANY (INCLUDING CO-OP)	2		\$0	\$21,902
J4	TELEPHONE COMPANY (INCLUDING CO-O	2		\$0	\$904,095
J5	RAILROAD	5		\$0	\$0
L1	COMMERCIAL PERSONAL PROPERTY	1		\$0	\$0
O	RESIDENTIAL INVENTORY	8		\$0	\$365,754
X	TOTALLY EXEMPT PROPERTY	108		\$3,606,567	\$40,709,351
		Totals	26.6328	\$7,832,522	\$535,303,543

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Collin County

2007 CERTIFIED TOTALS

As of Certification

Property Count: 656

TP2 - PLANO #2 TIF - BASE 1999
Grand Totals

7/24/2007 8:20:18AM

CAD State Category Breakdown

State Code	Description	Count	Acres	New Value/Market	Market Value
A1	RESIDENTIAL SINGLE FAMILY	48		\$203,087	\$3,040,555
A3	RESIDENTIAL CONDOMINIUMS	31		\$0	\$6,679,322
A4	RESIDENTIAL TOWNHOMES	13		\$0	\$3,349,062
A9	NEW IMP CLASSED NV (NO VALUE)	7		\$0	\$0
B1	RESIDENTIAL MULTI-FAMILY	13		\$0	\$49,354,070
B2	RESIDENTIAL DUPLEX	1		\$0	\$179,604
B4	RESIDENTIAL QUADPLEX	1		\$0	\$85,213
C1	VACANT RESIDENTIAL LOTS IN CITY UNDI	1		\$0	\$210,395
C3	VACANT COMMERCIAL LOTS IN CITY UND	90		\$0	\$9,492,807
D1	NATIVE PASTURE	4	13.1368	\$0	\$3,961,575
D2	IMPROVED PASTURE	2	13.4960	\$0	\$4,125,199
F1	REAL COMMERCIAL	194		\$3,489,098	\$226,065,174
F2	REAL INDUSTRIAL	65		\$533,770	\$70,620,862
F3	OFFICE COMMERCIAL REAL	62		\$0	\$114,945,183
F4	CONDOMINIUM COMMERCIAL REAL	10		\$0	\$1,158,389
J2A	REAL GAS COMPANIES	1		\$0	\$34,031
J3A	REAL ELECTRIC COMPANIES	2		\$0	\$21,902
J4A	REAL TELEPHONE COMPANIES	2		\$0	\$904,095
J5	RAILROADS & CORRIDORS	5		\$0	\$0
L1	TANGIBLE COMMERCIAL PERSONAL	1		\$0	\$0
M4	MISCELLANEOUS	1		\$0	\$1,000
O	RESIDENTIAL INVENTORY	8		\$0	\$365,754
X	TOTALLY EXEMPT PROPERTY	108		\$3,606,567	\$40,709,351
		Totals	26.6328	\$7,832,522	\$535,303,543

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Collin County

2007 CERTIFIED TOTALS

As of Certification

Property Count: 656

TP2 - PLANO #2 TIF - BASE 1999
Effective Rate Assumption

7/24/2007

8:20:18AM

New Value

TOTAL NEW VALUE MARKET: \$7,832,522
TOTAL NEW VALUE TAXABLE: \$4,225,955

New Exemptions

Exemption	Description	Count		
EX	TOTAL EXEMPTION	6	2006 Market Value	\$351,880
ABSOLUTE EXEMPTIONS VALUE LOSS				\$351,880

Exemption	Description	Count	Exemption Amount
PARTIAL EXEMPTIONS VALUE LOSS			
TOTAL EXEMPTIONS VALUE LOSS			\$351,880

New Ag / Timber Exemptions

New Annexations

New Deannexations

Average Homestead Value

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
33	\$131,805	\$477	\$131,328

Lower Value Used

Count of Protested Properties	Total Market Value	Total Value Used

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Collin County

2007 CERTIFIED TOTALS

As of Certification

TP1 - PLANO #1 TIF - BASE 1997 (JCN), 1998 (GCN,CPL,SPL)
Grand Totals

Property Count: 37

7/24/2007 8:20:01AM

Land		Value				
Homesite:		0				
Non Homesite:		56,933,148				
Ag Market:		0				
Timber Market:		0	Total Land	(+) 56,933,148		
Improvement		Value				
Homesite:		0				
Non Homesite:		206,953,667	Total Improvements	(+) 206,953,667		
Non:Real		Count	Value			
Personal Property:	0	0				
Mineral Property:	0	0				
Autos:	0	0	Total Non Real	(+) 0		
			Market Value	= 263,886,815		
Ag		Non Exempt	Exempt			
Total Productivity Market:	0	0				
Ag Use:	0	0	Productivity Loss	(-) 0		
Timber Use:	0	0	Appraised Value	= 263,886,815		
Productivity Loss:	0	0				
			Homestead Cap	(-) 0		
			Assessed Value	= 263,886,815		
Exemption		Count	Local	State	Total	
EX	9	0	5,394,761	5,394,761		Total Exemptions
						(-) 5,394,761
						Net Taxable
						= 258,492,054

APPROXIMATE TOTAL LEVY = NET TAXABLE * (TAX RATE / 100)
0.00 = 258,492,054 * (0.000000 / 100)

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

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Collin County As of Certification

2007 CERTIFIED TOTALS

TP1 - PLANO #1 TIF - BASE 1997 (JCN), 1998 (GCN,CPL,SPL)

Property Count: 37 Grand Totals 7/24/2007 8:20:18AM

State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
C	VACANT LOT	2		\$0	\$3,472,167
D2	NON-QUALIFIED LAND	1	7.1600	\$0	\$3,742,675
F1	COMMERCIAL REAL PROPERTY	25		\$19,804,458	\$251,277,212
X	TOTALLY EXEMPT PROPERTY	9		\$0	\$5,394,761
Totals			7.1600	\$19,804,458	\$263,886,815

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Collin County

2007 CERTIFIED TOTALS

As of Certification

TP1 - PLANO #1 TIF - BASE 1997 (JCN), 1998 (GCN,CPL,SPL)
Grand Totals

Property Count: 37

7/24/2007

8:20:18AM

CAD State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
C3	VACANT COMMERCIAL LOTS IN CITY UND	2		\$0	\$3,472,167
D2	IMPROVED PASTURE	1	7.1600	\$0	\$3,742,675
F1	REAL COMMERCIAL	15		\$17,899,766	\$217,841,420
F3	OFFICE COMMERCIAL REAL	2		\$0	\$26,589,948
F4	CONDOMINIUM COMMERCIAL REAL	9		\$1,099,715	\$5,730,160
F6	COMMERCIAL REAL IMP PERCENT COMPI	1		\$804,977	\$1,115,684
X	TOTALLY EXEMPT PROPERTY	9		\$0	\$5,394,761
	Totals		7.1600	\$19,804,458	\$263,886,815

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Collin County

2007 CERTIFIED TOTALS

As of Certification

TP1 - PLANO #1 TIF - BASE 1997 (JCN), 1998 (GCN,CPL,SPL)
Effective Rate Assumption

Property Count: 37

7/24/2007

8:20:18AM

New Value

TOTAL NEW VALUE MARKET: \$19,804,458
TOTAL NEW VALUE TAXABLE: \$19,804,458

New Exemptions

Exemption	Description	Count
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ABSOLUTE EXEMPTIONS VALUE LOSS

Exemption	Description	Count	Exemption Amount
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PARTIAL EXEMPTIONS VALUE LOSS

TOTAL EXEMPTIONS VALUE LOSS \$0

New Ag / Timber Exemptions

New Annexations

New Deannexations

Average Homestead Value

Lower Value Used

Count of Protested Properties	Total Market Value	Total Value Used
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CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget <i>C.S.</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07	Reviewed by Legal <i>M</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Human Resources - PDC		Initials	Date
Department Head	LaShon Ross	Executive Director	<i>LR</i>	8-3-07
Dept Signature:	<i>LaShon Ross</i>	City Manager	<i>TC</i>	8/13/07
Agenda Coordinator (include phone #):		Tracey Cummings X5300		

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER

CAPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BY AND BETWEEN CITY OF PLANO AND UNIVERSITY OF TEXAS AT DALLAS FOR EDUCATIONAL SERVICES; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER OR, IN HIS ABSENCE, AN EXECUTIVE DIRECTOR; AND PROVIDING AN EFFECTIVE DATE.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 07/08	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	123,394	0	123,394
Encumbered/Expended Amount	0	0	0	0
This Item	0	-31,500	0	-31,500
BALANCE	0	91,894	0	91,894

FUND(S): GENERAL

COMMENTS: Funding for this item is available in the Professional Development Center's Budget. This agreement will allow for educational services for one year in the amount not to exceed \$31,500.

SUMMARY OF ITEM

Interlocal Agreement between the City of Plano and University of Texas at Dallas for Educational Services for one year.

List of Supporting Documents:
Sample Interlocal Agreement

Other Departments, Boards, Commissions or Agencies

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BY AND BETWEEN CITY OF PLANO AND UNIVERSITY OF TEXAS AT DALLAS FOR EDUCATIONAL SERVICES; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER OR, IN HIS ABSENCE, AN EXECUTIVE DIRECTOR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Agreement by and between City of Plano and University of Texas at Dallas, a substantial copy of which is attached hereto as Attachment "A" and incorporated herein by reference (hereinafter called "Agreement"); and,

WHEREAS, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager, or in his absence an Executive Director, shall be authorized to execute it on behalf of the City of Plano.

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

Section I. The terms and conditions of the Agreement, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interests of the City of Plano and its citizens, are hereby in all things approved.

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

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

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RESOLUTION NO. _____

Page 2

DULY PASSED AND APPROVED this the _____ day of _____, 2007.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

**INTERLOCAL AGREEMENT BY AND BETWEEN
THE CITY OF PLANO, TEXAS AND THE UNIVERSITY OF TEXAS AT DALLAS FOR
GRADUATE PROGRAMS IN
LOCAL GOVERNMENT MANAGEMENT AND CITY PLANNING**

THIS AGREEMENT is made and entered by and between the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, hereinafter referred to as "PLANO", and **THE UNIVERSITY OF TEXAS AT DALLAS**, hereinafter referred to as "University", as follows:

WITNESSETH:

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

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

WHEREAS, PLANO wishes to offer its employees a Graduate Certificate in Local Government Management and/or City Planning (the "Programs"); and

WHEREAS, University is an institution of higher education that offers graduate level education courses and desires to offer the Program to PLANO employees; and

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

WHEREAS, the Program will provide PLANO employees with additional knowledge and skills to more effectively serve the citizens.

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

**I.
TERM**

This Agreement shall begin on September 1, 2007 and conclude on August 31, 2008. This Agreement may be terminated by either party after providing thirty (30) days written notice to the other party.

**II.
THE PROGRAM**

The parties agree that University shall offer graduate level education courses as identified in **Exhibit "A"** attached hereto and incorporated herein by reference. The parties understand and agree that any deviations or modifications in the terms of the Agreement may be authorized from time to time, but said authorization must be made in writing.

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

1. City shall designate a program liaison who will manage program details and work with the University's program manager in content and logistics planning. The City shall provide University with required student-employee information for the purpose of registration and documentation. City shall also provide appropriate training facilities and all reasonably necessary equipment, including AV equipment.
2. University shall provide curriculum design, program delivery, assembly of program materials, development of materials for participants, administration and tabulation of course evaluations, and a program manager to work with City.

**IV.
CONSIDERATION / FEES**

A. In consideration for providing the Program as specified in **Exhibit "A"** attached hereto, PLANO shall pay University as follows:

\$1,402.81 Per Resident Graduate Student on Existing Tuition Plan
\$1,506.81 Per Resident Graduate Student on Guaranteed Tuition Plan
\$2,236.81 Per Non-Resident Graduate Student on Existing Tuition Plan
\$2,436.81 Per Non-Resident Graduate Student on Guaranteed Tuition Plan
for each three (3) hour course.

Total compensation under this agreement is based on the number of students and the tuition plan selected by the students unless amended in writing by both parties.

B. By the first day of class, University must receive a purchase order from PLANO referencing the particular program. The purchase order must list the names of the students enrolled in the program for the semester, the number of classes and the number of credit hours for each student and the agreed upon tuition amounts. In addition, the purchase order must list City's contact person's name, phone number, fax number and the billing address. A copy of the purchase order must be forwarded to the University's Bursar's Office.

After the receipt of the purchase order, the University Bursar's Office will transfer the tuition obligation from the individual students' records to PLANO. Upon the

completion of the semester, University will send an invoice to PLANO for the total costs as reflected on the purchase order. Payments hereunder shall be made to University within thirty (30) days of receiving University's invoice. Payments due to the University will not be contingent upon grades or attendance. In the event that the student is terminated from PLANO'S employment after the purchase order has been honored, PLANO is still obligated to the University. Any subsequent changes to the contract or the purchase order must be approved by the University's Program representative and must be documented via an amendment to the agreement and/or purchase order.

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

V.

TERMINATION

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

VI.

RELEASE AND HOLD HARMLESS

University, to the extent authorized under the constitution and laws of the State of Texas, agrees to be responsible for its own acts of negligence and PLANO, to the extent allowed by law and without waiving any rights or protections provided therein, agrees to be responsible for its own acts of negligence, which may arise in connection with any and all claims for damages, cost, and expenses to person or persons and property that may arise out of or be occasioned by this Agreement or any of its activities or from any act or omission of any employee or invitee of University or PLANO.

In the event of joint and concurrent negligence, University and PLANO agree that responsibility shall be apportioned comparatively. This obligation shall be construed for the benefit of the parties hereto, and not for the benefit of any third parties, nor to create liability for the benefit of any third parties, nor to deprive the parties hereto of any defenses each may have as against third parties under the laws and court decisions of the State of Texas.

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**VII.
NOTICE**

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

**The University of Texas at Dallas City of PLANO Representative:
Representative:**

Dr. Douglas J. Watson
Program Head, Public Affairs
School of Economic, Political and Policy
Sciences
17919 Waterview Parkway, WT 17
Dallas, Texas 75252
(972) 883-4907

Mr. Greg Carpenter
Organizational Development Manager
City of Plano
1520 Avenue K, Suite 130
Plano, Texas 75074
(972) 941-7614

**VIII.
AUTHORITY TO SIGN**

The undersigned officer and/or agents of the parties hereto are the properly authorized officials and have the necessary authority to execute this Agreement on behalf of the parties hereto. Plano has executed this Agreement pursuant to duly authorized action of the Plano City Council on August 13, 2007. University has executed this Agreement pursuant to the authority granted by its governing body. Each of the parties shall provide written documentation evidencing the grant of approval by its respective governing body.

**IX.
SEVERABILITY**

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

**X.
VENUE**

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

**XI.
INTERPRETATION OF AGREEMENT**

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

**XII.
REMEDIES**

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

**XIII.
SUCCESSORS AND ASSIGNS**

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

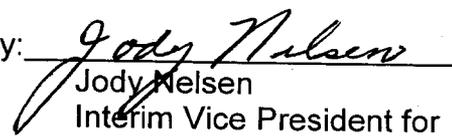
IN WITNESS WHEREOF, the parties have executed this Agreement by signing below.

Date: 7/18/2007

Date: 7-18-07

**THE UNIVERSITY OF TEXAS AT
DALLAS**

By: 
B. Hobson Wildenthal,
Provost

By: 
Jody Nelsen
Interim Vice President for
Business Affairs

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STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the _____ day of _____, 2007, by **THOMAS H. MUEHLENBECK**, City Manager, of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

Notary Public, State of Texas

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EXHIBIT "A"

Program: Graduate Certificate in Local Government Management and Graduate Certificate in City Planning.

Courses offered under this Program will include, but are not limited to, the following:

- a. PA 6344 Local Government Management
- b. PA 5321 Government Financial Management and Budgeting
- c. PA 5320 Community Planning
- d. PA 5343 Human Resource Management
- e. PA 6342 Local Economic Development
- f. PA 5319 Topics (several courses will be offered)
- g. Other courses as agreed to by all parties to the agreement

Credit Hours: 3 credit hours per course

Tuition:
Resident Graduate Existing Tuition Plan: \$1,402.81
Resident Graduate Guaranteed Tuition Plan: \$1,506.81
Non-Resident Graduate Existing Tuition Plan: \$2,236.81
Non-Resident Graduate Guaranteed Tuition Plan: \$2,436.81

Materials/Supplies Costs: All required materials will be paid for by the individual participant, unless otherwise specified.

Scheduled Course Dates: To be determined by **PLANO** and **University**.

Instructor: To be determined by **PLANO** and **University**.

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**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Applicable
Council Meeting Date:	08/13/07		Reviewed by Legal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
Department:	Engineering		Initials	Date
Department Head	Alan Upchurch		Executive Director	8/6/07
Dept Signature:	<i>Alan Upchurch</i>		City Manager	<i>[Signature]</i> 8/6/07
Agenda Coordinator (include phone #): I. Pegues 7198				

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER

CAPTION

An Ordinance of the City of Plano, Texas, amending Ordinance No. 2006-6-29, currently codified under Chapter 12 (Motor Vehicles and Traffic), Article IV (Speed), Section 12-73(d) of the City of Plano Code of Ordinances, to delete a school zone for Barron Early Childhood School located on Parker Road from five hundred (500) feet east of P Avenue to one hundred fifty (150) feet west of P Avenue; to revise the designated times of school zone operation for Fowler Middle School; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0

FUND(S):

COMMENTS:

SUMMARY OF ITEM

Barron Elementary School (Kindergarten through Grade 5) has been converted to Barron Early Childhood School (pre-Kindergarten), and as a result, one school zone on Parker Road from five hundred (500) feet east of P Avenue to one hundred fifty (150) feet west of P Avenue will be no longer necessary. The Transportation Advisory Committee (TAC) reviewed this request and supported the removal of the school zone. In addition, Frisco Independent School District (FISD) has changed Liberty High School to Fowler Middle School so the school zone times on McDermott Road need to be adjusted from the high school hours (8:15 a.m. to 9:00 a.m. and 3:45 p.m. to 4:15 p.m.) to the middle school hours (7:50 a.m. to 8:50 a.m. and 3:45 p.m. to 4:30 p.m.). The City of Plano Transportation Engineering Division supports the removal of the school zone and revision of the school zone hours.

9-1



**CITY OF PLANO
COUNCIL AGENDA ITEM**

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

9-2

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING ORDINANCE NO. 2006-6-29, CURRENTLY CODIFIED UNDER CHAPTER 12 (MOTOR VEHICLES AND TRAFFIC), ARTICLE IV (SPEED), SECTION 12-73(d) OF THE CITY OF PLANO CODE OF ORDINANCES, TO DELETE A SCHOOL ZONE FOR BARRON EARLY CHILDHOOD SCHOOL LOCATED ON PARKER ROAD FROM FIVE HUNDRED (500) FEET EAST OF P AVENUE TO ONE HUNDRED FIFTY (150) FEET WEST OF P AVENUE; TO REVISE THE DESIGNATED TIMES OF SCHOOL ZONE OPERATION FOR FOWLER MIDDLE SCHOOL; AND PROVIDING A PENALTY CLAUSE, A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, A PUBLICATION CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the Plano Independent School District (PISD) has changed the use of Barron Elementary School for children in Kindergarten through Grade 5 to Barron Early Childhood School for preschool children; and

WHEREAS, school zones adjacent to school property are installed because of the general nature of activity including adjacent playgrounds, level of vehicular traffic and/or pedestrian activity caused by elementary school children; and

WHEREAS, school zones adjacent to school property are typically installed on streets where this type of activity occurs for school grades Kindergarten through Grade 8; and

WHEREAS, Barron Early Childhood School will no longer be used for school grades Kindergarten through Grade 8; and

WHEREAS, the City of Plano Transportation Engineering Division (TED) has concluded that preschool children are typically escorted or driven to school and therefore do not walk to school unattended; and

WHEREAS, the Transportation Advisory Committee (TAC), after hearing input from the Plano Independent School District (PISD) and the City of Plano TED, determined that the school zone on Parker Road adjacent to Barron Early Childhood School are no longer necessary; and

WHEREAS, the Frisco Independent School District (FISD) has changed Liberty High School to Fowler Middle School; and

WHEREAS, the school hours for the middle school (7:50 a.m. to 8:50 a.m. and 3:45 p.m. to 4:30 p.m.) are different than the hours for the high school (8:15 a.m. to 9:00 a.m. and 3:45 p.m. to 4:15 p.m.); and

WHEREAS, adjustments are needed to the effective times at and near this school to provide for the safe flow of pedestrian traffic; and

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Court, shall be subject to a fine not to exceed TWO HUNDRED AND NO/100 DOLLARS (\$200.00) for each offense. Each and every violation shall be deemed to constitute a separate offense.

Section VII. The repeal of any ordinance or part of any ordinance 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 ordinances at the time of passage of this Ordinance.

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

DULY PASSED AND APPROVED this _____ day of _____, 2007.

Pat Evans, MAYOR

ATTEST:

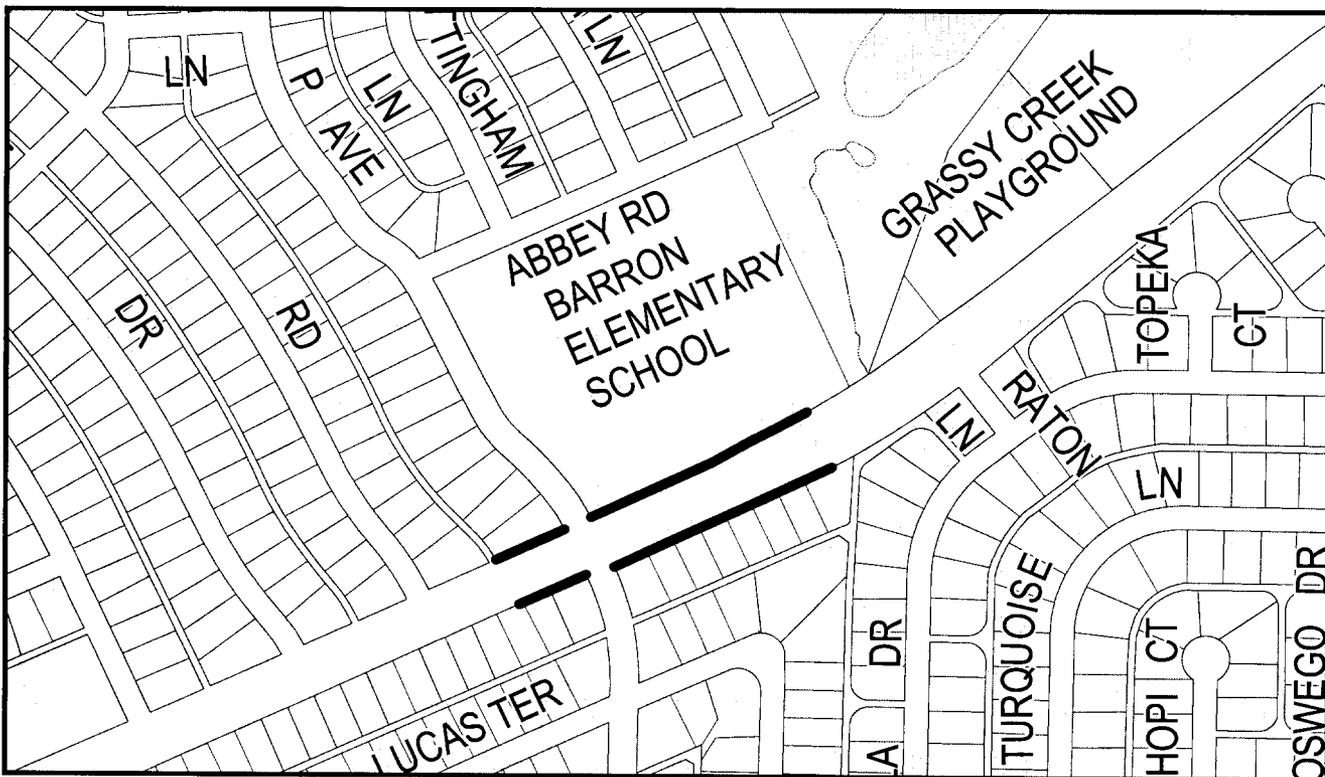
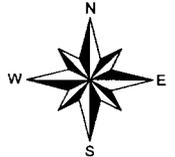
Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

9-5

BARRON EARLY CHILDHOOD SCHOOL



Proposed
School
Zones
to be
Removed

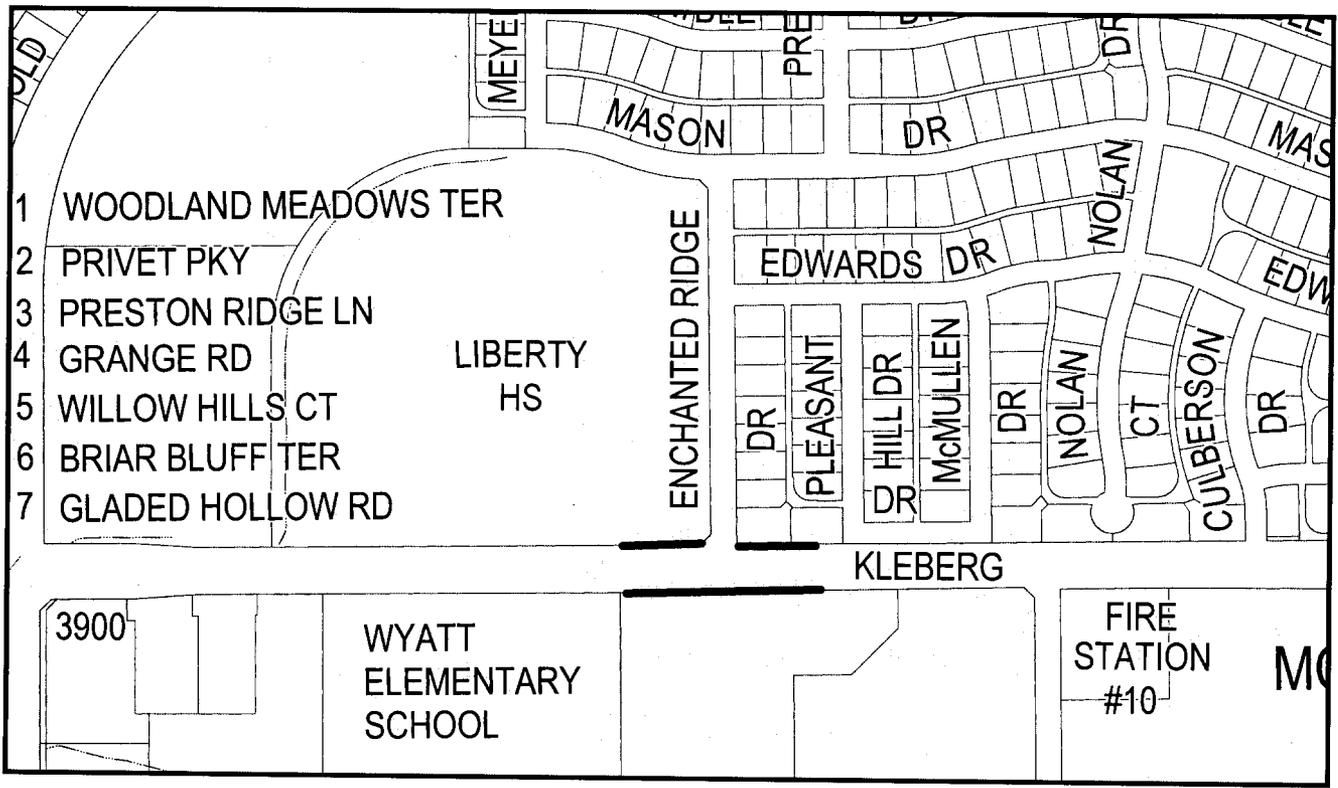
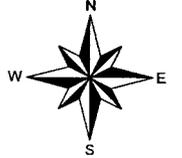
AUGUST
2007



Plano
Transportation Engineering Division

9-6

LIBERTY HIGH SCHOOL



Proposed School Zone Hours to be Revised

AUGUST 2007



Plano

Transportation Engineering Division

q-7



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Applicable
Council Meeting Date: 08/13/2007		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Engineering		Initials	Date
Department Head	Alan Upchurch		Executive Director	8/16/07
Dept Signature:	<i>Alan Upchurch</i>		City Manager	8/16/07
Agenda Coordinator (include phone #): I. Pegues 7198				
ACTION REQUESTED: <input checked="" type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER				

CAPTION

An Ordinance of the City of Plano, Texas, amending Section 11-144(a) of Division 2 of Article IV (Peddlers and Solicitors) of Chapter 11 (Licenses and Business Regulations), amending Section 12-12(b) of Article I (In General) of Chapter 12 (Motor Vehicles and Traffic), amending Section 12-74(b) of Article IV (Speed) of Chapter 12 and amending Section 12-101 of Article V (Stopping, Standing and Parking) of Chapter 12 of the City of Plano Code of Ordinances, to change the names of the service roads on U.S. Highway 75 and the President George Bush Turnpike within the incorporated limits of the City of Plano; providing for a change in the official records to reflect such action; and providing a repealer clause, a severability clause, a savings clause, a publication clause and an effective date.

FINANCIAL SUMMARY

<input checked="" type="checkbox"/> NOT APPLICABLE	<input type="checkbox"/> OPERATING EXPENSE	<input type="checkbox"/> REVENUE	<input type="checkbox"/> CIP	
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0

FUND(S):

COMMENTS:

SUMMARY OF ITEM

The North Central Texas Council of Governments recommended that the name of the service roads for U.S. Highway 75 be changed to "Central Expressway" and that the name of the service roads for State Highway 190 (President George Bush Turnpike) be changed to "President George Bush Freeway" in order to assign specific names to the service roads for easier identification in emergency situations. The City of Plano Police Department and Transportation Engineering Division concur with renaming the service roads for both roads within the City of Plano.

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING SECTION 11-144(A) OF DIVISION 2 OF ARTICLE IV (PEDDLERS AND SOLICITORS) OF CHAPTER 11 (LICENSES AND BUSINESS REGULATIONS), AMENDING SECTION 12-12(B) OF ARTICLE I (IN GENERAL) OF CHAPTER 12 (MOTOR VEHICLES AND TRAFFIC), AMENDING SECTION 12-74(B) OF ARTICLE IV (SPEED) OF CHAPTER 12 AND AMENDING SECTION 12-101 OF ARTICLE V (STOPPING, STANDING AND PARKING) OF CHAPTER 12 OF THE CITY OF PLANO CODE OF ORDINANCES, TO CHANGE THE NAMES OF THE SERVICE ROADS ON U.S. HIGHWAY 75 AND THE PRESIDENT GEORGE BUSH TURNPIKE WITHIN THE INCORPORATED LIMITS OF THE CITY OF PLANO; PROVIDING FOR A CHANGE IN THE OFFICIAL RECORDS TO REFLECT SUCH ACTION; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, A PUBLICATION CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the service roads of U.S. Highway 75 and the service roads of State Highway 190 (President George Bush Turnpike) are dedicated public streets within the City of Plano; and

WHEREAS, the North Central Texas Council of Governments (NCTCOG) determined it was necessary to identify the service roads of U.S. Highway 75 and State Highway 190 (President George Bush Turnpike) by specific names within the incorporated limits of the City of Plano for easier identification in emergency situations; and

WHEREAS, the City of Plano Police Department and the City of Plano Traffic Engineering Division agree that it is in the best interest of the health, safety and welfare of the citizens of the City of Plano to specifically identify the service roads of U.S. Highway 75 as "Central Expressway" and the service roads of State Highway 190 (President George Bush Turnpike) as "President George Bush Freeway"; and

WHEREAS, the City Council hereby finds and determines that it is necessary and in the best interest of the health, safety and welfare of the citizens of the City of Plano to specifically identify the service roads of U.S. Highway 75 as "Central Expressway" and the service roads of State Highway 190 (President George Bush Turnpike) as "President George Bush Freeway" within the incorporated limits of the City of Plano.

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

Section I. The service roads of U.S. Highway 75 within the incorporated limits of the City of Plano are hereby changed to "Central Expressway."

Section II. The service roads of State Highway 190 (President George Bush Turnpike) within the incorporated limits of the City of Plano, Collin County, Texas, are hereby changed to "President George Bush Freeway."

Section III. The City Manager or his designee is hereby authorized and directed to cause the records of the City of Plano to be changed to reflect the action herein.

Section IV. Subsection 5(a) of Section 11-144(a) of Division 2 (Solicitation) of Article IV (Peddlers and Solicitors) of Chapter 11 (Licenses and Business Regulations) is hereby amended to read as follows:

“(5) Independence Parkway at its intersection with:

- a. President George Bush Freeway”

Section V. Subsection 6(a) of Section 11-144(a) of Division 2 (Solicitation) of Article IV (Peddlers and Solicitors) of Chapter 11 (Licenses and Business Regulations) is hereby amended to read as follows:

“(6) Custer Road at its intersection with:

- a. President George Bush Freeway”

Section VI. Subsection 7(a) of Section 11-144(a) of Division 2 (Solicitation) of Article IV (Peddlers and Solicitors) of Chapter 11 (Licenses and Business Regulations) is hereby amended to read as follows:

“(7) Alma Drive at its intersection with:

- a. President George Bush Freeway”

Section VII. Subsection 8(a) of Section 11-144(a) of Division 2 (Solicitation) of Article IV (Peddlers and Solicitors) of Chapter 11 (Licenses and Business Regulations) is hereby amended to read as follows:

“(8) U.S. Highway 75 at its intersection with:

- a. President George Bush Freeway”

Section VIII. Subsection 9(a) of Section 11-144(a) of Division 2 (Solicitation) of Article IV (Peddlers and Solicitors) of Chapter 11 (Licenses and Business Regulations) is hereby amended to read as follows:

“(9) Avenue K at its intersection with:

- a. President George Bush Freeway”

Section IX. Subsection 10(a) of Section 11-144(a) of Division 2 (Solicitation) of Article IV (Peddlers and Solicitors) of Chapter 11 (Licenses and Business Regulations) is hereby amended to read as follows:

“(10) Jupiter Road at its intersection with:

a. President George Bush Freeway”

Section X. Section 12-12(b) of Article I (In General) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read in its entirety as follows:

“(b) Upon those streets, alleys and highways, and parts of streets, alleys and highways, described and enumerated in this section, vehicular traffic shall move only in the direction indicated below:

TABLE INSET:

Street	Extent	Direction of Traffic
15th Place	From its intersection with J Avenue on the west to its intersection with J Place on the east.	Easterly
Commonsgate Boulevard	On the undivided portion starting at a point 210 feet west of Preston Road.	Counterclockwise
F Avenue	From its intersection with 13th Street on the south to its intersection with 14th Street on the north	Northerly
J Avenue	From its intersection with 15th Street on the south to its intersection with 15th Place on the north.	Northerly
K Avenue	From a point approximately 770' south of the south curb line of 18th Street to its intersection with 10th Street	Southerly
L Avenue	From its intersection with 10th Street to its intersection with 15th Street	Northerly
Midcrest Drive	Dartbrook Drive to Westwood Drive	Easterly
Municipal Avenue	From its intersection with K Avenue north of 10th Street to its intersection with K Avenue just south of 18th Street	Northerly
Rockbrook Drive	Rigsbee Drive to Ridgewood Drive	Easterly
President George Bush Freeway	Within city limits	Westerly
Central Expressway	Within city limits	Northerly
Central Expressway	Within city limits	Southerly

”

r-4

Section XI. Item number 4 of the subsection entitled “14th Street” under Section 12-74(b) of Article IV (Speed) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“14th Street:

- (4) Thirty (30) miles per hour along and upon 14th Street from the east curb line of G Avenue to the west curb line of northbound Central Expressway.”

Section XII. The subsection entitled “15th Street” under Section 12-74(b) of Article IV (Speed) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“15th Street:

- (1) Forty (40) miles per hour along and upon 15th Street (FM544, Norman Whitsitt Parkway) from its intersection with southbound Central Expressway westward to its intersection with Plano Parkway.”

Section XIII. The subsection entitled “Chase Oaks Boulevard” under Section 12-74(b) of Article IV (Speed) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“Chase Oaks Boulevard:

- (1) Forty (40) miles per hour along and upon Chase Oaks Boulevard from its intersection with Spring Creek Parkway northward to southbound Central Expressway. ”

Section XIV. Item numbers 1 and 2 of the subsection entitled “Spring Creek Parkway Highway” under Section 12-74(b) of Article IV (Speed) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“Spring Creek Parkway Highway:

- (1) Forty (40) miles per hour along and upon Spring Creek Parkway from its intersection with Central Expressway eastward to Parker Road.
- (2) Forty (40) miles per hour along and upon Spring Creek Parkway from its intersection with Central Expressway westward to Custer Road. ”

Section XV. The subsection entitled “State Highway 190 Service Roads” under Section 12-74(b) of Article IV (Speed) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“President George Bush Freeway (State Highway 190 Service Roads, President George Bush Turnpike Service Roads):

- (1) Fifty-five (55) miles per hour along and upon the westbound President George Bush Freeway from Renner Road to northbound Central Expressway.
- (2) Fifty-five (55) miles per hour along and upon the westbound President George Bush Freeway from Alma Drive to Coit Road.”

Section XVI. The subsection entitled “U.S. Highway 75 Service Roads” under Section 12-74(b) of Article IV (Speed) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“Central Expressway (U.S. Highway 75 Service Roads)

- (1) Forty-five (45) miles per hour along and upon Central Expressway on both the east and west sides of U.S. Highway 75 from the south city limits to the north city limits line.”

Section XVII. Item number 1 of the subsection entitled “15th Street” under Section 12-101 of Article V (Stopping, Standing, and Parking) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“15th Street:

- (1) Along both sides from its intersection with the Southern Pacific Railroad tracks to its intersection with northbound Central Expressway;”

Section XVIII. Item numbers 1 and 2 of the subsection entitled “16th Street” under Section 12-101 of Article V (Stopping, Standing, and Parking) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“16th Street:

- (1) Along both sides from its intersection with Alma Drive to its intersection with southbound Central Expressway.
- (2) Along the south side of 16th Street from northbound Central Expressway to Avenue E;”

Section XIX. The subsection entitled “Central Parkway” under Section 12-101 of Article V (Stopping, Standing, and Parking) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“Central Parkway:

- (1) Along both sides from its intersection with northbound Central Expressway to its intersection with Haggard Street.”

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Section XX. Item number 3 of the subsection entitled “Park Boulevard” under Section 12-101 of Article V (Stopping, Standing, and Parking) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“Park Boulevard:

- (1) Along both sides from its intersection with southbound Central Expressway to its intersection with Chisholm Place;”

Section XXI. Item number 1 of the subsection entitled “Spring Creek Parkway” under Section 12-101 of Article V (Stopping, Standing, and Parking) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“Spring Creek Parkway:

- (1) Along both sides from its intersection with southbound Central Expressway to its intersection with Custer Road;”

Section XXII. The subsection entitled “U.S. 75 Northbound Service Road” under Section 12-101 of Article V (Stopping, Standing, and Parking) of Chapter 12 (Motor Vehicles and Traffic) is hereby amended to read as follows:

“Northbound Central Expressway:

- (1) Along the east side from its intersection with 18th Street to its intersection with Central Parkway;
- (2) Along the east side from its intersection with 14th Street to its intersection with 15th Street. ”

Section XXIII. All other portions of Chapter 11 (Licenses and Business Regulations) and of Chapter 12 (Motor Vehicles and Traffic) shall remain in full force and effect.

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

Section XXVI. The repeal of any ordinance or part of any ordinance 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 ordinances at the time of passage of this Ordinance.

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

DULY PASSED AND APPROVED this 13th day of August, 2007.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

r-8

2



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date: 8/13/07		Reviewed by Legal <i>WS</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Legal		Initials	Date	
Department Head	Diane Wetherbee	Executive Director			
Dept Signature:	<i>[Signature]</i> <i>FOR DW</i>	City Manager	<i>[Signature]</i>	<i>8/26/07</i>	
Agenda Coordinator (include phone #): Betsy Allen # 7545					
ACTION REQUESTED: <input checked="" type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER					
CAPTION					
AN ORDINANCE OF THE CITY OF PLANO, TEXAS AMENDING SECTION 11-144 OF ARTICLE IV PEDDLERS AND SOLICITORS CHAPTER 11 LICENSES AND BUSINESS REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF PLANO; BY REPEALING SECTION 11-144(b) AND ADDING SECTIONS 11-144(b)(c)(d)(e) TO PROVIDE APPLICATION REQUIREMENTS FOR EMPLOYEES TO SOLICIT CHARITABLE CONTRIBUTIONS IN THE ROADWAY AND PENALTIES FOR VIOLATIONS; TO PROVIDE FOR A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS	
Budget	0	0	0	0	
Encumbered/Expended Amount	0	0	0	0	
This Item	0	0	0	0	
BALANCE	0	0	0	0	
FUND(S):					
COMMENTS:					
SUMMARY OF ITEM					
This Ordinance amends Section 11-144 to clarify how employees may apply to solicit charitable contributions in the roadway and what solicitation activities are prohibited.					
List of Supporting Documents: N/A		Other Departments, Boards, Commissions or Agencies N/A			

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLANO, TEXAS AMENDING SECTION 11-144 OF ARTICLE IV PEDDLERS AND SOLICITORS CHAPTER 11 LICENSES AND BUSINESS REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF PLANO; BY REPEALING SECTION 11-144(b) AND ADDING SECTIONS 11-144(b)(c)(d)(e) TO PROVIDE APPLICATION REQUIREMENTS FOR EMPLOYEES TO SOLICIT CHARITABLE CONTRIBUTIONS IN THE ROADWAY AND PENALTIES FOR VIOLATIONS; TO PROVIDE FOR A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City of Plano, Texas adopted Ordinance No. 2005-6-27 on June 27, 2005; and

WHEREAS, the City of Plano desires to revise Section 11-144 by adding additional sections to clarify how employees may apply to solicit charitable contributions in the roadway; and

WHEREAS, the City of Plano desires to clarify what solicitation activities are prohibited and the penalty for violations of those restrictions.

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

Section I. Section 11-144(b) of Article IV Peddlers and Solicitors Chapter 11-Licenses and Business Regulations of the Code of Ordinances of the City of Plano is hereby repealed. Section 11-144 of Article IV Peddlers and Solicitors Chapter 11-Licenses and Business Regulations of the Code of Ordinances of the City of Plano is amended by adding the following:

Section 11-144 Solicitation in selected public rights-of-way prohibited.

"(b) Notwithstanding the restrictions set forth in subsection 11-144(a), an employee of the City of Plano who has received authorization pursuant to § 552.0071 of Chapter 552 of the Texas Transportation Code from the City Manager of the City of Plano or his designee, is permitted to solicit in the roadway at the specific intersection(s) designated by the City Manager or his designee,

(c) A city employee seeking authorization to solicit under section 11-144(b) shall submit an application to the City Manager or his designee on a form approved by that office. The application shall substantially comply with the requirements set forth in Section 552.0071 of Chapter 552 of the Texas Transportation Code.

(d) A copy of the written permit shall be maintained at each solicitation location designated in the permit. A city employee approved under section 11-144(b) shall at all times have access to the written permit authorizing the solicitation and shall produce it upon demand to any employee charged with enforcement of this section. A photocopy of the permit shall be acceptable if multiple solicitors are participating.

(e) A person commits an offense if:

(1) a person solicits at an intersection and fails to produce a written permit issued under this section as required.

(2) a person solicits on a date not specified in the permit.

(3) a person solicits at an intersection not specified in the permit.

(f) An offense under this section is punishable by a fine not to exceed five hundred (\$500.00) dollars."

Section III. All provisions of the Code of Ordinances of the City of Plano 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 not in conflict with the provisions of this Ordinance shall remain in full force and effect.

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

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

DULY PASSED AND APPROVED this the ____ day of _____,
2007.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

S-4

**CITY OF PLANO
COUNCIL AGENDA ITEM**



CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07		Reviewed by Legal <i>RU</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
Department:	Legal		Initials	Date
Department Head	Diane Wetherbee		Executive Director	
Dept Signature:	<i>D. Wetherbee</i>		City Manager	<i>[Signature]</i> 8/24/07
Agenda Coordinator (include phone #): Lynne Jones - 7109				

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER

CAPTION

AN ORDINANCE OF THE CITY OF PLANO, TEXAS REPEALING ARTICLE XXI. TECHNOLOGY COMMISSION OF CHAPTER 2 ADMINISTRATION OF THE PLANO CODE OF ORDINANCES WHICH ESTABLISHED THE TECHNOLOGY COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget				
Encumbered/Expended Amount				
This Item				
BALANCE				

FUND(s):

COMMENTS:

SUMMARY OF ITEM

This Ordinance dissolves the Technology Commission

List of Supporting Documents:
n/a

Other Departments, Boards, Commissions or Agencies
n/a

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLANO, TEXAS REPEALING ARTICLE XXI. TECHNOLOGY COMMISSION OF CHAPTER 2 ADMINISTRATION OF THE PLANO CODE OF ORDINANCES WHICH ESTABLISHED THE TECHNOLOGY COMMISSION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council established the Technology Commission by Ordinance No. 2000-4-20, passed on April 24, 2000 and codified as Article XXI. Technology Commission of Chapter 2 Administration of the City of Plano Code of Ordinances; and

WHEREAS, the City Council finds that the Technology Commission has accomplished its goals and objectives and as a result should be dissolved.

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

Section I. The City Council hereby repeals Ordinance No. 2000-4-20 codified as Article XXI. Technology Commission of Chapter 2 Administration of the City of Plano Code of Ordinances.

DULY PASSED AND APPROVED this the ____ day of _____, 2007.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

t-2



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date: 8/13/07		Reviewed by Legal <i>ML</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Purchasing		Initials	Date	
Department Head	Mike Ryan		Executive Director		
Dept Signature:	<i>Mike Ryan</i>		City Manager	<i>[Signature]</i> 7/18/07	
Agenda Coordinator (include phone #):		January M. Cook X7376			

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER

CAPTION

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING SUBSECTIONS (C)(1), (C)(3), and (D) OF SECTION 2-12, CHAPTER 2, PLANO CODE OF ORDINANCES, GRANTING THE CITY MANAGER THE AUTHORITY TO APPROVE CONTRACTS EQUAL TO OR LESS THAN \$50,000; AND DELEGATING TO THE CHIEF PURCHASING OFFICER THE AUTHORITY TO DETERMINE THE PROCUREMENT METHOD THAT PROVIDES THE BEST VALUE FOR THE CITY; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0

FUND(S):

COMMENTS:

SUMMARY OF ITEM

Ordinance change necessitated by raising State Competitive Bid limit to \$50,000 effective 9/1/07; and any municipality that is considering using a method other than competitive sealed bidding must determine before notice is given the method of purchase that provides the best value for the municipality effective 9/1/07; and granting the Chief Purchasing Officer the right to determine which method of purchase provides the best value for the City.

List of Supporting Documents:
Ordinance

Other Departments, Boards, Commissions or Agencies

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING SUBSECTIONS (C)(1), (C)(3), and (D) OF SECTION 2-12, CHAPTER 2, PLANO CODE OF ORDINANCES, GRANTING THE CITY MANAGER THE AUTHORITY TO APPROVE CONTRACTS EQUAL TO OR LESS THAN \$50,000; AND DELEGATING TO THE CHIEF PURCHASING OFFICER THE AUTHORITY TO DETERMINE THE PROCUREMENT METHOD THAT PROVIDES THE BEST VALUE FOR THE CITY; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, on August 27, 2001, the City Council of the City of Plano enacted Ordinance No. 2001-8-15 authorizing the City Manager to enter into and execute contracts on behalf of the City not exceeding \$25,000.00 without further Council authorization; and

WHEREAS, the City Manager's authority to execute contracts on behalf of the City was set at \$25,000.00 to track state law for competitive bidding, as found in Chapters 252 and 271 of the Local Government Code of the State of Texas; and

WHEREAS, on June 15, 2007 Governor Perry signed into law S.B. 1765 which raised the threshold amount at which a municipality must competitively bid its projects and purchases from \$25,000.00 to \$50,000.00; and

WHEREAS, Section 2-12(c)(1) and (3) of the Plano Code of Ordinances should be amended to reflect the changes in the state competitive bid law limits established by S.B. 1765; and

WHEREAS, on June 15, 2007 Governor Perry signed into law H.B. 3517 whereby any municipality that is considering using a method other than competitive sealed bidding must determine before notice is given the method of purchase that provides the best value for the municipality, but the governing body may delegate its authority under the subsection to a designated representative; and

WHEREAS, Section 2-12 (d) of the Plano Code of Ordinances should be amended to reflect the changes in the competitive bid law authority established by H.B. 3517.

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

Section I. Subsections (c)(1) and (c)(3), of Section 2-12, Chapter 2, of the Code of Ordinances of the City of Plano are hereby amended to read as follows:

u-2

"The following contracts may be entered into and executed on behalf of the City by the City Manager or his designees without further Council authorization:

(c)(1) Professional Services contracts equal to or less than fifty thousand dollars (\$50,000.00);

(c)(3) Contracts for the lease or purchase of goods or services in an amount equal to or less than fifty thousand dollars (\$50,000.00)."

(d) *Procurement officer; duties.* The chief purchasing officer will serve as the central procurement officer of the city, and will have the right to determine which method of purchase provides the best value for the city, adopt operational procedures consistent with sound business practices and state law, governing the procurement and management of all materials, services, and construction to be procured by this city and the disposal of materials no longer needed by the city.

Section II. The City Council hereby finds and determines that increasing the authority of the City Manager or his designee to execute contracts on behalf of the City, in an amount not exceeding \$50,000.00, is in the best interests of the City of Plano and its citizens.

Section III. The City Council hereby delegates authority to the chief purchasing officer to determine the method of purchase that provides the best value for any city procurement prior to notice being given, and that granting the authority is in the best interests of the City of Plano and its citizens.

Section IV. All provisions of the 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 Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

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

Section VI. This Ordinance shall become effective on September 1, 2007.

DULY PASSED AND APPROVED this the _____ day of _____, 2007.

ATTEST:

Pat Evans, MAYOR

u-3

ORDINANCE NO. _____

PAGE 3

Di Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

u-4

R



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/13/07		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Budget	Initials	Date		
Department Head	Karen Rhodes	Executive Director			
Dept Signature:	<i>K. Rhodes</i>	City Manager	<i>[Signature]</i>	8/3/07	
Agenda Coordinator (include phone #):		Anita Bell x7194			

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER DISCUSSION

CAPTION

DISCUSSION OF THE FY 2007-08 RECOMMENDED COMMUNITY INVESTMENT PROGRAM.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 2007-08	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0

FUND(S):

COMMENTS:

SUMMARY OF ITEM

DISCUSSION OF THE FY 2007-08 RECOMMENDED COMMUNITY INVESTMENT PROGRAM.

List of Supporting Documents:

Other Departments, Boards, Commissions or Agencies



August 7, 2007

Pat Evans
Mayor

Sally Magnuson
Mayor Pro Tem

Jean Callison
Deputy Mayor Pro Tem

Shep Stahel
Place 1

Scott Johnson
Place 2

Loretta Ellerbe
Place 3

Harry LaRosiliere
Place 5

Lee Dunlap
Place 8

Thomas H. Muehlenbeck
City Manager

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 Evans and Councilmembers:

The Planning & Zoning Commission reviewed the proposed Community Investment Program items for the 2007--2008 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,

Carolyn Kalchthaler, Chairman
Planning & Zoning Commission

XC: Planning & Zoning Commission
Alan Upchurch, City Engineer
Phyllis M. Jarrell, Director of Planning

P.O. Box 860358
Plano, Texas 75086-0358
972-941-7000
www.plano.gov

1-2
Printed on Recycled Paper

Z:/P&Z/CIP

City Council CIP Worksession
On the 2007-08 Proposed Community Investment Program

Council Chambers, Plano Municipal Center
Monday, August 13, 2007, 7:00 p.m.

A. Capital Improvement Program	Presenter
1. Overview	Muehlenbeck
2. Parks	Wendell
A. Park Improvements Bond Program	
B. Park Fee Program	
C. Parks Capital Reserve	
3. Streets	Cosgrove
A. Street Improvement	
B. Street Enhancements	
4. Municipal Drainage	Cosgrove
5. Water & Sewer	Cosgrove
A. Water Improvements	
B. Sewer Improvements	
6. Municipal Facilities	Cosgrove
7. Capital Reserve	
A. Municipal Facilities	Cosgrove
B. Streets	Foster

Parks and Recreation

Proposed
Community Investment Program
FY 2007-08

1

Parks and Recreation

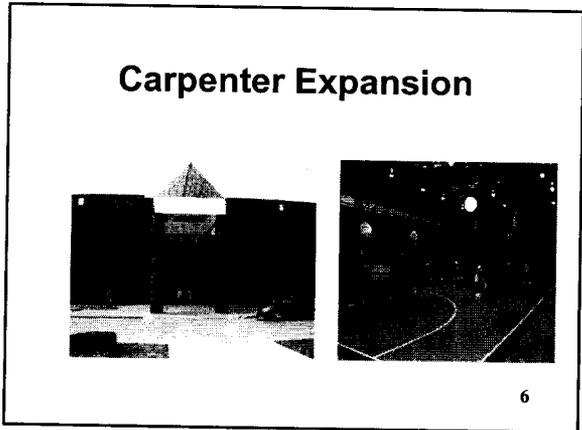
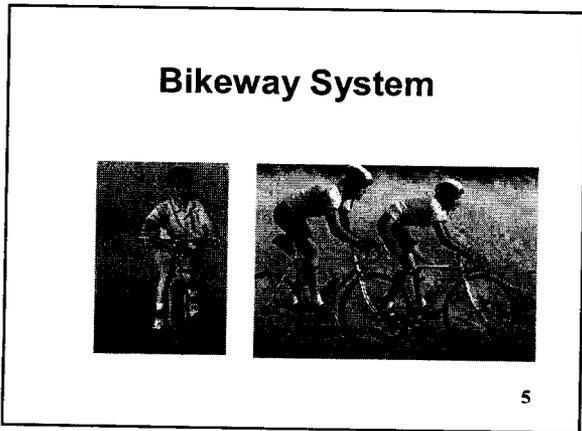
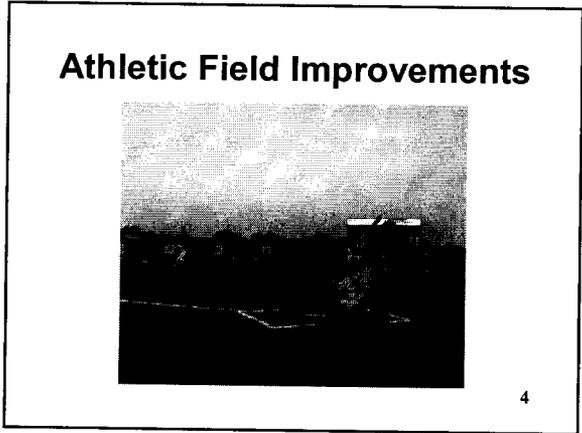
- Park Improvements Bond Program
- Park Fee Program
- Park Capital Reserve Fund

2

Major Bond Program Projects

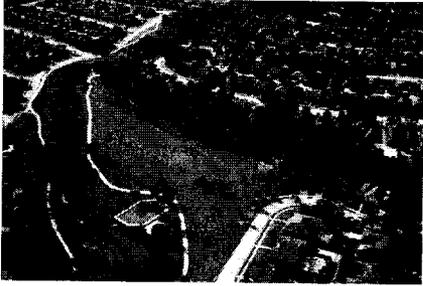
Athletic Field Improvements	\$	490,000
Bikeway System	\$	350,000
Carpenter Expansion	\$	1,000,000
Chisholm Trail	\$	1,200,000
Maintenance Facility	\$	1,700,000
Memorial Park	\$	1,000,000
Oak Point Park	\$	8,005,000
PISD Tennis Court Lights	\$	80,000
Trail Connections	\$	2,000,000

3



1-4

Chisholm Trail



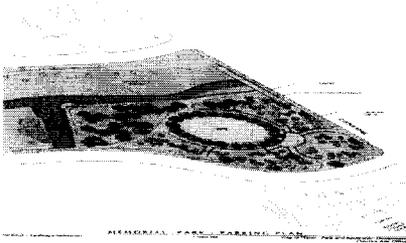
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Maintenance Facility



8

Memorial Park



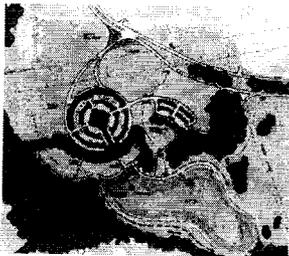
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Oak Point Park & Nature Preserve



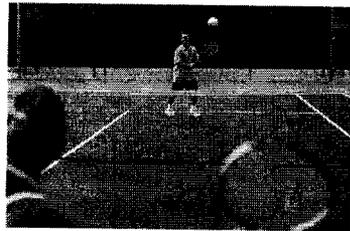
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Oak Point Park & Nature Preserve



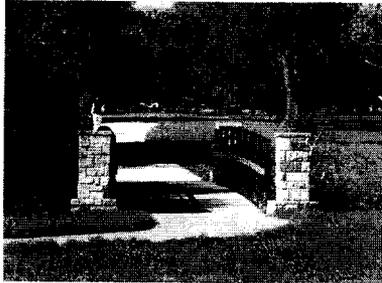
11

PISD Tennis Court Lights



12

Trail Connections



13

Park Fee Projects

- Greenbelt Acquisition and Trail Development - \$1,905,000

14

Park Capital Reserve Fund

• Athletic Field Renovations	\$ 2,830,000
• Drought Repair	\$ 250,000
• Irrigation Renovations	\$ 460,000
• Median Renovations	\$ 200,000
• Playground Replacements	\$ 200,000
• Public Building Landscape Renovation	\$ 185,000
• Recreation Center Equipment	\$ 175,000
• Silt Removal	\$ 350,000
• Trail Repairs	\$ 650,000
• Other Projects	<u>\$ 785,000</u>
• Total	\$ 6,085,000

15

ENGINEERING

Proposed
Community Investment Program
FY 2007-08

16

Street Improvements

• Rehabilitation Projects	\$8,620,000
• Design Projects	663,000
• Capacity Improvements	20,286,000
• Funding Continuation	13,086,000
• Miscellaneous	<u>4,737,000</u>
• Total	\$47,392,000

17

Street Improvements

- Rehabilitation Projects - \$ 8,620,000
 - Alley Reconstruction
 - Screening Wall Reconstruction
 - Street Reconstruction - 15th St – G to US 75
 - 14th Street – Avenue K to Ridgewood
 - Springbrook – Janwood to Quill

18

Street Improvements

- ▾ Design Projects - \$663,000
 - Avenue F & 14th Street
 - Avenue P & 18th Street
 - Baffin Bay & Mortonvale
 - Belleview Addition
 - International Parkway – Plano Pkwy to Midway
 - Plano Parkway – Midway to West City Limits

19

Street Improvements

- ▾ Design projects – Continued
 - U.S. 75/190 bottleneck

20

Street Improvements

- ▾ Capacity Improvements -\$20,286,000
 - Alma – Spicewood to Rowlett Creek
 - Chaparral – Avenue K to East City Limits
 - Communications – Parker to Spring Creek Pkwy
 - Independence – McDermott to SH 121
 - Intersection Improvements
 - McDermott – Coit to Ohio
 - Oversize Participation
 - Parker/U.S. 75 Interchange

21

Street Improvements

- ▾ Capacity Improvements Continued
 - Razor Road – Ohio to S.H. 121
 - Ridgeview – Independence to Coit
 - Windhaven – Spring Creek Pkwy to W. City Limits
 - Signalization

22

Street Improvements

- ▾ Funding Continuation - \$ 13,086,000
 - 15th Street - Avenue G to Avenue I
 - Communications – Spring Crk Pkwy to Tennyson
 - Hayfield, Mortonvale & Thunderbird
 - Headquarters – Parkwood to Preston
 - Parker – Avenue K to Raton
 - Parkwood – Park to Spring Creek Parkway

23

Street Improvements

- ▾ Funding Continuation – Continued
 - Plano Parkway – Tollroad to Park
 - Wyatt North Addition

24

1-7⁴

Street Improvements

- Miscellaneous - \$ 4,737,000
- Signal Upgrades
- Landscaping
- Alleys
- Park Streets
- Permanent Traffic Calming
- Right of Way Acquisitions
- Redevelopment Street Improvements
- Street Lighting

25

Other Funding Sources - \$14,182,000

- Collin County \$ 10,582,000
- TxDOT \$ 3,600,000
- DART \$ 630,553

26

Municipal Drainage – \$4,824,000

- 15th Street – East and West of Alma Drive
- Alma & Parker Road
- Briarwood Erosion Control
- Erosion Control Projects - Miscellaneous
- Erosion Control Projects – Waasland/Pitman
- Flood Control Structure Evaluation
- Miscellaneous Drainage Improvements
- Riverbend Lakes

27

Water Improvements \$6,561,436

- 14th Street – Avenue K to Ridgewood
- 14th Street – Los Rios to Brand
- Baffin Bay – Custer to Country Place
- Chaparral – Jupiter to East City Limits
- Cloister Water Rehabilitation
- Coit & White Rock Tank Repair

28

Water Improvements \$6,561,436

Water Continued

- Avenue F & 14th Street
- Fire Hydrants
- George Bush Turnpike
- Hayfield
- Oversize Participation
- Avenue P & 18th Street

29

Water Improvements \$6,561,436

Water Continued

- Parker Road Elevated Tank Repair
- SH 121 Waterline – Spring Creek Parkway to DNT
- Shiloh Pump Station
- Springbrook – Janwood to Quill
- Wyatt North Addition

30

Sewer Improvements
\$6,113,436

- 14th Street – Avenue K to Ridgewood
- Avenue F and 14th Street
- Hayfield – Rainier to Green Oaks
- Highlands Lift Station
- I & I Repairs
- Manhole Sealing
- Mapleshade Lift Station
- Redevelopment Capacity Improvements
- Oversize Participation
- Newport/Idyllwild Creek Crossing

31

Facility Projects
\$24,611,000

- Fire Station No. 13
- Fire Station No. 12/Logistics Facility/EOC
- Animal Shelter Expansion
- Environmental Education Building
- Collin County Arts

32

Facility Projects
\$24,611,000

Continued

- Oak Point Park & Nature Preserve
- Oak Point Park Maintenance Building
- Carpenter Park Recreation Center Design

33

Capital Reserve - Facilities
\$3,676,000

- Asbestos and Mold Testing and Removal
- Energy Reduction
- Various Building Modifications
 - Animal Shelter
 - Carpenter Park Recreation Center
 - Courtyard Theater
 - Equipment Services
 - Municipal Center
 - Fire Station Remodeling

34

Capital Reserve - Facilities
\$3,676,000

**Various Building Modifications -
Continued**

- Robinson Justice Center
- Plano Centre
- Police Central
- LEED Existing Buildings

35

PUBLIC WORKS

**Proposed Capital Reserve
Program
FY 2007-08**

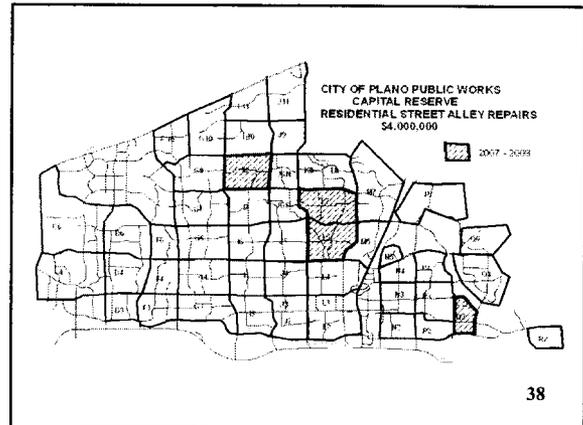
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1-9⁶

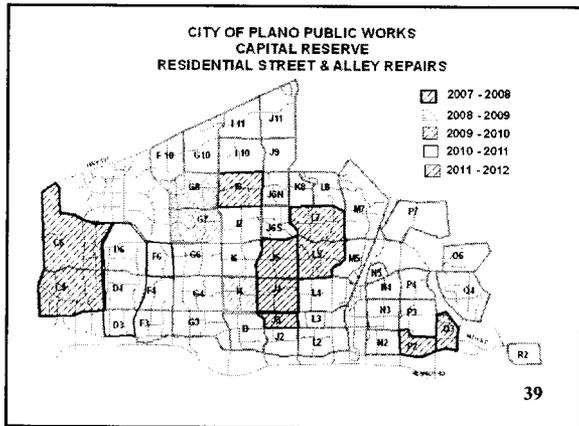
CAPITAL RESERVE PROJECTS FY 2007-08

• Residential Street & Alley Repairs	\$4,000,000
• Arterial Concrete Repairs	2,500,000
• Traffic Signal Improvements	45,000
• Pavement Maintenance	500,000
• Screening Wall Repair	300,000
• Residential Street Name Signs	50,000
• Underseal Program	2,000,000
• Sidewalk Repairs	250,000
• Split Trail Resurfacing	180,000
Total	\$9,825,000

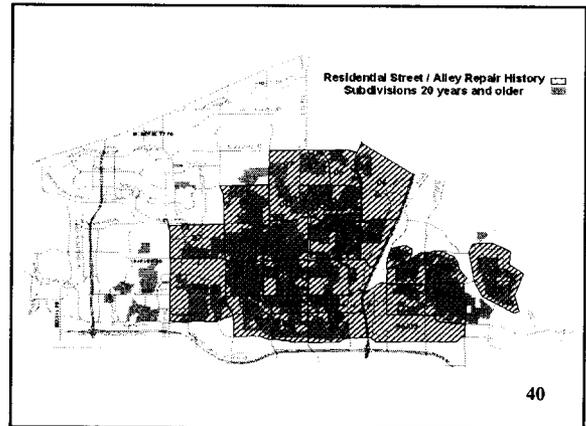
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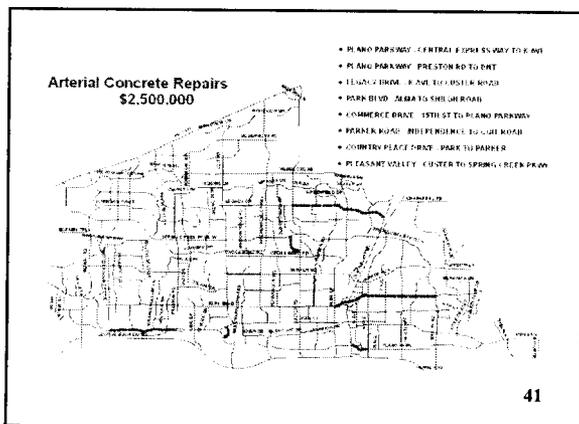
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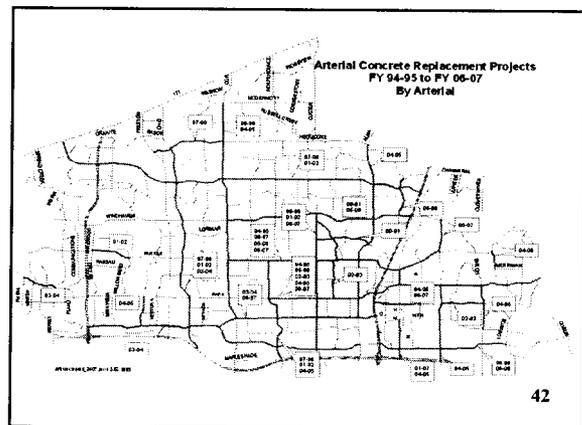
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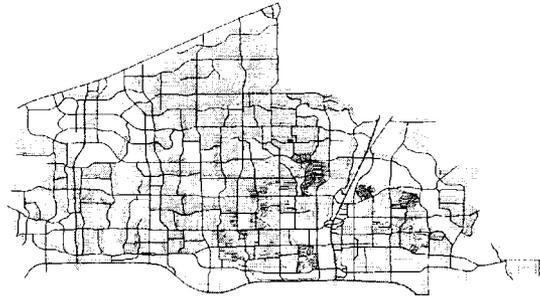
42

Sanitary Sewer Rehabilitation (CIP)

- Estimated 40,000 linear feet of sewer main will be upgraded
- Estimated 900 service line laterals to ROW will be replaced
- During the past nine (9) years an estimated 271,120 feet of sewer mains rehabilitated

43

PUBLIC WORKS/ENGINEERING SEWER REHAB HISTORY 1998 TO 2007

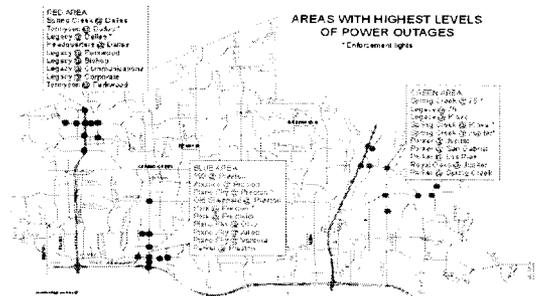


44

Traffic Signal Improvements - \$45,000

- Installation of 10 Uninterrupted Power Supply Units (UPS) at 10 Intersections (Blue Area on Map)
 - Provides 4-hrs of Signal Operations
 - » Provides 3-hrs of Signal Operations
 - » Provides 1-hr of Flashing Mode

45



46



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/13/07		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Budget			Initials	Date
Department Head	Karen Rhodes			Executive Director	
Dept Signature:	<i>Karen Rhodes</i>			City Manager	<i>[Signature]</i>
Agenda Coordinator (include phone #):		Anita Bell x7194			
ACTION REQUESTED:					
<input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input checked="" type="checkbox"/> OTHER PUBLIC HEARING					
CAPTION					
A Public Hearing on the Recommended 2007-08 Budget and 2007-08 Community Investment Program (CIP). "This budget will raise more total property taxes than last year's budget by \$7,965,972 or 7.37%, and of that amount \$2,689,719 is tax revenue to be raised from new property added to the tax roll this year."					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS	
Budget	0	0	0	0	
Encumbered/Expended Amount	0	0	0	0	
This Item	0	0	0	0	
BALANCE	0	0	0	0	
FUND(s):					
COMMENTS:					
SUMMARY OF ITEM					
A Public Hearing on the Recommended 2007-08 Budget and 2007-08 Community Investment Program (CIP). "This budget will raise more total property taxes than last year's budget by \$7,965,972 or 7.37%, and of that amount \$2,689,719 is tax revenue to be raised from new property added to the tax roll this year."					
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies			

**NOTICE OF PUBLIC HEARING ON
THE BUDGET & COMMUNITY INVESTMENT PROGRAM**

The City Council of the City of Plano will hold a public hearing on the Recommended Budget and Community Investment Program (CIP) for Fiscal Year 2007-08. The hearing will be held on Monday, August 13, 2007 at 7:00 p.m., in the Council Chambers at the Plano Municipal Center, 1520 Ave. K., Plano.

All interested persons will be given an opportunity to be heard for or against any item or the amount of any item contained in the Recommended Budget or CIP.

Copies of the Recommended Budget and CIP are available for public inspection at each of the City's libraries.

Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Ave. L, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Council Chamber 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.

**CITY OF PLANO
COUNCIL AGENDA ITEM**



CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
Council Meeting Date:	8/13/07		Reviewed by Legal	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Applicable
Department:	Budget		Initials	Date
Department Head	Karen Rhodes		Executive Director	
Dept Signature:			City Manager	8/6/07
Agenda Coordinator (include phone #): Anita Bell x7194				

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER

CAPTION

A VOTE ON A PROPOSAL TO CONSIDER AN INCREASE IN TOTAL TAX REVENUE.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 2007-08	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	116,061,955	116,061,955
BALANCE	0	0	116,061,955	116,061,955

FUND(S): GENERAL FUND; GENERAL OBLIGATION FUND; TIF

COMMENTS: The 2007-08 appraisal roll will generate revenues of approximately \$116,061,955, which have been included in the recommended 2007-08 Budget.

SUMMARY OF ITEM

If the Council intends to propose a tax rate that will increase tax revenue, then it must take a vote for the record regarding each council member's position on this proposal.

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

2



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date: 08/13/2007		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Police Department		<i>[Signature]</i>	Date	
Department Head	Gregory W. Rushin	Executive Director	<i>[Signature]</i>	08-01-07	
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	8/1/07	
Agenda Coordinator (include phone #):		Pam Haines, ext 2538			

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER PUBLIC HEARING

CAPTION

Public hearing and approval of disbursement of grant funds in the total amount of \$96,981.00 awarded through the Byrne Justice Assistance Grant Project for the purpose of purchasing equipment resources, pursuant to the amendments made by Section 201 of H.R. 3036 of the 108th Congress, as passed by the House of Representatives on March 30, 2004. Under this Grant, the City of Plano will be the Fiscal agent and will disburse funds to the City of McKinney and the Collin County Sheriff's Office as agreed upon in the Memorandum of Understanding signed by the three entities.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0

FUND(S):

COMMENTS:

SUMMARY OF ITEM

The United States Department of Justice, pursuant to the amendments made by Section 201 of H.R. 3036 of the 108th Congress, as passed by the House of Representatives on March 30, 2004, has offered the City of Plano, City of McKinney and Collin County Sheriff's Office a grant totaling \$96,981.00 for the purpose of purchasing equipment resources for their respective departments. Plano Police Department's share of these funds is \$44,756.00. The effective grant date will be for four years from the grant's effective date. A Public Hearing regarding the disbursement of funds of this grant is requested per provisions of the grant.

List of Supporting Documents: Copy of Memorandum regarding provisions of Grant, Copy of Budget narrative from application.	Other Departments, Boards, Commissions or Agencies
---	--

GMS APPLICATION NO. 2007-F2730-TX-DJ

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF COLLIN, TEXAS, THE CITY OF MCKINNEY,
TEXAS AND THE CITY OF PLANO, TEXAS REGARDING THE 2007 BYRNE
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

This Memorandum of Understanding sets forth the agreement by and between the County of Collin, Texas, the City of McKinney, Texas and the City of Plano, Texas regarding the application process of the 2007 Byrne Justice Assistance Grant (JAG) Program Award.

The City of Plano agrees to be the applicant/fiscal agent of the 2007 Byrne Justice Assistance Grant (JAG) Program.

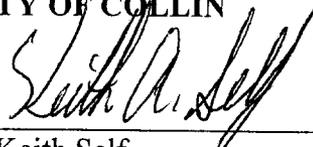
The funds for this grant will be distributed as follows:

Plano Police Department	\$44,756.00
McKinney Police Department	18,282.00
Collin County Sheriff's Office	33,943.00
Total funds from the JAG	\$96,981.00

The County of Collin, Texas, the City of McKinney, Texas and the City of Plano, Texas agree to enter into an agreement setting forth the terms and conditions regarding the administration of the 2007 Byrne Justice Assistance Grant (JAG) Program Award.

COUNTY OF COLLIN

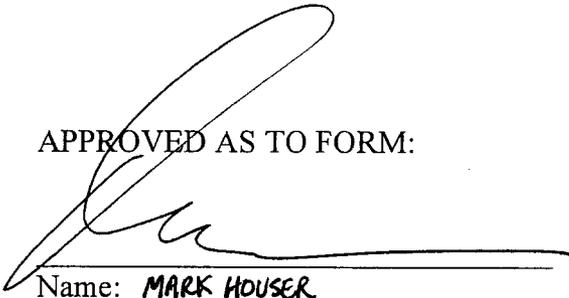
By: _____


Keith Self
County Judge

CITY OF MCKINNEY, TEXAS

By: 
Larry Robinson
City Manager

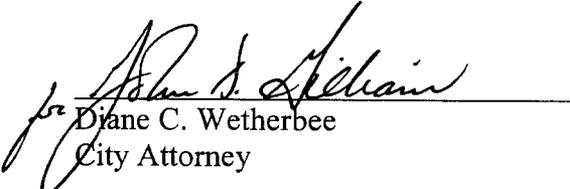
APPROVED AS TO FORM:


Name: MARK HOUSER
City Attorney

CITY OF PLANO, TEXAS

By: 
Thomas H. Muehlenbeck
City Manager

APPROVED AS TO FORM


Diane C. Wetherbee
City Attorney

2007 JUSTICE ASSISTANCE GRANT

McKinney Police Department

Budget Narrative

Total Program Cost is: \$

Equipment to be purchased:

1. (20 pairs) Pro-Tech 2120-3 Ceramic/Polyethylene Mutli Curve 10 X 12 Ballistic Plates (\$249.50 ea)

Total for Project 1: **\$9,980.00**

2. (1) Optical Systems Technology 55883 Universal Night Sight Surveillance Kit AN/PVS-22 (\$8426.28 ea)

(4) Optical Systems Technology 56116 International Rail Mount (\$500.00 ea)

Total for Project 2: **\$10,426.28**

Total for Project 1 and Project 2: \$20,406.28

2007 JAG Funds: \$18,282.00

Local Funds: \$2,124.28

Collin County Sheriff's Office

Budget Narrative

Equipment to be purchased:

Twelve (12) Taser X26E w/holster \$9,600.00

Additional Taser cartridges, holsters, and storage cases \$ 400.00

One (1) Taser USB Data Download Software \$ 150.00

Twelve (12) Taser Practice Targets \$ 84.00

Two (2) Taser Air Cartridge w/alligator clips \$ 70.00

Two (2) Night Vision Goggles, Night Enforcer 5001 \$ 7,000.00

One (1) Covert Microwave Recorder System \$ 9,500.00

Hawke 8A High Resolution Video System with 2 Cameras	\$ 7,650.00
Total Project Cost	\$34,454.00
Grant Funding Available:	\$33,943.00
Agency Contribution	\$ 511.00

Plano Police Department

Budget Narrative

Equipment to be purchased:

Ocean Systems Detective Video Enhancement System -	\$16,917
Coleman Technologies Vehicle Tracking System Upgrade \$2,695 x 5 trackers =	\$13,475
Database design and software services to convert existing Lotus Notes Sex Offender Database to a SQL based product.	\$14,364
Total Project Cost	\$44,756
Grant Funding Available	\$44,756



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget <i>C.S.</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 08/13/2007		Reviewed by Legal <i>JW</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Police Department		Initials	Date	
Department Head	Gregory W. Rushin		<i>[Signature]</i>	<i>08.16.07</i>	
Dept Signature:	<i>[Signature]</i>		Executive Director	<i>[Signature]</i>	
Agenda Coordinator (include phone #):		Pam Haines, ext 2538			

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER

CAPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF PLANO, TEXAS, THE CITY OF MCKINNEY, TEXAS, AND THE COUNTY OF COLLIN, TEXAS FOR THE DISBURSEMENT OF THE 2007 BYRNE JUSTICE ASSISTANCE GRANT FUNDS; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER OR, IN HIS ABSENCE, AN EXECUTIVE DIRECTOR; AND PROVIDING AN EFFECTIVE DATE

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR:	2006-07, 2007-08, 2008-09, 2009-10, 2010-2011	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	44,756	0	44,756
BALANCE		0	44,756	0	44,756

FUND(S): GRANT FUND

COMMENTS: The grant contract, if approved, provides total funding in the amount of \$96,981 and approves an interlocal cooperation agreement between the City of Plano, the City of McKinney, and the County of Collin, Texas for the purpose of purchasing equipment resources for their respective police and sheriff departments. The resolution and grant agreement establishes the City of Plano as fiscal agent for the disbursement of funds to the City of McKinney, \$18,282; and the Collin County Sheriff Department, \$33,943; leaving the City of Plano, \$44,756. The effective grant period will be for four years from the grant's effective date.

STRATEGIC PLAN GOAL: Acceptance and administration of Federal Grant Funds relates to the City's Goal of "Service Excellence".

SUMMARY OF ITEM

The United States Department of Justice, pursuant to the amendments made by Section 201 of H.R. 3036 of



**CITY OF PLANO
COUNCIL AGENDA ITEM**

the 108th Congress, as passed by the House of Representatives on March 30, 2004, has offered the City of Plano, City of McKinney and Collin County Sheriff's Office a grant totaling \$96,981.00 for the purpose of purchasing equipment resources for their respective departments. The City of Plano being the fiscal agent will disburse to the City of McKinney \$18,282.00 and to Collin County Sheriff's Office \$33,943.00 from the total amount awarded, leaving the City of Plano Police Department \$44,756.00 of the awarded funds. The effective grant period will be for four years from the grant's effective date.

List of Supporting Documents:

Resolution, Exhibits "A" and "B", Memo

Other Departments, Boards, Commissions or Agencies



P.O. Box 860358
Plano, Texas 75086-0358
972-941-7000
Fax. No. 972-941-0099

MEMORANDUM

DATE: July 30, 2007
TO: Thomas H. Muehlenbeck, City Manager
FROM: Gregory W. Rushin, Chief of Police
SUBJECT: 2007 Byrne Justice Assistance Grant

On August 13, 2007 the City Council will be asked to adopt a resolution authorizing the City of Plano to participate in, and receive funding through, the 2007 Byrne Justice Assistance Grant program. The grant will provide the Plano Police Department, McKinney Police Department and Collin County Sheriff's Office with \$96,981.00 to be used towards the purchase of necessary equipment for Police resources.

This grant was established under the authority of Public Law 109-162 (Jan 5, 2006) Title XI – Department of Justice Reauthorization, Subtitle B – Improving the Department of Justice's Grant Programs, Chapter 1 – Assisting Law Enforcement and Criminal Justice Agencies, Sec. 1111., Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program, and authorizes you to execute any and all documents necessary to effectuate the action taken.

Prior to the awarding of the funds, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance requires, as a part of the application process, the jurisdiction receiving the funds hold at least one public hearing regarding the proposed use of funds. The public hearing scheduled for the August 13, 2007 Council Meeting is to meet these requirements and consider the disbursement of these grant funds.

The Plano Police Department has been designated as the fiscal agent for these funds and equitable sharing has been determined to be Plano Police Department \$44,756; Collin County Sheriff's Office \$33,943 and McKinney Police Department \$18,282.

This is the third grant offered through the Byrne Justice Assistance Grant since the merger of the Byrne Grant Program and Local Law Enforcement Block Grant (LLEBG).

There is no cash match for this grant.

GWR/ph

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF PLANO, TEXAS, THE CITY OF MCKINNEY, TEXAS, AND THE COUNTY OF COLLIN, TEXAS FOR THE DISBURSEMENT OF THE 2007 BYRNE JUSTICE ASSISTANCE GRANT FUNDS; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER OR, IN HIS ABSENCE, AN EXECUTIVE DIRECTOR; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City of Plano, City of McKinney and Collin County have previously agreed that Plano Police Department would serve as Fiscal Agent for the JAG Grant (see attached "Exhibit A"); and

WHEREAS, the funds are ready to be disbursed pursuant to the attached Interlocal Agreement, which is the subject of this resolution. (see attached "Exhibit B"); and

WHEREAS, this Agreement is made under the authority of Public Law 109-162 (Jan 5, 2006) Title XI—Department of Justice Reauthorization, Subtitle B—Improving the Department of Justice's Grant Programs, Chapter 1—Assisting Law Enforcement and Criminal Justice Agencies, Sec. 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the City of Plano, the City of McKinney, and Collin County believe it to be in their best interests to reallocate the JAG funds.

WHEREAS, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved.

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

Section I. The terms and conditions of the Agreement, having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interest of the City of Plano and its citizens, are hereby in all things approved.

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

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

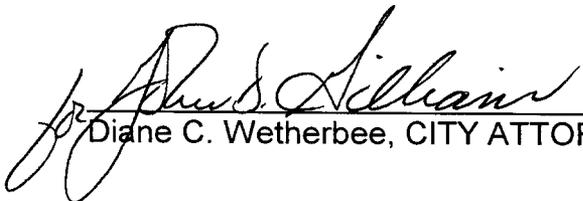
DULY PASSED AND APPROVED this the _____ day of _____, 2007.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:



Diane C. Wetherbee, CITY ATTORNEY

GMS APPLICATION NUMBER 2007-F2730-TX-DJ

THE STATE OF TEXAS

KNOW ALL BY THESE PRESENT

COUNTY OF COLLIN

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF PLANO TEXAS, CITY OF MCKINNEY TEXAS, AND THE
COUNTY OF COLLIN TEXAS**

2007 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this 13th day of August, 2007, by and between The City of Plano, acting by and through its governing body, the City Council, hereinafter referred to as City of Plano, the City of McKinney, acting by and through its governing body, the City Council, hereinafter referred to as City of McKinney, both of Collin County, State of Texas, and The COUNTY of Collin Texas, acting by and through its governing body, the Commissioners Court, hereinafter referred to as COUNTY, and witnesseth:

WHEREAS, the City of Plano, City of McKinney and Collin County have previously agreed that Plano Police Department would serve as Fiscal Agent for the JAG Grant: and

WHEREAS, the funds are ready to be disbursed.

WHEREAS, this Agreement is made under the authority of Public Law 109-162 (Jan 5, 2006) Title XI—Department of Justice Reauthorization, Subtitle B—Improving the Department of Justice's Grant Programs, Chapter 1—Assisting Law Enforcement and Criminal Justice Agencies, Sec. 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program: and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement: and

WHEREAS, the City of Plano, the City of McKinney, and Collin County believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the City of Plano, the City of McKinney, and the County agree as follows:

Section 1.

City of Plano agrees to pay COUNTY a total of **\$33,943.00** of JAG funds.

Section 2.

COUNTY agrees to use **\$33,943.00** to upgrade Law Enforcement equipment until 09/30/2009.

Section 3.

City of Plano agrees to pay the **City of McKinney** a total of **\$18,282.00** of JAG funds.

Section 4.

City of McKinney agrees to use **\$18,282** for the purchase of ballistic rifle plates to provide additional protection for officers responding to calls where high-power weapons are present and for a night sight surveillance kit to help detect suspects during night time operations.

Section 5.

City of Plano agrees to receive the remaining total of **\$44,756.00** JAG funds.

Section 6.

City of Plano agrees to use **\$44,756.00** for the following equipment -1) Scantron equipment and forms for Racial Profiling Data Collection, to include software, reader, form design and forms for one year, 2) Digital Video Recording Equipment for interview rooms at Headquarters, and 3) In-Car technology enhancements (e-citations) until 09/30/2009.

Section 7.

Nothing in the performance of this Agreement shall impose any liability for claims against **City of Plano** other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 8.

Nothing in the performance of this Agreement shall impose any liability for claims against **City of McKinney** other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 9.

Nothing in the performance of this Agreement shall impose any liability for claims against **Collin County** other than claims for which liability may be imposed by the Texas Tort Claims Act.

Section 10.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 11.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 12.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY OF **Plano, Texas**, CITY OF **McKinney, Texas**, COUNTY OF **Collin, Texas**

Thomas H. Muehlenbeck
Plano City Manager

Keith Self
Collin County County Judge

ATTEST: APPROVED AS TO FORM:
FORM:

ATTEST: APPROVED AS TO

Diane C. Wetherbee

Sheriff Terry G. Box

City Attorney

Larry Robinson
McKinney City Manager

Mark S. Hauser
City Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contracts or legal document on behalf of other parties. Our view of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

GMS APPLICATION NO. 2007-F2730-TX-DJ

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF COLLIN, TEXAS, THE CITY OF MCKINNEY,
TEXAS AND THE CITY OF PLANO, TEXAS REGARDING THE 2007 BYRNE
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

This Memorandum of Understanding sets forth the agreement by and between the County of Collin, Texas, the City of McKinney, Texas and the City of Plano, Texas regarding the application process of the 2007 Byrne Justice Assistance Grant (JAG) Program Award.

The City of Plano agrees to be the applicant/fiscal agent of the 2007 Byrne Justice Assistance Grant (JAG) Program.

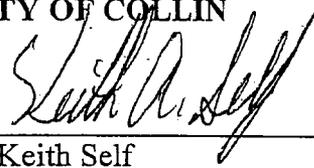
The funds for this grant will be distributed as follows:

Plano Police Department	\$44,756.00
McKinney Police Department	18,282.00
Collin County Sheriff's Office	33,943.00
Total funds from the JAG	\$96,981.00

The County of Collin, Texas, the City of McKinney, Texas and the City of Plano, Texas agree to enter into an agreement setting forth the terms and conditions regarding the administration of the 2007 Byrne Justice Assistance Grant (JAG) Program Award.

COUNTY OF COLLIN

By: _____


Keith Self
County Judge

5-10

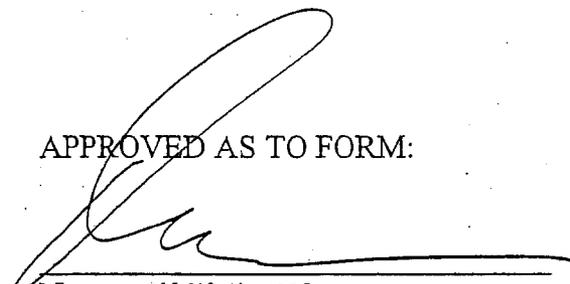
GMS APPLICATION NO. 2007-F2730-TX-DJ

Page 2

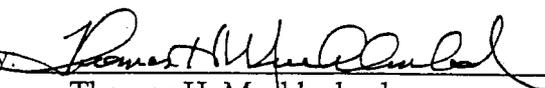
CITY OF MCKINNEY, TEXAS

By: 
Larry Robinson
City Manager

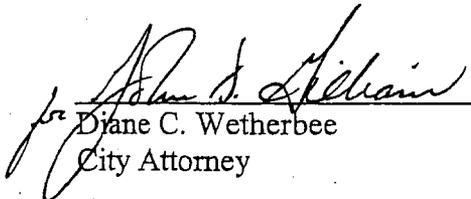
APPROVED AS TO FORM:


Name: MARK HOUSER
City Attorney

CITY OF PLANO, TEXAS

By: 
Thomas H. Muehlenbeck
City Manager

APPROVED AS TO FORM


Diane C. Wetherbee
City Attorney



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not Applicable
Council Meeting Date: 8/13/07		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Planning		Initials	Date
Department Head	Phyllis M. Jarrell		Executive Director	<i>[Signature]</i> 8-13-07
Dept Signature:	<i>[Signature]</i>		City Manager	<i>[Signature]</i> 8/3/07
Agenda Coordinator (include phone #): Lynn Trotter, ext. 7156				
ACTION REQUESTED: <input checked="" type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER				
CAPTION				
An ordinance of the City of Plano, Texas, repealing City of Plano Ordinance Nos. 98-2-26, and 98-8-35, codified as Article VI, Historic Landmark Preservation, of Chapter 16 of the Code of Ordinances for the City of Plano; and adopting new and amended provisions for Heritage Resource Preservation for the City.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
The proposed amendments to Plano's Heritage Preservation Ordinance will:				
<ol style="list-style-type: none"> 1. Introduce and define three new terms ("<i>Contributing Resources</i>," "<i>Individually Designated Resources</i>," "<i>Preliminary Certificate of Appropriateness</i>"); 2. Add language explaining that the Heritage Commission will comply with and provide notice of public meetings per the Texas Open Meetings Act; 3. Increase the number of business days, from 30 to 60, that the Heritage Commission has to act on a Certificate of Appropriateness request; 4. Introduce language detailing that Certificates of Appropriateness expire one year from the date of approval and the criteria/process for requesting/approving/denying extensions of Certificates of Appropriateness; 5. Create a "Preliminary Certificate of Appropriateness" review process; 6. Grant the Heritage Commission authority to delegate review/approval of some Certificate of Appropriateness requests where the Commission has pre-approved criteria for making the determination to staff; and 7. Grant the Heritage Commission authority to deny demolition of "Individually Designated Resources" when it previously had only authority to delay demolition. 				
List of Supporting Documents: Ordinance		Other Departments, Boards, Commissions or Agencies Heritage Commission		

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, REPEALING CITY OF PLANO ORDINANCE NOS. 98-2-26, AND 98-8-35, CODIFIED AS ARTICLE VI, HISTORIC LANDMARK PRESERVATION, OF CHAPTER 16 OF THE CODE OF ORDINANCES OF THE CITY OF PLANO; AND ADOPTING NEW AND AMENDED PROVISIONS FOR HERITAGE RESOURCE PRESERVATION FOR THE CITY.

WHEREAS, by Ordinance Nos. 79-12-13, 81-12-10, Subsection (d) of Section II of Ordinance No. 83-10-10, and Ordinance No. 88-10-12, the City Council of the City of Plano established provisions for historic landmark preservation for the City of Plano for the purpose of protecting and preserving places and areas of historical and cultural importance to the City of Plano, and such Ordinances were collectively codified as Article VI, Historic Landmark Preservation, of Chapter 16 of the Code of Ordinances of the City of Plano; and

WHEREAS, by Ordinance No. 98-2-26, the above ordinances were subsequently repealed and replaced by the City Council of the City of Plano on February 23, 1998, and

WHEREAS, Ordinance No. 98-8-35 creating Section 16.301 and amending Sections 16-112 and 16-116 of Ordinance No. 98-8-35 was adopted by the City Council of the City of Plano on August 24, 1998; and

WHEREAS, upon the recommendation of the Heritage Commission, the City Council now finds that it is necessary to adopt updated provisions for heritage resource preservation within the City of Plano and that such provisions are in the best interest of the city and its citizens.

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

Section I. Ordinance No. 98-2-26, duly passed and approved by the City Council of the City of Plano, Texas, on February 23, 1998 and Ordinance No.98-8-35, duly passed and approved by the City Council of the City of Plano, Texas, on August 24, 1998, are each hereby repealed in their entirety.

Section II. Article VI, Historic Landmark Preservation, of Chapter 16 of the Code of Ordinances of the City of Plano is hereby revised to read in its entirety as follows:

ARTICLE VI. HERITAGE RESOURCE PRESERVATION**Sec. 16-101. Purpose.**

The City Council of the City of Plano hereby finds and declares as a matter of public policy that the preservation of the city's heritage, including the recognition and protection of historic landmarks and icons, promotion of the historic culture enhancement of the public's knowledge of the city's historical past, and development of civic pride in the beauty and noble accomplishments in the past, is a public necessity and is required in the interest of the culture, prosperity, education and welfare of the people. The purposes of this article are to:

- (1) Safeguard the city's history and culture by promoting the value and importance reflected in recognizing founders of the city, establishing historic landmarks teaching the evolution of the area and fostering general heritage preservation;
- (2) Protect, enhance, and perpetuate historic resources which represent or reflect distinctive and important elements of the city's cultural, social, economic, political, archaeological and architectural history;
- (3) Promote the city's heritage by educating and attracting tourists and visitors while providing incidental support and stimulus to business and industry;
- (4) Promote the city's heritage by encouraging the use of historic resources;
- (5) Increase historical awareness, including educating the youth of the city, in order to strengthen the culture, prosperity and welfare of local citizens and visitors to the city; and
- (6) Provide input and advice to the City Council regarding matters of heritage preservation.

Sec. 16-102. Prohibited acts, penalty for violation, enforcement, appeals.

- (a) It shall be unlawful to construct, reconstruct, structurally alter, remodel, renovate, restore, demolish, raze, or maintain any heritage resource in violation of the provisions of this article. In addition to other remedies, the city may institute any appropriate action or proceedings to prevent such unlawful construction, restoration, demolition, razing, or maintenance, to restrain, correct or abate such violation.
- (b) Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall, upon conviction thereof, be fined a sum not exceeding two thousand dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

(c) All work performed pursuant to a certificate of appropriateness issued under this article shall conform to all its requirements. It shall be the duty of the Heritage Preservation Officer to inspect periodically to assure such compliance.

(d) Any person aggrieved by a decision of the commission relating to hardship or issuance of a certificate of appropriateness may, within thirty (30) calendar days of the date of decision, file a written application with the City Council through the office of the city secretary for review of the decision. The City Council shall hold public hearings to consider the appeal. A decision of the City Council is final and may not be appealed.

Sec. 16-103. Definitions.

Archeology means the science or study of the material remains of past life or activities and physical site, location or context in which they are found, as delineated in the Department of the Interior's Archaeological Resources Protection Act of 1979.

Area means a specific geographic division in the City of Plano.

Building means any structure created to shelter people or things, such as a house, barn, church, hotel or similar structure.

Certificate of appropriateness means a signed and dated document evidencing the approval of the Heritage Commission and/or Heritage Preservation Officer for work proposed by an owner or applicant.

Citizen means a legal resident of the City of Plano.

Contributing Resources means a property located within a designated heritage resource district (overlay) that is typical of the district, is an integral part of the historic and/or architectural fabric of the district, and retains a significant portion of its architectural or design integrity. A structure built outside of the district's period of significance or that is less than forty (40) years old may be deemed by the Heritage Commission as contributing if it is compatible with existing architecture and contributes to the overall architectural fabric of the district.

Demolition delay means a structure or site which satisfies one (1) or more of the criteria set out in section 16-105 and which is designated as such in accordance with that section.

Demolition means an act or process (not withstanding acts of God, criminal activity, etc.) which destroys a site or structure in its entirety, or which destroys a part of a site or structure and permanently impairs its structural, historic or architectural integrity.

Design guidelines means guidelines which are adopted by the Heritage Commission for property designated as a heritage resource or heritage resource district to protect, perpetuate and enhance the historical, cultural, architectural or archeological character of an object, site or structure.

Development review means processing of proposed development requests and zoning ordinance amendments.

District means a geographically definable area, urban or rural, possessing a significant concentration, linkage or continuity of objects, sites or structures united by past events or aesthetically by plan or physical development.

Heritage Commission or commission means the Heritage Commission of the City of Plano, established in accordance with section 16-107 of the Code of the City of Plano.

Heritage Preservation Officer (HPO) means a staff person for the City of Plano whose duties encompass all heritage preservation activities for the city as established in accordance with section 16-109 of the Code of the City of Plano.

Heritage resource preservation plan or preservation plan means a document established by the Heritage Commission and adopted by the City Council to provide a current inventory of heritage resources and policy recommendations to guide heritage preservation activities for the City of Plano.

Heritage preservation means the identification, evaluation, recordation, documentation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance and reconstruction of historic structures or property, or any combination of the foregoing activities.

Heritage property means full range of properties identified in the heritage resource survey and/or special studies which are significant in history, pre-history, architecture, engineering, archeology and culture, including properties significant to the whole nation or those significant at the state, regional or local level.

Heritage resource means a structure, site or landmark which satisfies one (1) or more of the criteria set out in section 16-105 and which is designated as such in accordance with that section.

Heritage resource district means an area which includes two (2) or more structures or sites which satisfy one (1) or more of the criteria set out in section 16-105, together with their accessory buildings, fences and other appurtenances, and which is designated as such in accordance with that section. A heritage resource district may have within its boundaries other structures that, while not of such historical, cultural, architectural or archeological significance as to be designated as a heritage resource nevertheless contribute to the overall visual setting of or characteristics of the district.

Heritage resource survey means the survey of heritage resources published by the Heritage Commission, as amended from time to time.

Individually Designated Resources means an individual property designated under the criteria of this ordinance by a single designating ordinance and assigned the "H" zoning prefix and a number in the zoning atlas. It may consist only of a single property (not a district overlay), but may be located within a separately designated historic district.

Landmark means a structure or property which is of value in preserving the historical, cultural, architectural or archeological heritage, or an outstanding example of design or a site closely related to an important personage, act or event in history.

Minor in-kind repairs means small scale repairs to correct minor problems or damage to the exterior. Minor in-kind repairs do not include a change in design, material or outward appearance, only in-kind replacement or repair. Examples of minor in-kind repair include, but are not limited to: touch up painting, replacement of a window pane, caulking, securing loose boards, etc.

Pending designation means a structure or site for which a notice of nomination for designation as heritage resource or demolition delay, or for inclusion in a heritage resource district, has been mailed by the Heritage Preservation Officer or his/her designee by certified mail, return receipt requested, to the owner or owners.

Preliminary Certificate of Appropriateness means a signed and dated document evidencing the preliminary design concept approval of the Heritage Commission and/or Heritage Preservation Officer for work proposed by an owner or applicant. This is not a final approval (Certificate of Appropriateness).

Reasonable rate of return means a reasonable profit or capital appreciation which may accrue from the use or ownership of a structure or property as the result of an investment or labor.

Reconstruction means the act or process of reassembling, reproducing, or replacing by new construction, the form, detail and appearance of a structure or property and its setting as it appeared at a particular period of time by means of the removal of later work, the replacement of missing earlier work or the use of original materials.

Rehabilitation means the act or process of returning a structure or property to a state of utility through repair, remodeling or alteration that makes possible an efficient contemporary use while preserving those portions or features of the structure or property which are significant to its historical, cultural, architectural or archeological values.

Relocation means any change of the location of a structure, object or material thing in its present setting or to another setting.

Resource means a source or collection of objects, sites, structures, or property which exemplifies the cultural, social, economic, political, archeological or architectural history of the nation, state or city.

Restoration means the act or process of accurately recovering the form and details of a structure or property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Routine maintenance means any work, the purpose and effect of which is to correct any deterioration or decay of or damage to a structure or property, or any part thereof, and to restore the same, as nearly as may be practicable, to its condition prior to such deterioration, decay or damage, using the same materials or those materials available which are as close as possible to the original and all of which must comply with applicable codes and ordinances. Routine maintenance does not include a change in design, material or outward appearance, but does include in-kind replacement or repair. Examples of routine maintenance include, but are not limited to: repainting (in previously approved palette), replacement of roofing materials or other minor architectural features, etc.

Secretary of the Interior's Standards for Rehabilitation means the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, reported at 36 Code of Federal Regulations 67.7, or as recodified.

Site means the location of a significant event, a prehistoric or historic occupation or activity, or a structure or cluster of structures, whether standing, ruined or vanished, where the location itself maintains historical or archeological value, regardless of the value of any existing structure.

Stabilization means the act or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated structure or property while maintaining the essential form as it presently exists.

Structure means anything constructed or erected which requires location on the ground, or is attached to something having a location on the ground, including, without limitation, buildings.

Sec. 16-103.1. Pre-designation of heritage resource.

An existing building or structure for which an application for designation has been filed by the property owner and approved by the Heritage Preservation Officer using the criteria found in section 16-105 shall be subject to the same benefits (other than tax exemptions or abatements) and conditions as apply to designated heritage resources under this article.

Once an application for designation has been filed and approved by the Heritage Preservation Officer, it cannot be withdrawn without the consent of the Heritage Commission after notice and public hearing.

Sec. 16-104. Designation of heritage resource -- Generally.

The City Council may designate certain buildings, land, areas, sites, and districts in the city as heritage landmarks and/or resources and define, amend and delineate the boundaries thereof. The suffix "H", as established in section 4-400 of the comprehensive zoning ordinance, shall indicate the zoning district designation of those buildings, land, areas, sites, and districts which the City Council has designated as heritage resources. Such designation shall be in addition to any other zoning district designation established in the comprehensive zoning ordinance. All zoning district maps shall reflect the designation of a heritage landmark and/or resource district by the letter "H" as a suffix. Listed structures should typically remain on the original construction site. In the event that a listed structure is moved, the commission shall determine if the structure can be designated. The commission shall adopt guidelines for making such a determination.

Sec. 16-105. Designation of Heritage Resource -- Criteria.

In order to be designated, a heritage resource must be at least forty (40) years old and meet one or more of the following criteria:

- (1) Character, interest or value as a part of the development, heritage or cultural characteristics of the city, the state or the United States;
- (2) Location as the site of a significant historic event;
- (3) Identification with a person who significantly contributed to the culture and development of the city;
- (4) Exemplification of the cultural, economic, social, or historical heritage of the city;
- (5) Portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style;
- (6) Embodiment of distinguishing characteristics of an architectural type or specimen;

- (7) Identification as the work of an architect or master builder whose individual work has influenced the development of the city;
- (8) Embodiment of elements of architectural design, detail, materials, or craftsmanship;
- (9) Relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on historic, cultural or architectural motif;
- (10) Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city;
- (11) Archaeological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest;
- (12) Value as an aspect of community sentiment or public pride; and
- (13) Input from affected property owners.

Sec. 16-106. Designation of Heritage Resource -- Removal.

The designation of a heritage resource district may be amended or removed using the same procedure as provided in this article for the original designation. Application for removal of the heritage resource, heritage resource district or demolition delay designation shall be submitted to the Heritage Preservation Officer. Application may be made by the property owner or his authorized representative, the Planning & Zoning Commission, or the City Council. The same procedure that is followed in designation of such categories shall apply to removal of the designation, including approval by the Heritage Commission, the Planning & Zoning Commission, and the City Council. In the case of owner initiated applications, all owners of an individual site or structure must sign the application for removal.

Sec. 16-107. Heritage Commission -- Organization.

(a) *Creation; membership; terms; officers.* There is hereby created a commission to be known as the Heritage Commission of the city, referred to as the "commission" in this article, composed of seven (7) members appointed by the City Council. The seven (7) members shall be appointed from the citizens at large, and, if possible, consideration should be given to historic property owners. All members shall have knowledge and experience in the field of history, art, or architecture of the city. The members shall serve for staggered terms of two (2) years ending on October 31. Vacancies shall be filled by appointment for the unexpired term only. The commission members shall serve without compensation for their service. The City Council shall appoint the chairperson of the commission. The commission shall designate a vice-chairperson from the appointed members.

(b) *Meetings; quorum; voting; minutes.* The commission shall meet at least once each month, with additional meetings upon call by the commission chairperson or upon petition of a simple majority of commission members. Four (4) members present shall constitute a quorum, and issues shall be decided by a simple majority vote of the members present. The minutes of each meeting shall be filed in the planning department.

All meetings of the Heritage Commission are open to the public (with the exception of Executive Sessions as allowed by the Texas Open Meetings Act). Both applicants and remonstrators may give testimony in accordance with these rules. Notice of meetings is published by the Commission in accordance with the Texas Open Meetings Act.

(c) *Ex officio members.* In addition to the seven (7) members appointed by the City Council, the Heritage Preservation Officer and the Chief Building Official or his representative shall sit on the commission as ex officio members. Ex officio members from different segments of the community may also be appointed by the City Council to assist the commission in its official duties. None of the ex officio members shall have voting power but shall assist the commission in its various functions.

(d) *Committees.* Committees shall be appointed on an as needed basis for the purposes of assisting the commission with their appointed duties.

Sec. 16-108. Heritage Commission -- Functions.

(a) The commission shall thoroughly familiarize itself with the buildings, land, areas, and districts within the city which may be eligible for designation as heritage resources and shall prepare a heritage resource preservation plan referred to as the "preservation plan" which shall:

- (1) Identify and catalog buildings, land, areas, and districts of historical, architectural, archaeological, or cultural value, along with statements of fact which verify their significance;
- (2) Establish criteria to be used in determining whether certain buildings, land, areas, and districts should be designed as heritage resources;
- (3) Establish guidelines to be used in determination of whether to grant or deny certificates of appropriateness for proposed alterations to the exterior of a designated heritage resource;
- (4) Formulate a program for private and public action, which will state the role of various city agencies in the preservation of heritage resources;

- (5) Suggest sources of funds for preservation and restoration activities and for acquisitions, to include federal, state, municipal, private, and foundation sources; and
 - (6) Recommend incentives for preservation.
- (b) The preservation plan shall be presented to the Planning & Zoning Commission and City Council in preparing and updating the comprehensive plan of the city.
- (c) The commission shall recommend to the Planning & Zoning Commission that certain buildings, land, areas, and districts in the city be designated as heritage resources. Each recommendation shall include:
- (1) Those premises, lots or tracts to be designated;
 - (2) Any additional uses to be permitted in the specific "H" district; and
 - (3) Specific criteria for the required preservation of the exteriors of premises within the designated district, which shall follow the United States Secretary of the Interior's Standards for Rehabilitation.
- (d) If the commission finds that certain buildings, land, areas, or districts cannot be preserved without acquisition, the commission shall recommend to the City Council that the fee or a lesser interest in the property be acquired by gift or purchase, using private and/or public funds available for preservation or restoration.
- (e) Where there are conditions under which the required preservation of a heritage resource would cause undue hardship to the owner, use changes may be recommended by the commission. Changes must be adopted by the City Council upon recommendation of the Planning & Zoning Commission in accordance with current zoning procedures. Such changes shall be in keeping with the spirit and intent of this article.
- (f) Periodically, the commission shall review the status of designated heritage resource districts and include in the commission minutes a report of such review.
- (g) The commission shall direct the action of committees.
- (h) The commission shall receive, review and recommend grant applications from area historic preservation agencies, groups or organizations and make a recommendation to the City Council on the recipient's grant and amount to be awarded.

Sec. 16-109. Appointment of Heritage Preservation Officer.

The City Manager shall provide for the appointment of a qualified staff person to serve as the Heritage Preservation Officer. The Heritage Preservation Officer shall administer this article and advise the Heritage Commission on matters submitted to such commission.

In addition to serving as representative of the Heritage Commission, the Heritage Preservation Officer is responsible for coordinating the city's heritage preservation activities with those of local, state, and federal agencies and with local, state, and national nonprofit preservation organizations, as well as other municipal departments and the general public. The Heritage Preservation Officer shall maintain the heritage resource survey and shall update such survey from time to time. The Heritage Preservation Officer shall also have the authority to set deadlines for submittals in order to assure adequate staff review time and notification of the commission and general public.

Sec. 16-110. Action by Planning & Zoning Commission.

(a) The Planning & Zoning Commission shall hold public hearings as provided in the comprehensive zoning ordinance of the city to consider any heritage resource or district designation recommended by the commission.

(b) At the conclusion of a hearing, the Planning & Zoning Commission shall set forth in writing its recommendation, including the findings of fact that constitute the basis for its decision, and shall transmit such recommendation to the City Council.

Sec. 16-111. Action by City Council and recording of designation.

(a) After notice and public hearing as required by law in a zoning case under the comprehensive zoning ordinance, the City Council may enact a heritage resource district designation.

(b) Upon passage by the City Council of a heritage resource district designation ordinance, the City Secretary shall file a copy of the ordinance with the Collin County Clerk and the Collin County Tax Assessor, together with a notice briefly stating the fact of the designation and shall send a copy of such notice by certified mail to the owner of the affected property.

Sec. 16-112. Certificate of appropriateness review.

(a) A certificate of appropriateness for routine maintenance shall be issued by the Heritage Preservation Officer.

(b) No building permit or site plan approval for proposed work to the exterior of an existing building or for new construction in a designated heritage resource district shall be issued to any applicant by the building inspection or planning departments unless the application has first been reviewed by the Heritage Commission and a certificate of appropriateness has been issued by the commission.

(c) When applying for such a permit or site plan approval, the applicant shall comply with all necessary requirements as defined by the building inspection or planning departments, who shall forward such application to the Heritage Preservation Officer within five (5) business days of receipt thereof. Any applicant may request a meeting with the commission before submitting an application and may consult with the commission during the review of the permit application.

(d) Upon review of the application, the commission or the Heritage Preservation Officer (if applicable) shall determine whether the proposed work is of a nature which will adversely affect any historical, architectural, archaeological, or cultural feature of the heritage resource district, and whether such work is appropriate and consistent with the spirit and intent of this article and the designating ordinance. The commission shall deny, with or without prejudice, or approve a certificate of appropriateness and forward such action to the building inspection department within ten (10) business days of the last regular meeting of the Heritage Commission. The building inspection department shall immediately notify the applicant of the commission's action. If the commission has denied the certificate of appropriateness, the applicant may file in writing a notice of appeal to the City Council with the city secretary within ten (10) business days after receiving notice from the building inspection department. The city secretary shall place the appeal on the City Council agenda for a hearing, and the applicant shall be notified by the city secretary of the date of the hearing. The City Council utilizing the above criteria, shall deny, with or without prejudice, or approve a certificate of appropriateness.

(e) If no action has been taken by the commission within sixty (60) business days of original receipt by the building inspection department or planning department, the building permit shall be issued by the building inspection department or the planning department shall continue the review of the application.

(f) No change shall be made in the application for any building permit after issuance of a certificate of appropriateness without resubmittal to the commission and approval thereof in the same manner as provided in subsection (c) of this section.

(g) After a decision is reached by the commission denying, with prejudice, an application for certificate of appropriateness, where no appeal is made to the City Council, a resubmittal of application will not be accepted for additional hearing within a twelve-month period from the date of final decision except upon written request by the applicant, indicating the incorporation of changes in plans and specifications to the original application as recommended by the commission. Denial of a certificate of appropriateness without prejudice permits reapplication immediately.

(h) Each certificate of appropriateness issued pursuant to this section shall expire and be void after one year unless construction/alteration has begun and is substantially completed (80%). Requests for extensions should be addressed to the Heritage Preservation Officer prior to the date of expiration and should include the following:

- a. Reason for requesting the extension;
- b. A timetable for starting and completing work; and
- c. Information regarding work completed, work still to be done, and any amendments requested to the work as originally proposed.

If there are no amendments to the originally proposed work, extensions may be granted by the Heritage Preservation Officer for any time period up to one year provided no combination of extensions exceeds a total of one year from the original expiration date. Failure to complete the work within the required time, including any extension, may result in the revocation of the certificate of appropriateness. The holder of an expired Certificate of Appropriateness or a Certificate of Appropriateness that the Heritage Preservation Officer finds inappropriate to extend may their request for extension to the Heritage Commission. The requested extension shall be scheduled to be heard at the next public meeting.

(i) An applicant may request a Preliminary Certificate of Appropriateness (PCA) at any stage of the design process. The PCA process is generally applied to proposed new construction and/or significant renovation or restoration projects. The application may include, but is not limited to, the following:

1. Site Layout – a dimensional scale drawing showing lot lines, street(s), buildings (existing and proposed), setbacks, driveways, parking areas, and other information necessary to define the layout of the property.
2. Plans – dimensioned scale drawings showing the layout of proposed new construction and the existing building if the new construction is to be an addition.
3. Elevations – dimensioned scale drawings showing each side of the proposed new construction and existing building if the new construction is to be an addition.

4. Sketches – artistic drawings or renderings illustrating the proposed changes and/or new construction. Sketches may be substituted for elevations for purposes of PCA approval.
5. Illustrations – conceptual drawings or sketches for elements such as doors, windows, architectural elements, and other elements as they are available in the design process.
6. Photographs of existing buildings and/or examples of architectural elements to be incorporated into the design.
7. Other materials deemed necessary by the Heritage Preservation Officer for adequate review.

A complete, detailed set of drawings is not necessary. The review will be based on the concept only. Review should include form, scale, massing, general architectural design and compatibility with the character of the heritage district or resource. The Commission may approve, approve with stipulations, deny or deny without prejudice all or part of the PCA. Upon approval, the applicant may continue design work on the basis of the approval, considering any stipulations.

Approval of a PCA by the Heritage Commission shall constitute authorization by the city for the applicant to submit an application for a final CA provided that the final submittal conforms to the PCA and any stipulations attached to its approval.

As long as the PCA remains valid, elements of the project specifically approved in the PCA, including the site layout, remain fixed, except as to permit minor adjustments resulting from subsequent architectural or engineering improvements or to prevent a condition affecting public health or safety which was not known at the time of PCA approval. A PCA may not be used to approve an exception to development regulations. Where an approved plan conflicts with an adopted regulation and no variance or exception is expressly approved, the regulation shall apply.

A partial building permit may be issued on the basis of the approval and work may begin only on the portion of the project specifically approved by the Commission in the PCA (e.g. site layout). A final Certificate of Appropriateness (CA) must be obtained for work to progress beyond the scope of the PCA approval and before the project is completed.

- (j) Approval of a Preliminary Certificate of Appropriateness or a Certificate of Appropriateness, including the site layout, shall not be deemed as conforming to the requirements for Concept Plan, Preliminary Site Plan and Site Plan approval in the Zoning Ordinance. Likewise, approval of such plans by the Planning & Zoning Commission does not waive the CA approval requirement by the Heritage Commission.

- (k) The Heritage Commission may establish a date of expiration for each PCA or CA at the time of its approval.
- (l) The Heritage Commission may delegate to the Heritage Preservation Officer the authority to issue Certificates of Appropriateness on minor changes to the exterior of an existing structure where the commission has approved criteria for making determinations on certain matters and where the parameters under which those criteria may be utilized are clearly established by the commission.

All denials made by Heritage Preservation Officer shall be deemed as without prejudice and reapply within one year. The applicant may appeal the decision of the Heritage Preservation Officer to the Heritage Commission by filing a written request with the Heritage Preservation Officer within ten (10) working days of the receipt of a written notice of the action taken by the officer. The Heritage Preservation Officer shall schedule the appeal for the next available Heritage Commission Meeting. Matters upon which the Heritage Commission may delegate the authority to issue Certificates of Appropriateness may include, but are not necessarily limited to the following:

- (1) Colors for painting the exterior of a structure including siding, trim, doors, steps, porches, railings, and window frames (does not include painting or otherwise coating previously unpainted masonry);
- (2) The placement and screening, if necessary, of mechanical units of various types;
- (3) The placement and design of screening treatments for trash and recycling receptacles on commercial properties;
- (4) Privacy fences and semi-privacy fences to be installed in the rear and/or side yard;
- (5) Ground lighting;
- (6) Accessories attached to a façade of any building, garage or carriage house including mailboxes or incandescent light fixtures;
- (7) Repairing or replacing non-historic roof materials with that of a different type or color;
- (8) Installation of handicap ramps;
- (9) Replacement of historic windows and doors when deteriorated beyond repair and provided the replacement matches the original in dimension, material and style; and

- (10) Exterior storm windows and doors, provided: no alteration to the opening is required; they are not attached to and do not cover any exterior trim and they are prefinished or painted.

Sec. 16-113. Activities requiring certificate of appropriateness.

No person shall carry out any of the following work without obtaining a certificate of appropriateness issued by the Heritage Commission in accordance with the provisions of this article:

- (1) Demolition or relocation of a designated heritage resource or a structure or property pending designation as a heritage resource or demolition delay or of a structure or property located in an area designated or pending designation as a heritage resource district;
- (2) Repair (other than routine maintenance), reconstruction, alteration, addition, stabilization, restoration or rehabilitation of a structure or property designated or pending designation as a heritage resource or located in an area designated or pending designation as a heritage resource district;
- (3) New construction on real property which is located in an area designated or pending designation as a heritage resource district or on land necessary for access to and use of a structure designated or pending designation as a heritage resource; or
- (4) Material changes in any doors, roofs, windows, masonry work, woodwork, light fixtures, signs, sidewalks, fences, steps, paving and/or other exterior elements visible from a public right-of-way which affect the appearance and compatibility of any structure or property designated or pending designation as a heritage resource or located in an area designated or pending designation as a heritage resource district.

Sec. 16-114. Routine maintenance.

Nothing in this article should be construed to prevent routine maintenance or repair of any exterior architectural feature of a property designated as a heritage resource or within a heritage resource district. In addition, repairs shall be made in accordance with the standards established by the Heritage Commission for heritage resources. The Heritage Preservation Officer shall be the officer in charge of making the decisions as to what is "routine maintenance."

Sec. 16-115. Minor in-kind repairs.

Nothing in this article shall be construed as prohibiting minor in-kind repairs as long as the said repairs comply with applicable codes and ordinances and are made in accordance with the standards established by the Heritage Commission for heritage resources. Examples of minor in-kind repairs include, but are not limited to: touch-up painting, spot replacement of shingles, or replacement of a pane of glass. If there is doubt that a repair is a minor in-kind repair, the Heritage Preservation Officer should be consulted.

Sec. 16-116. Demolition or removal of heritage resources.

- (A) Purpose. Demolition or removal of any heritage property, pre-designated heritage resource, designated heritage resource, or structure located within a designated heritage district constitutes an irreplaceable loss affecting the quality of life and character of the city. Therefore, a demolition or removal of heritage property shall be allowed only in limited situations.
- (B) Procedure. An owner seeking demolition or removal of a structure shall submit a complete application to the Chief Building Official. The Building Official shall immediately forward the application to the Heritage Preservation Officer (HPO). The HPO shall forward a completed application to the Heritage Preservation Commission.
- (C) Application. An application for demolition of any structure located within a designated heritage district must be signed and sworn to by all the owners of the property or their duly authorized representatives. Applicants for demolition or removal of individually designated resources shall state one of the following reasons for removal or demolition, and shall provide the corresponding documentation to substantiate the request for removal or demolition. If the applicant seeks to demolish or remove a structure for more than one reason, he/she shall provide all documentation required for each reason. Applicants for demolition or removal of a heritage resource property other than an individually designated resource shall solely be required to provide the documentation listed in 16-116(C) (1)(a).

If the information requested is not available or cannot be provided, the applicant must state the item that is unavailable and provide an explanation regarding its absence from the application.

- (1) Replacing an existing structure with another structure.

An application for demolition or removal for the purpose of replacing the existing structure with another structure and all other Heritage resource property application for demolition or removal for any purpose shall include the documentation listed below.

- a. Records depicting the original construction of the existing structure, including drawings, pictures, or written descriptions.
 - b. Records depicting the current condition of the existing structure, including drawings, photographs, or written descriptions.
 - c. Estimated cost of restoration and/or repair.
 - d. Any conditions the applicant proposes to place on the proposed structure that would mitigate the loss of the existing structure.
 - e. Architectural drawings of the structure that is proposed to replace the existing structure and approval of a Certificate of Appropriateness.
- (2) No economically viable use of the property exists – Individually Designated Resource Heritage Property.

An application for demolition or removal of property for Individually Designated Resource Heritage Property based on lack of economic viability shall include the documentation listed in a to j below for all properties and additional information in k and l below for commercial properties. The information in this section shall not be required of Heritage Resource Property other than individually designated resources. A permit under this section shall not be denied if the owner cannot realize a reasonable rate of return on his property. The City shall retain an economic expert knowledgeable in the area of valuation, renovation, redevelopment, and rehabilitation of real estate. The expert shall review the documentation submitted by each applicant and provide a written report to the commission regarding the economic viability of each property.

- a. The amount paid for the property and date of purchase;
- b. Remaining balance on any mortgage or other financing secured by the property and annual debt service;
- c. Real estate taxes for the previous three years and assessed value of the property according to the most recent valuation;
- d. All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing or ownership of the property;
- e. The fair market value of the property at the time the application is filed as determined by a licensed appraiser;

- f. Any listing of the property for sale or rent, name of broker/agent, price asked and offers received, if any, for the previous two years, including relevant documents or affidavits;
 - g. The price or rent sought by the applicant;
 - h. Any advertisements placed for the sale or rent of the property;
 - i. A report from any one or more of the following: an architect, engineer, developer, real estate consultant, appraiser or other real estate professional experienced in rehabilitation of historic property as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;
 - j. Any other evidence that shows that the affirmative obligation to maintain the structure or property makes it impossible to realize a reasonable rate of return;
 - k. Form of ownership or operation of the property. (i.e. sole proprietorship, partnership, corporation, joint venture, for profit, not for profit, etc.);
 - l. A documented report attested to by a Certified Public Accountant that includes the annual gross and net income, if any, from the property for the previous three years; itemized operating and maintenance expenses, depreciation deduction, and annual cash flow before and after debt service, if any, during the same period.
- (3) The structure poses an imminent threat to public health or safety – Individually Designated Resource Heritage Property.

If a disaster renders a structure an immediate threat to health and public safety, the Chief Building Official upon agreement with the Heritage Preservation Officer, may approve a Certificate of Appropriateness for demolition without the necessity of an application.

An application for demolition or removal of an Individually Designated Resource Heritage Property structure that poses a threat to public health or safety shall include the documentation listed below. The information in this section shall not be required of Heritage Resource Property other than Individually Designated Resources.

The owner has the burden of proof to establish by a preponderance of the evidence the necessary facts to prove demolition is necessary to alleviate a threat to public health and safety.

- a. Records depicting the current condition of the structure, including drawings, pictures, or written descriptions.

- b. A study regarding the nature, imminence, and severity of the threat, as performed by a licensed architect or engineer.
 - c. A study regarding both the cost of restoration of the structure and the feasibility (including architectural and engineering analyses) of restoration of the structure, as performed by a licensed architect or engineer.
 - d. An assessment of the property by the Property Standards Department may be requested by the Commission or applicant.
- (4) Other evidence.
- a. The applicant may submit any other relevant evidence to support his application.
 - b. City departments and private persons and organizations may submit relevant evidence.
 - c. The Heritage Commission may request other documentation in order to fully consider a request.
 - d. The Heritage Commission may consider evidence of the necessity of preserving the structure as an historic landmark, reasonableness of the cost of restoration or repair, and economic usefulness of the building, including existing and potential usefulness.

(5) Burden of proof.

The applicant has the burden of proof to establish the necessity of a permit by a preponderance of the evidence.

(D) Hearing.

- a. The Heritage Commission shall hold a public hearing on the application within forty-five (45) business days from the date the HPO receives a complete application from the applicant.
- b. The Heritage Commission shall review and consider all submitted documents and testimony of any interested parties.
- c. The applicant(s) shall be given ten (10) business days written notice of the hearing by certified letter, return receipt requested to the address provided in the application.

(E) Decision.

- a. The commission must render a decision within sixty (60) business days of the first public hearing. The applicant shall be notified by the HPO by mail within five (5) business days of the final decision.
- b. For individually designated heritage resource properties (individually designated resources), the commission shall render a decision to delay, deny, or grant a permit for demolition in accordance with this section.
- c. For heritage resources that contribute to a heritage district (contributing resources and pre-designated resources) but are not individually designated heritage resources, the commission shall render a decision to grant or delay a permit for demolition in accordance with this section and shall not render a decision to deny a permit for demolition.
- d. Failure of the commission to decide or suspend said application within the sixty (60) business day time limit described above shall be deemed to be approval of the application and the building official shall issue the necessary permits to allow the requested demolition or removal.

(F) Demolition Delay.

- a. The Heritage Commission may suspend an application for removal or demolition that proposes to replace an existing structure with another structure by determining that, in the interest of preserving historical values, the demolition of the structure may be delayed, and, in that event, the application shall be suspended for a period not exceeding ninety (90) calendar days from the date of application. Within the suspension period, the commission may request an extension of the suspension period by the City Council. If the City Council, after notice to the applicant and a public hearing, determines that there are reasonable grounds for preservation, the City Council may extend the suspension period for an additional period not exceeding one hundred twenty (120) calendar days, for a total of not more than two hundred forty (240) calendar days from the date of application for demolition. During the period of suspension of the application, no permit shall be issued for such demolition or removal, nor shall any person demolish or remove the building or structure.

- b. During the suspension time of the Demolition Delay, the commission may prepare and submit to the applicant a salvage plan which may suggest proposals to preserve the site for purposes consistent with this chapter. The plan may include complete or partial tax abatements, tax credits, authority for alteration or construction not inconsistent with the purposes of this article and other actions allowable by law. If a reasonable agreement for salvage cannot be obtained with the applicant, then the permits shall be issued for demolition at the end of the delay period.
- c. Demolition delay shall not be ordered for properties that request relief based on the fact that they are not economically viable or for properties that are a threat to public safety.

(G) Appeals.

- a. The applicant may appeal the decision of the commission to the City Council by filing a written notice with the City Secretary within ten (10) business days of the decision. If no appeal is made of a decision to approve the demolition or removal within the ten (10) business day period, the Chief Building Official shall issue the permit(s) requested.
- b. If an appeal is filed, City Council shall hear and decide the appeal within sixty (60) business days of its filing. The Council shall consider the same standards and evidence that the commission considered.

(H) Penalty.

Any person, firm or corporation failing to comply with the provisions to demolish or rebuild structures pursuant to the requirements herein shall be deemed guilty of an offense and upon conviction thereof shall be punished in accordance with Section 16-102 (b) herein. Each and every day any person, firm, or corporation is in non-compliance with the provisions in this ordinance shall constitute a separate offense.

Sec. 16-117. Demolition by neglect.

No owner or person with an interest in real property which is designated a heritage resource or which is located in a heritage resource district, whether occupied or not, shall permit the structure or property to fall into a serious state of disrepair or to remain in a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Heritage Commission, produce a detrimental effect upon the character of the structure or property, or, if the structure or property is in a heritage resource district, upon the district. Examples of such deterioration include:

- (1) Deterioration of exterior walls or other vertical supports;
- (2) Deterioration of roofs or other horizontal members;
- (3) Deterioration of exterior chimneys;
- (4) Deterioration or crumbling of exterior treatments or finishes;
- (5) Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors;
- (6) Deterioration of any structural component so as to create a hazardous condition which could make demolition necessary for the public safety as determined by the chief building official who may consult with other qualified entities and/or individuals in making the determination; or
- (7) Deterioration or removal of any unique exterior architectural feature which would detract from the original architectural style.

Sec. 16-118. Demolition by neglect of interior.

No owner or person with an interest in property which is designated a heritage resource, including a structure in a heritage resource district, whether occupied or not, shall permit the interior portions of such structure or property to fall into a serious state of disrepair which, in the judgment of the Heritage Commission, produces a detrimental effect upon the structural integrity of such structure or property which could make demolition necessary for the public safety.

Sec. 16-119. Provisions not to affect present uses.

Use classification as to all property that may be included in a heritage resource district shall continue to be governed by the comprehensive zoning ordinance of the city and the ordinance establishing the "H" district.

Sec. 16-120. Adoption of heritage resource preservation plan.

- (a) The heritage resource preservation plan refers to that plan approved and adopted by the City Council of the City of Plano by Resolution No. 92-9-3(R) and as may be amended hereafter from time to time.
- (b) The heritage resource preservation plan shall be utilized by the Planning & Zoning Commission, City Council, Heritage Commission, staff and developers, and such other appropriate city personnel and departments as a guideline to safeguard the city's historic and cultural heritage.

(c) Where a policy or recommendation of the heritage resource preservation plan requires the adoption or amendment of a code or ordinance for implementation, said item will not take effect until the passage of the necessary legislation.

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

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

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

Section VI. Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court, shall be subject to a fine not exceeding \$2,000 for each offense. Each and every day that such violation continues shall be deemed to constitute a separate offense.

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

PASSED AND APPROVED THIS THE 13TH DAY OF AUGUST, 2007.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY