

PLANO CITY COUNCIL

WILL CONVENE INTO EXECUTIVE SESSION AT 5:00 P.M. ON MARCH 23, 2009, FOLLOWED BY PRELIMINARY OPEN MEETING 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 | 10 min. |
| | A. Respond to questions and receive legal advice on agenda items | | |
| | B. Bidding preferences for certain cement products | | |
| II. | Litigation | | |
| | A. Animal Guardians of America and David Wacaser v. City of Plano, et al. | Wetherbee | 5 min. |
| 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.	Comprehensive Monthly Financial Report	Tacke	5 min.
III.	Presentation of Police Department's Racial Profiling Report	Rushin	10 min.
IV.	Presentation of Police Department's Annual Report	Rushin	10 min.
V.	Briefing on SB 855 - Local Option Transportation Act	Turner	10 min.
VI.	Council items for discussion/action on future agendas	Council	5 min.
VII.	Consent and Regular Agenda	Council	5 min.

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.



CITY COUNCIL

1520 AVENUE K

DATE: March 23, 2009

CALL TO ORDER: 7:00 p.m.

INVOCATION: Executive Pastor Wayne Sharp
Meadows Baptist Church

PLEDGE OF ALLEGIANCE: Cub Scout Pack 1133
Church of Jesus Christ of Latter Day
Saints

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<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>PROCLAMATIONS & SPECIAL RECOGNITION</u></p> <p>Proclamation/Special Recognition: Nastia Liukin Day and Plano WOGA</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>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><u>Approval of Minutes</u></p> <p>March 5, 2009 March 6-7, 2009 March 9, 2009</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<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) CSP No. 2008-225-C for Professional Food Service Personnel to DiverseStaff in the estimated annual amount of \$251,661. This will establish an annual fixed price contract with two optional one-year renewals.</p> <p>Purchase from an Existing Contract</p> <p>(c) To approve the purchase of four Toro Z-590 (D Series/27HP Diesel) 72” Commercial Zero Turn Mowers in the amount of \$61,845 from Professional Turf Products through an existing contract/agreement with Texas Association School Buyboard Purchase Program, and authorizing the City Manager to execute all necessary documents. (#292-08)</p> <p>(d) To approve the purchase of one Peterbilt Concrete Mixer Truck (MD) in the amount of \$130,389 from Rush Truck Center of Texas through an existing contract/agreement with H-GAC Cooperative Purchasing Program and authorizing the City Manager to execute all necessary documents. (HT11-07)</p> <p>(e) To approve the purchase and installation of Playground Equipment for Indian Creek Park, Copper Creek Park, and Shoshoni Park and an indoor water slide for Oak Point Recreation Center in the amount of \$298,413 from Miracle Recreation Equipment Company through PISD Contract (2008-51-I/PISD 2007-071); and authorizing the City Manager to execute all necessary documents.</p> <p>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</p> <p>(f) To approve an Engineering Services Agreement contract by and between the City of Plano and Vision Electric, Inc., dba Engineering Associates in the amount of \$55,000 for design of improvements to tennis court lighting at various school and park sites across Plano and authorizing the City Manager to execute all necessary documents.</p> <p>Approval of Change Order</p> <p>(g) To Core Construction Services of Texas, Inc. increasing the contract by \$84,907 for Oak Point Park and Nature Preserve, Project No. 5695, Change Order No. 2, (Bid No. 2008-184-B). The first part of the change order is for the addition of sidewalk and accessible ramps on the east side of Jupiter Road from Los Rios Boulevard to Spring Creek Parkway at Oak Point Park and Nature Preserve. The second part of the change order is for additional recreational trail from the special events area to an existing trail in the Amphitheater parking lot.</p> <p>(h) To Jim Bowman Construction Co., L.P., increasing the contract by \$98,314 for Railroad Quiet Zone Improvements to include a needed 12” water line in Park Vista Road, Change Order No. 1, (Original Bid No. 2008-167-B).</p> <p>(i) To Tiseo Paving Company, increasing the contract by \$355,064 for the Parkwood Boulevard Widening, Park Boulevard to Spring Creek Parkway, Change Order No. 2, (Original Bid No. 2007-208-B).</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(j)	<p>Modification</p> <p>To approve a modification of a Council agenda item approved on August 13, 2007 to replace the references “Texas Building and Procurement Commission” and State Contract #985-A6 to “Buy Board” and Buy Board Contract #231-05. This signed contract is for a thirty six (36) month lease of a full color digital press copier.</p>	
(k)	<p>Other Expenditure</p> <p>To increase expenditure amount by \$227,100 from \$83,850 to \$310,950 due to miscalculation of Roadway Solutions bid to connect MESH devices to the Wireless Network. (RFP No. 2008-107-B, Approved 7-28-08)</p>	
	<p><u>Adoption of Resolutions</u></p>	
(l)	<p>To support a comprehensive coordinated, interagency approach to Freeway Incident Management, and providing an effective date.</p>	
(m)	<p>To find Jamey Cantrell and Donald Stevenson are entitled to defense representation pursuant to City Code of Ordinances in connection with the matter of Animal Guardians of America and David Wacaser v. City of Plano, et al.; and providing an effective date.</p>	
	<p><u>Adoption of Ordinances</u></p>	
(n)	<p>To repeal Ordinance No. 2008-11-25; establishing the number of certain classifications within the Police and Fire Departments for Fiscal Year 2008-09; establishing the authorized number and effective dates of such positions for each classification effective October 1, 2008, November 24, 2008 and March 23, 2009 respectively; establishing a salary plan for the Police and Fire Departments effective October 27, 2008; and providing a repealer clause, a severability clause and an effective date.</p>	
(o)	<p>To abandon all right, title and interest of the City, in and to a portion of that certain 15’ Water Main Easement recorded in Volume 684, page 657 of the Deed Records of Collin County, Texas, being situated in the Samuel Klepper Survey, Abstract No. 216, 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, Tenth Street Plano, L.P., to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.</p>	
	<p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p>	
	<p><u>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</u></p>	

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) Presentation of the 2008-09 Status Report and Three-Year Financial Forecast to City Council.</p> <p>(2) Public Hearing and an Ordinance to designate a certain area within the City of Plano as Reinvestment Zone No. 117 for a Tax Abatement consisting of a 9.602 acre tract of land located at the northwest corner of Summit Avenue and Jupiter Road, in the City of Plano, Texas establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date.</p> <p>(3) A Resolution to approve the terms and conditions of an Agreement by and between the City of Plano, Texas, Telmar Network Technology, Inc., a Delaware corporation, and Jud and Catherine Ireland and Olivias Owners LLC, a Florida limited liability company; and providing for a Business Personal Property and Real Property Tax Abatement; and authorizing its execution by the City Manager; and providing an effective date.</p> <p>(4) A Resolution to approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas, and Telmar Network Technology, Inc., a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date.</p> <p>(5) A Resolution to approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas, and Intertek, a New York corporation; authorizing its execution by the City Manager; and providing an effective date.</p> <p>(6) Public Hearing and an Ordinance as requested in Zoning Case 2009-01 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 599 so as to allow the additional use of Arcade on 2.3± acres of land located on the south side of Chase Oaks Boulevard, 300± west of U.S. Highway 75 in the City of Plano, Collin County, Texas, presently zoned Corridor Commercial; 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: GBRE, LLC</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>	



Pat Evans
Mayor

Jean Callison
Mayor Pro Tem

Harry LaRosiliere
Deputy Mayor Pro Tem

Pat Miner
Place 1

Scott Johnson
Place 2

Mabrie Jackson
Place 3

Sally Magnuson
Place 4

Lee Dunlap
Place 8

Thomas H. Muehlenbeck
City Manager

March 19, 2009

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

Honorable Mayor and City Council:

We will begin our meeting on Monday in Executive Session where we will receive legal advice from the City Attorney. Under Item II we will receive an update on one item of litigation. Under Item III, potential economic development prospects may be discussed.

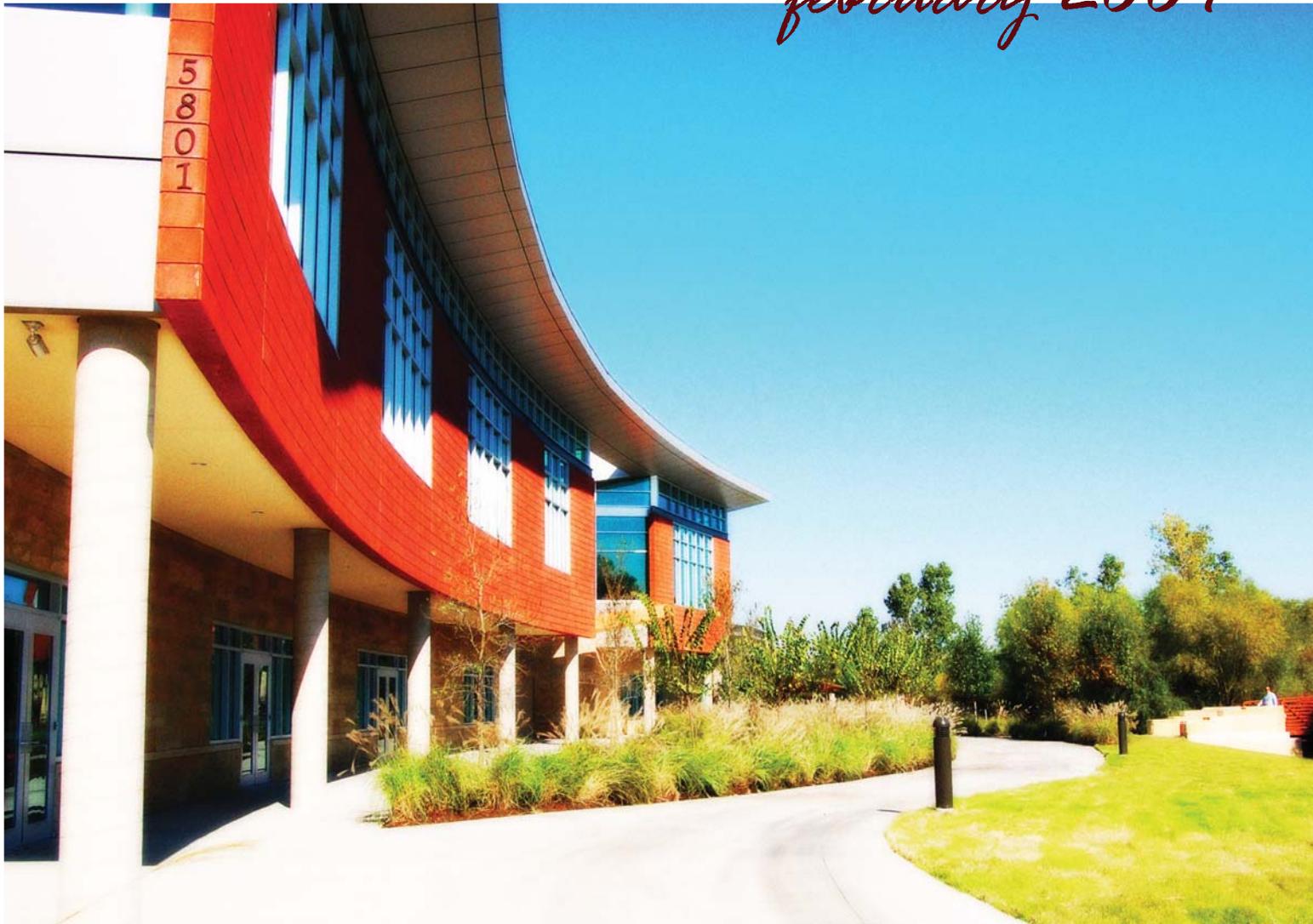
The Preliminary Open Meeting will begin with the Comprehensive Monthly Financial Report. We will then hear presentations from Chief Rushin regarding the Police Department's Racial Profiling Report and the Police Department's Annual Report. In conclusion, Frank Turner will provide us a briefing regarding SB 855 – Local Option Transportation Act.

I look forward to seeing you on Monday.

Sincerely yours,

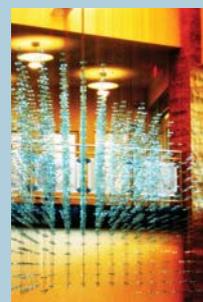
Thomas H. Muehlenbeck

february 2009



comprehensive monthly finance report

CITY OF PLANO



ABOUT THIS REPORT

The City of Plano Finance Department is dedicated to excellence in local government, comprehensive fiscal management, compliance and reporting. The Comprehensive Monthly Finance Report (CMFR) is a unique document, directed at providing our audience (internal and external users), with the general awareness of the City's financial positions and economic activity.

This report is comprised of four sections:

1. The **Financial Analysis** reports the performance of the major operating funds of the City. Narrative disclosures are used to highlight any significant changes or fluctuations.
- 1A. The **Financial Summary** provides comparative data for major revenue sources and expenditure items.
2. The **Economic Analysis** section contains a summary of the key economic indicators and an in-depth review with graphic illustrations.
3. The **Investment Report** provides a description of investment activity during the month and a summary of interest earnings.

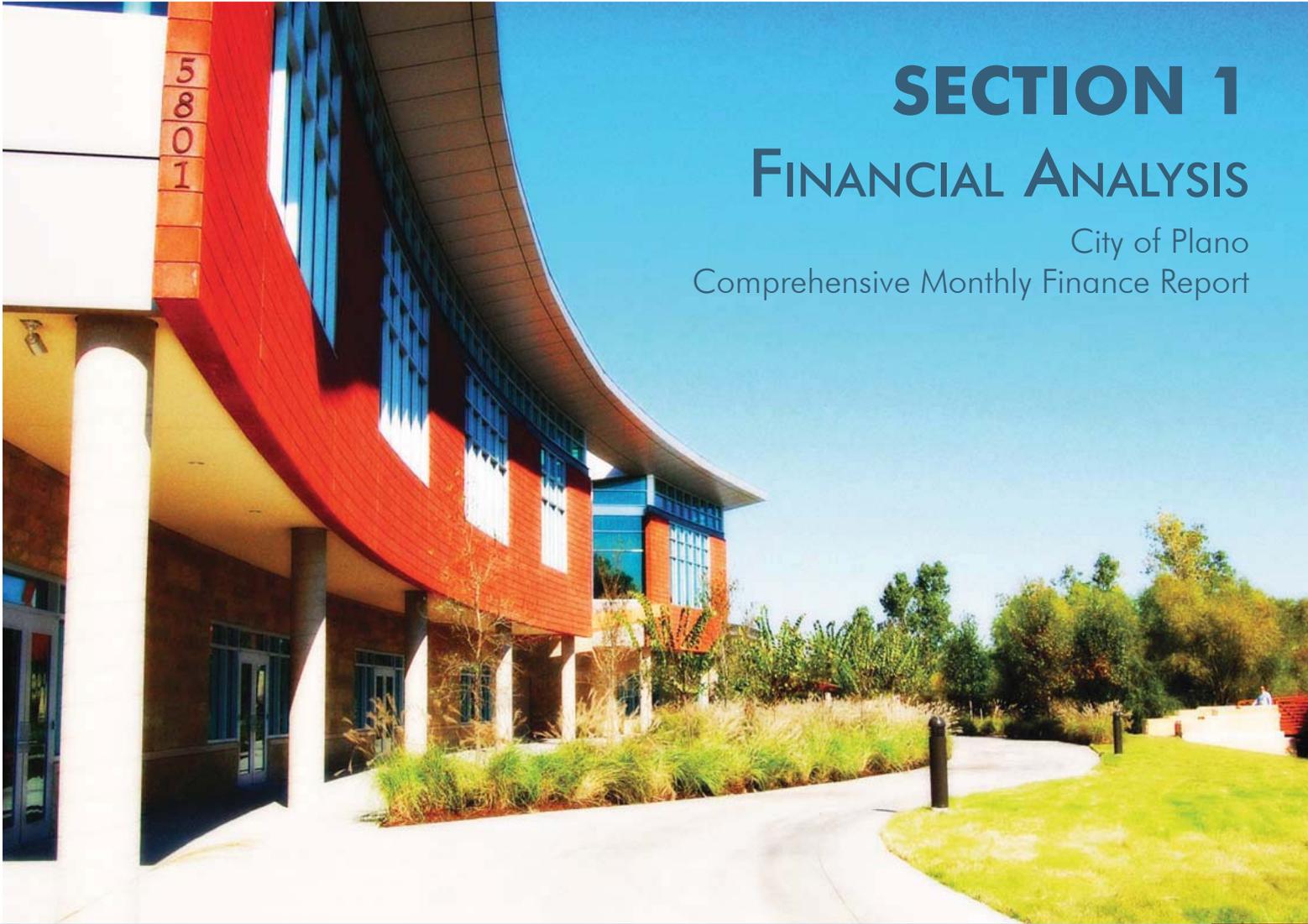
We would like to acknowledge those responsible for this report: Allison Friloux for the Financial Summary, Brianna Alvarado and Myra Conklin for the Economic Analysis Report, Quarterly Hotel/Motel Report and the Investment Report.

The CMFR is intended to provide our audience with a timely, unique and informative document. Please provide us with any comments or suggestions you may have and should you desire additional information, feel free to contact my office.



Denise Tacke
Director of Finance
P.O. Box 860358
Plano, TX 75006-0358
972-941-7135

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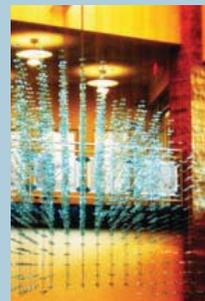


SECTION 1 FINANCIAL ANALYSIS

City of Plano
Comprehensive Monthly Finance Report

This report is designed for internal use and does not include all the funds and accounts included in the City of Plano's operations. For a complete report, refer to the City of Plano Comprehensive Annual Financial Report, available through the City's Finance Department.

CITY OF PLANO



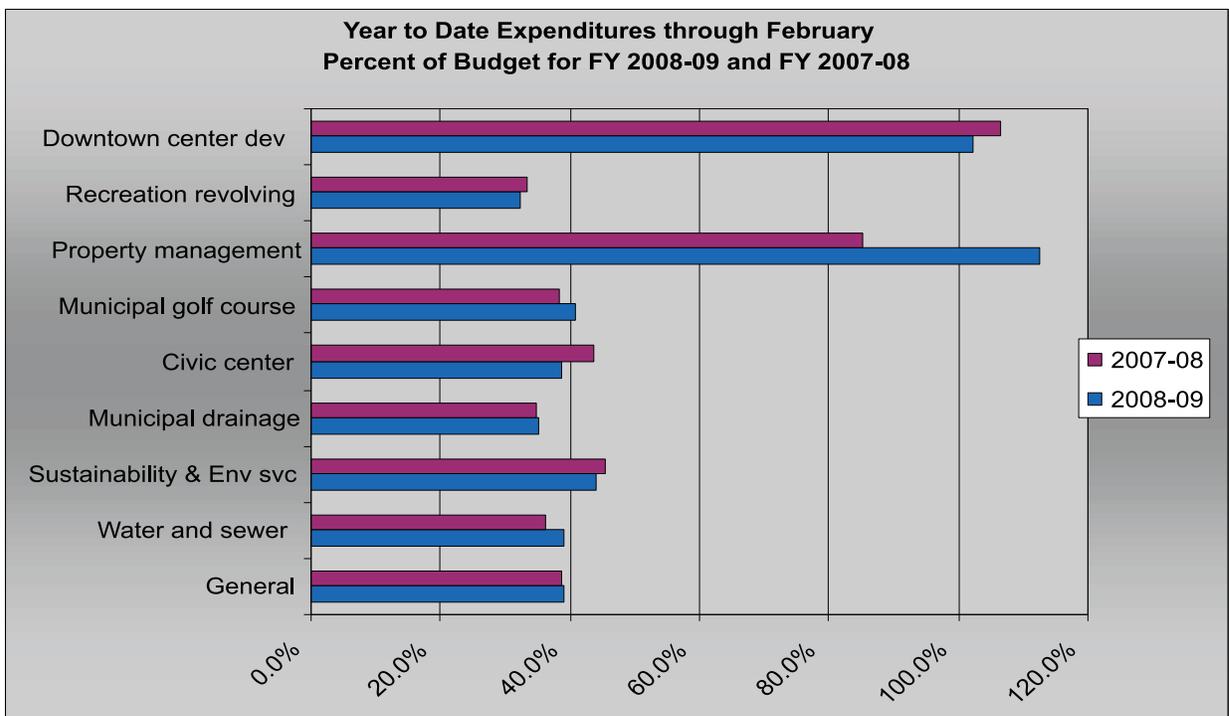
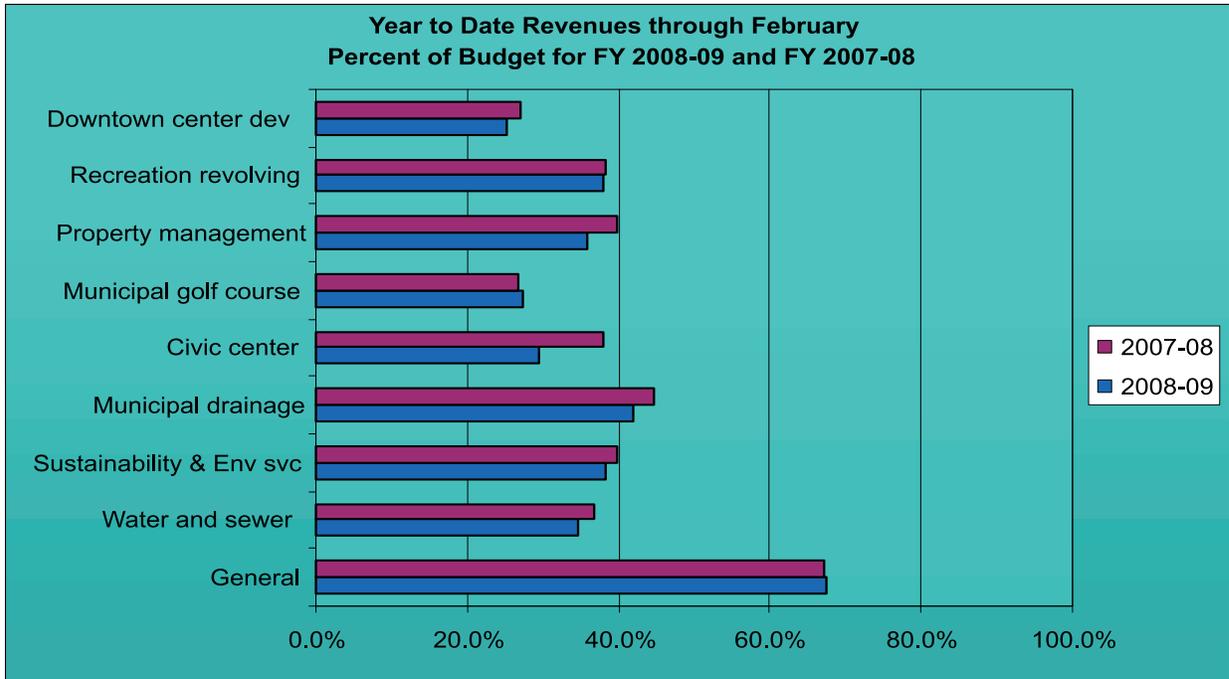
REPORT NOTES FEBRUARY, 2009

The information represented in this report provides a summary of the General Fund and Business-type revenues and expenses which offers readers an overview of the City of Plano's finances.

This section compares year to date activity in the current fiscal year to the same time period in prior year. Please note that beginning fund balances in all funds are subject to final audit adjustments.

The graphs below represent year to date revenues and expenses as a percent of budget comparing the current and prior fiscal years.

HIGHLIGHTS OF GENERAL FUND VARIANCES



REPORT NOTES CONTINUED

FEBRUARY, 2009

REVENUES

- Ad valorem tax revenue increases over prior year of \$5,203,458 are primarily attributable to an increase in existing property values and new property coming on-line.
- Sales tax revenues decreased over prior year by \$1,203,143 as a result of the declining economy. When comparing the cash received in the months of February 2009 and February 2008, a decrease of 7% is noted in sales tax revenues.
- Gas franchise revenues increased over prior year by \$956,843, a 1% increase of gross revenues.
- Court fines and forfeitures increased year to date over prior year in the amount of \$800,623 as a result of efforts by the Collections Unit.
- Revenues received from Collin County Community College and the City of Allen for shared maintenance costs have increased \$85,819. Prior to September 2008, maintenance costs were accounted for in the Sproles Library Fund. Since that time, maintenance costs are absorbed in the General Fund.
- Parks and Recreation athletic field user fees decreased over prior year by \$83,820 due to timing of payments made by youth and adult sports organizations.
- Engineering inspection revenues decreased \$149,922 as compared to prior year. Several large private development projects are being withheld at this time due to the declining economy. Overall, fewer and smaller projects are being released in the current year.
- Because of the slowing economy and increases in the fee structure, membership to recreation centers has declined. As a result, general membership revenues decreased \$79,930 as compared to last year. Additionally, membership fees designated for equipment replacement decreased \$83,411.
- In the current fiscal year, General Fund departments received reimbursements of \$85,625 for insurance and damages related to accidents involving City fleet and equipment. This represents a decrease of \$75,002 as compared to prior fiscal year.
- Interest income decreased \$697,650 as compared to prior year due to a decline in the market.

EXPENDITURES

- Personal services increased \$2,073,942 over prior year primarily due to funding for the City's Section 115 Trust as required by Governmental Accounting Standards Board Statement (GASB) No. 45, Accounting and Financial Reporting by Employers for Postemployment Benefits other than Pensions beginning in December 2008 costing \$1,314,495. Additionally, pay and benefit related costs increased over last fiscal year.
- Expenditures and encumbrances for police ammunition increased over prior year by \$102,965. These purchases are made on an as needed basis.
- Electric payment increases of \$742,241 are attributed to rate changes. Beginning in February 2009, the City's Aggregation Power Project Inc. rates decreased as a result of a new contract.
- Transfers to Technology Services increased over prior year by \$475,915 due to higher costs budgeted in the current year.
- General Fund departments experienced a decrease of \$863,478 in workers compensation claims and related administrative expenses. Beginning May of last fiscal year, these costs were absorbed in the Property Liability Loss Fund, whereas prior to May 2008, claims expenses were allocated to using departments.
- Municipal garage charges to maintain city fleet decreased over prior year by \$198,485 primarily attributed to lower fuel rates. Additionally, new procedures are in place addressing fuel conservation measures.
- Replacement charges for city rolling stock and equipment decreased over prior year by \$245,853 due to timing of vehicles received and placed into service.
- The Safe Streets Program experienced a decrease of \$86,263 due to rebidding of the contract in the latter portion of prior fiscal year.
- Book purchases increased over prior year by \$250,090 due to timing of orders placed for book selections. The current year budget for books is \$80,753 higher than prior year's budget.

REPORT NOTES CONTINUED

FEBRUARY, 2009

BUSINESS-TYPE FUND VARIANCES

WATER & SEWER

- Water and sewer revenues increased over prior year by \$1,785,680 and \$956,881, respectively. Overall water consumption for the current year is up as compared to the same time period in the prior year. Sewer revenues are directly related to water consumption and therefore increased as well. Expenses and encumbrances for maintenance parts for automated meter readers increased over prior year. Of the \$2,700,000 encumbered in April 2008, \$421,447 was spent in the prior fiscal year and \$1,185,758 in the current year. The encumbered balance at February 28 is \$1,082,296. Payments to North Texas Municipal Water District (NTMWD) for wastewater and pre-treatment services and water usage have increased over prior fiscal year by \$1,571,351 and \$891,933, respectively, as these costs are based on contractual amounts.

SUSTAINABILITY AND ENVIRONMENTAL SERVICES

- Commercial franchise fee revenues, which are based upon commercial tonnage disposed, increased over prior year by \$126,934. Residential solid waste revenues are \$411,550 higher than prior year primarily due to an increase in rates for use of 95-gallon carts from \$1.25 to \$15.10 per month. Recycling revenues are down \$369,818 as compared to prior year due to a decline in the recycling market. Sustainability and environmental services department received reimbursements of \$106,215 in insurance and damage receipts due to City fleet being involved in accidents. Expenses and encumbrances increased over prior year by \$386,442. Personal costs increased \$196,754 due to increased salary and benefit related costs as well as funding of the City's 115 Trust of \$73,710. Monthly payments to NTMWD increased \$370,900 over prior year as payments are based on contractual amounts. The contract with Otto Container Management has increased over prior year by \$118,300 primarily due to a fee increase. A new John Deere front end loader was added to the Compost Operations department in the prior year costing \$290,242.

MUNICIPAL DRAINAGE

- Personal services increased \$62,707 over prior year due to an additional position filled, in addition to increased salary and benefit related costs as compared to prior period. Of this increase, year to date funding for the City's Section 115 Trust is \$16,200. Reimbursements to the Utility Maintenance Administration department increased \$15,670 due to the Municipal Drainage Fund covering 50% of a Water Education and Services Supervisors salary.

CIVIC CENTER

- Hotel/motel tax revenues increased \$135,698 primarily due to an increase in hotel/motel tax exemptions in the current year. Inside catering revenues are down \$165,763 compared to prior year. Due to a customer's decision to cancel its annual conference, Plano Centre lost a top revenue-producing event this current fiscal year. Revenue generated from this event last year was approximately \$85,000. Overall, corporations are decreasing their spending as a result of the downturn in the economy which is reducing catering and equipment rental revenues. Expenses and encumbrances decreased \$146,091 compared to prior year. Costs of building design services spent and encumbered to expand the Plano Centre in the current fiscal year are \$179,592. Services have been rendered in the current year to provide a convention hotel and conference center feasibility and market study of which \$71,083 has been paid to an outside firm to conduct the study. The Plano Convention & Tourism department has contracted services to assist in promotional efforts of area events and activities in the current year for \$48,000. Encumbered funds totaling \$197,764 were committed in the prior year for work on expanding the parking lot at Plano Centre. Due to the slowing economy and decrease in revenues generated from corporate events, temporary employee costs decreased \$50,523. Funds spent in the prior year for a replacement phone system cost \$71,582.

REPORT NOTES CONTINUED

FEBRUARY, 2009

GOLF COURSE

- Golf revenues are down as compared to prior year by \$7,950 due to timing of collections. Personal services increased \$18,523 over prior year due to a retiree payout in January of the current year.

RECREATION REVOLVING

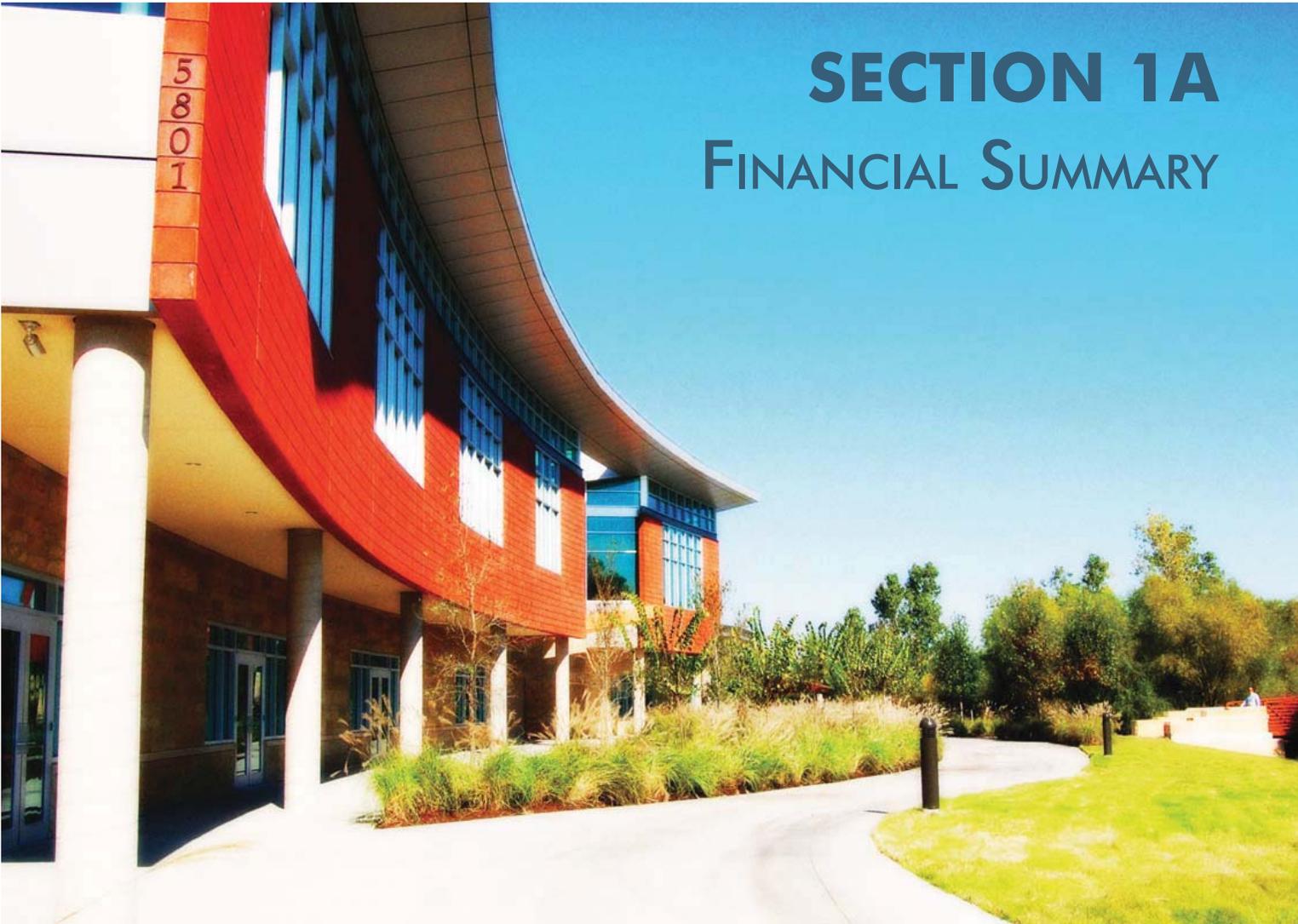
- Revenues for recreational classes increased over prior year by \$49,572. Because the Tom Muehlenbeck Center opened in November 2007 an additional month of revenue has been collected from that facility in the current year. Costs for temporary employees increased over prior year by \$34,598 primarily as a result of increased swim programs at the Tom Muehlenbeck Center.

PROPERTY MANAGEMENT

- Rental revenues are down \$12,718 due to Downtown South tenants moving to other properties. Expenses and encumbrances decreased over prior year by \$14,134. Appraisal services were rendered in prior year costing \$3,800 pertaining to Downtown Center South. Contractual services decreased \$6,500 as compared to prior year for a review of a facility located at 925 East 15th Street to evaluate improvements to the storefront and signage of the property.

SECTION 1A

FINANCIAL SUMMARY



City of Plano
Comprehensive Monthly Finance Report

CITY OF PLANO



MONTHLY FINANCIAL SUMMARY REPORT
 THROUGH FEBRUARY 28 OF FISCAL YEARS 2009, 2008, 2007
 GENERAL FUND

	Fiscal Year	Annual Budget	5 Months Actual	Actual/ Budget	Performance Index
REVENUES:					
Ad valorem tax	2009	\$ 83,069,000	80,843,000	97.3%	233.57
	2008	77,467,000	75,640,000	97.6%	234.34
	2007	69,461,000	67,308,000	96.9%	232.56
Sales tax	2009	57,418,000	26,651,000	46.4%	111.40
	2008	61,181,000	27,854,000	45.5%	109.27
	2007	57,606,000	28,153,000	48.9%	117.29
Other revenue	2009	52,721,000	22,707,000	43.1%	103.37
	2008	48,069,000	22,189,000	46.2%	110.79
	2007	46,259,000	21,823,000	47.2%	113.22
TOTAL REVENUE	2009	193,208,000	130,201,000	67.4%	161.73
	2008	186,717,000	125,683,000	67.3%	161.55
	2007	173,326,000	117,284,000	67.7%	162.40
EXPENDITURES & ENCUMBRANCES:					
Current operating	2009	\$ 201,136,000	78,061,000	38.8%	93.14
	2008	199,162,000	76,496,000	38.4%	92.18
	2007	188,784,000	71,529,000	37.9%	90.93
Capital outlay	2009	2,505,000	1,495,000	59.7%	143.23
	2008	2,255,000	1,275,000	56.5%	135.70
	2007	1,466,000	1,991,000	135.8%	325.95
Total expenditures and encumbrances	2009	203,641,000	79,556,000	39.1%	93.76
	2008	201,417,000	77,771,000	38.6%	92.67
	2007	190,250,000	73,520,000	38.6%	92.75
Excess (deficiency) of revenues over (under) expenditures	2009	(10,433,000)	50,645,000	-	-
	2008	(14,700,000)	47,912,000	-	-
	2007	(16,924,000)	43,764,000	-	-
OTHER FINANCING SOURCES (USES)					
Transfers in	2009	17,635,000	9,462,000	53.7%	128.77
	2008	16,609,000	6,920,000	41.7%	99.99
	2007	16,397,000	6,832,000	41.7%	100.00
Transfers out	2009	(19,678,000)	(8,439,000)	42.9%	102.93
	2008	(21,947,000)	(9,449,000)	43.1%	103.33
	2007	(21,055,000)	(11,964,000)	56.8%	136.37
NET CHANGE IN FUND BALANCES	2009	(12,476,000)	51,668,000		
	2008	(20,038,000)	45,383,000		
	2007	(21,582,000)	38,632,000		
FUND BALANCES-BEGINNING	2009		44,742,000		
	2008		45,684,000		
	2007		48,805,000		
FUND BALANCES-ENDING FEBRUARY 28	2009		96,410,000		
	2008		91,067,000		
	2007		87,437,000		

MONTHLY FINANCIAL SUMMARY REPORT
 THROUGH FEBRUARY 28 OF FISCAL YEARS 2009, 2008, 2007
 WATER AND SEWER FUND

	<u>Fiscal Year</u>	<u>Annual Budget</u>	<u>5 Months Actual</u>	<u>Actual/ Budget</u>	<u>Performance Index</u>
REVENUES:					
Water and sewer revenue	2009	\$ 110,226,000	38,119,000	34.6%	83.00
	2008	96,340,000	35,385,000	36.7%	88.15
	2007	93,434,000	31,466,000	33.7%	80.83
Other fees and service charges	2009	2,572,000	1,095,000	42.6%	102.18
	2008	2,693,000	1,013,000	37.6%	90.28
	2007	<u>2,556,000</u>	<u>993,000</u>	38.8%	93.24
TOTAL REVENUE	2009	112,798,000	39,214,000	34.8%	83.44
	2008	99,033,000	36,398,000	36.8%	88.21
	2007	<u>95,990,000</u>	<u>32,459,000</u>	33.8%	81.16
EXPENSES & ENCUMBRANCES:					
Capital outlay	2009	-	87,000	-	-
	2008	1,245,000	123,000	9.9%	23.71
	2007	80,000	150,000	187.5%	450.00
Other expenses & encumbrances	2009	75,010,000	29,108,000	38.8%	93.13
	2008	66,174,000	24,213,000	36.6%	87.82
	2007	<u>63,810,000</u>	<u>24,089,000</u>	37.8%	90.60
Total expenses and encumbrances	2009	75,010,000	29,195,000	38.9%	93.41
	2008	67,419,000	24,336,000	36.1%	86.63
	2007	<u>63,890,000</u>	<u>24,239,000</u>	37.9%	91.05
Excess (deficiency) of revenues over (under) expenses	2009	37,788,000	10,019,000	-	-
	2008	31,614,000	12,062,000	-	-
	2007	32,100,000	8,220,000	-	-
TRANSFERS IN (OUT)					
Transfers in	2009	-	-	-	-
	2008	255,000	106,000	41.6%	99.76
	2007	268,000	112,000	41.8%	100.30
Transfers out	2009	(34,349,000)	(14,312,000)	41.7%	100.00
	2008	(30,889,000)	(12,870,000)	41.7%	100.00
	2007	<u>(30,208,000)</u>	<u>(12,526,000)</u>	41.5%	99.52
CHANGE IN NET ASSETS	2009	\$ 3,439,000	(4,293,000)		
	2008	980,000	(702,000)		
	2007	2,160,000	(4,194,000)		
TOTAL NET ASSETS-BEGINNING	2009		321,539,000		
	2008		315,706,000		
	2007		<u>324,871,000</u>		
TOTAL NET ASSETS-ENDING FEBRUARY 28	2009		317,246,000		
	2008		315,004,000		
	2007		<u><u>320,677,000</u></u>		

MONTHLY FINANCIAL SUMMARY REPORT
 THROUGH FEBRUARY 28 OF FISCAL YEARS 2009, 2008, 2007
 SUSTAINABILITY AND ENVIRONMENTAL SERVICES FUND

	Fiscal Year	Annual Budget	5 Months Actual	Actual/ Budget	Performance Index
REVENUES:					
Commerical solid waste franchise	2009	\$ 6,497,000	2,648,000	40.8%	97.82
	2008	6,352,000	2,521,000	39.7%	95.25
	2007	5,901,000	2,447,000	41.5%	99.52
Refuse collection revenue	2009	13,317,000	5,306,000	39.8%	95.63
	2008	12,273,000	5,246,000	42.7%	102.59
	2007	12,078,000	4,869,000	40.3%	96.75
Other fees and service charges	2009	2,503,000	626,000	25.0%	60.02
	2008	2,100,000	497,000	23.7%	56.80
	2007	1,545,000	345,000	22.3%	53.59
TOTAL REVENUE	2009	22,317,000	8,580,000	38.4%	92.27
	2008	20,725,000	8,264,000	39.9%	95.70
	2007	19,524,000	7,661,000	39.2%	94.17
EXPENSES & ENCUMBRANCES:					
Capital outlay	2009	256,000	28,000	10.9%	26.25
	2008	142,000	347,000	244.4%	586.48
	2007	312,000	23,000	7.4%	17.69
Other expenses & encumbrances	2009	21,440,000	9,505,000	44.3%	106.40
	2008	19,969,000	8,800,000	44.1%	105.76
	2007	18,531,000	8,159,000	44.0%	105.67
Total expenses and encumbrances	2009	21,696,000	9,533,000	43.9%	105.45
	2008	20,111,000	9,147,000	45.5%	109.16
	2007	18,843,000	8,182,000	43.4%	104.21
Excess (deficiency) of revenues over (under) expenses	2009	621,000	(953,000)	-	-
	2008	614,000	(883,000)	-	-
	2007	681,000	(521,000)	-	-
TRANSFERS IN (OUT)					
Transfers in	2009	100,000	42,000	42.0%	100.80
	2008	100,000	42,000	42.0%	100.80
	2007	85,000	35,000	41.2%	98.82
Transfers out	2009	(1,224,000)	(510,000)	41.7%	100.00
	2008	(1,175,000)	(490,000)	41.7%	100.09
	2007	(1,205,000)	(461,000)	38.3%	91.82
CHANGE IN NET ASSETS	2009	\$ (503,000)	(1,421,000)		
	2008	(461,000)	(1,331,000)		
	2007	(439,000)	(947,000)		
TOTAL NET ASSETS-BEGINNING	2009		1,690,000		
	2008		2,308,000		
	2007		1,759,000		
TOTAL NET ASSETS-ENDING FEBRUARY 28	2009		269,000		
	2008		977,000		
	2007		812,000		

MONTHLY FINANCIAL SUMMARY REPORT
 THROUGH FEBRUARY 28 OF FISCAL YEARS 2009, 2008, 2007
 MUNICIPAL DRAINAGE FUND

	<u>Fiscal Year</u>	<u>Annual Budget</u>	<u>5 Months Actual</u>	<u>Actual/ Budget</u>	<u>Performance Index</u>
REVENUES:					
Fees and service charges	2009	\$ 4,928,000	2,093,000	42.5%	101.93
	2008	4,724,000	2,070,000	43.8%	105.17
	2007	4,700,000	2,032,000	43.2%	103.76
Miscellaneous revenue	2009	150,000	32,000	21.3%	51.20
	2008	125,000	97,000	77.6%	186.24
	2007	109,000	78,000	71.6%	171.74
TOTAL REVENUE	2009	5,078,000	2,125,000	41.8%	100.43
	2008	4,849,000	2,167,000	44.7%	107.26
	2007	4,809,000	2,110,000	43.9%	105.30
EXPENSES & ENCUMBRANCES:					
Capital outlay	2009	-	-	-	-
	2008	-	-	-	-
	2007	28,000	24,000	85.7%	205.71
Other expenses & encumbrances	2009	2,804,000	982,000	35.0%	84.05
	2008	2,579,000	895,000	34.7%	83.29
	2007	2,682,000	861,000	32.1%	77.05
Total expenses and encumbrances	2009	2,804,000	982,000	35.0%	84.05
	2008	2,579,000	895,000	34.7%	83.29
	2007	2,710,000	885,000	32.7%	78.38
Excess (deficiency) of revenues over (under) expenses	2009	2,274,000	1,143,000	-	-
	2008	2,270,000	1,272,000	-	-
	2007	2,099,000	1,225,000	-	-
TRANSFERS OUT					
Operating transfers out	2009	(2,868,000)	(1,195,000)	41.7%	100.00
	2008	(2,711,000)	(1,129,000)	41.6%	99.95
	2007	(2,559,000)	(1,066,000)	41.7%	99.98
CHANGE IN NET ASSETS	2009	(594,000)	(52,000)		
	2008	(441,000)	143,000		
	2007	(460,000)	159,000		
TOTAL NET ASSETS-BEGINNING	2009		21,004,000		
	2008		21,106,000		
	2007		20,754,000		
TOTAL NET ASSETS-ENDING FEBRUARY 28	2009		20,952,000		
	2008		21,249,000		
	2007		20,913,000		

MONTHLY FINANCIAL SUMMARY REPORT
 THROUGH FEBRUARY 28 OF FISCAL YEARS 2009, 2008, 2007
 NONMAJOR BUSINESS-TYPE FUNDS

	Fiscal Year	Annual Budget	5 Months Actual	Actual/ Budget	Performance Index
REVENUES:					
Hotel/motel tax	2009	\$ 4,965,000	1,320,000	26.6%	63.81
	2008	4,518,000	1,456,000	32.2%	77.34
	2007	4,009,000	1,410,000	35.2%	84.41
Other revenue	2009	6,974,000	2,453,000	35.2%	84.42
	2008	6,695,000	2,699,000	40.3%	96.75
	2007	6,324,000	2,416,000	38.2%	91.69
TOTAL REVENUE	2009	11,939,000	3,773,000	31.6%	75.85
	2008	11,213,000	4,155,000	37.1%	88.93
	2007	10,333,000	3,826,000	37.0%	88.86
EXPENSES & ENCUMBRANCES:					
Capital outlay	2009	-	75,000	-	-
	2008	81,000	99,000	122.2%	293.33
	2007	52,000	-	-	-
Other expenses & encumbrances	2009	12,551,000	4,628,000	36.9%	88.50
	2008	11,659,000	4,729,000	40.6%	97.35
	2007	10,469,000	3,898,000	37.2%	89.36
Total expenses and encumbrances	2009	12,551,000	4,703,000	37.5%	89.93
	2008	11,740,000	4,828,000	41.1%	98.70
	2007	10,521,000	3,898,000	37.0%	88.92
Excess (deficiency) of Revenues over (under) expenses	2009	(612,000)	(930,000)	-	-
	2008	(527,000)	(673,000)	-	-
	2007	(188,000)	(72,000)	-	-
TRANSFERS OUT:					
Operating transfers out	2009	(1,446,000)	(603,000)	41.7%	100.08
	2008	(1,120,000)	(467,000)	41.7%	100.07
	2007	(671,000)	(279,000)	41.6%	99.79
CHANGE IN NET ASSETS	2009	(2,058,000)	(1,533,000)		
	2008	(1,647,000)	(1,140,000)		
	2007	(859,000)	(351,000)		
TOTAL NET ASSETS-BEGINNING	2009		13,062,000		
	2008		13,468,000		
	2007		12,926,000		
TOTAL NET ASSETS-ENDING FEBRUARY 28	2009		11,529,000		
	2008		12,328,000		
	2007		12,575,000		

MONTHLY FINANCIAL SUMMARY REPORT
 THROUGH FEBRUARY 28 OF FISCAL YEARS 2009, 2008, 2007
 ECONOMIC DEVELOPMENT FUND

	<u>Fiscal Year</u>	<u>Annual Budget</u>	<u>5 Months Actual</u>	<u>Actual/ Budget</u>	<u>Performance Index</u>
REVENUES:					
Miscellaneous revenue	2009	\$ 310,000	87,000	28.1%	67.35
	2008	185,000	201,000	108.6%	260.76
	2007	<u>-</u>	<u>65,000</u>	-	-
EXPENSES & ENCUMBRANCES					
Personal services	2009	559,000	221,000	39.5%	94.88
	2008	551,000	210,000	38.1%	91.47
	2007	529,000	207,000	39.1%	93.91
Materials and supplies	2009	23,000	3,000	13.0%	31.30
	2008	24,000	15,000	62.5%	150.00
	2007	26,000	22,000	84.6%	203.08
Contractual / professional and other	2009	5,487,000	1,753,000	31.9%	76.68
	2008	6,275,000	203,000	3.2%	7.76
	2007	6,276,000	73,000	1.2%	2.79
Capital outlay	2009	-	-	-	-
	2008	-	-	-	-
	2007	-	<u>7,000</u>	-	-
Total Expenses and Encumbrances	2009	<u>6,069,000</u>	<u>1,977,000</u>	32.6%	78.18
	2008	6,850,000	428,000	6.2%	15.00
	2007	<u>6,831,000</u>	<u>309,000</u>	4.5%	10.86
Excess (Deficiency) of Revenues Over (Under) Expenses	2009	(5,759,000)	(1,890,000)	-	-
	2008	(6,665,000)	(227,000)	-	-
	2007	(6,831,000)	(244,000)	-	-
TRANSFERS IN					
Operating transfers in	2009	6,069,000	2,529,000	41.7%	100.01
	2008	6,850,000	2,854,000	41.7%	99.99
	2007	<u>6,831,000</u>	<u>6,346,000</u>	92.9%	222.96
CHANGE IN NET ASSETS					
	2009	310,000	639,000		
	2008	185,000	2,627,000		
	2007	-	6,102,000		
TOTAL NET ASSETS-BEGINNING					
	2009		12,256,000		
	2008		6,941,000		
	2007		<u>1,030,000</u>		
TOTAL NET ASSETS-ENDING FEBRUARY 28					
	2009		12,895,000		
	2008		9,568,000		
	2007		<u><u>7,132,000</u></u>		

EQUITY IN TREASURY POOL

FEBRUARY 2009

FUND NO.	FUND NAME	CASH	EQUITY IN TREASURY POOL	TOTAL 2/28/09	TOTAL 10/1/08	TOTAL 2/29/08
GENERAL FUND:						
01	General	\$ 25,000	90,575,000	90,600,000	41,732,000	85,272,000
77	Payroll	-	2,118,000	2,118,000	1,949,000	2,009,000
24	City Store	-	-	-	10,000	9,000
		25,000	92,693,000	92,718,000	43,691,000	87,290,000
DEBT SERVICE FUND:						
03	G.O. Debt Service	-	32,756,000	32,756,000	5,484,000	41,331,000
		-	32,756,000	32,756,000	5,484,000	41,331,000
CAPITAL PROJECTS:						
22	Recreation Center Facilities	-	583,000	583,000	579,000	535,000
23	Street Enhancement	-	1,641,000	1,641,000	1,629,000	1,542,000
25	1991 Police & Courts Facility	-	1,152,000	1,152,000	1,260,000	1,692,000
27	1991 Library Facility	-	871,000	871,000	864,000	651,000
28	1991 Fire Facility	-	2,292,000	2,292,000	2,276,000	1,988,000
29	Technology Improvements	-	837,000	837,000	746,000	257,000
31	Municipal Facilities	-	445,000	445,000	441,000	425,000
32	Park Improvements	-	6,316,000	6,316,000	5,735,000	4,846,000
33	Street & Drainage Improvement	-	6,170,000	6,170,000	4,779,000	2,591,000
35	Capital Reserve	-	37,588,000	37,588,000	39,463,000	38,874,000
38	DART L.A.P.	-	766,000	766,000	761,000	749,000
39	Spring Creekwalk	-	24,000	24,000	23,000	23,000
52	Park Service Areas	-	5,574,000	5,574,000	5,804,000	5,795,000
53	Creative & Performing Arts	-	2,200,000	2,200,000	2,185,000	2,055,000
54	Animal Control Facilities	-	338,000	338,000	336,000	255,000
59	Service Center	-	132,000	132,000	131,000	129,000
60	Joint Use Facilities	-	633,000	633,000	628,000	586,000
85	Public Arts	-	117,000	117,000	116,000	101,000
110	G.O. Bond Clearing - 1999	-	324,000	324,000	343,000	376,000
190	G.O. Bond Clearing - 2000	-	3,655,000	3,655,000	3,641,000	3,724,000
230	Tax Notes Clearing - 2001	-	1,109,000	1,109,000	1,343,000	1,426,000
240	G.O. Bond Clearing - 2001-A	-	183,000	183,000	182,000	186,000
250	Tax Notes Clearing - 2001-A	-	60,000	60,000	158,000	162,000
270	G.O. Bond Refund/Clearing - 2003	-	124,000	124,000	137,000	984,000
310	G.O. Bond Refund/Clearing - 2005	-	-	-	-	1,023,000
093	G.O. Bond Clearing - 2006	-	-	-	-	744,000
089	C.O. Bond Clearing - 2006	-	160,000	160,000	269,000	379,000
102	G.O. Bond Clearing - 2007	-	2,567,000	2,567,000	9,664,000	18,843,000
105	Tax Notes Clearing - 2007	-	1,000	1,000	555,000	6,728,000
082	G.O. Bond Clearing - 2008	-	24,747,000	24,747,000	34,778,000	-
083	Tax Notes Clearing - 2008	-	15,362,000	15,362,000	17,207,000	-
		-	115,971,000	115,971,000	136,033,000	97,669,000
ENTERPRISE FUNDS:						
26	Municipal Drainage CIP	-	283,000	283,000	281,000	266,000
34	Sewer CIP	-	9,272,000	9,272,000	8,134,000	7,053,000
36	Water CIP	-	6,125,000	6,125,000	5,531,000	5,001,000
37	Downtown Center Development	-	113,000	113,000	119,000	91,000
41	Water & Sewer - Operating	484,000	(1,937,000)	(1,453,000)	3,228,000	(5,536,000)
42	Water & Sewer - Debt Service	-	1,008,000	1,008,000	207,000	1,545,000
43	Municipal Drainage - Debt Service	-	3,828,000	3,828,000	3,288,000	3,367,000
44	W & S Impact Fees Clearing	-	3,842,000	3,842,000	3,293,000	2,960,000
45	Sustainability & Environmental Services	-	(470,000)	(470,000)	777,000	(203,000)
46	Convention & Tourism	4,000	3,343,000	3,347,000	4,248,000	3,606,000
81	Friends of Plano Centre	-	4,000	4,000	4,000	4,000
47	Municipal Drainage	-	4,336,000	4,336,000	4,348,000	4,371,000
48	Municipal Golf Course	-	(32,000)	(32,000)	139,000	53,000
49	Property Management	-	453,000	453,000	440,000	408,000
51	Recreation Revolving	-	914,000	914,000	1,412,000	887,000
104	Municipal Drain Bond Clearing-1996	-	-	-	180,000	177,000
320	Municipal Drain Rev Bond Clearing - 2005	-	-	-	152,000	303,000
094	Municipal Drain Rev Bond Clearing - 2006	-	-	-	164,000	953,000
330	Municipal Drain Rev Bond Clearing - 2007	-	1,885,000	1,885,000	2,604,000	2,981,000
340	Municipal Drain Rev Bond Clearing - 2008	-	2,106,000	2,106,000	2,091,000	-
		488,000	35,073,000	35,561,000	40,640,000	28,287,000

EQUITY IN TREASURY POOL
FEBRUARY 2009

FUND NO.	FUND NAME	CASH	EQUITY IN TREASURY POOL	TOTAL 2/28/09	TOTAL 10/1/08	TOTAL 2/29/08
SPECIAL REVENUE FUNDS:						
2	Sproles Library	-	185,000	185,000	185,000	333,000
4	TIF-Mall	-	(4,731,000)	(4,731,000)	-	50,000
5	TIF-East Side	-	3,554,000	3,554,000	6,002,000	3,289,000
11	LLEBG-Police Grant	-	41,000	41,000	26,000	121,000
12	Criminal Investigation	-	1,111,000	1,111,000	989,000	977,000
13	Grant	-	(154,000)	(154,000)	(69,000)	(272,000)
14	Wireline Fees	-	447,000	447,000	399,000	349,000
15	Judicial Efficiency	-	120,000	120,000	118,000	121,000
16	Industrial	-	18,000	18,000	18,000	18,000
17	Intergovernmental	-	367,000	367,000	370,000	590,000
18	Government Access/CATV	-	418,000	418,000	431,000	698,000
19	Teen Court Program	-	49,000	49,000	46,000	45,000
20	Municipal Courts Technology	-	1,612,000	1,612,000	1,538,000	1,449,000
55	Municipal Court-Building Security Fees	-	1,324,000	1,324,000	1,328,000	1,277,000
56	911 Reserve Fund	-	8,950,000	8,950,000	8,462,000	7,706,000
57	State Library Grants	-	(34,000)	(34,000)	(53,000)	(2,000)
67	Disaster Relief	-	1,136,000	1,136,000	1,114,000	1,167,000
68	Animal Shelter Donations	-	205,000	205,000	180,000	146,000
73	Memorial Library	-	393,000	393,000	378,000	278,000
86	Juvenile Case Manager	-	179,000	179,000	167,000	142,000
87	Traffic Safety	-	1,582,000	1,582,000	1,213,000	836,000
88	Child Safety	-	1,019,000	1,019,000	827,000	872,000
		-	17,791,000	17,791,000	23,669,000	20,190,000
INTERNAL SERVICE FUNDS:						
6	Public Safety Technology	-	1,972,000	1,972,000	1,718,000	1,630,000
9	Technology Infrastructure	-	(9,000)	(9,000)	(108,000)	4,181,000
58	PC Replacement	-	1,882,000	1,882,000	2,024,000	1,653,000
61	Equipment Maintenance	-	347,000	347,000	(4,201,000)	(5,132,000)
62	Information Technology	-	3,962,000	3,962,000	3,261,000	(392,000)
63	Office Services	-	(55,000)	(55,000)	(277,000)	(311,000)
64	Warehouse	-	(48,000)	(48,000)	238,000	190,000
65	Property/Liability Loss	-	4,148,000	4,148,000	5,629,000	8,547,000
66	Technology Services	-	7,328,000	7,328,000	12,786,000	11,123,000
71	Equipment Replacement	-	12,562,000	12,562,000	9,898,000	13,138,000
78	Health Claims	-	8,220,000	8,220,000	7,943,000	29,923,000
79	Parkway Service Ctr. Expansion	-	(28,000)	(28,000)	(28,000)	(29,000)
		-	40,281,000	40,281,000	38,883,000	64,521,000
FIDUCIARY FUNDS:						
7	Unclaimed Property	-	58,000	58,000	57,000	56,000
8	Library Training Lab	-	7,000	7,000	5,000	8,000
69	Collin County Seized Assets	-	266,000	266,000	263,000	285,000
74	Developers' Escrow	-	3,547,000	3,547,000	4,185,000	4,186,000
75	Plano Economic Development Trust	-	627,000	627,000	683,000	672,000
76	Economic Development	-	12,393,000	12,393,000	11,727,000	8,993,000
84	Rebate	-	1,466,000	1,466,000	1,017,000	1,053,000
		-	18,364,000	18,364,000	17,937,000	15,253,000
TOTAL		\$ 513,000	352,929,000	353,442,000	306,337,000	354,541,000
			CASH	TOTAL 2/28/09	TOTAL 10/1/08	TOTAL 2/29/08
TRUST FUNDS						
72	Retirement Security Plan	-	61,612,000	61,612,000	70,000	70,008,000
91	115 Trust	-	22,433,000	22,433,000	23,000,000	-
TOTAL TRUST FUNDS		\$ -	84,045,000	84,045,000	23,070,000	70,008,000

A Treasury Pool fund has been created for the purpose of consolidating cash and investments. All City funds not restricted or held in trust are included in this consolidated fund. Each fund's "Equity in Treasury Pool" represents the fund's proportionate share of the Treasury Pool Fund. At February 28, 2009 the Treasury Pool, including an adjustment to Fair Value as required by GASB 31, consisted of the following:

Cash	9,997,000
Local Government Investment Pool	198,035,000
Texas Daily	60,078,000
Federal Securities	22,953,000
Certificates of Deposit	61,500,000
Fair Value Adjustment	204,000
Interest Receivable	162,000
	<u>352,929,000</u>

HEALTH CLAIMS FUND
THROUGH FEBRUARY 28 OF FISCAL YEARS 2009 AND 2008

Health Claims Fund	FY 08-09	FY 07-08	Quarterly	FY 08-09	FY 07-08	1 month	FY 08-09	FY 07-08	1 month	FY 08-09	FY 07-08	Year to Date
	October- December	October- December	Variance Favorable (Unfavorable)	January	January	Variance Favorable (Unfavorable)	February	February	Variance Favorable (Unfavorable)	Total	Total	Variance Favorable (Unfavorable)
Revenues												
Employees Health Ins. Contributions	\$ 766,000	\$ 643,000	123,000	\$ 267,000	\$ 252,000	15,000	\$ 265,000	\$ 252,000	13,000	\$ 1,298,000	\$ 1,147,000	\$ 151,000
Employers Health Ins. Contributions	4,661,000	5,033,000	(372,000)	1,578,000	1,540,000	38,000	1,574,000	1,543,000	31,000	7,813,000	8,116,000	(303,000)
Contributions for Retirees	185,000	154,000	31,000	45,000	59,000	(14,000)	80,000	90,000	(10,000)	310,000	303,000	7,000
Cobra Insurance Receipts	19,000	13,000	6,000	-	8,000	(8,000)	5,000	6,000	(1,000)	24,000	27,000	(3,000)
Retiree Insurance Receipts	121,000	117,000	4,000	47,000	40,000	7,000	45,000	39,000	6,000	213,000	196,000	17,000
Plano Housing Authority	-	-	-	-	-	-	-	-	-	-	-	-
Employer Contribution-OPEB	556,000	-	556,000	555,000	-	555,000	552,000	-	552,000	1,663,000	-	1,663,000
Interest	42,000	410,000	(368,000)	8,000	73,000	(65,000)	6,000	165,000	(159,000)	56,000	648,000	(592,000)
Total Revenues	6,350,000	6,370,000	(20,000)	2,500,000	1,972,000	528,000	2,527,000	2,095,000	432,000	11,377,000	10,437,000	940,000
Transfers Out												
Transfers Out	-	-	-	670,000	-	(670,000)	670,000	-	(670,000)	1,340,000	-	(1,340,000)
Expenses												
Insurance	348,000	357,000	9,000	79,000	114,000	35,000	79,000	116,000	37,000	506,000	587,000	81,000
Contracts- Professional Svc.	108,000	18,000	(90,000)	6,000	49,000	43,000	26,000	7,000	(19,000)	140,000	74,000	(66,000)
Contracts- Other	283,000	238,000	(45,000)	93,000	76,000	(17,000)	125,000	131,000	6,000	501,000	445,000	(56,000)
Health Claims Paid Reinsurance	(6,000)	(132,000)	(126,000)	(27,000)	(211,000)	(184,000)	(450,000)	(24,000)	426,000	(483,000)	(367,000)	116,000
Retiree Claims	-	-	-	-	-	-	(190,000)	-	190,000	(190,000)	-	190,000
Health Claims - Prescription	799,000	823,000	24,000	295,000	214,000	(81,000)	387,000	268,000	(119,000)	1,481,000	1,305,000	(176,000)
Health Claims Paid -JHC	4,881,000	3,094,000	(1,787,000)	1,499,000	1,427,000	(72,000)	1,275,000	1,075,000	(200,000)	7,655,000	5,596,000	(2,059,000)
Cobra Insurance Paid	1,000	1,000	-	1,000	1,000	-	-	-	-	2,000	2,000	-
Retiree Insurance Paid	20,000	31,000	11,000	7,000	14,000	7,000	6,000	8,000	2,000	33,000	53,000	20,000
Retiree Insurance Paid- Medicare	71,000	-	(71,000)	35,000	25,000	(10,000)	24,000	24,000	-	130,000	49,000	(81,000)
Plano Housing Authority	-	-	-	-	-	-	-	-	-	-	-	-
Total Expenses	6,505,000	4,430,000	(2,075,000)	1,988,000	1,709,000	(279,000)	1,282,000	1,605,000	323,000	9,775,000	7,744,000	(2,031,000)
Net increase (decrease)	\$ (155,000)	\$ 1,940,000	(2,095,000)	(158,000)	263,000	(421,000)	575,000	490,000	85,000	\$ 262,000	\$ 2,693,000	(2,431,000)
Health Claims Fund Balance - Cumulative	\$ 3,825,000	\$ 25,994,000	(22,169,000)	\$ 3,667,000	\$ 26,257,000	(22,590,000)	\$ 4,241,000	\$ 26,747,000	(22,506,000)			

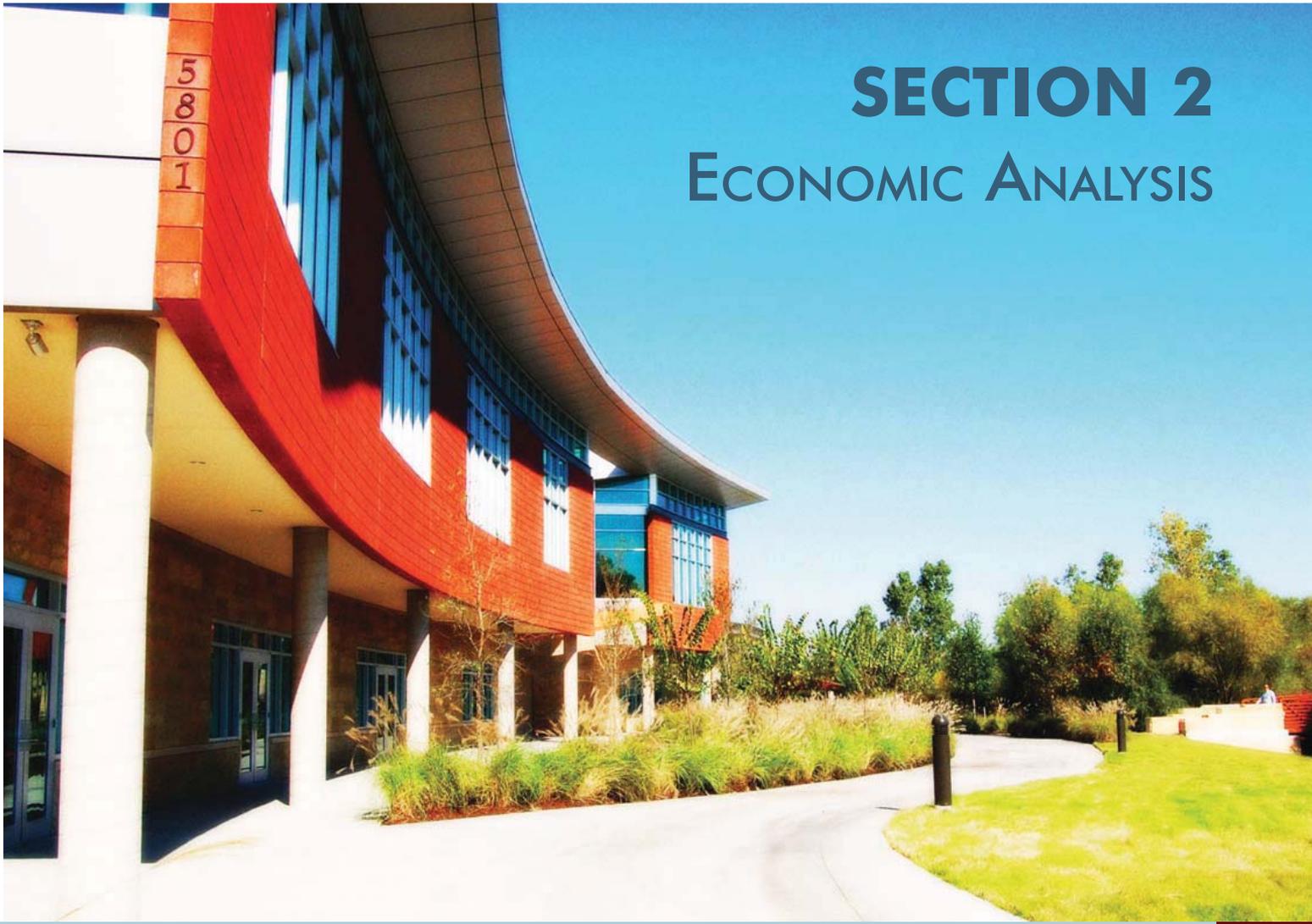
ANALYSIS OF PROPERTY LIABILITY LOSS FUND THROUGH FEBRUARY 28 OF FISCAL YEARS 2009, 2008, AND 2007

PROPERTY LIABILITY LOSS FUND	Fiscal Year 2009	Fiscal Year 2008	Fiscal Year 2007
Claims Paid per General Ledger	\$ 792,000	300,000	444,000
Net Judgments/Damages/Attorney Fees	443,000	315,000	328,000
Total Expenses	\$ 1,235,000	615,000	772,000

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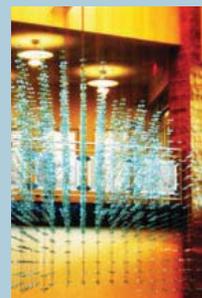
SECTION 2

ECONOMIC ANALYSIS



City of Plano
Comprehensive Monthly Finance Report

CITY OF PLANO

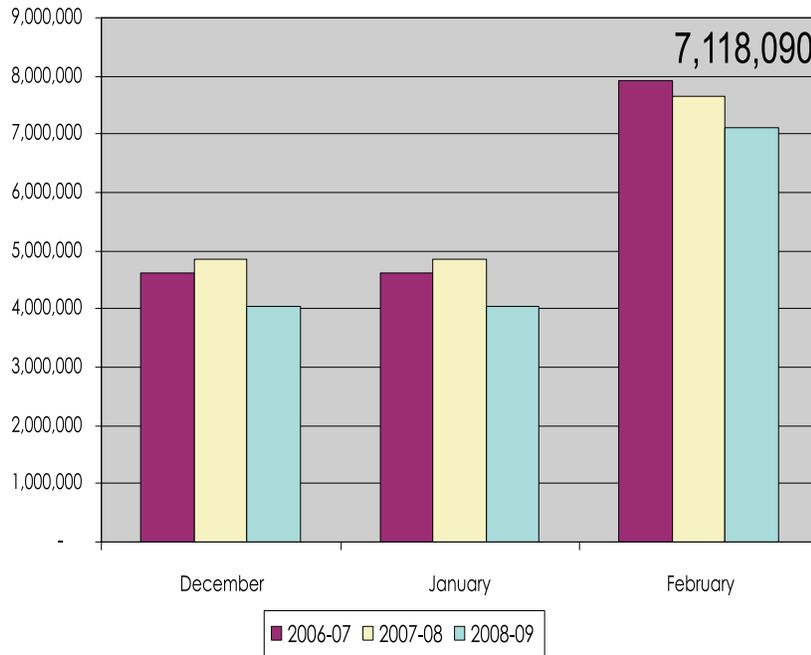


ECONOMIC ANALYSIS

Sales tax allocation of \$7,118,090 was remitted to the City of Plano in the month of February 2009. This amount represents a decrease of 7.02% compared to the amount

received in February 2008.

SALES TAX
ACTUAL MONTHLY REVENUE
FIGURE I



Sales tax revenue is generated from the 1% tax on applicable business activity within the City. These taxes were collected by businesses filing monthly returns, reported in December to the State, and received in February by the City of Plano.

Figure I represent actual sales and use tax receipts for the months of December through February for fiscal years 2006-2007, 2007-2008, and 2008-2009.

ANNUALIZED SALES TAX INDEX
COMPARED TO DALLAS CONSUMER PRICE INDEX
FIGURE II

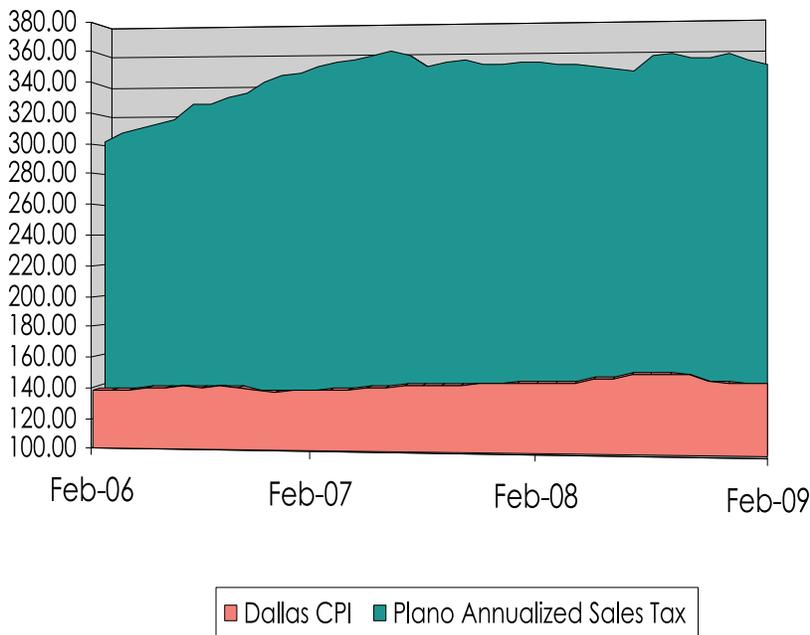


Figure II, left, tracks the percentage change in annualized sales tax revenues compared to the percentage change in the Dallas-area CPI, using 1982-84 as the base period. For February 2009, the adjusted CPI was 198.62 and the Sales Tax Index was 349.27.

Since January 1998, the BLS has moved the Dallas-Area pricing cycle for CPI computation to odd-numbered months.

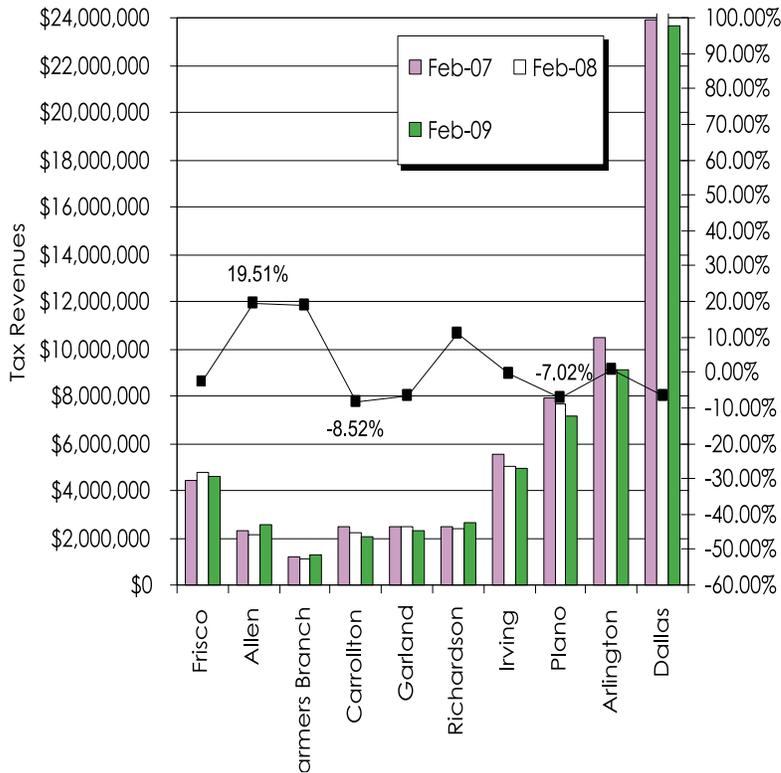
ECONOMIC ANALYSIS

Figure III shows sales tax allocations in the months of February 2007, February 2008 and February 2009 for the City of Plano and nine area cities. Each of the cities shown has a sales tax rate of 1%, except for the cities of Allen and Frisco, which have a 2% rate, but distribute half of the amount shown in the graph to 4A and 4B development corporations within their respective cities, and the City of Arlington which has a 1.75% sales tax rate with .25% dedicated to road maintenance and .50% for funding of the Dallas Cowboys Complex Development Project. In the month of February the City of Plano received \$7,118,089 from this 1% tax.

SALES TAX COMPARISONS

CITY OF PLANO AND AREA CITIES

FIGURE III



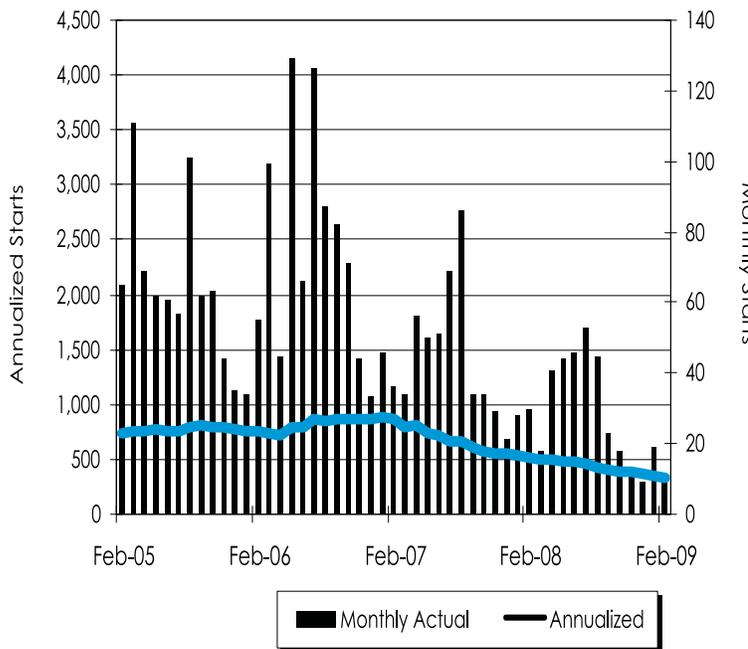
Percentage Change

Each of the cities shown has a sales tax rate of 1%, except for the cities of Allen and Frisco, which have a 2% rate, but distribute half of the amount shown in the graph to 4A and 4B development corporations within their respective cities, and the City of Arlington which has a 1.75% sales tax rate with .25% dedicated to road maintenance and .50% for funding of the Dallas Cowboys Complex Development Project. In the month of February the City of Plano received \$7,118,089 from this 1% tax.

The percentage change in sales tax allocations for the area cities, comparing February 2008 to February 2009, ranged from 19.51% for the City of Allen to -8.52% for the City of Carrollton.

SINGLE FAMILY HOUSING STARTS

FIGURE IV



In February 2009, a total of 11 actual single-family housing permits, representing a value of \$2,708,113, were issued. This value represents a 35.52% decrease from the same period a year ago. Annualized single-family housing starts of 340 represent a value of \$79,633,315.

Figure IV above shows actual single-family housing starts versus annualized housing starts for February 2005 through February 2009.

ECONOMIC ANALYSIS

YIELD CURVE

FIGURE V

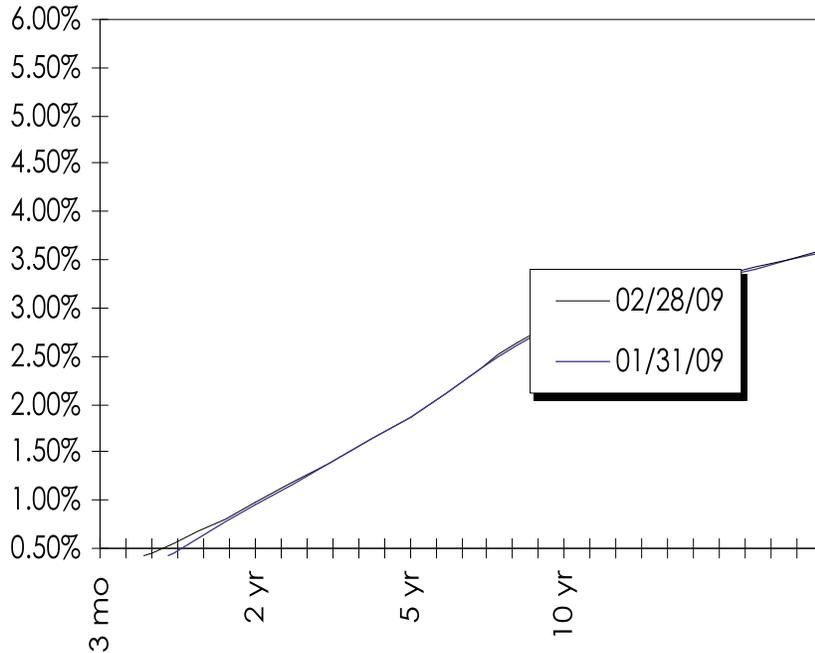


Figure V, left, shows the U.S. Treasury yield curve for February 28, 2009 in comparison to January 31, 2009. Of the reported treasury yields, the yield curve represents a minimal increase in all the treasuries for the month of February, 2009, except for the 5-year which went from 1.88 to 1.87 and the 30 year which decreased from 3.6 to 3.58.

UNEMPLOYMENT RATES UNADJUSTED RATE COMPARISON FIGURE VI*

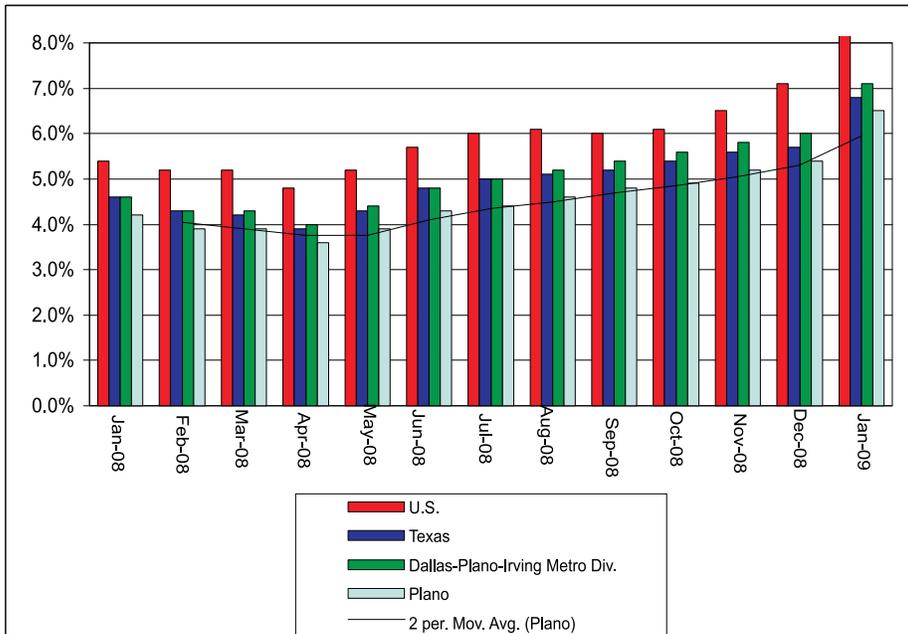
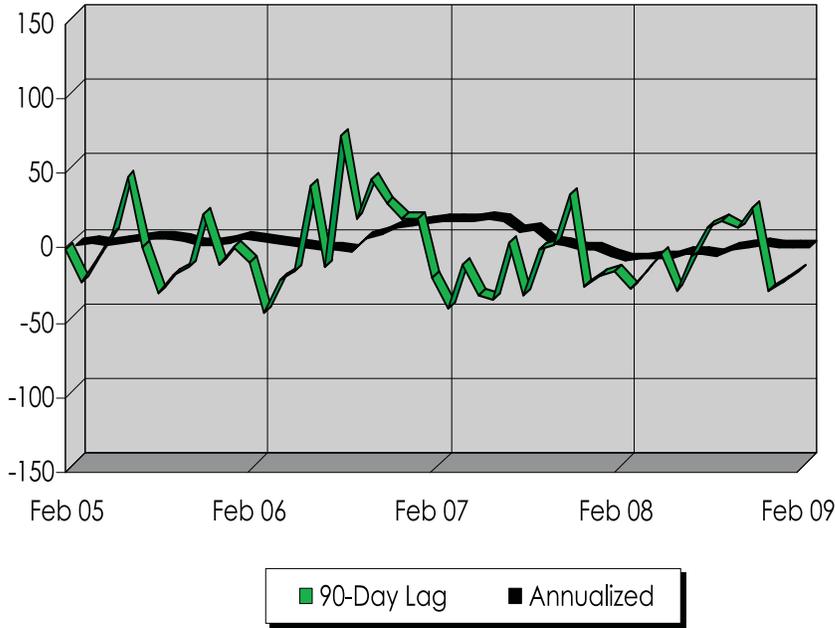


Figure VI shows unadjusted unemployment rates based on the BLS U.S. City Average, and LAUS estimates for the State of Texas, the Dallas-Plano-Irving Metropolitan Division and the City of Plano from January 2007 to January 2008.

ECONOMIC ANALYSIS

Figure VII shows the net difference between the number of housing starts three months ago and new refuse customers in the current month (90-day lag) as well as the average

HOUSING ABSORPTION
90-DAY LAG FROM PERMIT DATE
FIGURE VII

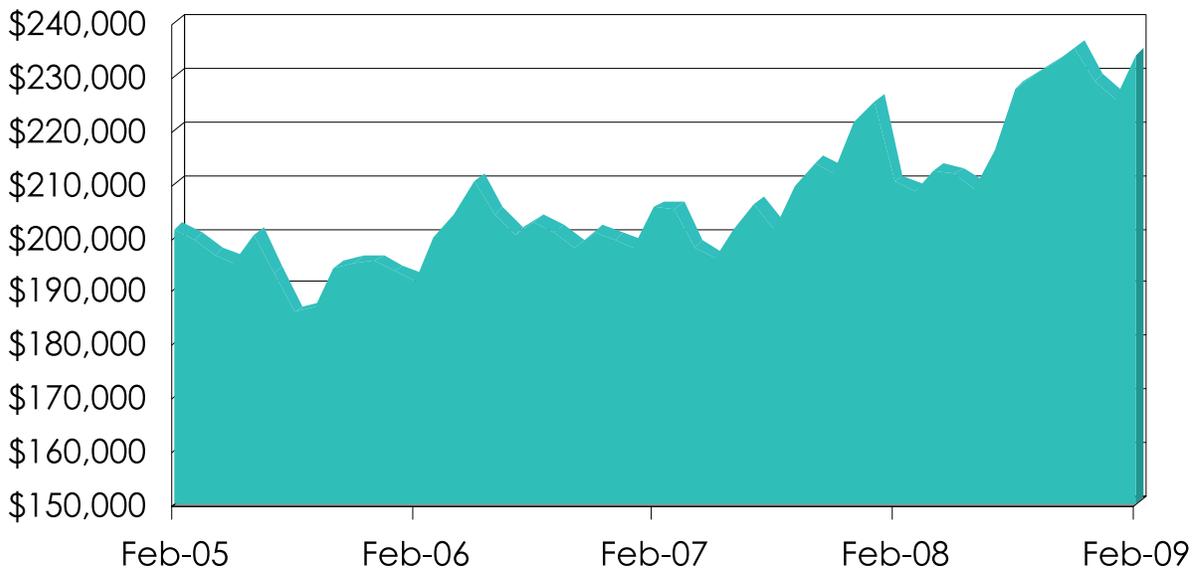


difference between these measures for the past four years (annualized).

For the current month, the 90-day lag is -16 homes, meaning that in November 2008 there were 16 less housing starts than new refuse customers in February 2009. The annualized rate is -7 which means there was an average of 7 fewer housing starts than new garbage customers per month over the past year.

The annualized average declared construction value of new homes increased 11.32% to \$234,216 when compared to February 2008.

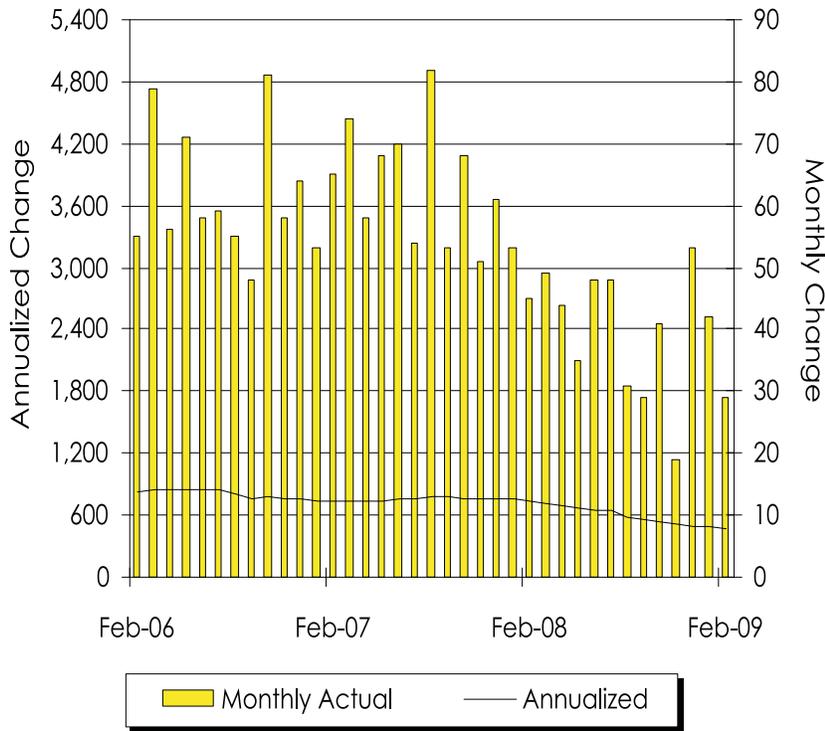
SINGLE-FAMILY NEW HOME VALUE
FIGURE VIII



ECONOMIC ANALYSIS

REFUSE COLLECTIONS ACCOUNTS NET GAINS/LOSSES

Figure IX

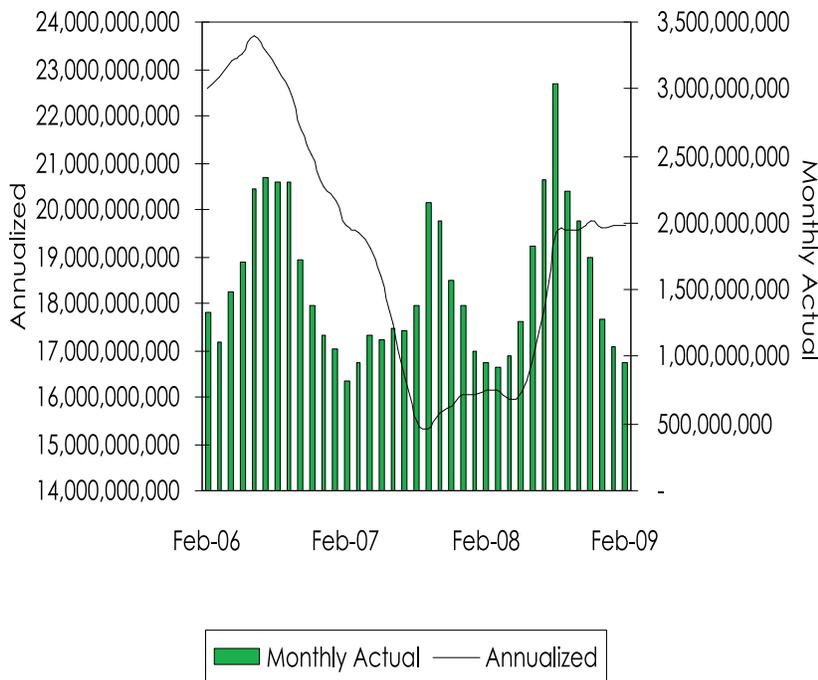


In February, net new refuse collection accounts totaled 29, in comparison to 45 new accounts in February of 2008. This change represents a 35.56% decrease on a year-to-year basis. Annualized new refuse accounts totaled 468 showing a decrease of 269, or a -36.50% change when compared to the same time last year.

Figure IX shows actual versus annualized new refuse collection accounts.

LOCAL WATER CONSUMPTION (GALLONS)

FIGURE X



In February, the City of Plano pumped 1,400,187,000 gallons of water from the North Texas Municipal Water District (NTMWD). Consumption was 961,999,640 gallons among 78,483 billed water accounts while billed sewer accounts numbered 74,847. The minimum daily water pumpage was 44,524,000 gallons, which occurred on Monday, February 2nd. Maximum daily pumpage was 58,537,000 gallons and occurred on Wednesday, February 25th. This month's average daily pumpage was 50,007,000 gallons.

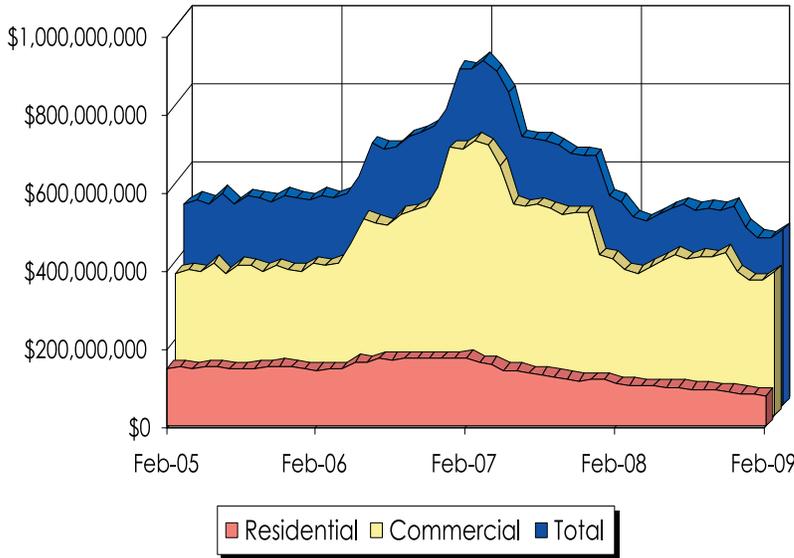
Figure X shows the monthly actual and annualized average for local water consumption.

ECONOMIC ANALYSIS

In February 2009 a total of 53 new construction permits were issued, for properties valued at \$46,825,126. This includes 11 single-family residences, 6 other, 20 commercial additions/alterations, 15 interior finish-outs, and 1 school. There were 13 permits issued for pools/spas.

ANNUALIZED BUILDING PERMIT VALUES

FIGURE XI



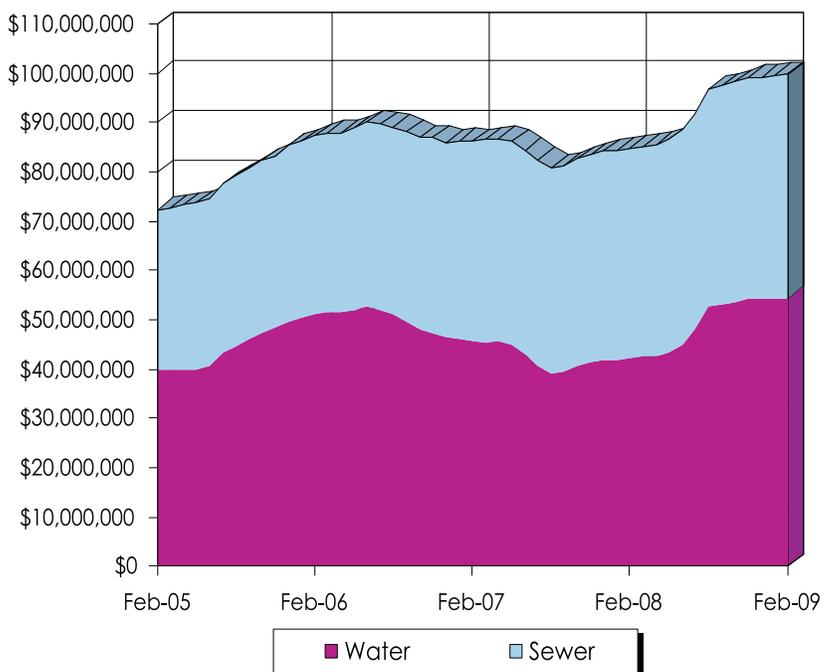
The overall annualized value was \$447,521,311, down 7.22% from the same period a year ago. The annualized value of new residential construction decreased to a value of \$79,633,315, down 27.49% from a year ago. The annualized value of new commercial construction decreased 1.24% to \$367,887,996.*

* As of January 2002, data on commercial construction value is based on both the building shell and interior finish work, per the Building Inspection Department.

The actual water and sewer customer billing revenues in February were \$2,759,604 and \$3,679,212, representing an increase of 4.03% and an increase of 3.55% respectively,

ANNUALIZED WATER & SEWER BILLINGS

FIGURE XII



compared to February 2008 revenues. The aggregate water and sewer accounts netted \$6,438,818 for an increase of 3.75%.

February consumption brought annualized revenue of \$54,460,390 for water and \$45,372,005 for sewer, totaling \$99,832,396. This total represents an increase of 17.69% compared to last year's annualized revenue.

Figure XII represents the annualized billing history of water and sewer revenues for February 2005 through February 2009.

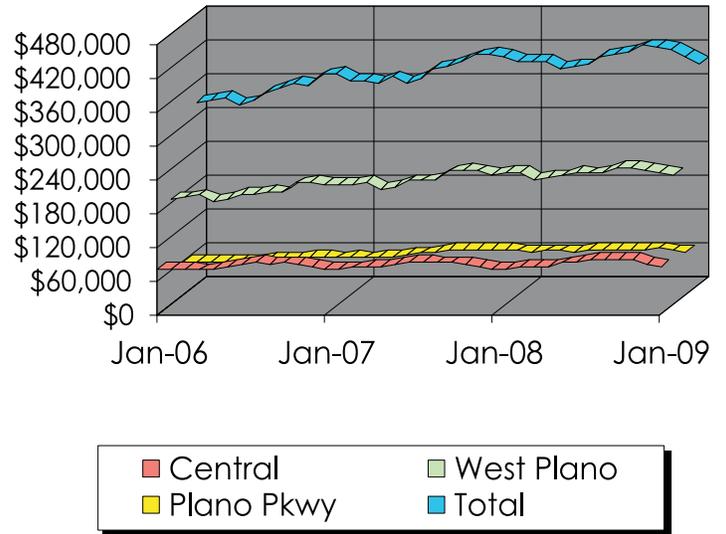
ECONOMIC ANALYSIS

January revenue from hotel/motel occupancy tax was \$320,220. This represents a decrease of \$55,542 or -14.78% compared to January 2008. The average monthly revenue for the past six months (see graph) was \$390,663, a decrease of .77% from the previous year's average. The six-month average for the Central area increased to \$85,452, the West Plano average decreased to \$230,411, and the Plano Pkwy average decreased to \$74,799 from the prior year.

¹This amount will not always equal the hotel/motel taxes reported in the financial section. The economic report is based on the amount of taxes earned during a month, while the financial report indicates when the City received the tax.

HOTEL/MOTEL OCCUPANCY TAX SIX MONTH TREND

FIGURE XIII

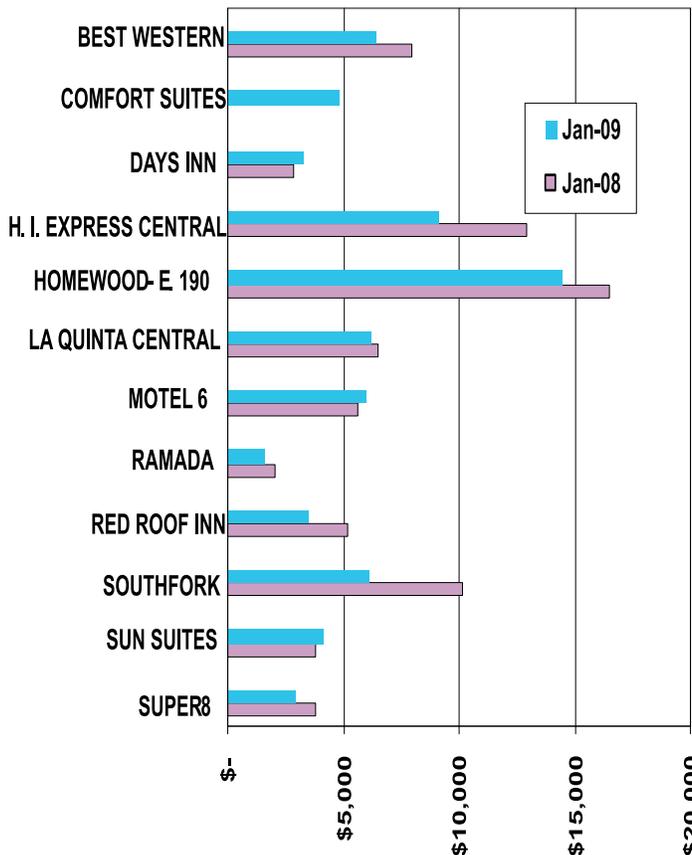


Figures XIV, XV and XVI show the actual occupancy tax revenue received from each hotel/motel in Plano for January 2009 compared to the revenue received in January 2008.

HOTEL/MOTEL OCCUPANCY TAX

MONTHLY COMPARISON BY HOTEL - CENTRAL

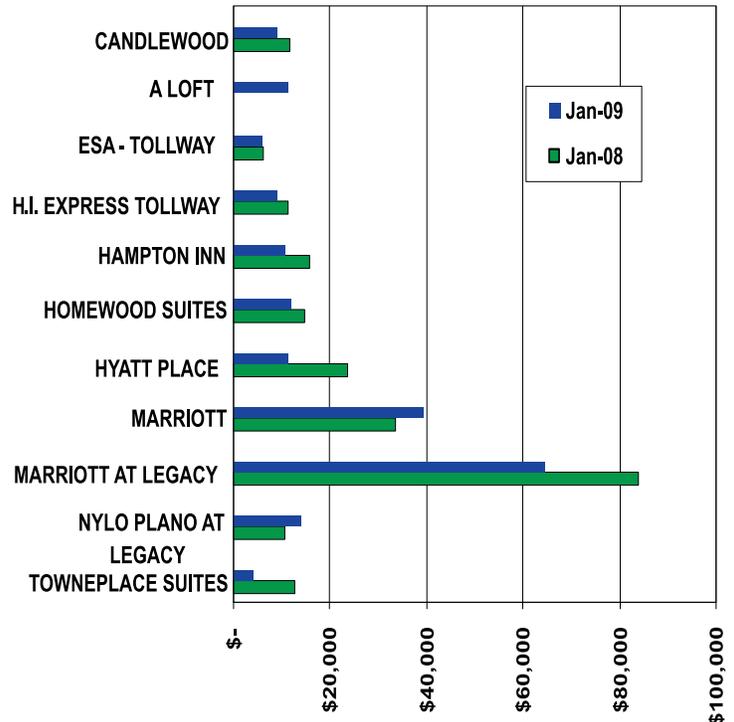
FIGURE XIV



HOTEL/MOTEL OCCUPANCY TAX

MONTHLY COMPARISON BY HOTEL - WEST PLANO

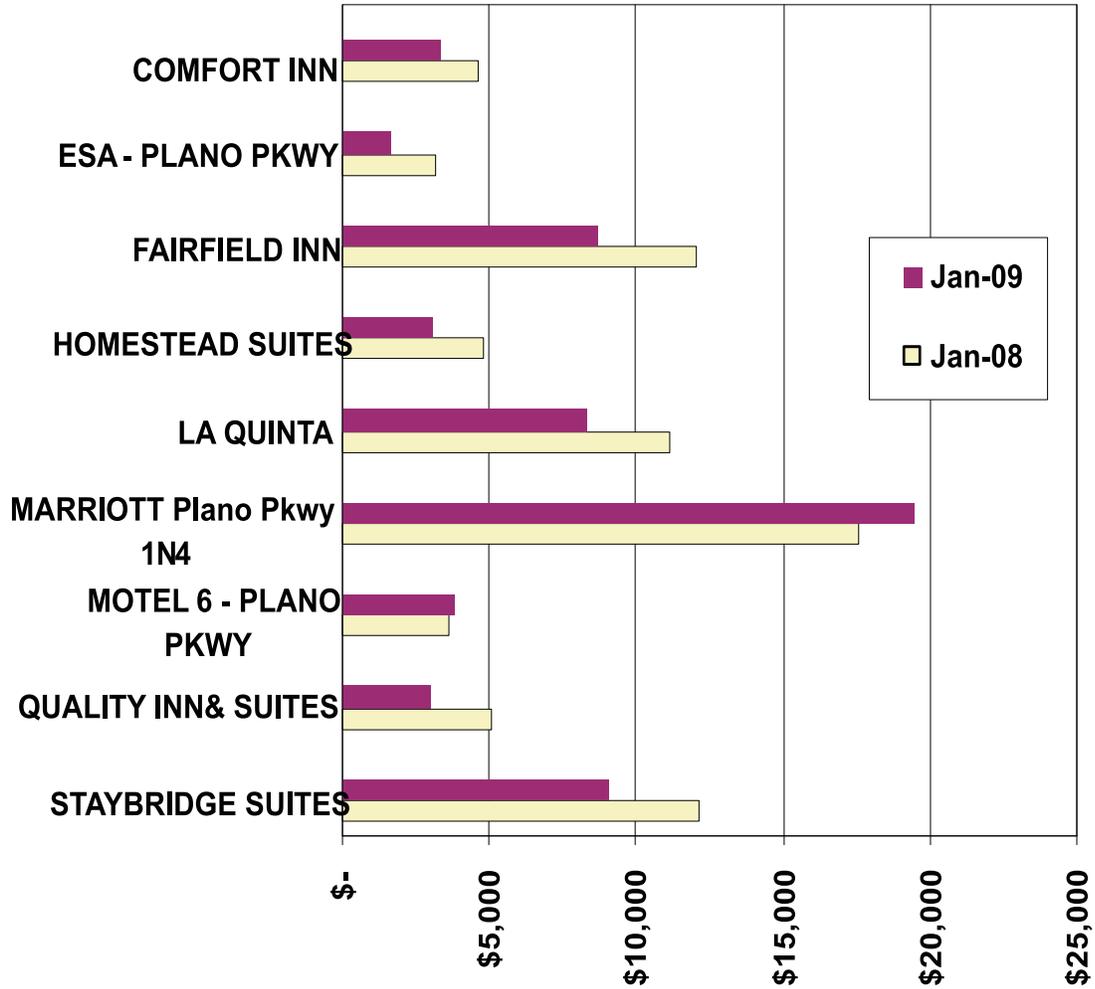
FIGURE XV



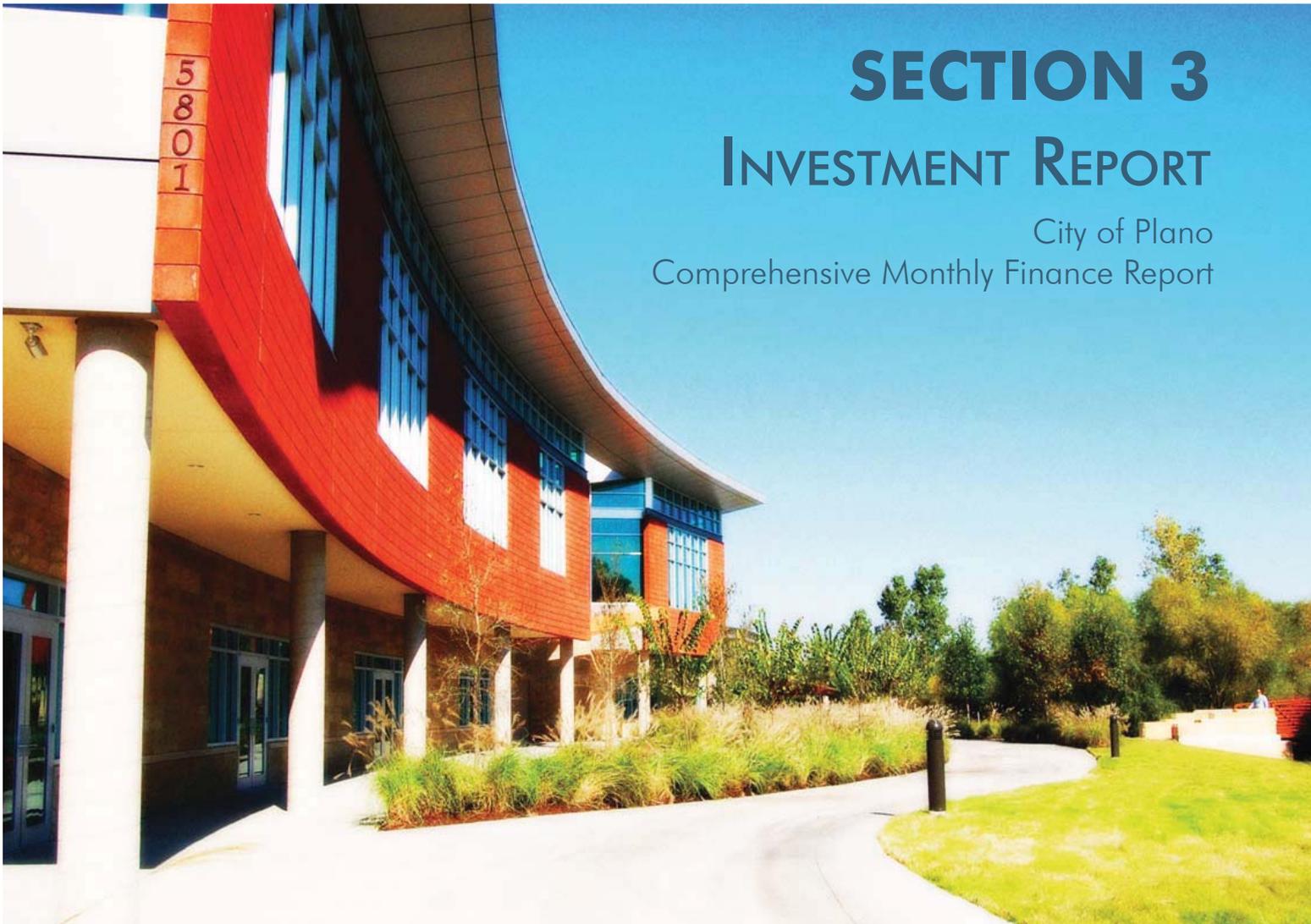
*Since August 2005, Marriott International Tax Revenue numbers on this graph represent two (2) Marriott owned hotels (Courtyard by Marriott 1ND and Residence Inn # 323) **Hyatt Place: Formerly AmeriSuites; began renovation in June 2006

ECONOMIC ANALYSIS

HOTEL/MOTEL OCCUPANCY TAX
 MONTHLY COMPARISON BY HOTEL-PLANO PKWY
 FIGURE XVI



*Since August 2005, Marriott International tax revenue on this graph represent one (1) Marriott owned hotel (Courtyard by Marriott # N14) **Quality Inn & Suites: Formerly Baymont Inn & Suites



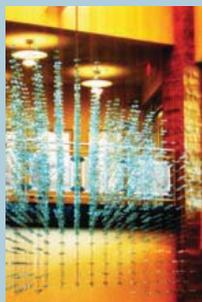
SECTION 3

INVESTMENT REPORT

City of Plano
Comprehensive Monthly Finance Report

Funds of the City of Plano are invested in accordance with Chapter 2256 of the "Public Funds Investment Act." The Act clearly defines allowable investment instruments for local governments. The City of Plano Investment Policy incorporates the provisions of the Act and all investment transactions are executed in compliance with the Act and the Policy.

CITY OF PLANO



INVESTMENT REPORT

FEBRUARY, 2009

Interest Received during February totaled \$271,220 and represents interest paid on maturing investments and coupon payments on investments. Interest allocation is based on average balances within each fund during the month.

The two-year Treasury note yield increased throughout the month of February, starting at .89% and ending at 1.0%.

As of February 28, a total of \$352 million was invested in the Treasury Fund. Of this amount, \$48.3 million was General Obligation Bond Funds, \$4.0 million was Municipal Drainage Revenue Bond Funds, and \$299.5 million was in the remaining funds.

Metrics	Current Month Actual	Fiscal YTD	Prior Fiscal YTD	Prior Fiscal Year Total
Funds Invested ¹	\$ 53,016,537	\$ 93,516,537	\$ 46,753,680	\$ 132,311,266
Interest Received ²	\$ 271,220	\$ 2,536,177	\$ 5,330,727	\$ 12,471,311
Weighted Average Maturity (in days) ³	65		201	104
Modified Duration ⁴	0.1757		0.4901	0.2576
Average 2-Year T-Note Yield ⁵	0.97%		1.97%	2.57%

* See interest allocation footnote on Page C-3.

- (1) Does not include funds on deposit earning a "NOW" rate, and/or moneys in investment pools or cash accounts.
- (2) Cash Basis.
- (3) The length of time (expressed in days) until the average investment in the portfolio will mature. The Prior fiscal YTD column represents current month, prior year.
- (4) Expresses the measurable change in the value of the portfolio in response to a 100-basis-point (1%) change in interest rates. The modified duration number in the Prior fiscal YTD column represents current month, prior year.
- (5) Compares 2009 to 2008.

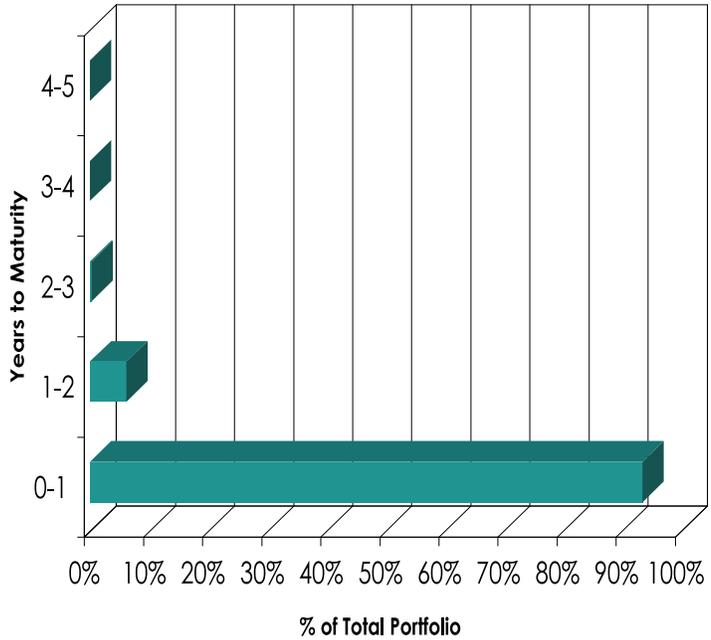
Month-to-Month Comparison

Metrics	Jan-09	Feb-09	Difference
Portfolio Holding Period Yield	1.09%	0.82%	-0.27% (-27 Basis Points)
Average 2-Year T-Note Yield	0.81%	0.97%	+0.16% (+16 Basis Points)

INVESTMENT REPORT

Portfolio Maturity Schedule Figure I

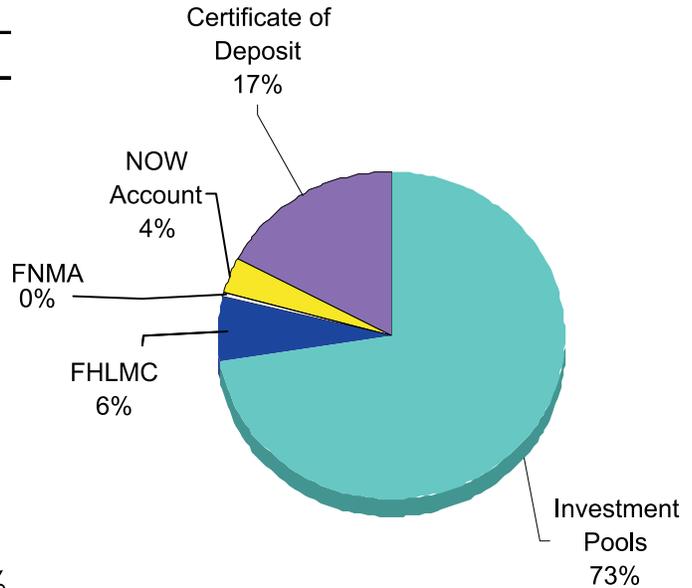
Years to Maturity*	Book Value	% Total
0-1	\$ 332,612,148	93.53%
1-2	22,015,597	6.19%
2-3	997,654	0.28%
3-4	0	0.00%
4-5	0	0.00%
Total	\$ 355,625,399	100.00%



*Does not take into consideration callable issues that can, if called, significantly shorten the Weighted Average Maturity.

Portfolio Diversification Figure II

Type	Book Value	% Total
Investment Pools	\$ 258,111,108	72.58%
Commercial Paper	0	0.00%
FHLMC	22,015,597	6.19%
FNMA	997,654	0.28%
FFCB	0	0.00%
FHLB	0	0.00%
NOW Account	13,001,040	3.66%
Certificate of Deposit	61,500,000	17.29%
Total	\$ 355,625,399	100.00%



INVESTMENT REPORT

Allocated Interest/Fund Balances February 2009

Fund	Beginning Fund Balance 2/28/2009	Allocated Interest Current Month	Fiscal Y-T-D	Ending Fund Balance 2/28/2009	% of Total
General	90,514,775	60,362	291,177	90,575,137	25.73%
G. O. Debt Services	32,731,077	24,898	95,596	32,755,974	9.31%
Street & Drainage Improvements	6,165,157	4,707	42,610	6,169,864	1.75%
Sewer CIP	9,265,515	6,945	60,113	9,272,460	2.63%
Capital Reserve	37,559,512	28,764	271,827	37,588,275	10.68%
Water & Sewer Operating	(1,936,722)	(334)	22,086	(1,937,056)	-0.55%
Water & Sewer Debt Service	1,007,503	745	3,309	1,008,248	0.29%
W & S Impact Fees Clearing	3,839,464	2,925	25,399	3,842,389	1.09%
Park Service Area Fees	5,569,672	4,287	41,082	5,573,960	1.58%
Property/ Liability Loss	4,145,146	3,295	35,764	4,148,441	1.18%
Information Services	7,322,150	5,563	81,496	7,327,713	2.08%
Equipment Replacement	12,552,204	9,389	59,879	12,561,593	3.57%
Developer's Escrow	3,544,752	2,732	28,515	3,547,484	1.01%
G. O. Bond Funds	48,253,322	38,483	426,507	48,291,804	13.72%
Municipal Drainage Bond Clearing	3,987,352	3,078	32,775	3,990,429	1.13%
Other	87,205,954	66,058	569,391	87,272,012	24.79%
Total	351,726,833	261,895	2,087,527	351,988,728	100%

Footnote: All City funds not restricted or held in trust are included in the Treasury Pool. As of February 28, 2009 allocated interest to these funds may include an adjustment to fair value as required by GASB 31

Portfolio Statistics

Month	Total Invested (End of Month)	Portfolio Yield	# of Securities Purchased*	# of Maturities/ Sold/ Called	Weighted Ave. Mat. (Days)	# of Securities
September, 2007	\$ 280,309,772	4.69%	4	13	352	98
October, 2007	\$ 271,402,209	4.65%	9	9	372	98
November, 2007	\$ 267,523,757	4.50%	0	13	336	85
December, 2007	\$ 296,692,760	4.38%	5	5	330	85
January, 2008	\$ 331,413,637	3.89%	0	7	271	78
February, 2008	\$ 355,278,178	3.74%	0	47	201	31
March, 2008	\$ 386,936,505	3.15%	2	6	185	27
April, 2008	\$ 381,286,506	2.74%	1	5	139	23
May, 2008	\$ 372,129,934	2.87%	3	1	154	25
June, 2008	\$ 359,631,853	2.80%	3	10	89	18
July, 2008	\$ 336,029,216	2.83%	5	4	114	19
August, 2008	\$ 335,093,919	2.69%	7	6	119	20
September, 2008	\$ 300,699,562	2.55%	1	5	104	16
October, 2008	\$ 288,885,757	2.73%	1	4	266	13
November, 2008	\$ 283,603,783	1.90%	1	5	82	9
December, 2008	\$ 309,132,350	1.49%	2	2	67	9
January, 2009	\$ 337,564,218	1.09%	7	3	98	13
February, 2009	\$ 355,625,399	0.82%	5	2	64	16

*Does not include investment pool purchases or changes in NOW account balances.

INVESTMENT REPORT

Equity in Treasure Pool
By Major Category
Figure IV

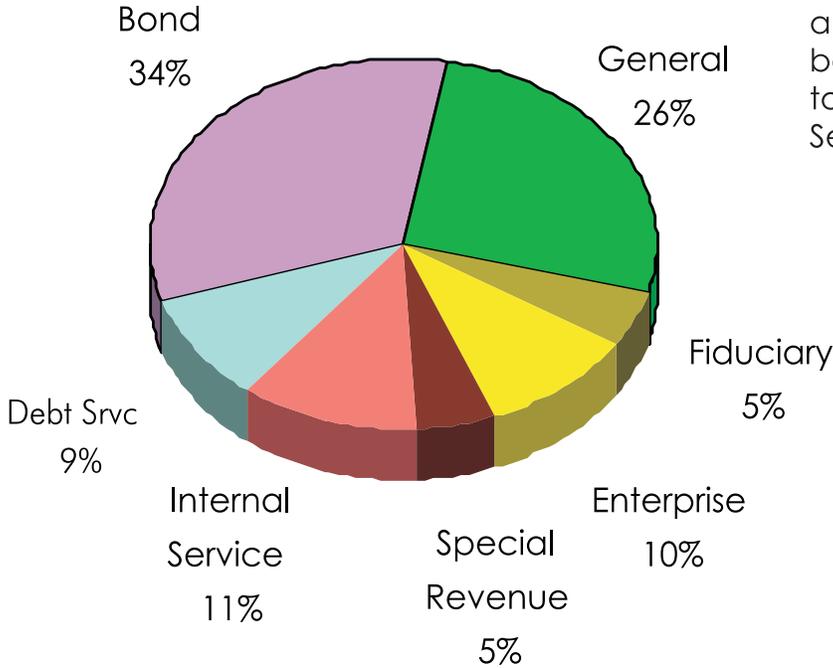
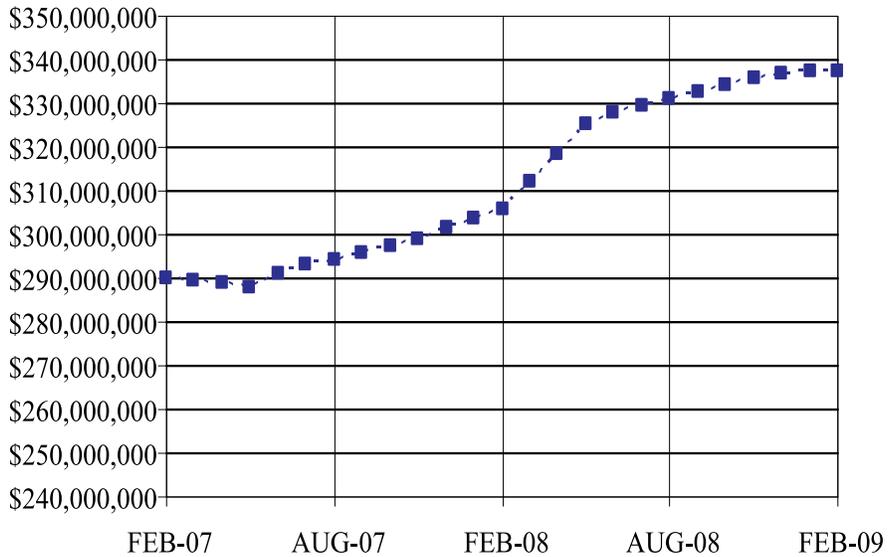


Figure IV shows a breakdown of the various sources of funds for the City's Treasury Pool as of February 28, 2009. The largest category is the Bond Fund in the amount of \$116.0 million. Closest behind is the General Fund with a total of \$92.7 million, and the Internal Service Fund with \$40.3 million.

Annualized Average Portfolio
Figure V

The annualized average portfolio for February 28, 2009 was \$337,218,250. This is an increase of \$31,191,537 when compared to the February 2008 average of \$306,026,714.



POM III

Police Department's Racial Profiling Report

Rushin

POM IV

Police Department's Annual Report

Rushin

POM V

SB 855 – Local Option Transportation Act

Turner

Discussion/Action Items for Future Council Agendas

March 24 – Council Candidate Briefing, TRA, 8:30 a.m.

March 27 – Police Awards Banquet

April 14 (Tuesday)

April 25 – Fire Department Appreciation Picnic, Bob Woodruff Park, 12 – 5 p.m.

April 27

Mobility Report

DART Report

Comprehensive Monthly Financial Report

May 7 – COP Employee of the Year Rotary Luncheon

May 9 – Election Day

May 11

May 13 – Peace Officer Memorial Service, Haggard Park, 1 p.m.

May 18

Canvass

May 25 – Memorial Day Holiday

May 26

ACC Report (Quarterly)
Mobility Report
DART Report
Comprehensive Monthly Financial Report

June 4 – District 3 Roundtable, PSA StarCenter, 7 p.m.

June 8

June 5 – 7, TCMA Conference, Austin

June 10 – City Council Retreat

June 13 – Tentative Election Runoff Date

June 22

Mobility Report
DART Report
Comprehensive Monthly Financial Report

July 3 – City Recognized Holiday for Independence Day

July 27

Mobility Report
DART Report
Comprehensive Monthly Financial Report

July 29

2009-10 Budget Presentation

August 10

August 22 – Boards and Commissions Reception, BITR, 2 p.m.

August 24

ACC Report (Quarterly)
Mobility Report
DART Report
Comprehensive Monthly Financial Report

August 27 – Boards and Commissions Reception, PSA StarCenter, 6 p.m.

September 7 – Labor Day Holiday

September 13 – 17, ICMA Conference, Montreal

September 10 – District 4 Roundtable, PSA StarCenter, 7 p.m.

September 14**September 28**

Mobility Report
DART Report
Comprehensive Monthly Financial Report

October 12

October 21-23, TML Conference, Ft. Worth

October 26

Mobility Report
DART Report
Comprehensive Monthly Financial Report

November 9

November 10 – 14, NLC, San Antonio

November 23

ACC Report (Quarterly)

Mobility Report

DART Report

Comprehensive Monthly Financial Report

December 10 – District 2 Roundtable, TMC, 7 p.m.



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:	3/23/09	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> 3/23/09	
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				
Proclamation/Special Recognition: Nastia Liukin Day and Plano WOGA				
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		

**PLANO CITY COUNCIL
NEIGHBORHOOD ROUNDTABLE
DISTRICT ONE
MARCH 5, 2009**

COUNCIL MEMBERS

Pat Evans, Mayor
Jean Callison, Mayor Pro Tem
Harry LaRosiliere, Deputy Mayor Pro Tem
Pat Miner
Scott Johnson
Mabrie Jackson
Sally Magnuson
Lee Dunlap

STAFF

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

The Plano City Council met informally at 7:12 p.m. on Thursday, March 5, 2009, at Plano Centre, Northbrook Room, 2000 East Spring Creek Parkway, Plano, Texas. All Council Members were present. Mayor Evans arrived at 7:14 p.m. Mayor Pro Tem Callison welcomed those in attendance and introduced Council and Staff. Mayor Evans spoke regarding the Council/Manager form of government and the structure of the Council where all members represent citizens across the City.

2009 Bond Referendum: Oak Point Park Update

Budget Manager Srader spoke to maximizing outside funding for street improvements, the lack of a general election in 2010 and costs for a stand-alone election, referendums providing authorization only, maintenance of an ISO 1 rating by the Fire Department dependent on Station #13 and equipment, the need for renovation at the aquatic centers and the pricing of land acquisition. He reviewed the propositions including \$11.3 million for Public Safety Improvements (engine/fire apparatus, renovation of existing stations, Fire Station #13 and video surveillance); \$8 million for Technology Services Facility; \$34.5 million for Street Improvements (capacity improvements, reconstruction and other items), \$1.7 million for Library Facility Improvements; \$48.6 million for Parks and Recreation Improvements (land acquisition, White Rock Creek Community Park, Oak Point Park, Athletic Field Renovation, Park and Athletic Field Improvements, and Pecan Hollow Golf Course); and \$24.1 million for Recreation Centers (Senior Center expansion, Carpenter Park expansion, Oak Point Park expansion, aquatic center renovation, Douglass Community Center) for a total of \$128.6 million along with a revocation of \$3.5 million in authority for the grade separation at Preston Road and Legacy Drive.

Mr. Srader advised that the maximum impact would result in an annual increase of \$66.41 for the average home valued at \$251,733. He reviewed the ad valorem tax rate history advising that in prior elections, projects have been financed at existing rates, and spoke to the decision by Council to increase the tax rate in 2006-07 by two cents to provide economic development incentives and Plano's low tax rate when compared to other cities in the Metroplex.

The floor was opened for questions and a citizen expressed concerns regarding multiple vehicles/residents per household and the use of residential property for businesses (car and yard sales). City Manager Muehlenbeck responded regarding the tax rate impact on small businesses, advising that the rate applies to all properties equally and to the City's dependence on growth over the years to cover the costs for referendums. He advised that residences will receive a homeowner's exemption while commercial properties will not. Mr. Srader advised that the City is AAA rated by bond agencies and has \$300 million in outstanding authority and Mr. Muehlenbeck spoke to timing sales to receive the best interest rates. Parks and Recreation Director Wendell spoke to the amount of park requests, the benefits of land acquisition at this time, projects requested by citizens, updating of infrastructure and the final decisions for projects being made by the Council. He spoke to improvements in the Clearview neighborhood being funded through the Capital Reserve Fund and the need to move to bond funds. Mr. Wendell spoke to the ballot items representing a 3-4 year plan for the future and Mayor Evans spoke to plans for trails at Oak Point Park to make use of the property, the need for parks/libraries during hard economic times, the variety citizens' interests and moving forward to complete projects. Mr. Srader spoke to user fees increasing to cover operating costs and Mr. Wendell spoke to the increase in costs for previously approved improvements at Carpenter Park Recreation Center. Citizens spoke in support of street projects and to raising taxes for services rather than funding all capital projects proposed. Assistant Fire Chief Thompson spoke to the use of fitness equipment at stations, updating of station heating/air conditioning, and the impact on homeowner insurance costs should the ISO rating decline. Mayor Evans spoke to the freeze on tax rates of senior citizens.

Community Investment Program & Street Improvements – District 1 (14th Street construction update): DART Improvement Plans at Parker Road: Parker Road and US 75 Interchange Improvement Plans

Public Works Director/City Engineer Upchurch spoke regarding the completion of Jupiter Road/Plano Parkway intersection improvements in June; landscaping and irrigation along Parker Road; the kick-off for railroad crossing quiet zones; 15th Street/G Avenue to US 75 expected to be complete in 1-2 years with TxDOT funding; alley reconstruction programs; and various intersection improvements. He spoke to extension of Chaparral Road; bidding on the Shiloh Pump Station project; waterline rehabilitation in the Ridgewood area; Jupiter elevated tank repair; rebidding for pavement/waterline/sewer projects on R Avenue and 17th Street; reconstruction projects in the Meadows Addition; reconstruction on 14th Street from K Avenue to Ridgewood; arterial slab replacement on Jupiter Road; waterline projects in cul-de-sacs; and uninterrupted power supply for traffic signals at major intersections.

Mr. Upchurch spoke to rapid progression on the increases to parking at the Parker Road Station (+589 spaces) and the SH 190 Station (+386 spaces) and to the Parker Road and US 75 Interchange improvements running ahead of schedule with opening of the new bridge in June 2009.

Mr. Upchurch responded regarding 14th Street (K Avenue to Ridgewood) advising that due to limited rights-of-way Staff determined a continuous left-turn lane was unsafe, spoke to a bond referendum as a five-year program and building roadways as traffic warrants, and there being no prohibition for trucks on Los Rios Boulevard. Staff was complimented on the work done on Calvary Road.

Downtown Residential and Commercial Leasing Activities

Director of Planning Jarrell spoke to new businesses locating in the Downtown area, rehabilitation of various properties, new town homes at Lexington Park and the new mixed-use project at 15th Street and the DART Rail (opening in 2010) which will provide 230 additional apartments and 15,000 square feet of commercial use.

Code Enforcement Overview (Benefits to Homeowners and Businesses, Resources)

Property Standards Director O'Banner spoke to code enforcement authority based in federal/state/city law along with international codes. She spoke to challenges with enforcement of parking vehicles, addressing screening walls, fences, overhanging tree limbs, obstruction, surface parking and junked vehicles with a Staff of 16 inspectors. Ms. O'Banner spoke to effective enforcement utilizing the option of administration remedies to bypass the criminal justice system and/or civil litigation processes, advocating education/involvement of citizens, establishing creative ways to gain compliance, and ensuring codes reflect the community and enforcement of regulations. She spoke to resources including *Gatekeepers* (Geriatric Wellness Center), *Plain-O-Helpers* and other community volunteers. Ms. O'Banner advised that auto repair/painting is not permitted in residential areas, residents may sell vehicles they own and yard sales are monitored for frequency. She responded that economic conditions may have resulted in more residents per home and guidelines in place to ensure there is adequate living space. She spoke to the public reporting vehicles that may be parked on lawns or away from curbs, etc.

A citizen spoke regarding possible profiling by police, concerns regarding vandalism, and gangs in some apartments. Another citizen spoke regarding dangerous dogs in the City and vandalism and Ms. O'Banner spoke to Code Enforcement working hand-in-hand with the Police and Animal Services for enforcement. Police Chief Rushin spoke to neighborhood officers.

Mayor Evans thanked those in attendance. Nothing further was discussed and the meeting was closed at 9:11 p.m.

Pat Evans, Mayor

Jean Callison, Mayor Pro Tem

ATTEST:

Diane Zucco, City Secretary

**PLANO CITY COUNCIL
CORE BUSINESS WORK SESSION
MARCH 6-7, 2009**

COUNCIL MEMBERS

Pat Evans, Mayor
Jean Callison, Mayor Pro Tem
Harry LaRosiliere, Deputy Mayor Pro Tem
Pat Miner
Scott Johnson
Mabrie Jackson
Sally Magnuson
Lee Dunlap

STAFF

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

Mayor Evans convened the Council into the open session at 8:37 a.m. on Friday, March 6, 2009, in Training Room A of the Plano Municipal Center, 1520 K Avenue. All Council Members were present. Council Member Jackson arrived at 8:39 a.m.

Opening Comments

City Manager Muehlenbeck advised that the March 7 session would not be held if all items were addressed. He spoke to review of the 2009-10 budget beginning in November 2008, previous prioritization of services, this session providing an assessment of the cost of services and Council consideration of cuts that can be made while keeping with the City's goals. Lyle Sumek, of Lyle Sumek Associates, Inc. facilitated the worksession and spoke to the need to adjust to a changing environment, addressing issues, core services necessary for daily living and balancing personal livability, economic opportunity, environmental stewardship and community building. He spoke to looking at services today while investing in the future and Council's role as a board of directors with the City Manager and Staff determining methods.

Public Safety Services & Technology Business Center

City Manager Muehlenbeck identified the Police Department's recommended reductions of \$2.2 million from the General Fund including: Municipal Court assuming Court Security Services (\$190,120); developing a cost-containment policy for various programs (\$150,000); eliminating positions/realigning duties in Jail, Records, Administration and Internships (\$324,023); eliminating Crossroads Family Services Program (\$55,000); eliminating Legacy Town Center Neighborhood Office (\$25,000); eliminating eight cars from Criminal Investigative Services (CID) (\$137,336); eliminating seven middle and alternative School Liaison Police Officers (SLO) (\$702,708); eliminating one SLO vehicle (\$25,750); and freeze funding for the Alternate Career Ladder Program (\$676,056).

Chief Rushin responded to Council Member Jackson, advising that responsibilities of Crossroads Family Services will be reassigned to meet state mandates and spoke regarding the Alternative Career Ladder Program providing increases to officers who do not choose the typical career ladder but acquire skills and training. Deputy City Manager Glasscock spoke to PISD contributing 15% to the cost of the SLO Program. Chief Rushin advised that the Legacy Town Center office would be closed but patrols will continue; spoke to sharing vehicles between CID personnel and two reassignments with the remaining ten positions eliminated being vacant. He responded to Council Member Dunlap that cuts have been identified resulting in the least impact possible to public safety with services covered by other areas.

Chief Rushin responded to Citizen Lissa Smith stating that Crossroads was developed in 1992 to provide victim assistance as a state mandate and to Citizen Susan Plonka regarding the impact to morale should the Alternate Career Ladder Program be discontinued. Mr. Glasscock responded to Citizen David Fincannon regarding the sustainability of the SLO Program without increased PISD contribution. Chief Rushin spoke to civil service salary increases and responded that most CID vehicles put on less than 5,000 miles per year and Mr. Muehlenbeck spoke to review of all City vehicles.

Mayor Pro Tem Callison and Deputy Mayor Pro Tem LaRosiliere spoke to the Alternate Career Ladder Program providing increases to one group of employees and the item representing a freeze, not elimination. Council spoke to pursuing alternatives to retain the Legacy Town Center office and concurred in agreement with all items on the list as recommended.

City Manager Muehlenbeck identified the Fire Department's recommended reductions of \$516,884 from the General Fund including: elimination of a lieutenant in Community Outreach affecting Explorer Post, CPR/AED training and Smoke Alarm Program (\$112,142); reducing Special Programs for training overtime, EMS overtime, Clown Program, Fire Explorer, Citizen's Fire Academy and DF Honor Guard (\$68,300); elimination of a Fire Prevention Lieutenant (\$112,142); and Elimination of EMS transport vehicle (\$224,300).

Chief Esparza responded to Council Member Jackson stating that reductions in Special Programs represent overtime and City Manager Muehlenbeck spoke to some degradation of service with cuts. Chief Esparza spoke to participation in the Fire Academy and Explorer Programs and advised there is no charge for the Academy, responded to Council that transport time for Station 4 would increase with a cutback in a transport vehicle but that paramedics will continue to be timely for first response, and advised that two positions will be eliminated with resulting changes to personnel. Council spoke to possible revenues for the Citizen's Academy. Council concurred in agreement with funding the Citizens Academy in the amount of \$4,000 while considering alternative funding and keeping all remaining items on the list as recommended for a revised total of \$512,884 in reductions.

City Manager Muehlenbeck identified the Health Department's recommended reductions of \$104,562 from the General Fund including cut backs in Public Outreach (\$80,805); body art inspections (\$3,023); and Emergency Management requiring another department or agency to maintain information assigned to the Local Health Department (\$20,734).

Director of Health Collins responded to the Council that Emergency Management is related to pandemic preparation and will be incorporated into other programs and advised that the Fusion Center does not assist in this area. He spoke to passage of the body art ordinance in 2001 establishing parameters for establishments and advised that the ordinance could be modified with regard to inspections. He responded to Citizen Fincannon, advising that the proposal for reduction in educational efforts is a cutback, not elimination and to Citizen Plonka that there is no Citizens Academy program for the Health Department. Council concurred in agreement with all items on the list as recommended.

City Manager Muehlenbeck identified the Animal Services Department recommended reductions of \$124,196 from the General Fund including providing traps to residents (\$104,196); and professional trapping services (\$20,000).

Director of Health Collins spoke to the variety of animals trapped, labor intensiveness of the process and availability of traps at area retail stores. He spoke to citizens hiring a trapper for some situations and the problems of managing monies at the shelter for traps. Citizen Fincannon spoke to the importance of some services to residents. Council concurred in agreement with all items on the list as recommended.

City Manager Muehlenbeck identified the Public Safety Communications (PSC) Department's recommended reductions of \$190,000 including modification of the radio system and regional voice and data system's contract (\$100,000/General Fund); and reducing public education and relations (\$90,000/General Fund and Wireline Fund). Council concurred in agreement with all items on the list as recommended.

The Council recessed at 10:20 a.m. and resumed at 10:32 a.m.

City Manager Muehlenbeck identified the Library Department's recommended reductions of \$651,552 from the General Fund including the elimination of some positions and reduction of several programs.

Director of Libraries Baumbach responded to Council regarding online registration and implementation of self-service kiosks allowing Staff to offer other services, literacy programs offered by other agencies, and utilization of volunteers at the library. She spoke to current vacant positions, advised that the library/recreation cards are provided by two different systems and spoke to use of radio frequency for checkout of multiple items. Mayor Pro Tem Callison spoke to utilizing additional volunteers. Ms. Baumbach responded to Citizen Plonka regarding the costs for interlibrary transfers and to Citizen Greg Myer regarding the labor-intensiveness of Teen Mystery Night and replacement of the job kiosk with online search capabilities. Council concurred in agreement with all items on the list as recommended.

City Manager Muehlenbeck identified the Public Information/ (PTN) Department's recommended reductions of \$109,702 from General Fund and CATV including reductions in website design services and O&M (\$22,500) along with elimination of a vacant video producer position (\$87,202). He responded to Council Member Dunlap stating concerns related to generating revenue on PTN and to leasing studios which may be in competition with the private sector.

Director of Public Information Helt advised that O&M reduction includes language translation, but that there should be no effect on current operations for items provided in Spanish. She spoke to possible regulations on selling advertising on government access channels and responded to Citizen Myer that PTN is not tracked by Neilson Ratings but there is some response to surveys during meetings and that the City produces thirty minutes of new program a month in addition to providing meeting coverage and event calendars. City Manager Muehlenbeck advised that Staff will look into opportunities for revenues. Council concurred in agreement with all items on the list as recommended.

Public Services and Operations Business Center

City Manager Muehlenbeck identified the Engineering Department's recommendations of \$578,812 in reductions from the General Fund to facilitate, stimulate and initiate future development and redevelopment including reducing overtime for construction inspectors and other staff (\$20,000); reducing contracts for outside services (\$15,000); Reducing travel (\$5,000); elimination of the Safe Street Program (\$412,692); elimination of a vacant Sr. Construction Inspection position (\$61,120); and eliminating a Sr. Engineer position following a retirement (\$65,000).

Mr. Muehlenbeck responded to Mayor Pro Tem Callison regarding the importance of citizen input when addressing speeding through neighborhoods. Public Works Director/City Engineer Upchurch spoke to completing those neighborhoods in the Safe Streets process with consideration of five-six applications yearly. Chief Esparza spoke to the detrimental effect on response times and equipment. City Manager Muehlenbeck advised that if service to remove safe street devices is retained a new cost center would need to be established. Council concurred in agreement with all items on the list as recommended.

City Manager Muehlenbeck identified the Engineering Department's recommended reductions from the General Fund of \$800,555 in the area of governing and representing the City including savings due to the CAPP rate change (\$357,106); savings due to unchanged gas rates (\$179,866); delaying facilities coming online (\$107,744); savings due to the change in Halon fire suppression (\$1,000); police providing security for evening meetings rather than contracting (\$30,000); rebidding overhead door maintenance contract (\$13,500); reducing the scope of security system maintenance contract (\$19,984); and setting the minimum cooling at 75 degrees (\$50,000); reducing asbestos surveys (\$27,994); and reducing several maintenance agreements for chiller, pool heat recovery, incinerator, etc. (\$13,361).

Facilities Manager Razinha responded to the Council regarding reduction in maintenance agreements, advising that Staff will be trained to accomplish tasks and ensure preventative maintenance is the focus. He advised that roof repair is exclusive of this list and responded to Citizen Plonka that City electrical technicians can do some of the work at the Courtyard Theatre. Council concurred in agreement with all items on the list as recommended.

City Manager Muehlenbeck identified the Engineering Department's recommended reductions of \$83,670 from the General Fund in the area of building services including reducing the frequency of floor stripping (\$38,635); reducing full-time day custodians at several recreation centers (\$43,722); reducing the City-wide logo matting (\$1,313).

Council Member Dunlap stated concern related to reducing the frequency of floor stripping and number of custodians. Facilities Manager Razinha spoke to some possible decline in appearance and advised regarding the high service levels in the City and preservation extending the life of buildings. Council concurred in agreement to retain the frequency of floor stripping/finishing (\$38,635) and to moving forward on all remaining items as recommended for a total of \$45,035.

City Manager Muehlenbeck identified the Public Works Department's recommended reductions of \$129,144 from the General Fund by eliminating the previous Public Works Director and one Customer Service Representative Position currently open. Council concurred in agreement with all items on the list as recommended.

Mayor Evans adjourned the session for lunch at 11:36 and resumed the session at 12:33 p.m.

City Manager Muehlenbeck identified the Parks and Recreation Department's recommended reductions in the General Fund of \$960,361 including reducing general operating expenses (\$392,408); eliminating free Senior Recreation Center transportation service (\$52,000); reducing the level of Downtown maintenance (\$49,937); reducing help at the youth ballpark (\$9,378); eliminating special event support and reducing park facility maintenance response (\$43,653); reducing the level of maintenance on irrigation systems (\$43,654); eliminating weekly entry pool landscape (\$44,000); eliminating annual guide (\$17,000); eliminating a administrative support position in Creative Arts (\$47,291); reducing level of maintenance on facilities and structures in parks (\$43,653); reducing level of maintenance at neighborhood parks and greenbelts (\$140,387); and reducing capacity to manage and plan park construction projects (\$77,000).

Director of Parks and Recreation Wendell spoke to personnel related to supporting the Youth Ballpark, advising that fields would be maintained and that groups pay for their use. He responded to Council Member Dunlap, advising that mowing and irrigation reductions would not apply to the municipal center or the libraries and that the mowing contract could be reduced. Mr. Wendell responded to Council Member Miner regarding elimination of vacant positions and to Council Member Jackson regarding consideration of outside management firms for mowing and other maintenance. He spoke to moving to a ten-day rotation for neighborhood park mowing. Mr. Muehlenbeck spoke to the high levels of service provided by the City and Deputy Director of Parks and Recreation Fortenberry spoke to adherence to code related to pool operations and responded regarding the use of the senior transportation service and the availability of rides from other sources. Mr. Wendell responded to Citizen Fincannon that fertilizing/weed control is provided at the minimum level to maintain health turf.

Ms. Fortenberry responded to the Council regarding general items including wearing apparel, training, association membership, office supplies. Mr. Wendell spoke to maintenance in the Downtown area and advised that parks special events should be eliminated or become 100% self supporting. Council concurred to move maintenance of entry point landscaping to City employees rather than service contracting and considering options for the mowing/trim work in neighborhood parks and greenbelts. Council concurred in agreement with all remaining items on the list as recommended.

Council Appointees/Municipal Court, City Attorney, City Manager and Administrative Services

City Manager Muehlenbeck identified the Human Resources Department's recommended reductions of \$207,227 from the General Fund including reducing the operation and maintenance budget (\$28,500); eliminating a Sr. Administrative Assistant position (\$50,862); reduce the MP3 contract (\$2,200); reduce expenses for employee development (\$48,793); and reduce professional contracts (\$76,872).

Organizational Development Manager Carpenter spoke to elimination of the Administrative Support Luncheon and reductions in some training programs. City Manager Muehlenbeck spoke to discussions with other cities on providing space for training classes and use of National League of Cities online training and Council Member Jackson spoke to possible webinar sessions. Administrative Support Supervisor McCarthy spoke to items related to reduction in professional contracts and retaining those related to federal/state mandates. She further advised that one area is a reduction in fees to Dr. Picchoni for related services. Council concurred in agreement with all items on the list as recommended.

City Manager Muehlenbeck identified the Finance Department's recommended reductions from the General Fund of \$362,896 including eliminating the Youth Advisory Commission (\$66,900); reorganizing the Accounting Division (\$108,836); reducing O&M in treasury management (\$23,628); reduction in general administration salaries based on replaced positions (\$16,799); Municipal Court Program transferring to revenue funds (\$100,729); and reducing food funds for municipal court administration (\$75). He advised that a previously recommended elimination of a Municipal Court Clerk should be removed from consideration resulting in a revised reduction of \$316,867.

City Manager Muehlenbeck responded to Citizen Myer, advising that costs associated with the Youth Advisory Commission include staff time and administration. Council concurred in agreement with all items on the list as recommended.

City Manager Muehlenbeck identified the Fleet Equipment Services Department's recommended reductions from the Equipment Maintenance Fund in the amount of \$680,827 including fuel management and distribution (\$605,000); maintenance and repair of vehicles by implementing flex hours/mileage reimbursement and fuel costs (\$15,000); reduction in the size of the motor pool (\$14,500); and eliminating one records assistant (\$46,327). He spoke to the work done on fire trucks and heavy equipment and responded to Citizen Fincannon stating that the department handles all City vehicles including mowers, etc. Council concurred in agreement with all items on the list as recommended.

City Manager Muehlenbeck spoke to prior consideration of flex-time, issues that might arise and citizen expectations of service five days per week. He spoke to consideration of revised hours for libraries, but stated concern if hours were cut back for recreation centers as those are fee-paid services and spoke regarding their use by swim teams and youth. City Attorney Wetherbee spoke to accrued free time as a "liability" to be paid when employees terminate. Budget and Research Director Rhodes-Whitley spoke to positive projections on reaching budgeted sales tax figures. City Manager Muehlenbeck spoke to the uncertainty of property values and advised that a zero increase in values results in a \$12 million deficit; a 1% decline is a \$13.5 million deficit; a 2% deficit is \$14.6 million; 3% is \$15.2 million; and 4% is \$17 million. He spoke to the projected \$12 million shortage including a salary freeze with projects discussed during the worksession resulting in \$8+ million savings.

Mr. Muehlenbeck spoke to new debt (\$3.8 million) including the motomesh program and radio system and the inability to continue to pay for these items out of O&M funds. He spoke to the challenge going forward to find new revenues and maintain the quality of life for citizens.

Mr. Muehlenbeck spoke to increases in health insurance claims, possible increases to employees, transfers for GASB 45, and issues related to the workman's compensation clinic. He responded to Citizen Plonka, advising that PTN provides community information and televises meetings. Director of Public Information Helt spoke to the expense in contracting out and Council Member Jackson spoke to consideration of an increase in City cable fees. Ms. Rhodes-Whitley responded to Citizen Fincannon regarding projections of sales tax for 2008-09 and 2009-10 and the decline in business-to-business taxes. The Council spoke to shoppers frequenting other communities and Mr. Fincannon spoke to the positive impact of small businesses and encouraging them to come to the City.

The Council took a recess at 2:33 p.m. and resumed at 3:30 p.m.

Development Services Business Center

City Manager Muehlenbeck identified the Planning Department's recommended reductions from the General Fund/Technology Fund including purchasing another software system with HTE link (\$30,000); discontinuing the Zoning Ordinance update (\$75,000); eliminating the GIS consulting assistance (\$60,000); and ending the Downtown Planning Program (\$154,952).

Director of Planning Jarrell advised that the cost for Downtown holiday lighting is \$18,000 and includes the municipal center, Downtown and Haggard Park trees. She spoke to the Downtown Planner assisting the area in organizing and becoming more active. Mr. Muehlenbeck advised that if eliminated, a portion of responsibilities would be transferred. Council Member Jackson spoke to the high level of participation at the tree lighting and retention of that item. Ms. Jarrell spoke to the current standing of the Zoning Ordinance reformatting and City Manager Muehlenbeck spoke to retaining this expense for this year with no funds for 2009-10. Council concurred in agreement with retaining \$18,000 for holiday lighting in Downtown and \$75,000 to complete the Zoning Ordinance reformatting. They further agreed on all remaining items on the list as recommended for a total of \$226,952.

City Manager Muehlenbeck identified the Building Inspection Department's recommended reductions from the General Fund in the amount of \$339,115 including eliminating a currently vacant Field Services Supervisor (\$82,542); eliminating a currently vacant Plans Examiner (\$75,342); eliminating a currently vacant part-time floating inspector (\$17,572); eliminating a part-time code compliance (\$22,389); eliminating a Public Information Assistant (\$43,652); closing the west side services facility (\$4,251); eliminating a Permit Services Representative with closing of west side facility (\$49,715); and eliminating an Inspections Assistant position (\$43,653).

Building Chief Mata spoke to decrease in citizen requests received at the West Side Service Facility and recommended retaining the Inspections Assistant position. Council concurred in agreement with removing Inspections Assistant (\$43,653) for further review and agreed on all items other items as recommended for a total of \$292,462.

City Manager Muehlenbeck identified the Property Standards Department's recommended reductions from the General Fund in the amount of \$232,063 including a decrease in costs for hardware, minor apparatus and travel for public nuisance inspections (\$55,206); decreasing substandard structure inspection accounts through cuts in hardware, minor apparatus and travel (\$19,180); decreasing neighborhood assessments accounts by moving to biennial assessments (\$58,330); creating a flexible work schedule to revamp Saturday Sweeps Program (\$50,489); implementing a retrieve and drop service for shopping carts (\$19,434); redesignating training tasks to senior staff (\$17,276); and reducing distribution of brochures (\$12,148).

Property Standards Director O'Banner spoke to current neighborhood assessments, and changes in assessments as a benefit to the department by allowing the use of flex time. She spoke to the proposed revised process for shopping carts and returning them immediately to retailers for a fee rather than storage/notification. Ms. O'Banner responded to Council Member Jackson advising that contracting for services by the department would be difficult given the amount of training involved and to Council Member Dunlap regarding responding to concerns of the community. Council concurred in agreement with all items on the list as recommended.

Wrap up

City Manager Muehlenbeck thanked the Council for their time and direction and advised that work will begin with department directors to build savings for next year. He advised that the three year outlook will be given on March 23. The Council thanked Staff for the information and Mayor Evans spoke to the positive impacts on some areas.

Nothing further was discussed and Mayor Evans adjourned the meeting at 4:15 p.m. and no March 7, session was held.

Pat Evans, Mayor

ATTEST:

Diane Zucco, City Secretary

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
March 9, 2009**

COUNCIL MEMBERS

Pat Evans, Mayor
Jean Callison, Mayor Pro Tem
Harry LaRosiliere, Deputy Mayor Pro Tem
Pat Miner
Scott Johnson
Mabrie Jackson
Sally Magnuson
Lee Dunlap

STAFF

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

Deputy Mayor Pro Tem LaRosiliere called the meeting to order at 5:13 p.m., Monday, March 9, 2009, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Mayor Evans and Mayor Pro Tem Callison arrived at 5:17 p.m. Deputy Mayor Pro Tem LaRosiliere then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice, Section 551.071, discuss Personnel, Section 551.074, and to discuss Economic Development, Section 551.087 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 6:16 p.m. in the Council Chambers where the following matters were discussed. All Council Members were present.

Consideration and Action Resulting from Executive Session Discussion:

Personnel Appointment – Arts of Collin County Commission Board of Directors

Upon a motion made by Council Member Magnuson and seconded by Council Member Dunlap, the Council voted 8-0 to appoint Bobby Baggett as a Plano representative to the board subject to his resignation as an at-large member. City Attorney Wetherbee spoke to the Commission composed of three entities and the expansion of membership allowing for two from each city with one at-large position. She spoke to other entities addressing the appointment process and Mr. Baggett's appointment subject to resignation.

Boards and Commissions Appointment Process

City Secretary Zucco provided an update on the status of current applications for boards/commissions, the cost for printing a full-size utility insert and requested direction on providing a smaller version of the flyer directing interested parties to contact the City Secretary's office or make application online. The Council concurred directing Staff to move forward. City Secretary Zucco reviewed the schedule for reappointments and appointment consideration and the Council concurred with these recommendations.

Discussion and Direction on the Planning & Zoning Commission's Recommended Sign Ordinance Amendments

Planning and Zoning Commission Second Vice Chair Maggie Armstrong spoke to direction received from the Council to review and update the sign ordinance allowing more creative and innovative displays in Plano, public meetings held by the Commission and information brought back for Council consideration. She spoke to horizontal banners (fabric) and the recommendation to allow these to be displayed up to three times/year for six weeks each. She spoke to considering permanent signage items posted year round with banners intended for temporary usage. Ms. Armstrong spoke to light pole banners intended as non-commercial messages and a decorative feature and the recommendation for an annual permit.

Ms. Armstrong spoke to regulating human signs as temporary signage and consideration of solicitation regulations and providing clarification that they are not allowed except on the property where the business being advertised is located. Council Member Magnuson spoke to locations where a business may not be easily visible from the main thoroughfare and City Attorney Wetherbee spoke to consideration of sites with separate ownerships and responded to Council Member Johnson that while some centers may have agreements allowing such use these may not be consistent with regulations. She spoke to issues related to banning the practice and its relationship to rights under the First Amendment. Ms. Wetherbee spoke to questions of regulation including whether it is considered as temporary signage, elements of free speech, and the City's regulations restricting use on public property.

Council Member Jackson spoke to permitting light pole banners for religious institutions rather than the use of horizontal banners. Ms. Wetherbee spoke to issues related to favoring one form of message over another and to considering the structure of banners and their permissible areas. Ms. Jackson spoke to having options for commercial and non-commercial properties and to more discussion regarding parameters.

Ms. Armstrong spoke to directory signs as a communication tool for larger shopping centers and Mr. Perry spoke to the possibility of permitting advertising on one side. Ms. Armstrong spoke to the calculation of the size of wall signs and concern regarding current regulations to post signs above a tenant's space that restrict larger occupants from utilizing signage. She spoke to allowing land managers to determine how the allowable space would be allotted. Ms. Armstrong responded to Mayor Pro Tem Callison stating that there could be multiple signs and Council Member Magnuson spoke to providing consistency in design.

Council Member Johnson spoke to the importance of signage for commercial property and Chief Building Official Mata spoke to current size limitations. Ms. Armstrong spoke to allowing more than two signs per elevation for multi-story office buildings with first floor tenants allowed to have signage regardless of whether or not they have an exterior entrance. Council Member Miner spoke to capping the number at two per façade for higher elevations and Mayor Pro Tem Callison stated concern that allowing too many would prove unappealing.

Ms. Armstrong spoke to current regulations against roof signs and the recommendation to allow non-text signage to extend four feet above the parapet. She spoke to 3-D signage restrictions and the recommendation to allow a depth of 30 inches and possible placement of items in landscaping that incorporate the store design. Ms. Armstrong spoke to digital signage and the recommendation to change copy every five minutes and consideration of “Times’ Square” type signage as part of a Planned Development. Mr. Perry spoke to restricting these signs to monument or pole signs and consideration of LED signage. Council Member Miner spoke to implementing a more rapid message change (8-15 seconds) and Mayor Evans spoke to reviewing the display at Plano Centre.

Ms. Armstrong spoke to reducing separation for directional signs to 30 feet and Mr. Mata spoke to the similarities between directional and directory signage. Ms. Armstrong spoke to recommendations to remove the requirement for masonry border and copy area for monument signage. She spoke regarding the requirements for murals and the recommendation to these to contain advertising without a specific name or logo. City Attorney Wetherbee spoke to possible code compliance issues. Mayor Evans thanked the Commission for their efforts and Mr. Mata advised that Staff will move forward with the Commission utilizing the recommendations and Council input and determine ordinance language to bring back. Mayor Evans requested the Council provide further input and requested the item for consideration prior to the May election. Planning Director Jarrell spoke to notice requirements and advised that Staff will work to bring the item back before that time.

Council items for discussion/action on future agendas

Council Member Jackson requested discussion related to issuing a portion of bonds to citizens upon their sale.

Consent and Regular Agenda

No items were discussed.

Nothing further was discussed. Mayor Evans adjourned the Preliminary Meeting directly into the Regular Meeting at 7:12 p.m.

Pat Evans, MAYOR

Harry LaRosiliere, DEPUTY MAYOR PRO TEM

ATTEST:

Diane Zucco, City Secretary

PLANO CITY COUNCIL
March 9, 2009

COUNCIL MEMBERS

Pat Evans, Mayor
Jean Callison, Mayor Pro Tem
Harry LaRosiliere, Deputy Mayor Pro Tem
Pat Miner
Scott Johnson
Mabrie Jackson
Sally Magnuson
Lee Dunlap

STAFF

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

Mayor Evans convened the Council into the Regular Session directly from the Preliminary Session on Monday, March 9, 2009, at 7:12 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Reverend Stacy Pell, Associate Pastor of St. Andrew United Methodist Church and the Pledge of Allegiance was led by and The Pledge of Allegiance was led by Brownie Troop of 1861Dooley Elementary & McCall Elementary.

COMMENTS OF PUBLIC INTEREST

Citizen Danny Williams stated concern that a long standing commercial sign will need to be moved at a high cost due to changes in regulations. City Manager Muehlenbeck advised that he would meet with Mr. Williams regarding his concerns.

Citizen Jack Lagos spoke to information in the Dallas Morning News regarding City cut backs and the City Manager volunteering one week of Park/Recreation personnel to clean land at the Arts of Collin County site. He spoke to monies allocated for the Arts of Collin County, Allen's request to acquire federal stimulus funding, the costs of capital bonds, operating costs and the use of City employees/equipment. Mr. Lagos spoke to the Council representing the constituency, providing responses and addressing the situation. Mayor Evans spoke to inaccuracies that may appear in the newspaper and to the City of Plano as one of the owners of land for the Arts of Collin County with the right to utilize employees and equipment.

CONSENT AGENDA

Citizen Jack Lagos requested that Consent Agenda Item "A," Approval of Minutes from February 23, 2009, be removed for individual consideration.

Upon a motion made by Council Member Magnuson and seconded by Council Member Dunlap, the Council voted 8-0 to approve and adopt all remaining items on the agenda as recommended and as follows:

Approval of Expenditures

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

Bid No. 2009-40-C for Traffic Markers to Ennis Paint Company in the estimated annual amount of \$7,590; BIKO Inc. in the estimated annual amount of \$10,140; Traffic Supply in the estimated annual amount of \$1,460; and Pathmark Traffic Parts of Texas in the estimated annual amount of \$37,892 for a total estimated annual amount of \$57,082. This will establish an annual fixed price contract with three optional renewals. [Consent Agenda Item (B)] (See Exhibit "A")

Bid No. 2009-57-C for Fire Hydrant and Water Line Repair Parts to HD Supply Waterworks in the estimated annual amount of \$114,553; Municipal Water Works Supply in the estimated annual amount of \$5,378; Empire West Inc. in the estimated annual amount of \$11,683 for a total estimated annual amount of \$131,614. This will establish an annual fixed price contract with three optional renewals. [Consent Agenda Item (C)] (See Exhibit "B")

Bid No. 2009-38-C for an annual fixed price contract for Temporary Labor Services Waste Collection in the estimated annual amount of \$340,000 to Labor Ready, Lone Staff Staffing and CTJ Maintenance. This contract will be for one year with three City optional one-year renewals. [Consent Agenda Item (D)] (See Exhibit "C")

Purchase from an Existing Contract

To authorize the purchase of Supply, Material and Installation of Avenue "N" Radio Communications Shelter to GFRC in the amount of \$213,074. CSP #2008-9-B [Consent Agenda Item (E)]

To approve the purchase and installation of Security Software, Hardware and Cameras for Fire Station No. 12/EOC/Fire Logistics Warehouse in the amount of \$67,245 from existing TCPN Contract #4785 with LenSec LLC. [Consent Agenda Item (F)]

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

To approve an Engineering Services Contract by and between the City of Plano and Birkhoff, Hendricks & Conway, L.L.P., in the amount of \$83,295, for Custer Ground Storage Tank 1A, and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (G)]

To approve an Architectural Contract by and between the City of Plano and HPA, LLP, dba hatch & ulland owen architects, in the amount of \$243,655, for repackaging existing design and construction oversight of Oak Point Park Visitor Center, and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (H)]

To approve an Architectural Contract by and between the City of Plano and F&S Partners, in the amount of \$789,870, for design and construction oversight of the Carpenter Park Recreation Center Renovation and Expansion, and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (I)]

Approval of Change Order

To Utilitex Construction, LLP, increasing the contract by \$39,630 and 40 working days, for Street Light Improvements Legacy Park – Phase 1 and Street Lighting Willow Bend Drive, Change Order No. 2, (Original Bid No. 2008-74-B). This change order is for adding 11 new light pole foundations with related work on Headquarters Drive from Spring Creek Parkway to approximately 2,200 feet east. [Consent Agenda Item (J)]

To McMahon Contracting, L.P., increasing the contract by \$26,801 for the 2007- 2008 Arterial Concrete Pavement Rehabilitation Project, Parker Road, Pleasant Valley and Country Place Drive, Project No. 5867, Change Order No. 2. Bid No. 2008-156-B. This change order is for final concrete street pavement repair quantities on Parker Road between Coit Road and Preston Road. [Consent Agenda Item (K)]

Adoption of Resolutions

Resolution No. 2009-3-1(R): To amend a Communication Facilities License Agreement approved by Plano City Council on November 9, 1998, by and between the City of Plano, Texas and AT&T Mobility Texas LLC, a Delaware limited liability company, to install, and operate telecommunications ground equipment in certain specific premises; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (L)]

Resolution No. 2009-3-2(R): To approve the terms and conditions of an Agreement by and between LegacyTexas Bank and the City of Plano, Texas for bank depository services; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (M)]

Resolution No. 2009-3-3(R): To approve the terms and conditions of a Safekeeping Agreement by and between LegacyTexas Bank, TIB – The Independent Bankers Bank, and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (N)]

Resolution No. 2009-3-4(R): To approve the dedication of a 417.9 square foot tract of land owned by the City of Plano, Texas for dedication as a drainage easement for Assured 14th Addition, Lot 1, Block A, said parcel situated in the M.R. Foster Survey, Abstract No. 332 in the City of Plano, Collin County, Texas, and providing an effective date. [Consent Agenda Item (O)]

Resolution No. 2009-3-5(R): To approve and grant an Electric Easement to Oncor Electric Service Company on City property located on the west side of Bishop Road, 257.01' south of Legacy Circle, authorizing its execution by the City Manager, and providing an effective date. [Consent Agenda Item (P)]

Resolution No. 2009-3-6(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and Collin County, Texas, providing for the Widening of Communications Parkway from Parker Road to Spring Creek Parkway; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (Q)]

Adoption of Ordinances

Ordinance No. 2009-3-7: To amend Chapter 11, Licenses and Business Regulations, of the Code of Ordinances of the City of Plano by adding Article XI, Metal Recycling Entities, establishing regulations governing the purchase of copper and other valuable metals by metal recycling entities; providing definitions, licensing and recordkeeping requirements; providing a repealer clause; a severability clause; a penalty clause; a publication clause; and an effective date. [Consent Agenda Item (R)]

Ordinance No. 2009-3-8: To correct a typographical error in Ordinance No. 2009-1-21 providing for the issuance and sale of City of Plano, Texas, General Obligation Refunding and Improvement Bonds, Series 2009; levying a tax in payment thereof; awarding the sale thereof; approving the official statement; and enacting other provisions relating thereto; and providing an effective date. [Consent Agenda Item (S)]

END OF CONSENT

Approval of Minutes [Consent Agenda Item (A)]

February 23, 2009

Citizen Jack Lagos spoke to prior appointment of Bobby Baggett as a joint at-large representative when there was no seat and his current occupancy of that seat. Mayor Evans and Council Member Miner responded that Mr. Baggett's appointment as a City of Plano representative will take effect upon his resignation as an at-large member.

Upon a motion made by Council Member Miner and seconded by Deputy Mayor Pro Tem LaRosiliere, the Council voted 8-0 to approve the February 23, 2009 Council Minutes.

There being no further discussion, Mayor Evans adjourned the meeting at 7:18 p.m.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, City Secretary



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 (C.S.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
Council Meeting Date: 3/23/09		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	Purchasing			Initials
Department Head	Mike Ryan	Assistant City Manager	<i>[Signature]</i> 3-13-09	
Dept Signature:	<i>[Signature]</i>	Deputy City Manager	<i>[Signature]</i> 3-13-09	
		City Manager	<i>[Signature]</i> 3/13/09	
Agenda Coordinator (include phone #): Aimee Storm Ext 7248				
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. 2008-225-C for Professional Food Service Personnel to DiverseStaff, in the amount of \$251,661.00.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 08/09	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: Funds are included in the FY 2008-09 adopted budget to provide contracted labor/Professional Food Service Personnel at Plano Centre and is subject to annual budget appropriations. The estimated annual amount is \$251,661.				
STRATEGIC PLAN GOAL: Professional Food Service Personnel related to the City's goal of "Service Excellence".				
SUMMARY OF ITEM				
Annual Contract With Renewals				
Staff recommends proposal of DiverseStaff with an estimated annual amount of \$251,661.00 be accepted as the best proposal meeting specifications for the purchase of Professional Food Service Personnel, conditioned upon timely execution of any necessary contract documents. This will establish an annual fixed price contract, with two optional one-year renewals.				
List of Supporting Documents: Recommendation Memorandum, and CSP Re-Cap		Other Departments, Boards, Commissions or Agencies		



TO: Karen Neal-Corc
FROM: Jim Stroup, Plano Centre 
DATE: 11-20-08
SUBJECT: Bid #2008-225-C Professional Food Service Personnel

After evaluation and review of the bids and supporting documentation, Plano Centre recommends bid number 2008-225-C Professional Food Service Personnel be awarded to DiverseStaff as the best-value bidder.

CITY OF PLANO

CSP NO. 2008-225-C FOR PROFESSIONAL FOOD SERVICE PERSONNEL CSP RECAP

CSP opening Date/Time: November 11, 2008 @ 3:00pm (CST)

Number of Vendors Notified: 546

Vendors Submitting "No Bids": 0

<u>Number of Proposals Submitted:</u>		<u>Total Weighted Score</u>
DiverseStaff	3	3.56
SMB Services		2.83
Five Star Team Inc.		2.21

Proposals Evaluated Non-Responsive to Specification: 0

Recommended Vendor(s):

DiverseStaff

Aimee Storm

March 11, 2009

Aimee Storm, 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: 3/23/09			Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	Fleet Services			Initials	Date
Department Head	Mike Ryan			Assistant City Manager	3-5-09
Dept Signature:				Deputy City Manager	3/18/09
				City Manager	3/15/09
Agenda Coordinator (include phone #): Linda M. Robinson ext. 4180					
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 four (4) Toro Z-590 (D Series/27HP Diesel) 72" Commercial Zero Turn Mowers in the amount of \$61,845.44 from Professional Turf Products through an existing contract/agreement with Texas Association School Buyboard Purchase Program, and authorizing the City Manager or his designee to execute all necessary documents. (#292-08)					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	08/09	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	25,500	0	25,500
Encumbered/Expended Amount		0	0	0	0
This Item		0	-61,845	0	-61,845
BALANCE		0	-36,345	0	-36,345
FUND(S): EQUIPMENT REPLACEMENT FUND (071)					
COMMENTS: Funds are included in the FY 2008-09 adopted budget for the purchase of four (4) Toro Z-590 D Series 72" Commercial Zero Turn Mowers. The additional funds of (\$36,345) needed for this purchase will be funded through savings in the Equipment Replacement Fund.					
STRATEGIC PLAN GOAL: Replacement equipment purchases relates to the City's Goal of "Service Excellence".					
SUMMARY OF ITEM					
Equipment Services request the purchase of four (4) Toro Z-590 (D Series/27HP Diesel) 72" Commercial Zero Turn Mowers through the Texas Association School Buyboard Purchase Program, awarded to Professional Turf Products. Two (2) units are scheduled replacements for unit #04119, Dept. 647/Sports Turf Maintenance and unit #04120, Dept. 658/Ground Maintenance District #3 and the other two (2) units are unscheduled replacements for unit #04113, Dept. 647/Sports Turf Maintenance and unit #04128, Dept. 658/Ground Maintenance District #3. Funding for the unscheduled replacements will be allocated from Equipment Replacement Account 071-8416.					



CITY OF PLANO COUNCIL AGENDA ITEM

The City is authorized to purchase from a Local Cooperative Organization pursuant to Chapter 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. (#292-08)

Total purchase price for all four (4) units are including setup/service & delivery fees is \$61,845.44.

List of Supporting Documents: Agenda, Memo, Quote Sheet, CRO	Other Departments, Boards, Commissions or Agencies



MEMORANDUM

DATE: March 3, 2009
TO: Nancy Corwin, Buyer
FROM: David Garza, Fleet Superintendent
SUBJECT: Request to purchase four (4) Toro Z-590 (D Series) 72" Commercial Zero Turn Mowers through Texas Association School Buyboard Program, Contract #292-08 awarded to Professional Turf Products.

Base Price (for 4 units):	\$58,332.00
Recycler Kit:	\$ 853.44
Unpublished Option (Canopy):	\$ 1,660.00
Set-Up/Service/Delivery	<u>\$ 1,000.00</u>
TOTAL COST:	\$61,845.44

BUDGET AMOUNT (for 2 units): **\$25,500.00**

NOTES: Two (2) units are scheduled replacements for unit #04119 for Dept. 647/Sports Turf Maintenance and for unit #04120 for Dept. 658/Ground Maintenance District #3. The other two (2) units are unscheduled replacements for #04113 for Dept. 647/Sports Turf Maintenance and for unit #04128, Dept. 658/Ground Maintenance District #3. Funding for the unscheduled will be allocated from Equipment Replacement Account 071-8416.

Please reference CRO No. 375317.

Please feel free to call me if you have any questions at extension 4183.

Cc: Mike Ryan
Reid Choate
Kevin Murray
Jeff Schwartz
Diane Palmer

PROFESSIONAL TURF PRODUCTS

Will Dutton
 SF&G Account Executive
 Cell # (972)746-7637
 E-Mail: duttonw@proturf.com

1010 N.Industrial
Eules, Texas
 1-888-776-8873 Ext 5410
 Fax 817-785-1901



CUSTOMER INFORMATION

Date: 2-26-09

Company: City of Plano
Name: David Garza
Address: 4200 W. Plano Pkwy
Phone: 972-769-4183
Fax: 972-461-6840



PRICE QUOTATION

PROFESSIONAL TURF PRODUCTS IS A BUYBOARD VENDOR
 CONTRACT 292-08 GROUNDS MAINTENANCE EQUIPMENT

QTY	MODEL #	COMPANY	DESCRIPTION	List	PRICE
-----	---------	---------	-------------	------	-------

THIS QUOTE IS TASB BUYBOARD PRICING

4	74269		Z-590 D Series 72" 27hp, Diahatsu Liquid Cooled Diesel W/72" Turbo Forced Deck		\$ 58,332.00
4	107-1612		Recycler-Kit Setup/Service/Delivery	\$1,137.92	\$ 853.44 \$ 1,000.00
			Total		\$ 60,185.44
4	a-11299		<u>Unpublished</u> Canopy	\$415.15	\$ 1,660.00 \$ 61,845.44

CITY OF PLANO

03/02/09

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P.O. Number 375317 OC

Cost Center 071

Supplier PROFESSIONAL TURF PRODUCTS
 ATTN: CINDY HEISS
 P O BOX 613189
 DFW AIRPORT TX 75261

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

To ensure proper payment, remit invoice to:
 City of Plano - Accounts Payable
 PO Box 860279
 Plano, TX 75086-0279

Ordered 03/02/09 Freight
 Requested 03/02/09 Order Taken By
 Delivery

Description	Ordered	UOM	Unit Price	Extended Price	Request Date
TORO Z-590 ZERO TURN MOWERS	4	EA	14,583.0000	58,332.00	03/02/09

MODEL # 74269

REQUEST TO PURCHASE FOUR
 (4) TORO Z-590 (D SERIES) 72"
 COMMERCIAL ZERO TURN MOWERS,
 27 HP, DIAHATSU LIQUID COOLED
 DIESEL W/72" TURBO FORCED DECK;
 RECYCLER KIT AND CANOPY.
 THROUGH TEXAS ASSOCIATION
 SCHOOL BUYBOARD PROGRAM,
 CONTRACT #292-08.

AWARDED TO PROFESSIONAL TURF PRODUCTS.

NOTES:

TWO (2) UNITS ARE SCHEDULED REPLACEMENTS
 FOR UNIT 04119 FOR DEPT. 647/SPORTS
 TURF MAINTENANCE AND FOR UNIT 04120 FOR
 DEPT. 658/GROUND MAINTENANCE DISTRICT #3.
 THE OTHER TWO (2) UNITS ARE UNSCHEDULED
 REPLACEMENTS FOR 04113 FOR DEPT. 647/SPORTS TURF
 MAINTENANCE AND FOR UNIT 04128, DEPT. 658/GROUND
 MAINTENANCE DISTRICT #3. FUNDING FOR THE UNSCHEDULED
 WILL BE ALLOCATED FROM EQUIPMENT REPLACEMENT
 ACCOUNT 071.8416.

BUDGET AMOUNT FOR TWO (2) UNITS \$25,500.00.

CRO REQUESTED BY DAVID GARZA.

C-5

CITY OF PLANO

03/02/09

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P.O. Number 375317 OC
 Extended Price Request Date

Description	Ordered	UOM	Unit Price	Extended Price	Request Date
RECYCLER KIT MODEL 107-1612	4	EA	213.3600	853.44	03/02/09
DELIVERY/SET UP/SERVICE FEES INVOICE TO FOLLOW		EA	.0000	1,000.00	03/02/09
UNPUBLISHED OPTIONS MODEL a11299 - CANOPY	4	EA	415.0000	1,660.00	03/02/09
				Total Order	
TermNet 30 Days				61,845.44	

C-6



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: 3/23/09			Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	Fleet Services			Initials	Date
Department Head	Mike Ryan	Assistant City Manager		<i>[Signature]</i>	3-5-09
Dept Signature:	<i>[Signature]</i>	Deputy City Manager		<i>[Signature]</i>	3/23/09
		City Manager		<i>[Signature]</i>	3/23/09
Agenda Coordinator (include phone #): Linda M. Robinson					
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 one (1) Peterbilt Concrete Mixer Truck (MD) in the amount of \$130,389.00 from Rush Truck Center of Texas through an existing contract/agreement with H-GAC Cooperative Purchasing Program and authorizing the City Manager of his designee, is hereby authorized to execute all necessary documents. (HT11-07)					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	08/09	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	- 130,389	0	- 130,389
BALANCE		0	- 130,389	0	- 130,389
FUND(S): EQUIPMENT REPLACEMENT FUND (071)					
COMMENTS: Funds are included in the FY 2008-09 adopted budget for the purchase of one (1) Peterbilt Concrete Mixer Truck for Department 767/Utility Cut Services. The funds needed for the replacement unit will be funded through savings in the Equipment Replacement Fund.					
STRATEGIC PLAN GOAL: Replacement equipment purchases relates to the City's Goal of "Service Excellence".					
SUMMARY OF ITEM					
Fleet Services request the purchase of one (1) Peterbilt Concrete Mixer Truck (MD) through the H-GAC Cooperative Purchasing Program, awarded to Rush Truck Centers of Texas. This unit is an unscheduled replacement for unit #00802, due to major repairs that are not cost effective to repair and with the approval of Rod Hogan. Funding will be allocated from Equipment Replacement Account 071-8421 for dept. 767/Utility Cut Services.					
The City is authorized to purchase from a Local Cooperative Organization pursuant to Chapter 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. (HT11-07)					



**CITY OF PLANO
COUNCIL AGENDA ITEM**

Total purchase price for the Concrete Mixer including the H-GAC fee is \$130,389.00

List of Supporting Documents:
Agenda, Memo, Quote Sheet, CRO

Other Departments, Boards, Commissions or Agencies



MEMORANDUM

DATE: February 27, 2009
TO: Nancy Corwin, Buyer
FROM: Reid Choate, Fleet Manager
SUBJECT: Request to purchase one (1) Peterbilt Concrete Mixer Truck through H-GAC Cooperative Purchasing Program, contract #HT11-07 awarded to Rush Truck Centers of Texas.

Base Price:	\$92,637.00
Published Options:	\$60,268.76
Buyboard Discount:	-\$23,516.76
H-GAC Fee:	\$ 1,000.00
TOTAL COST:	\$130,389.00

NOTES: This unit is an unscheduled replacement for unit #00802 due to need of major repairs and determined not cost effective to repair and approved by Rod Hogan for Dept. 767/Utility Cut Services. Funding will be allocated from Equipment Replacement Account 071-8421.

Please reference CRO No. 375281.

Please feel free to call me if you have any questions at extension 4182.

Cc: David Garza
David Falls
Bill Zimmerman
Diane Palmer

CITY OF PLANO

02/26/09

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P.O. Number 375281 OC

Cost Center 071

Supplier RUSH TRUCK CENTERS OF TEXAS LP
dba RUSH TRUCK CENTER HOUSTON
16870 SOUTH IH 35
BUDA TX 78610

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

To ensure proper payment, remit invoice to:
City of Plano - Accounts Payable
PO Box 860279
Plano, TX 75086-0279

Ordered 02/26/09 Freight
Requested 02/26/09 Order Taken By
Delivery

Description	Ordered	UOM	Unit Price	Extended Price	Request Date
PETERBILT CONCRETE MIXER HGAC CONTRACT HT11-07 IT IS THE RECOMMENDATION OF FLEET SERVICES TO PURCHASE ONE (1), PETERBILT CONCRETE MIXER TRUCK. HGAC CONTRACT #HT11-07. AWARDED TO RUSH TRUCK CENTERS OF TEXAS. THIS UNIT IS AN UNSCHEDULED REPLACEMENT FOR UNIT 00802 DUE TO NEED OF MAJOR REPAIRS AND DETERMINED NOT COST EFFECTIVE TO REPAIR FOR DEPT. 767/ UTILITY CUT SERVICES. FUNDING WILL BE ALLOCATED FROM EQUIPMENT REPLACEMENT FUND ACCOUNT 071-8421.	1	EA	92,637.0000	92,637.00	02/26/09
PUBLISHED OPTIONS STOCK P745790	1	EA	60,268.7600	60,268.76	02/26/09
UNPUBLISHED OPTIONS MDL 357 IPO MDL 365	1	EA	23,516.7600-	23,516.76-	02/26/09
HGAC ADMIN FEE		EA	.0000	1,000.00	02/26/09

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CITY OF PLANO

02/26/09

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Description	Ordered	UOM	Unit Price	P.O. Number	Extended Price	Request Date
				Total Order		
TermNet 30 Days					130,389.00	

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CONTRACT PRICING WORKSHEET

*This Form must be prepared by Contractor, and provided to End User to attach to Purchase Order, with copy to H-GAC.
The H-GAC fee shall be calculated and shown as a separate line item.*

Buying Agency:	PLANO, CITY OF	Contractor:	Rush Truck Centers of Texas, L.P.
Contact Person:	NANCY CORWIN	Prepared By:	Charlie Plouse
Phone/Fax:	(972) 941-7137 // (972) 461-6888	Phone/Fax:	(713) 495-6304 // (713) 695-9620
Location City, State:	4200 PLANO PARKWAY PLANO, TEXAS 75093+5602	Contract No.:	HT11-07
Date:	1/22/2009	Product Code:	MD
Product Description:	PETERBILT 357 MIXER TRUCK		

A. Item Base Unit Price Per H-GAC Contract: A: \$ 92,637.00

B. Published Options (Itemize below and attach additional sheet(s) if necessary)

Code	Description	Cost	Code	Description	Cost
		\$ -		STOCK P745790	
		\$ -			
		\$ -			
Subtotal From Additional Sheet(s):					\$ 60,268.76
Subtotal B:					\$ 60,268.76

Note: Published Options are options submitted with the contractor's bid.

C. Unpublished Options (Itemize below and attach additional sheet(s) if necessary)

Code	Description	Cost	Code	Description	Cost
	MDL 357 IPO MDL 365	\$ (23,516.76)			
		\$ -			
Subtotal From Additional Sheet(s):					
Subtotal C:					\$ (23,516.76)
Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). For this transaction, the percentage is:					-15.38%

D. Other Price Adjustments (E.G. Installation, Freight, Delivery, Etc.)

Subtotal D:		-

E. Unit Cost of Item Before Fee & Non-Equipment Charges (A+B+C+D)

	\$ 129,389.00	
Quantity Ordered	X 1	
Subtotal E:		\$ 129,389.00

F. H-GAC Fee

Subtotal F:		\$ 1,000.00
--------------------	--	-------------

G. Non-Equipment Charges (Trade-In, Extended Warranty, etc.)

	\$ -	
Subtotal G:		\$ -

H. Total Purchase Price (E+F+G): \$ 130,389.00

(Please Type, or Print Legibly)

Estimated Delivery Date: 15 DAYS ARO

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PETERBILT COMPUTATIONS

PETERBILT 357 CHASSIS: [MIXER TRUCK]

OPTIONS CALCULATIONS

COMPLETE CHASSIS LIST PRICE:	\$	169,080.00
CHASSIS LIST:	\$	134,502.00
CHASSIS OPTIONS LIST:	\$	34,578.00

LIST	H-GAC DISCOUNT	OPTIONS NET
\$ 34,578.00	29.80%	\$ 24,273.76

29.8% DISCOUNT = .702 MULTIPLIER

OTHER PUBLISHED OPTIONS

E36	MIXER BODY	\$	35,995.00
-----	------------	----	-----------

\$	35,995.00
----	-----------

CHASSIS OPTIONS WITH DISCOUNTS \$ 24,273.76 + OTHER OPTIONS

PUBLISHED OPTIONS TOTAL	\$	60,268.76
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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: 3/23/09		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Parks and Recreation		Initials	Date	
Department Head	Don Wendell		Assistant City Manager		
Dept Signature:	<i>Don Wendell</i>		Deputy City Manager	<i>3/11/09</i>	
			City Manager	<i>3/12/09</i>	
Agenda Coordinator (include phone #): Susan Berger (7255)					
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					
To approve the purchase and installation of playground equipment for Indian Creek Park, Copper Creek Park, and Shoshoni Park and an indoor water slide for Oak Point Recreation Center in the amount of \$298,413.45 from Miracle Recreation Equipment Company through PISD Contract (2008-51-I/PISD 2007-071); and authorizing the City Manager or his designee to execute all necessary documents.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP					
FISCAL YEAR:	2008-09	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		467,999	736,001	485,000	1,689,000
Encumbered/Expended Amount		-467,999	-232,221	0	-700,220
This Item		0	-298,413	0	-298,413
BALANCE		0	205,367	485,000	690,367
FUND(S): CAPITAL RESERVE					
COMMENTS: Funds are included in the 2008-09 Capital Reserve Fund. This item, in the amount of \$298,413.45, will leave a current year balance of \$205,367 for the Playground Replacement Project and park structures and equipment projects.					
STRATEGIC PLAN GOAL: Equipment purchases and replacement relate to the City's Goal of Premier City in Which to Live.					
SUMMARY OF ITEM					
In conjunction with the Collin County Governmental Purchase Forum, Plano ISD sponsored and awarded a contract for playground equipment and installation to Miracle Recreation Equipment Company. The City of Plano requests to purchase an indoor water slide for Oak Point Recreation Center, playground equipment, and wood fiber playground surfacing for Indian Creek Park, Copper Creek Park, and Shoshoni Park from this contract in the amount of \$298,413.45. Replacement of this equipment is necessary due to the age and condition of the existing equipment.					
All competitive bid requirements were met by PISD on behalf of the forum participants. The City of Plano is a participating member of CCGPF.					

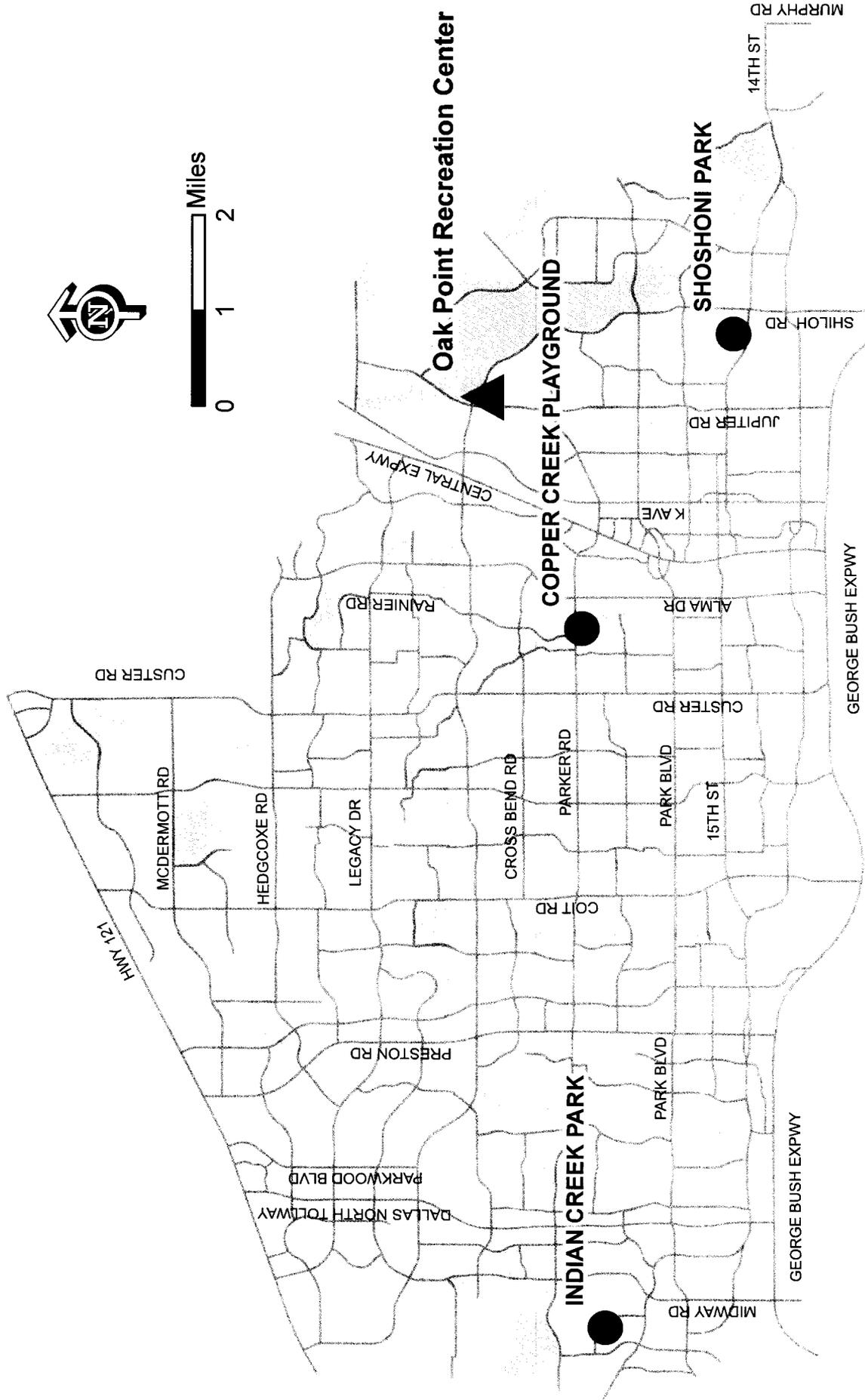


**CITY OF PLANO
COUNCIL AGENDA ITEM**

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

LOCATION MAP

2009 Playground Equipment Replacement



PO Box 29
Allen, TX 75002
972-359-7269
972-396-7241 Fax

January 14, 2009

**Attn: City of Plano
Kyle McCutcheon
469-286-9951**



www.miracle-recreation.com

**Project: City of Plano - 3 Playgrounds
"Playground Renovations"**

Terms: Net 30 Ship Via: Best Way Est. Delivery Date: 4 - 6 Weeks

Item	Description	List Price	Discount	Ext. Price
Indian Creek				
CD169913	Miracle, 2-12 yrs, Big Timber - Center Stage	\$54,182.00	(8,127.30)	\$46,054.70
	Freight	\$2,403.66	(2,403.66)	\$0.00
	Installation of equipment			\$16,254.60
EWF	Add 12" Engineered Wood Fiber (EWF) in Existing Area (6,141' sq ft)	\$2.00/sq.ft		\$12,282.00
	Remove and Haul off Pea Gravel			\$3,500.00
	Removal of existing playground			\$3,500.00
	1 ADA concrete ramp			\$850.00
985-521	Large Swing Clevis (4)	4@ 17.00 ea.	(2.55)	\$57.80
			Total	\$82,441.30
Copper Creek Park				
CD169915	Miracle, 2-12 yrs., Big Timber - Center Stage	\$41,012.00	(6,151.80)	\$34,860.20
	Freight	\$1,921.80	(1,921.80)	\$0.00
	Installation of Equipment			\$12,303.60
EWF	Add 12" Engineered Wood Fiber (EWF) in Existing Area (4,125' sq ft)		\$2.00/sq.ft	\$8,250.00
	Remove and Haul off Pea Gravel			\$2,750.00
	Removal of existing playground			\$3,500.00
	1 ADA concrete ramp			\$850.00
985-521	Large Swing Clevis (4)	4@ 17.00 ea.	(2.55)	\$57.80
			Total	\$62,513.80
Shoshoni Park				
CD169911	Miracle, 2-12 yrs., Center Stage	\$55,237.00	(8,285.55)	\$46,951.45
	Freight	\$2,365.25	(2,365.25)	\$0.00
	Installation of Equipment			\$16,571.10
EWF	Add 12" Engineered Wood Fiber (EWF) in Existing Area (6,141' sq ft)		\$2.00/sq.ft	\$12,282.00
	Remove and Haul off Pea Gravel			\$3,500.00
	Removal of existing playground			\$3,500.00
	1 ADA concrete ramp			\$850.00
985-521	Large Swing Clevis (4)	4@ 17.00 ea.	(2.55)	\$57.80
			Total	\$83,712.35
Alternate to Shoshoni Park				
	Add a walk w/ accessible ramp from the street at Del Sol to playground area			
	100' of concrete walk			\$3,000.00
	Curb cut at street w/15' of sidewalk removal at playground border			\$750.00
	Handicap ramp at street entrance			\$850.00
	* Our plan for the sidewalk will make the water fountain accessible			
			Total	\$4,600.00
Oak Point Natatorium				
	Fiberglass Waterslide System			\$45,290.00
RB690055	Freight			\$3,471.00
	*Installation			\$14,885.00
	*Installation includes removal of existing waterslide, and mounting slide on existing footings and existing pump			
	Engineered Sealed Drawings			\$1,500.00
			Total	\$65,146.00
			TOTAL	\$298,413.45

Kris Allen

Prepared By

-INSTALLATION NOT INCLUDED (UNLESS NOTED ABOVE)

- It is the responsibility of the owner to locate all underground utility lines (Telephone, Computer/Data Lines, Water and Main Water Lines for Irrigation Sprinklers.) We will make every endeavor to prevent damage to the located utilities but in the event of damage to the utilities that we cannot repair, we will not be held responsible for charges of repair from outside services.
- Rock Clause. In the event solid rock is encountered, an additional charge of \$25.00 per hole will be assessed.
- Prices are guaranteed for 30 days from the date listed on quote, unless otherwise noted
- Additional costs will incur to correct any drainage issues.

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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: 3/23/09		Reviewed by Legal <i>JWS</i>	<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> 3/11/09
Dept Signature:	<i>Don Wendell</i>			City Manager	<i>[Signature]</i> 3/12/09
Agenda Coordinator (include phone #):		Susan Berger (7255)			

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

CAPTION

Approval of a Engineering Services Agreement contract by and between the City of Plano and Vision Electric, Inc., dba Engineering Associates in the amount of \$55,000 for design of improvements to tennis court lighting at various school and park sites across Plano and authorizing the City Manager or his designee to execute all necessary documents.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 2008-09	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	32,000	68,000	800,000	900,000
Encumbered/Expended Amount	-32,000	0	0	-32,000
This Item	0	-55,000	0	-55,000
BALANCE	0	13,000	800,000	813,000

FUND(S): **PARK IMPROVEMENT CIP**

COMMENTS: Funds are included in the 2008-09 Park Improvement CIP. This item, in the amount of \$55,000, will leave a current year balance of \$13,000 for the PISD Tennis Court Lights project.

STRATEGIC PLAN GOAL: Engineering design services for tennis court lighting relate to the City's Goal of Premier City in Which to Live.

SUMMARY OF ITEM

The agreement provides for engineering services to prepare plans and specifications for tennis court lighting at PISD school sites. This is a continuation of a practice that was started in the late 1970s whereby the City provides lighting at existing school tennis courts. PISD constructs the courts which are used by students during the day. The City lights the courts which makes them available for use by the general public in the evening. This reduces the need for additional tennis courts within the park system, resulting in an overall tax savings to the public.

The total contract fee is \$55,000 and includes basic services, surveying, and reimbursable expenses. The basic services are \$35,108, surveying is \$17,020, and reimbursable expenses are \$2,872.

The fee is consistent with previous park and engineering projects of this type. The total construction estimate for the project is \$1,000,000. The basic service fee, including reimbursable expenses is 5.50% of the estimated construction budget. Engineering Associates is on the 2008-09 selected list of qualified consultants for



**CITY OF PLANO
COUNCIL AGENDA ITEM**

engineering services.

List of Supporting Documents:

Location Map

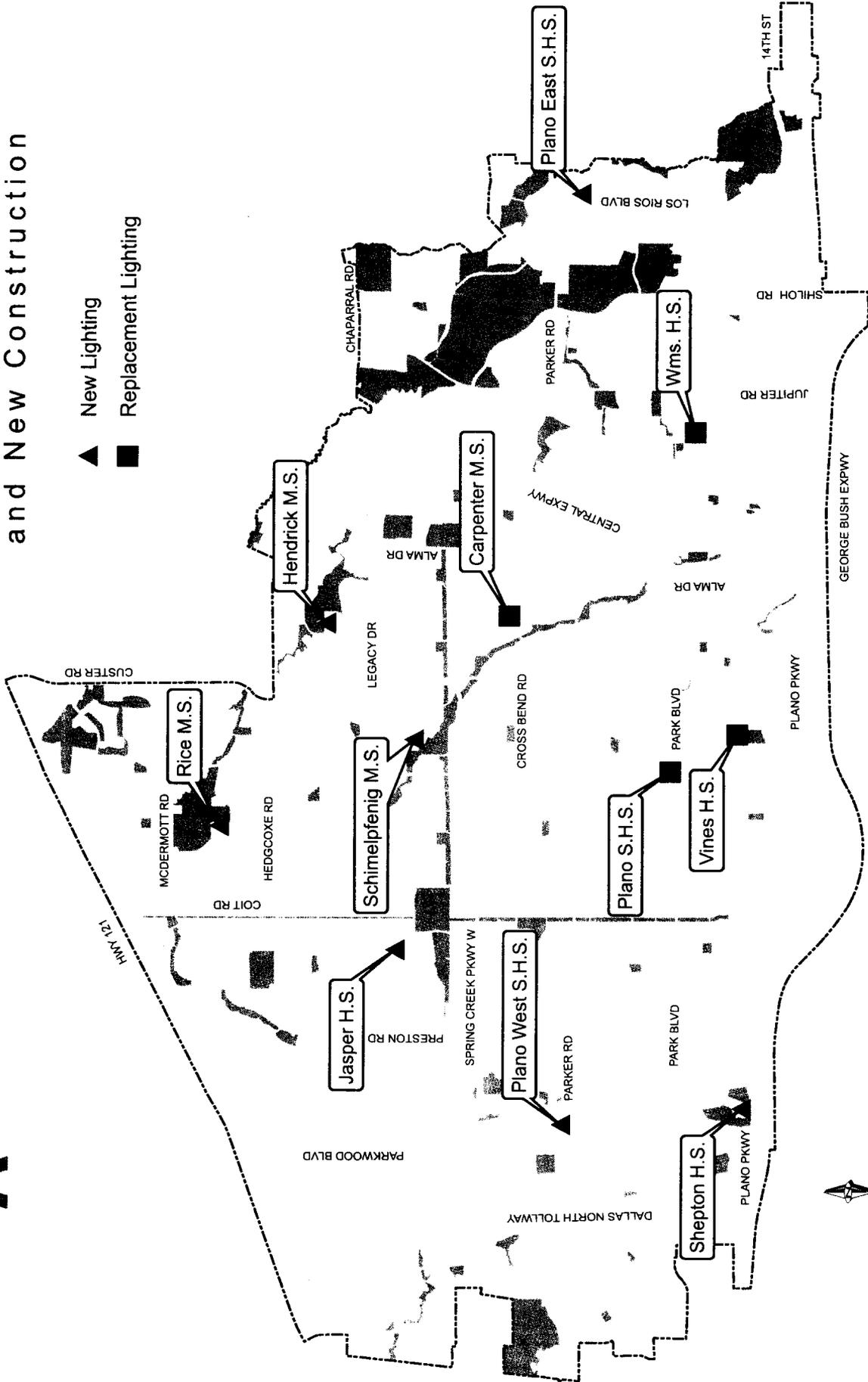
Engineering Services Agreement

Other Departments, Boards, Commissions or Agencies



Location Map Tennis Court Renovations and New Construction

- ▲ New Lighting
- Replacement Lighting



TENNIS COURT LIGHTING – RENOVATIONS AND NEW CONSTRUCTION

PROJECT NO. 5901

ENGINEERING SERVICES AGREEMENT

THIS AGREEMENT is made and entered by and between the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, hereinafter referred to as "City", and **VISION ELECTRIC, INC. dba ENGINEERING ASSOCIATES**, a **TEXAS** Corporation, hereinafter referred to as "Engineer", to be effective from and after the date as provided herein.

WITNESSETH:

WHEREAS, the City desires to engage the services of the Engineer to prepare construction plans, specifications, details and special provisions and to perform other related engineering services in connection with the **TENNIS COURT LIGHTING – RENOVATIONS AND NEW CONSTRUCTION** project located in the City of Plano, Collin County, Texas, hereinafter referred to as the "Project"; and

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

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

I. Employment of the Engineer

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

II. Scope of Services

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

III. Schedule of Work

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

IV. Compensation and Method of Payment

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

V. Information to be Provided by the City

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

VI. Insurance

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

VII. Indemnity

Engineer shall release, defend, indemnify and hold City and its officers, agents and employees harmless from and against all damages, injuries (including death), claims, property damages (including loss of use), losses, demands, suits, judgments and costs, including reasonable attorney's fees and expenses, in any way arising out of, related to, or resulting from the services provided by Engineer and to the extent caused by the negligent act or omission or intentional wrongful act or omission of Engineer, its officers, agents, employees, subcontractors, licensees, invitees or any other third parties for whom Engineer is legally responsible (hereinafter "Claims"). Engineer is expressly required to defend City against all such Claims.

In its sole discretion, City shall have the right to approve defense counsel to be retained by Engineer in fulfilling its obligation hereunder to defend and indemnify City, unless such right is expressly waived by City in writing. City reserves the right to provide a portion or all of its own defense; however, City is under no obligation to do so. Any such action by City is not to be construed as a waiver of Engineer's obligation to

defend City or as a waiver of Engineer's obligation to indemnify City pursuant to this Agreement. Engineer shall retain City approved defense counsel within seven (7) business days of City's written notice that City is invoking its right to indemnification under this Agreement. If Engineer fails to retain counsel within such time period, City shall have the right to retain defense counsel on its own behalf, and Engineer shall be liable for all costs incurred by City.

VIII. Independent Contractor

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

IX. Assignment and Subletting

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

X. Audits and Records/Prohibited Interest

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

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

XI. Contract Termination

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

XII. Engineer's Opinion of Probable Construction Costs

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

XIII. Ownership of Documents

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

XIV. Complete Contract

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

XV. Mailing of Notices

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

City of Plano
Engineering Department
P.O. Box 860358
Plano, TX 75086-0358

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

Vision Electric, Inc. dba Engineering Associates
P.O. Box 167
Alvord, TX 76225
Attn: Jim Weathers

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

XVI. Miscellaneous

A. Paragraph Headings:

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

B. Contract Interpretation:

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

C. Venue/Governing Law:

The parties agree that the laws of the State of Texas shall govern this Agreement, and that it is performable in Collin County, Texas. Exclusive venue shall lie in Collin County, Texas.

D. Successors and Assigns:

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

E. Severability:

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

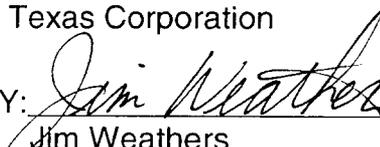
F. Effective Date:

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

SIGNED on the date indicated below.

**VISION ELECTRIC, INC. dba
ENGINEERING ASSOCIATES**
A Texas Corporation

DATE: 2-12-09

BY: 
Jim Weathers
PRESIDENT

CITY OF PLANO, TEXAS

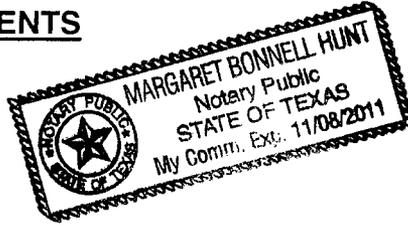
DATE: _____

BY: _____
Thomas H. Muehlenbeck
CITY MANAGER

APPROVED AS TO FORM:


Diane C. Wetherbee
CITY ATTORNEY

ACKNOWLEDGMENTS



STATE OF TEXAS §
 §
COUNTY OF WISE §

This instrument was acknowledged before me on the 12th day of Feb, 2009, by **JIM WEATHERS, PRESIDENT**, of **VISION ELECTRIC, INC. dba ENGINEERING ASSOCIATES**, a **TEXAS** corporation, on behalf of said corporation.

Margaret Bonnell Hunt

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2009, 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-10

EXHIBIT "A"

SCOPE OF SERVICES TENNIS COURT LIGHTING – RENOVATIONS AND NEW CONSTRUCTION PHASE II CONSTRUCTION DOCUMENTS

SCOPE OF WORK

Scope of work shall be defined as follows :

All work shall be in compliance with the City of Plano building codes and ordinances.

Construction drawings and Specifications for:

- Coordinate electrical services with utility company
- Site electrical and lighting plans at approximately (16) sites.
- Point-by-Point photometric light scans at all sites getting new tennis court lighting.
- Power distribution and controls.
- Electrical schedules and details.
- Electrical riser diagrams.
- Specifications.
- Tennis court lighting controls shall be Musco "Control Link" or SCADA.

EXHIBIT "B"

**COMPLETION SCHEDULE
TENNIS COURT LIGHTING – RENOVATIONS AND NEW CONSTRUCTION PHASE 2
CONSTRUCTION DOCUMENTS**

Engineering Associates agrees to complete the scope of services described in Exhibit "A" within 90 days from execution of the contract.

EXHIBIT "C"

**FEE SCHEDULE
TENNIS COURT LIGHTING – RENOVATIONS AND NEW CONSTRUCTION**

Our fees for the services described in Exhibit "A" , Scope of Services above and includes all reimbursable and incidental expenses, is to be a lump sum fee as follows:

Construction Documents	\$44,000.00
Construction Administration	\$11,000.00
Total Project	\$55,000.00

Invoices will be submitted monthly base on a percentage of completion.

EXHIBIT "D"
ENGINEERING

INSURANCE

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

1. General Insurance Requirements:

- 1.1 The Engineer (hereinafter called "Engineer") shall not start work under this contract until the Engineer has obtained at his own expense all of the insurance called for here under and such insurance has been approved by the City. Approval of insurance required of the Engineer will be granted only after submission to the Purchasing Agent of original, signed certificates of insurance or, alternately, at the City's request, certified copies of the required insurance policies.
- 1.2 All insurance policies required hereunder shall be endorsed to include the following provision: "It is agreed that this policy is not subject to cancellation, non-renewal, material change, or reduction in coverage without first providing the Risk Manager, City of Plano, at least ten (10) days prior written notice."

NOTE: The words "endeavor to" and "but failure to mail such notice shall impose no obligation to liability of any kind upon the company, its agents or representatives" are to be eliminated from the cancellation provision of standard ACORD certificates of insurance.

- 1.3 No acceptance and/or approval of any insurance by the City shall be construed as relieving or excusing the Engineer from any liability or obligation imposed upon the provisions of the Contract.
- 1.4 The City of Plano (including its elected and appointed officials, agents, volunteers, and employees) is to be named as an additional insured under Engineer's General Liability Policy, and the certificate of insurance, or the certified policy, if requested, must so state. Coverage afforded under this paragraph shall be primary as respects the City, its elected and appointed officials, agents and employees.
 - 1.4.1 The following definition of the term "City" applies to all policies issued under the contract:

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

- 1.6 Engineer agrees to defend and indemnify the City of Plano, its officers, agents and employees as provided in Paragraph VII. of this contract.
- 1.7 Insurance coverage required in these specifications shall be in force throughout the Contract Term. Should the Engineer fail to provide acceptable evidence of current insurance within seven (7) days of written notice at any time during the Contract Term, the City shall have the absolute right to terminate the Contract without any further obligation to the Engineer, and the Engineer shall be liable to the City for the entire additional cost of procuring performance and the cost of performing the incomplete portion of the Contract at time of termination.
- 1.8 Written requests for consideration of alternate coverages must be received by the City Purchasing Manager at least ten (10) working days prior to the date set for receipt of bids or proposals. If the City denies the request for alternative coverages, the specified coverages will be required to be submitted.
- 1.9 All required insurance coverages must be acquired from insurers authorized to do business in the State of Texas and acceptable to the City. The City prefers that all insurers also have a policyholder's rating of "A-" or better, and a financial size of "Class VI" or better in the latest edition of A.M. Best, or A or better by Standard and Poors, unless the City grants specific approval for an exception.
- 1.10 Any deductibles shall be disclosed in the Checklist and all deductibles will be assumed by the Engineer. Engineer may be required to provide proof of financial ability to cover deductibles, or may be required to post a bond to cover deductibles.

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

- 2.1 The Engineer shall purchase the following insurance coverages, including the terms, provisions and limits shown in the Checklist.
 - 2.1.1 Commercial General Liability - Such Commercial General Liability policy shall include any or all of the following as indicated on the Checklist:
 - i. General aggregate limit is to apply per project;
 - ii. Premises/Operations;
 - iii. Actions of Independent Contractors;
 - iv. Contractual Liability including protection for the Engineer from claims arising out of liability assumed under this contract;
 - v. Personal Injury Liability including coverage for offenses related to employment;
 - vi. Explosion, Collapse, or Underground (XCU) hazards; if applicable. This coverage required for any and all work involving drilling, excavation, etc.
 - 2.1.2 Business Automobile Liability including coverage for any owned, hired, or non-owned motor vehicles and automobile contractual liability.

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

2.2 Professional Errors and Omissions

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

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

EXHIBIT "E"

AFFIDAVIT OF NO PROHIBITED INTEREST

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

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

VISION ELECTRIC INC. dba ENGINEERING ASSOCIATES
Name of Consultant

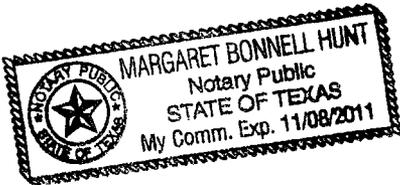
By:

Jim Weathers
Signature

JIM WEATHERS
Print Name

Principal
Title

2-12-09
Date



STATE OF TEXAS

§
§
§

COUNTY OF WISE

SUBSCRIBED AND SWORN TO before me this 12th day of Feb, 2009.

Margaret Bonnell Hunt
Notary Public, State of Texas

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/23/09

PRODUCER
USAA INSURANCE AGENCY, INC.
9800 FREDERICKSBURG RD.
SAN ANTONIO, TX 78284-9836
800 531-8722

INSURED
ENGINEERING ASSOCIATES
225 CR 288
BALLINGER, TX 76821

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: CONTINENTAL CASUALTY COMPANY	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

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

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
		GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A		OTHER Professional Liability	SFA254050613	02/22/09	02/22/10	\$1,000,000 per claim \$1,000,000 aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
RE: Project No. 5901, Tennis Court Lighting-Renovations and New Construction

CERTIFICATE HOLDER

THE CITY OF PLANO
 1409 Ave. K
 Plano, TX 75074
Reviewed WSD 3/2/09
 Attn: Bill Dakin, Parks & Recreation Department

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL MAIL 030 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT ~~OF THE POLICY~~
~~OF THE POLICY~~
 AUTHORIZED REPRESENTATIVE
Armand Mankin

f-18

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY):
02/23/2009

PRODUCER (972)436-0717 FAX (972)221-8083
Mike Honea Agency
1020 W Main
Lewisville, TX 75067
Connie Branch

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED Vision Electric Inc
DBA Engineering Associates
P O Box 167
Atvord, TX 76225

INSURERS AFFORDING COVERAGE	<i>A+ rated</i>	NAIC #
INSURER A	Progressive County Mutual	29203
INSURER B	Southern Vanguard Insurance Co.	
INSURER C		
INSURER D	<i>A-rated</i>	
INSURER E		

COVERAGES

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

INSR/ADDITIONAL INSURER	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY				EACH OCCURRENCE
	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Per occurrence)
	<input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUP				MED EXP (Any one person)
	<input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER:				PERSONAL & ADV INJURY
					GENERAL AGGREGATE
					PRODUCTS - COMP OR AGG
A	AUTOMOBILE LIABILITY	05312736-0	02/24/2009	02/24/2010	COMBINED SINGLE LIMIT (Per accident)
	<input type="checkbox"/> ANY AUTO				500,000
	<input checked="" type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per person)
	<input checked="" type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident)
					PROPERTY DAMAGE (Per accident)
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT
	<input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY - EA ACC
					AGG
	EXCESS UMBRELLA LIABILITY				EACH OCCURRENCE
	<input type="checkbox"/> OCCUP <input type="checkbox"/> CLAIMS MADE				AGGREGATE
	<input type="checkbox"/> DEDUCTIBLE				
	<input type="checkbox"/> RETENTION				
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	TSV-0004094-01	02/24/2009	02/24/2010	WC STATE-TORRY LIMITS
	AND PROPRIETOR/PARTNER/EXECUTIVE OFFICER/EMBER EXCLUDED				OTH-ER
	COVERED BY THE UNITED STATES SPECIAL PROVISIONS below				E.L. EACH ACCIDENT
					500,000
					E.L. DISEASE - EA EMPLOYEE
					500,000
					E.L. DISEASE - POLICY LIMIT
					500,000
	OTHER				

DESCRIPTION OF OPERATIONS LOCATIONS VEHICLES EXCLUSIONS ADDED BY ENDORSEMENT SPECIAL PROVISIONS

A Waiver of Subrogation in favor of the certificate holder is included in the worker's comp policy. Certificate holder named below is listed as Additional Insured on the commercial auto policy. Vehicles scheduled on the c. auto policy: 2005 Dodge Ram 2500 Quad 5 vin #19087.

CERTIFICATE HOLDER,

Reviewed VHS 3/2/09

City of Plano
1520 Ave. K
Plano, TX 75074

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Michael Honea

Michael D. Honea

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/23/09

PRODUCER
USAA INSURANCE AGENCY, INC.
9800 FREDERICKSBURG RD.
SAN ANTONIO, TX 78284-9836
800 531-8722

INSURED
ENGINEERING ASSOCIATES
225 CR 288
BALLINGER, TX 76821

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INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: CONTINENTAL CASUALTY COMPANY	
INSURER B:	
INSURER C: <i>A RATED</i>	
INSURER D:	
INSURER E:	

COVERAGES

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INSR ADD'L LTR	INSRC	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
		GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A		OTHER Professional Liability	SFA254050613	02/22/09	02/22/10	\$1,000,000 per claim \$1,000,000 aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
RE: Project No. 5901, Tennis Court Lighting-Renovations and New Construction

CERTIFICATE HOLDER

CANCELLATION

THE CITY OF PLANO
1409 Ave. K
Plano, TX, 75074
Reviewed MSO 3/2/09
Attn: Bill Dakin, Parks & Recreation Department

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL MAIL 030 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. ~~THE INSURER WILL MAIL WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT.~~
~~THE INSURER WILL MAIL WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT.~~
 AUTHORIZED REPRESENTATIVE
Armed Member

f-21

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

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DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE DATE (MM/DD/YYYY)
02/24/09

PRODUCER USAA INSURANCE AGENCY, INC. 9800 FREDERICKSBURG RD. SAN ANTONIO, TX 78284-9836 800 531-8883	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.												
INSURED ENGINEERING ASSOCIATES 225 CR 288 BALLINGER, TX 76821	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">INSURERS AFFORDING COVERAGE <i>Arated</i></td> <td style="width: 20%;">NAIC #</td> </tr> <tr> <td>INSURER A: Hartford Casualty Insurance Company</td> <td></td> </tr> <tr> <td>INSURER B: CONTINENTAL CASUALTY COMPANY</td> <td></td> </tr> <tr> <td>INSURER C: <i>ARATED</i></td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> </table>	INSURERS AFFORDING COVERAGE <i>Arated</i>	NAIC #	INSURER A: Hartford Casualty Insurance Company		INSURER B: CONTINENTAL CASUALTY COMPANY		INSURER C: <i>ARATED</i>		INSURER D:		INSURER E:	
INSURERS AFFORDING COVERAGE <i>Arated</i>	NAIC #												
INSURER A: Hartford Casualty Insurance Company													
INSURER B: CONTINENTAL CASUALTY COMPANY													
INSURER C: <i>ARATED</i>													
INSURER D:													
INSURER E:													

COVERAGES

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INSR	ADDL	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS								
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR	65SBAPU8884	02/21/09	02/21/10	EACH OCCURRENCE \$1,000,000								
		GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000								
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$								
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$								
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$								
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>WC STATU-TORY LIMITS</td> <td>OTH-ER</td> </tr> <tr> <td>E.L. EACH ACCIDENT</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - EA EMPLOYEE</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - POLICY LIMIT</td> <td>\$</td> </tr> </table>	WC STATU-TORY LIMITS	OTH-ER	E.L. EACH ACCIDENT	\$	E.L. DISEASE - EA EMPLOYEE	\$	E.L. DISEASE - POLICY LIMIT	\$
WC STATU-TORY LIMITS	OTH-ER													
E.L. EACH ACCIDENT	\$													
E.L. DISEASE - EA EMPLOYEE	\$													
E.L. DISEASE - POLICY LIMIT	\$													
		OTHER												

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
City of Plano is added as an additional insured for general liability.
A waiver of subrogation in favor of the City of Plano is added.
Project Name: Tennis Court Lighting-Renovations and New Construction
 (See Attached Descriptions)

CERTIFICATE HOLDER The City of Plano 1409 Avenue K Plano, TX 75074 <i>Reviewed WFO 3/2/09</i> Attn: Bill Dakin, Parks & Recreation Department	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>010</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE <i>Armand Mamba</i>
---	--

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.



**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: 3/23/09		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>	3/23/09	
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	3/31/09	
Agenda Coordinator (include phone #): Susan Berger (7255)					

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

CAPTION

An Amendment to the contract with Core Construction Services of Texas, Inc. increasing the contract by \$84,906.50 for Oak Point Park and Nature Preserve, Project No. 5695, Change Order No. 2 (Bid No. 2008-184-B).

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 2008-09	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	254,433	921,567	2,000,000	3,176,000
Encumbered/Expended Amount	-254,433	-96,405	0	-350,838
This Item	0	-84,907	0	-84,907
BALANCE	0	740,255	2,000,000	2,740,255

FUND(S): **PARK IMPROVEMENT CIP**

COMMENTS: Funds are included in the 2008-09 Park Improvement CIP. This item, in the amount of \$84,907, will leave a current year balance of \$740,255 for the Park Improvements project.

STRATEGIC PLAN GOAL: Park construction relates to the City's Goal of Premier City in Which to Live.

SUMMARY OF ITEM

Staff recommends a change order in the amount of \$84,906.50 for Oak Point Park and Nature Preserve.

The first part of the change order is for the addition of sidewalk and accessible ramps on the east side of Jupiter Road from Los Rios Boulevard to Spring Creek Parkway at Oak Point Park and Nature Preserve. The work includes earthwork, grading, engineered retaining walls, concrete sidewalk, pedestrian guardrail, finish grading and sod. The work also includes a pedestrian guardrail adjacent to a soft surface trail near the Amphitheater. The first part of the change order also includes deletion of recreational trail from the Visitor's Center area to the intersection of Jupiter Road and Los Rios Boulevard.

The second part of the change order is for additional recreational trail from the special events area to an existing trail in the Amphitheater parking lot. The work includes grading, drainage improvements, and accessible trail ramps.

The current contract amount includes the original contract of \$7,272,215 plus Change Order No. 1 in the amount of \$24,265. This Change Order in the amount of \$84,906.50 will bring the revised contract amount to



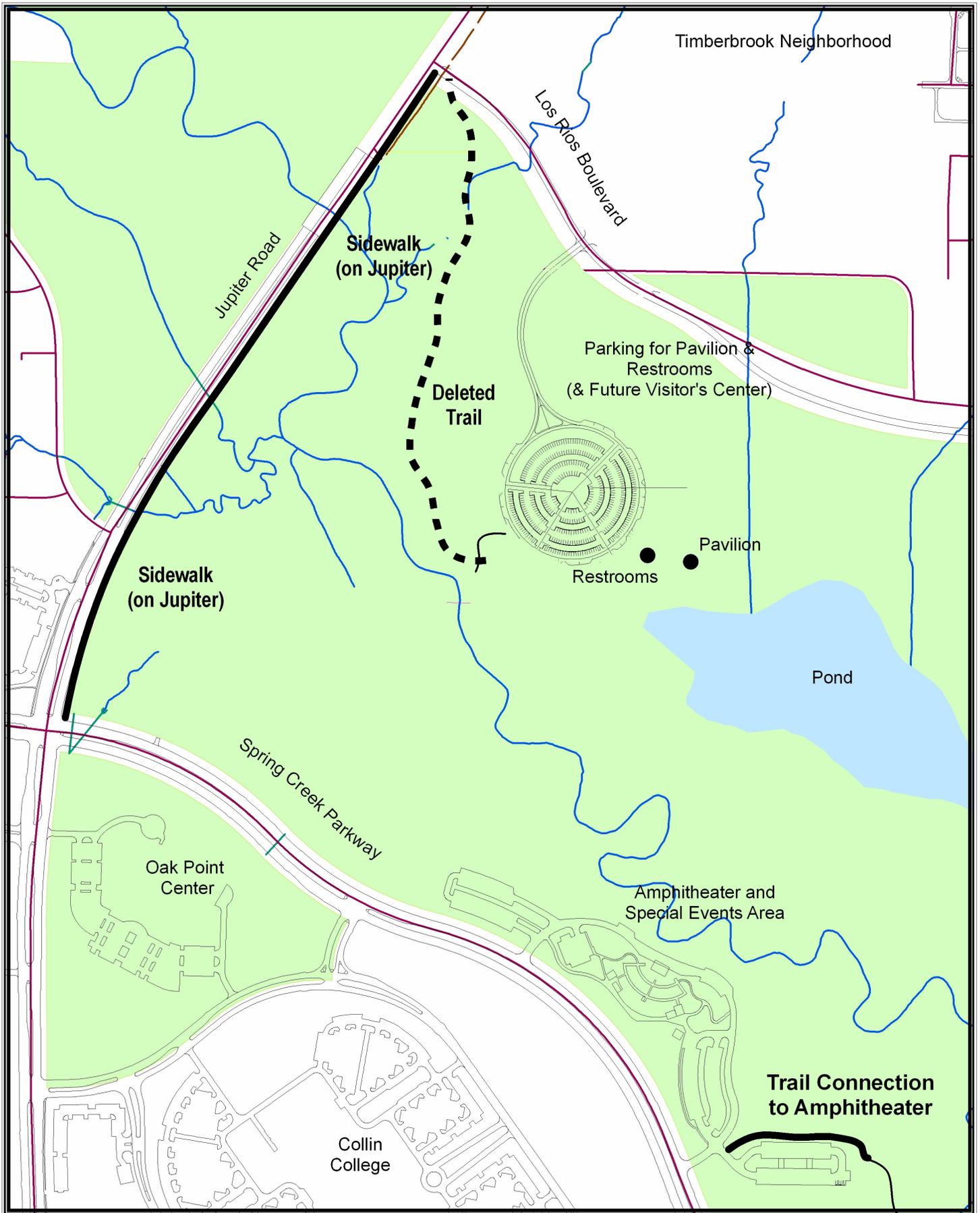
**CITY OF PLANO
COUNCIL AGENDA ITEM**

\$7,381,386.50 which represents a 1.5% increase over the original contract amount.

List of Supporting Documents:

Location Map
Change Order

Other Departments, Boards, Commissions or Agencies



Oak Point Park & Nature Preserve

Jupiter Road Sidewalk Addition & Trail Connection



Parks & Recreation Department
Park Planning

CHANGE ORDER NO. 2

**OAK POINT PARK & NATURE PRESERVE
PROJECT NO. 5695
PURCHASE ORDER NO. 103593
CIP NO. 32-22340-8331, 52-03036-8331 AND 32-22342-8331
BID NO. 2008-184-B**

A. INTENT OF CHANGE ORDER

The intent of this change order is to modify the provisions of the contract entered into by the **CITY OF PLANO, TEXAS** and **CORE CONSTRUCTION SERVICES OF TEXAS, INC.** for the **OAK POINT PARK & NATURE PRESERVE PROJECT**, dated **08/11/08**.

B. DESCRIPTION OF CHANGE

The first part of the change order is for the addition of sidewalk and accessible ramps extending from Los Rios Boulevard to Spring Creek Parkway in the east right-of-way of Jupiter Road adjacent to Oak Point Park & Nature Preserve. The work includes earthwork and grading, engineered retaining wall system, concrete sidewalk, pedestrian guardrail, finish grading and sod. The work also includes pedestrian guardrail adjacent to the soft surface trail near the Amphitheater gabion wall structure. The first part of the change order also includes deletion of recreational trail from the future Visitor's Center to the intersection of Jupiter Road and Los Rios Boulevard.

The second part of the change order is for additional recreational trail near the pedestrian bridge over Rowlett Creek at the Special Events Area extending to the parking entrance with an accessible ramp. The work includes grading and surface drainage improvements and accessible parking connections. Trail will be deleted near the southeast side of the existing parking lot in the area of staging and future activity areas of the Special Events Area.

C. EFFECT OF CHANGE

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

Continued on Page 2:

Part 1 – Jupiter Road Sidewalk

ITEM NO.	ITEM DESCRIPTION	REVISED QUANTITY	UNIT	UNIT PRICE	AMOUNT OF CHANGE
1a	Delete 6' wide x 45 lf x 6" City Sidewalk	45	ls	-\$30.00	-\$1,350.00
2a	Delete 12' wide x 2,640 lf x 6" Park Trails	2,640	ls	-\$60.00	-\$158,400.00
3a	Delete Bare Dirt Seed Mix	79,200	ls	-\$0.13	-\$10,296.00
4a	Add 4' wide x 3,100 lf x 6" City Sidewalk along Jupiter Rd	3,100	ls	\$23.00	\$71,300.00
5a	Drill & dowel rebar @ existing Curb along Jupiter Rd	535	ls	\$15.00	\$8,025.00
6a	Turn Down Edge (Down Hill Side) along Jupiter Rd	3,100	ls	\$3.15	\$9,765.00
7a	Add Barrier-free ramp @ Jupiter Rd & Spring Creek	1	ls	\$5,000.00	\$5,000.00
8a	Add 15' wide SOD along city sidewalk on Jupiter Rd	46,500	ls	\$0.55	\$25,575.00
9a	Add natural stone (Random Pattern) Retaining wall	3,200	ls	\$11.75	\$37,600.00
10a	Add 42" 2-line Galv Handrail @ Retaining wall, Jupiter	800	ls	\$53.00	\$42,400.00
11a	Add 42" 2-line Galv Handrail @ Retaining wall, Amphitheater	300	ls	\$53.00	\$15,900.00
12a	Engineering of Retaining wall system shop drawings (sealed)	1	ls	\$7,500.00	\$7,500.00
13a	Layout	3,100	ls	\$1.50	\$4,650.00
14a	Traffic Control	1	ls	\$7,500.00	\$7,500.00
SUBTOTAL					\$65,169.00

Part 2 – Spring Creek Parkway Area Trail and Sidewalk

1	Delete 10' wide x 215 lf x 6" Park Trail (1)	215	ls	-\$50.00	-\$10,750.00
2	Delete 10' wide x 175 lf x 6" Park Trails (2)	175	ls	-\$50.00	-\$8,750.00
3	Delete Bare Dirt Seed Mix	12,600	sf	-\$0.13	-\$1,638.00
4	Mass Grading	260	ls	\$2.15	\$559.00
5	Cut Trail	3,250	sf	\$0.20	\$650.00
6	Fine Grading	130	cy	\$2.20	\$286.00
7	Demo Concrete Pad	450	sf	\$3.50	\$1,575.00
8	Add 10' wide x 715 lf x 6" park Trail	715	lf	\$50.00	\$35,750.00
9	Add Bare Dirt Seed Mix	8,850	sf	\$0.13	\$1,150.50
10	Handicap Striping & Signage	1	ls	\$905.00	\$905.00
SUBTOTAL					\$19,737.50

TOTAL:					\$84,906.50
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Original Contract Amount	\$ 7,272,215.00
Contract Amount (Including Previous Change Orders)	\$ 7,296,480.00
Amount, Change Order No. 2	\$ 84,906.50
Revised Contract Amount	\$ 7,381,386.50
Total Percent Increase Including Previous Change Orders	1.50%

All Items will be charged to Account No. 32-22340-8331.

D. EFFECT OF CHANGE ON CONTRACT TIME

The work required under this change order will add 0 days to this project:

Original Contract Time	270 working days
Amount (Including Previous Change Orders)	270 working days
Amount, Change Order No. 2	0 working days
Revised Contract Time	270 working days
Total Percent Increase Including Previous Change Orders	0.00%

E. AGREEMENT

By the signatures below, duly authorized agents of the City of Plano, Texas and **CORE CONSTRUCTION SERVICES OF TEXAS, INC.**, do hereby agree to append this Change Order No. 2 to the original contract between themselves, dated **08/11/08**.

OWNER: CITY OF PLANO

**CONTRACTOR: CORE
CONSTRUCTION SERVICES OF
TEXAS, INC.**

By: _____
(signature)

By: Keith R. Roeschley
(signature)

Print
Name: Thomas H. Muehlenbeck

Print
Name: Keith ^R Roeschley

Print
Title: City Manager

Print VICE
Title: President

Date: _____

Date: 3/6/09

APPROVED AS TO FORM:

By: _____
Diane C. Wetherbee, City Attorney

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF Collin §

This instrument was acknowledged before me on the 6th day of March, 2009, by **KEITH K. ROESCHLEY, PRESIDENT**, of **CORE CONSTRUCTION SERVICES OF TEXAS, INC.**, a Texas corporation, on behalf of said corporation.



Kimberly D. Mayfield
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2009, 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

g-8



**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:	3/23/09	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Public Works & Engineering	Initials	Date		
Department Head	Alan L. Upchurch	Assistant City Manager			
Dept Signature:	<i>Alan Upchurch</i>	Deputy City Manager	<i>[Signature]</i>	3/16/09	
		City Manager	<i>[Signature]</i>	3/16/09	
Agenda Coordinator (include phone #):		Irene Pegues (7198) <i>[Signature]</i>	Project No. 5590		
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					
To Jim Bowman Construction Co., L.P., increasing the contract by \$98,314, for Railroad Quiet Zone Improvements, Change Order No. 1. (Original Bid No. 2008-167-B)					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP					
FISCAL YEAR:	2008-09	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	790,000	30,000	820,000
Encumbered/Expended Amount		0	-127,000	0	-127,000
This Item		0	-98,314	0	-98,314
BALANCE		0	564,686	30,000	594,686
FUND(S): WATER CIP					
COMMENTS: Funds are included in the 2008-09 Water CIP. This item, in the amount of \$98,314, will leave a current year balance of \$564,686 for the 14 th Street – Shiloh to Park Vista project.					
STRATEGIC PLAN GOAL: Water line replacement relates to the City's Goal of Livable and Sustainable Community.					
SUMMARY OF ITEM					
This change order is for revising the scope of work to include the construction of a 12-inch water line in Park Vista Road that needs to be constructed before the quiet zone improvements can be constructed.					
Staff recommends approval of Change Order No. 1. The contract total will be \$566,519.00, which includes change orders of 21.0% of the original contract amount of \$468,205.00.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Change Order No. 1			N/A		
Location Map					

CHANGE ORDER NO. 1

**RAILROAD QUIET ZONE IMPROVEMENTS
PROJECT NO. 5590
PURCHASE ORDER NO. 103529
CIP NO. 37753; BID NO. 2008-167-B**

A. INTENT OF CHANGE ORDER

The intent of this change order is to modify the provisions of the contract entered into by the **CITY OF PLANO, TEXAS**, and **JIM BOWMAN CONSTRUCTION CO., L.P.**, for the Railroad Quiet Zone Improvement Project, dated June 23, 2008.

B. DESCRIPTION OF CHANGE

The change order is for the installation of a 12-inch water line. The water line needs to be installed before the quiet zone work can be constructed at Park Vista Road.

C. EFFECT OF CHANGE

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

ITEM NO.	ITEM DESCRIPTION	ORIGINAL QUANTITY	REVISED QUANTITY	UNIT	UNIT PRICE	AMOUNT OF CHANGE
101	12" Water Line	0	425	LF	\$ 61.00	\$25,925.00
102	24" Steel Casing by Boring	0	105	LF	\$ 310.00	\$32,550.00
103	Fire Hydrant with Lead & GV	0	1	EA	\$ 5,950.00	\$5,950.00
104	12" x 12" Tapping Sleeve & Valve	0	1	EA	\$ 3,700.00	\$3,700.00
105	12" Gate Valve	0	2	EA	\$ 2,700.00	\$5,400.00
106	Concrete Encasement	0	39	LF	\$ 51.00	\$1,989.00
107	Fittings	0	0.5	TON	\$ 20,800.00	\$10,400.00
108	Bollards	0	2	EA	\$ 450.00	\$900.00
109	Tree Removal	0	1	LS	\$ 2,000.00	\$2,000.00
110	Erosion Control	0	1	LS	\$ 2,000.00	\$2,000.00
111	Traffic Control	0	1	LS	\$ 500.00	\$500.00
112	Allowance for Railroad Flagman (1)	0	1	LS	\$ 7,000.00	\$7,000.00
(1) City will pay actual cost plus 15%						
TOTAL:						\$98,314.00

Original Contract Amount	\$ 468,205.00
Contract Amount (Including Previous Change Orders)	\$ 468,205.00
Amount, Change Order No. 1	\$ 98,314.00
Revised Contract Amount	\$ <u>566,519.00</u>
Total Percent Increase Including Previous Change Orders	21.00%

D. EFFECT OF CHANGE ON CONTRACT TIME

The work required under this change order will add 10 day(s) to this project:

Original Contract Time	70 working days
Amount (Including Previous Change Orders)	70 working days
Amount, Change Order No. 1	10 working days
Revised Contract Time	<u>80</u> working days
Total Percent Increase Including Previous Change Orders	14.29%

E. AGREEMENT

By the signatures below, duly authorized agents of the **CITY OF PLANO, TEXAS**, and **JIM BOWMAN CONSTRUCTION CO., L.P.**, do hereby agree to append this Change Order No.1 to the original contract between themselves, dated June 23, 2008.

OWNER: CITY OF PLANO

**CONTRACTOR: JIM BOWMAN
CONSTRUCTION COMPANY, L.P., a
Texas Limited Partnership**

**BY: JIM BOWMAN GP, LLC, a
Texas Limited Liability
Company, its General Partner**

By: _____
(signature)

By: _____
(signature)

Print Name: Thomas H. Muehlenbeck

Print Name: Jim Bowman

Print Title: City Manager

Print Title: Sole Manager

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Diane C. Wetherbee, City Attorney

ACKNOWLEDGMENTS

STATE OF TEXAS §
§
COUNTY OF COLLIN §

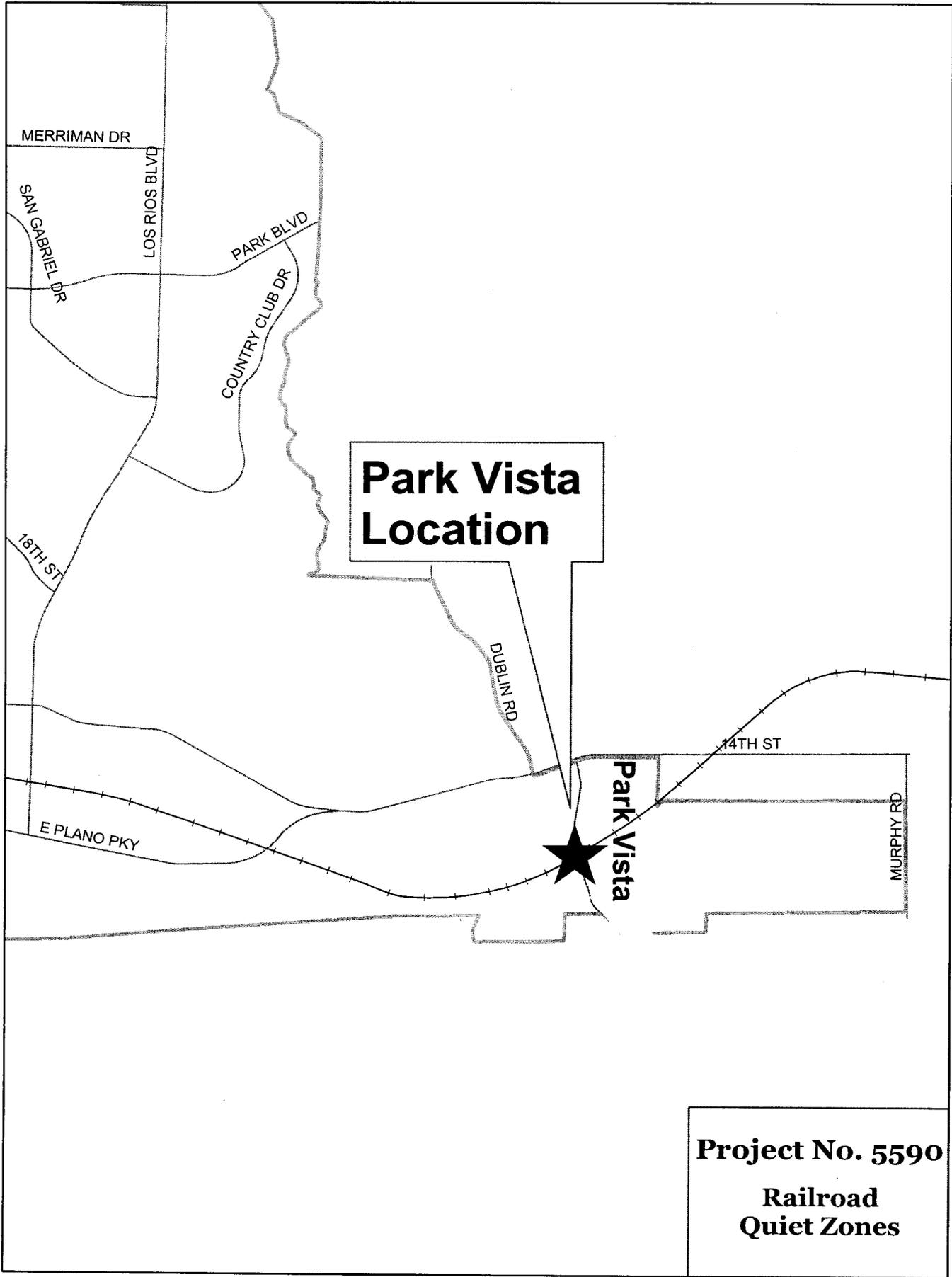
This instrument was acknowledged before me on the _____ day of _____, 2009, by **JIM BOWMAN, SOLE MANAGER** of **JIM BOWMAN GP, L.L.C.**, a Texas Limited Liability Company, General Partner of **JIM BOWMAN CONSTRUCTION COMPANY, L.P.**, a **TEXAS** Limited Partnership, on behalf of said limited partnership.

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2009, by **THOMAS H. MUEHLENBECK, CITY MANAGER** of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

Notary Public, State of Texas





CITY OF PLANO COUNCIL AGENDA ITEM

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: 03/23/09		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	Public Works & Engineering		Initials	Date
Department Head	Alan L. Upchurch		Assistant City Manager	
Dept Signature:	<i>Alan L. Upchurch</i>		Deputy City Manager <i>[Signature]</i>	
		City Manager <i>[Signature]</i>		<i>3/16/09</i> <i>3/16/09</i>
Agenda Coordinator (include phone #):		Irene Pegues (7198)	Project No. 5629	
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				
To Tiseo Paving Company, increasing the contract by \$355,064, for the Parkwood Boulevard Widening, Park Boulevard to Spring Creek Parkway, Change Order No. 2 (Original Bid No. 2007-208-B)				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: 2008-09	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	2,732,458	1,384,542	0	4,117,000
Encumbered/Expended Amount	-2,732,458	-1,295,661	0	-4,028,119
This Item	0	-355,064	0	-355,064
BALANCE	0	-266,183	0	-266,183
FUND(S): STREET IMPROVEMENT CIP				
COMMENTS: Funds are included in the 2008-09 Street Improvement CIP. This change order, in the amount of \$355,064, will exceed the current year balance by \$266,183 for the Parkwood – Park to Spring Creek project. The overage will be funded through savings and reallocation from the 15 th Street – G Avenue to I Avenue and Hayfield, Mortonvale & Thunderbird projects.				
STRATEGIC PLAN GOAL: Street construction relates to the City's Goals of Safe, Efficient Travel.				
SUMMARY OF ITEM				
This change order is for increasing the scope of work and revising the quantities.				
Staff recommends approval of Change Order No. 2. The contract total will be \$4,581,283.67, which includes change orders of 10.5% of the original contract amount of \$4,145,990.86.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Change Order No. 2		N/A		
Location Map				

CHANGE ORDER NO. 2

**PARKWOOD BOULEVARD WIDENING
PARK BOULEVARD TO SPRING CREEK
PROJECT NO. 5629
PURCHASE ORDER NO. 103382
CIP NO. 31449 & 68183
BID NO. 2007-208-B**

A. INTENT OF CHANGE ORDER

The intent of this change order is to modify the provisions of the contract entered into by the **CITY OF PLANO, TEXAS**, and **TISEO PAVING COMPANY** for the **PARKWOOD BOULEVARD WIDENING PARK BOULEVARD TO SPRING CREEK PROJECT**, dated **OCTOBER 22, 2007**.

B. DESCRIPTION OF CHANGE

The change order is to incorporate change of quantities as well as to add additional items of work.

C. EFFECT OF CHANGE

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

ITEM NO.	ITEM DESCRIPTION	ORIGINAL QUANTITY	REVISED QUANTITY	UNIT	UNIT PRICE	AMOUNT OF CHANGE
3	Unclassified Excavation	21,309	21,614	CY	\$5.75	\$1,753.75
4	Concrete Saw Cut	19,466	19,763	LF	\$3.50	\$1,039.50
5	Remove Conc Pav Inc Curb	6296	6626	LF	\$5.40	\$1,782.00
6	Remove Existing Conc Sidewalk	1700	1870	SF	\$0.40	\$68.00
11	Compost/Mulch Ground Cover	8.6	8.7	AC	\$15,825.00	\$1,582.50
15	Salvage Brick Pavers	7347	7407	SF	\$1.50	\$90.00
16	10" Conc Pav W/Curb	4019	4343.93	SY	\$37.00	\$12,022.41
16A	10" Conc Pav W/Curb	0	238	SY	\$49.50	\$11,781.00
18	8" Conc Pav W/Curb	39799	39822	SY	\$23.85	\$548.55
21A	Hydrated Lime	1099	1160	Ton	\$105.00	\$6,405.00
24	Median Nose Greater than 6'	43	48	EA	\$750.00	\$3,750.00
26	Street Header	2088	2371	LF	\$10.00	\$2,830.00
27	Longitudinal Butt Joint	17452	19212	LF	\$5.00	\$8,800.00
29	Street Lighting Foundation	30	31	EA	\$952.75	\$952.75
30	2" PVC Street Light Conduit	5033	5253	LF	\$5.75	\$1,265.00
31	10' Recessed Curb Inlet	10	11	EA	\$2,450.00	\$2,450.00
52	Fire Hydrant	26	27	EA	\$2,675.00	\$2,675.00
87	Sodding-Bermuda (New Rd.)	23000	44120	SY	\$3.59	\$75,820.80
100	4" PVC Conduit Trenched	110	162	LF	\$12.10	\$629.20
101	4" PVC Conduit Bored	125	2388	LF	\$28.00	\$63,364.00
102	Ground Cable	20	860	LF	\$1.30	\$1,092.00
103	20C #14 AWG Traffic Signal Cable	640	845	LF	\$4.50	\$922.50
106	Opticom Detector Cable	640	1365	LF	\$1.25	\$906.25
	Irrigation Rehab (No Tree Removal)	0	1	LS	\$1,500.00	\$1,500.00
	Remove Exist Light Foundation	0	1	LS	\$500.00	\$500.00
	Remobilization	0	1	LS	\$2,500.00	\$2,500.00
	4" Non Ref White Buttons	0	150	EA	\$3.00	\$450.00
	4" Refl Pav Sq Marker Ty 1C	0	50	EA	\$3.00	\$150.00
	6" NON REF W JBT	0	20	EA	\$18.00	\$360.00
	6" REF JBT TY IC	0	22	EA	\$20.00	\$440.00
	6" NON REF Y JBT	0	32	EA	\$18.00	\$576.00
	6" REF JBT TY II AA	0	34	EA	\$20.00	\$680.00
	4" REF TY II BB	0	42	EA	\$6.00	\$252.00
	3'x6' W/Thermo Crosswalk	0	42	EA	\$50.00	\$2,100.00
	24" W Thermo Stop Bar	0	175	LF	\$4.15	\$726.25
	Arrow W/Thermo	0	4	EA	\$82.50	\$330.00
	Elim Exist 4" Marker & Buttons	0	300	EA	\$1.25	\$375.00
	Elim Exist 6" JBT	0	64	EA	\$4.60	\$294.40
	Elim Exist Arrow Thermo	0	2	EA	\$65.00	\$130.00
	Elim Exist 24" Stop Bar	0	107	LF	\$4.60	\$492.20
	Barricades Windhaven to Spring Creek	0	1	Mo	\$4,250.00	\$4,250.00
	Extra Ditch, Pipe & Berm (Haggard)	0	1	LS	\$13,000.00	\$13,000.00
	36" No Climb Fence W/2 Strands B Wire	0	9535	LF	\$9.80	\$93,443.00
	24' Double Swing Gate	0	4	EA	\$1,875.00	\$7,500.00
	New Electrical Service	0	1	LS	\$3,250.00	\$3,250.00
	2" PVC SCH 40 Conduit (Bore)	0	122	LF	\$23.00	\$2,806.00
	#6 Insulated Wire	0	1720	LF	\$1.90	\$3,268.00
	HMAC	0	60	Ton	\$147.35	\$8,841.00
	Dead End Guard Rail W/Wood Post	0	90	LF	\$48.00	\$4,320.00
	TOTAL:					\$355,064.06

Original Contract Amount	<u>\$ 4,145,990.86</u>
Contract Amount (Including Previous Change Orders)	<u>\$ 4,226,219.61</u>
Amount, Change Order No. 2	<u>\$ 355,064.06</u>
Revised Contract Amount	<u>\$ 4,581,283.67</u>
Total Percent Increase Including Previous Change Orders	<u>10.50%</u>

D. EFFECT OF CHANGE ON CONTRACT TIME

The work required under this change order will add **90** days to this project:

Original Contract Time	<u>200 working days</u>
Amount (Including Previous Change Orders)	<u>230 working days</u>
Amount, Change Order No. 2	<u>90 working days</u>
Revised Contract Time	<u>320 working days</u>
Total Percent Increase Including Previous Change Orders	<u>60.00%</u>

E. AGREEMENT

By the signatures below, duly authorized agents of the **CITY OF PLANO, TEXAS**, and **TISEO PAVING COMPANY**, do hereby agree to append this Change Order No. 2 to the original contract between themselves, dated **OCTOBER 22, 2007**.

OWNER: CITY OF PLANO

CONTRACTOR: TISEO PAVING COMPANY

By: _____
(signature)

By: _____
(signature)

Print
Name: Thomas H. Muehlenbeck

Print
Name: Robert Caudill

Print
Title: CITY MANAGER

Print
Title: VICE PRESIDENT

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Diane C. Wetherbee, City Attorney

ACKNOWLEDGMENTS

**STATE OF TEXAS §
 §
COUNTY OF DALLAS §**

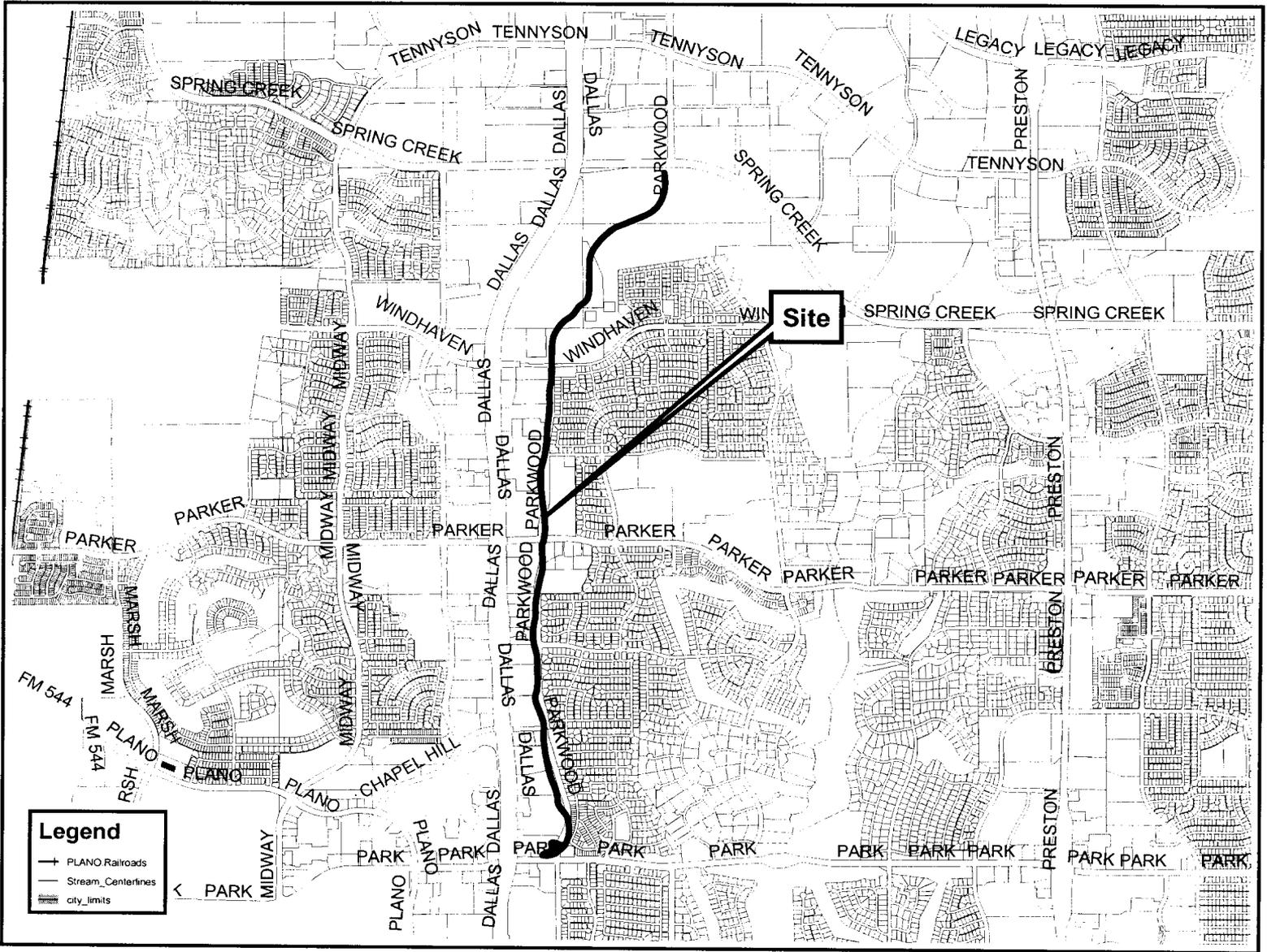
This instrument was acknowledged before me on the _____ day of _____, 2009, by **ROBERT CAUDILL, VICE PRESIDENT** of **TISEO PAVING COMPANY**, a **TEXAS** corporation, on behalf of said corporation.

Notary Public, State of Texas

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

This instrument was acknowledged before me on the _____ day of _____, 2009, by **THOMAS H. MUEHLENBECK, CITY MANAGER** of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

PARKWOOD BLVD. WIDENING -PARK TO SPRING CREEK PROJECT NO. 5629



CITY OF PLANO
ENGINEERING 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: 3/23/09		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Purchasing			Initials
Department Head	Mike Ryan	Assistant City Manager	3-13-09	
Dept Signature:	<i>Zahid Khan</i>	Deputy City Manager	3/13/09	
		City Manager	3/12/09	
Agenda Coordinator (include phone #): Zahid Khan Ext.7376				
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 - MODIFICATION				
CAPTION				
A modification of a Council agenda item approved on August 13, 2007 to replace the references "Texas Building and Procurement Commission" and State Contract # 985-A6 to "Buy Board" and Buy Board Contract # 231-05.				
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
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
FUND(S): OFFICE SERVICES FUND(063)				
COMMENTS: 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 BUDGETED APPROPRIATIONS FOR EQUIPMENT LEASE/RENTAL. 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				
Original agenda item indicated the utilization of Texas State Contract # 985-A6. This agenda item should have indicated utilization of Cooperative Buy Board Contract # 231-05. This signed contract is for a thirty six (36) month lease.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
1. Copy of Council Agenda J-1 dated on 08/13/2007				



**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	
Department Head	Billie Clayton x5196	Executive Director	<i>[Signature]</i>	07.31.07	
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	8/11/07	
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					
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					
<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 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**

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: 3/23/09		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	Purchasing Department			Initials
Department Head	Mike Ryan	Assistant City Manager	<i>JK</i>	Date
Dept Signature:	<i>Diane Palmer</i>	Deputy City Manager	<i>[Signature]</i>	<i>3-17-09</i>
		City Manager	<i>[Signature]</i>	<i>3-17-09</i>
Agenda Coordinator (include phone #): Diane Palmer Ex. 7136				
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 EXPENDITURE				
CAPTION				
Pursuant to RFP No. 2008-107-B, approved by City Council on July 28, 2008, increase expenditure amount by \$227,100.00 from \$83,850.00 to \$310,950.00, due to miscalculation of Roadway Solutions bid to connect MESH devices to the Wireless Network.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR:	2008-09	Prior Year (CIP Only)	Current Year	Future Years
Budget		12,011,981	8,488,019	0
Encumbered/Expended Amount		-12,011,981	-6,768,623	0
This Item		0	-227,100	0
BALANCE		0	1,492,296	0
FUND(S): TECHNOLOGY IMPROVEMENTS (CO'S / TAX NOTES)				
COMMENTS: Funds are available from the 2007 and 2008 Tax Notes Sales. This item, in the amount of \$227,100, modifies the current funding of \$83,850 and increases it to \$310,950 which brings the funding in line with the contract and will leave a current year balance of \$1,492,296 for the Moto Mesh Project.				
STRATEGIC PLAN GOAL: A wireless portable tower for the wireless mesh network relates to the City's Goal of Service Excellence.				
SUMMARY OF ITEM				
Staff requests Council approval of this additional expenditure amount of \$227,100 to Roadway Solutions. There was a miscalculation in the unit price extension for materials needed for project completion. RFP No. 2008-107-B.				
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:	3/23/09	Reviewed by Legal <i>JWT</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Police Department		Initials	Date
Department Head	Gregory W. Rushin	Assistant City Manager	<i>[Signature]</i>	0304-09 3/4/09
Dept Signature:	<i>[Signature]</i>	Deputy City Manager		
		City Manager		
Agenda Coordinator (include phone #): Mary Wright x2410				
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				
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, SUPPORTING A COMPREHENSIVE COORDINATED, INTERAGENCY APPROACH TO FREEWAY INCIDENT MANAGEMENT, 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:				
SUMMARY OF ITEM				
The City Council supports the implementation of a multi-agency approach of "best practices" for Freeway Incident Management techniques, which will help protect the health, safety and welfare of the citizens of Plano, while also reducing congestion on affected roadways and improve the safety of incident responders.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Resolution Memo and Letter from North Texas Council of Governments (Regional Transportation Council)				



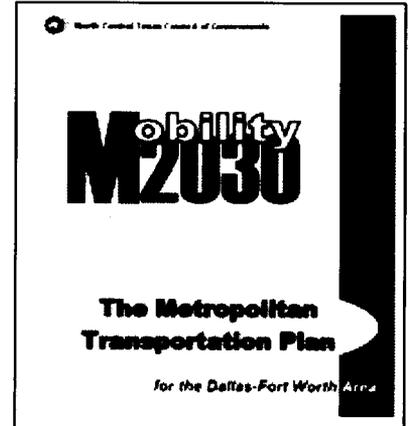
P.O. Box 860358
Plano, Texas 75086-0358
972-424-5678
Fax 972-424-0099
<http://www.planopolice.org>

MEMORANDUM

DATE: February 27, 2009
TO:  Gregory W. Rushin, Chief of Police
FROM:  Glenn Cavin, Administrative Lieutenant to the Chief
SUBJECT: Resolution Proposal / Freeway Incident Management Compliance

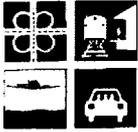
During the past several years, the Dallas-Fort Worth area has experienced tremendous population growth, with a corresponding increase in the daily volume of vehicles on our freeways. As a consequence, travel time for area commuters has increased by an average of 35 percent, vehicle emission levels have risen to unacceptable levels, and an estimated \$4.2 billion in productivity is lost each year due to traffic congestion.

The North Texas North Central Texas Council of Governments (NCTCOG) has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law. The Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments and has been and continues to be the regional forum for cooperative decisions on transportation. Reducing traffic congestion and its related impacts on air quality, energy, safety, and the quality of life are primary goals of Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth Area.



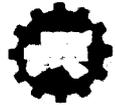
The RTC believes that multi-agency coordination and the implementation of "best practices" Freeway Incident Management techniques will reduce congestion on affected roadways and improve the safety of incident responders. On October 9, 2008, the RTC adopted Resolution R08-10, which includes several recommendations supporting a comprehensive, coordinated, interagency approach to freeway incident management, and has encouraged all Dallas Fort-Worth Metropolitan Cities to comply with the terms of this resolution. On November 4, 2008, the RTC sent a letter to all mayors of cities with freeways or toll roads within their jurisdiction, requesting a copy of any resolution ordinance that may have been adopted in accordance with Resolution R08-10.

To ensure absolute consistency with existing procedures and practices; "Section 5." and "Section 7." of the original RTC resolution have been omitted from the version being presented to City Council; however, the City of Plano has already implemented a majority of the RTC recommendations, with support of the Police, Fire, Transportation Engineering, Public Works, and Public Safety Communications Departments. Our comprehensive Freeway Incident Management strategy has been accomplished primarily through training of Police and Fire Supervisors; contract specifications with the local wrecker service provider; and strengthening of existing Police and Fire Department policies & procedures. In conjunction with the North Central Texas Council of Governments and surrounding cities, the Plano Police Department thereby supports the passage of this proposed resolution.



Regional Transportation Council

The Transportation Policy Body for the North Central Texas Council of Governments
(Metropolitan Planning Organization for the Dallas-Fort Worth Region)



TO: Texas Transportation Commission
Texas Department of Transportation
Dallas and Fort Worth Districts
North Texas Tollway Authority
Dallas/Fort Worth International Airport
Counties Within the Metropolitan Planning Organization
Cities Having Freeways and Toll Roads Within Their Jurisdiction

DATE: November 4, 2008

FROM: Michael Morris, P.E.
Director of Transportation

SUBJECT: Transmittal of Regional Transportation Council Approved Resolution Supporting A
Comprehensive, Coordinated, Interagency Approach to Freeway Incident
Management (R08-09)

Please find enclosed the Regional Transportation Council (RTC) Resolution Supporting A
Comprehensive, Coordinated, Interagency Approach To Freeway Incident Management
(R08-10) approved at the October 9, 2008, RTC meeting. This resolution is included as
Attachment 1.

If you have any questions, please contact me or the Freeway Incident Management Project
Manager, Sonya Jackson, at sjackson@nctcog.org or (817) 695-9273.

Sincerely,

Michael Morris

SJ:bw
Attachment

cc: Amadeo Saenz, Jr., P.E., Executive Director, TxDOT
County Commissioners
County Administrators

**RESOLUTION SUPPORTING A COMPREHENSIVE, COORDINATED, INTERAGENCY
APPROACH TO FREEWAY INCIDENT MANAGEMENT
(R08-10)**

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments and has been and continues to be the regional forum for cooperative decisions on transportation; and,

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) assigns the MPO the responsibility for carrying out the metropolitan planning process, in cooperation with the State and public agencies; and,

WHEREAS, regionwide, commuters have experienced a 35 percent increase in travel time due to congestion, resulting in unacceptable levels of vehicle emissions and \$4.2 billion in lost productivity due to traffic congestion annually; and,

WHEREAS, reducing traffic congestion and its related impacts on air quality, energy, safety, and the quality of life are primary goals of Mobility 2030: The Metropolitan Transportation Plan for the Dallas Fort Worth Area; and,

WHEREAS, congestion mitigation is an integral element of The Metropolitan Transportation Plan, with a total program cost of approximately \$3.1 billion, and congestion mitigation strategies are intended to decrease congestion in the Dallas-Fort Worth Metropolitan Area; and,

WHEREAS, multi-agency coordination and the implementation of "best practices" Freeway Incident Management techniques reduce congestion on affected roadways and improve the safety of incident responders.

NOW, THEREFORE, BE IT RESOLVED THAT:

- Section 1.** The Regional Transportation Council (RTC) supports the quick detection and clearance of traffic incidents using state-of-the-art traffic surveillance, traveler notification, and crash investigation equipment.
- Section 2.** The RTC encourages all personnel involved in freeway incident management to be trained in NCTCOG training classes, opportunities, and exercises that promote the objectives within this resolution—a common, comprehensive approach that maintains the safety of incident responders and travelers, while minimizing clearance time.
- Section 3.** The RTC supports an enhanced geographic information systems (GIS) based incident location system that will aid incident reporters and responders in the timely detection and verification of incidents.

Section 4. The RTC supports a uniform policy whereby law enforcement agency personnel may remove personal property from a roadway or right-of-way, without the consent of the owner or carrier of the property, if the agency determines that the property blocks the roadway or endangers public safety.

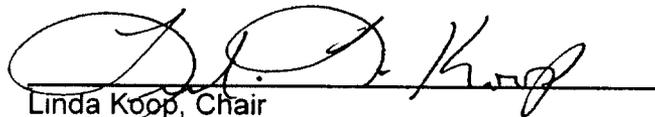
Section 5. The RTC encourages local governments to adopt a towing ordinance that mandates the arrival of appropriate equipment within a specified time limit and instructs staff to inventory towing ordinance policies impacting freeway and toll road facilities.

Section 6. The RTC supports consistent, coordinated operational strategies for all major freeway and toll road projects that include quick incident clearance practices, and that these strategies be consistently adopted prior to major freeway and toll road improvement expenditures in order to ensure that the expected mobility benefits are realized.

Section 7. The RTC may consider compliance with this resolution when considering future Regional Transportation Council funding actions.

Section 8. This resolution shall be transmitted to the Texas Transportation Commission, Texas Department of Transportation Dallas and Fort Worth Districts, the North Texas Tollway Authority, Dallas/Fort Worth International Airport, counties within the Metropolitan Planning Organization planning boundary, and cities having freeways and toll roads within their jurisdiction.

Section 9. This resolution shall be in effect immediately upon its adoption.



Linda Koop, Chair
Regional Transportation Council
Councilmember, City of Dallas

I hereby certify that this resolution was adopted by the Regional Transportation Council of the North Central Texas Council of Governments for the Dallas-Fort Worth Metropolitan Area on October 9, 2008.



Ron Natinsky, Secretary
Regional Transportation Council
Councilmember, City of Dallas

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS,
SUPPORTING A COMPREHENSIVE COORDINATED, INTERAGENCY APPROACH
TO FREEWAY INCIDENT MANAGEMENT, AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments and has been and continues to be a forum for cooperative decisions on transportation; and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) assigns the MPO the responsibility for carrying out the metropolitan planning process, in cooperation with the State and public agencies; and

WHEREAS, regionwide, commuters have experienced a 35 percent increase in travel time due to congestion, resulting in unacceptable levels of vehicle emissions and \$4.2 billion lost productivity due to traffic congestion annually, and,

WHEREAS, reducing traffic congestion and its related impacts on air quality, energy, safety, and the quality of life are primary goals of Mobility 2030: The Metropolitan Transportation Plan for the Dallas Fort Worth Area; and

WHEREAS, congestion mitigation is an integral element of the Metropolitan Transportation Plan, with a total program cost of approximately \$3.1 billion, and congestion mitigation strategies are intended to decrease congestion in the Dallas-Fort Worth Metropolitan Area; and

WHEREAS, multi-agency coordination and the implementation of "best practices" Freeway Incident Management techniques reduce congestion on affected roadways and improve the safety of incident responders.

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

Section 1. The City of Plano supports the quick detection and clearance of traffic incidents using state-of-the-art traffic surveillance, traveler notification, and crash investigation equipment.

Section 2. The City of Plano encourages all personnel involved in freeway incident management to be trained in NCTCOG training classes, opportunities, and exercises that promote the objectives within this resolution - a common, comprehensive approach that maintains the safety of incident responders and travelers, while minimizing clearance time.

Section 3. The City of Plano supports an enhanced geographic information system (GIS) based incident location system that will aid incident reporters and responders in the timely detection and verification of incidents.

Section 4. The City of Plano supports a uniform policy whereby law enforcement agency personnel may remove personal property from a roadway or right-of-way, without the consent of the owner or carrier of the property, if the agency determines that the property blocks the roadway or endangers public safety.

Section 5. The City of Plano supports consistent, coordinated operational strategies for all major freeway and toll road projects that include quick incident clearance practices, and that these strategies be consistently adopted prior to major freeway and toll road improvement expenditures in order to ensure that the expected mobility benefits are realized.

Section 6. This resolution shall be transmitted to the North Central Texas Council of Governments, Texas Transportation Commission, Texas Department of Transportation District, the North Texas Tollway Authority, Dallas / Fort Worth International Airport, counties within the Metropolitan Planning Organization planning boundary, and cities having freeways and toll roads within their jurisdiction.

Section 7. This resolution shall become effective immediately upon its adoption.

DULY PASSED AND APPROVED this the ____ day of _____, 2009.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

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:		3/23/09	Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Legal			Initials	Date
Department Head	Diane Wetherbee		Assistant City Manager		
Dept Signature:	<i>Diane Wetherbee</i>		Deputy City Manager		
			City Manager		
Agenda Coordinator (include phone #):				Lynne Jones - 7109	
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					
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, FINDING JAMEY CANTRELL AND DONALD STEVENSON ARE ENTITLED TO DEFENSE REPRESENTATION PURSUANT TO CITY CODE OF ORDINANCES IN CONNECTION WITH THE MATTER OF ANIMAL GUARDIANS OF AMERICA AND DAVID WACASER V. CITY OF PLANO, ET AL.; 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:					
SUMMARY OF ITEM					
This Resolution provides defense representation for Jamey Cantrell and Donald Stevenson in the above matter pursuant to Section 2-10 of the City of Plano Code of Ordinances					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
n/a			n/a		

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, FINDING JAMEY CANTRELL AND DONALD STEVENSON ARE ENTITLED TO DEFENSE REPRESENTATION PURSUANT TO CITY CODE OF ORDINANCES IN CONNECTION WITH THE MATTER OF ANIMAL GUARDIANS OF AMERICA AND DAVID WACASER V. CITY OF PLANO, ET AL.; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has reviewed the matter entitled Animal Guardians of America and David Wacaser v. City of Plano, et al. and finds that defense representation is appropriate for Jamey Cantrell and Donald Stevenson pursuant to Section 2-10 of the City Code of Ordinances.

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

Section I. The City Council finds that based upon the pleadings in the above-referenced lawsuit, the defense representation for Jamey Cantrell and Donald Stevenson is appropriate pursuant to the terms of City Code of Ordinances Section 2-10.

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

DULY PASSED AND APPROVED this the _____ day of _____, 2009.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

m-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 <i>C.S.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
Council Meeting Date: 3/23/09		Reviewed by Legal <i>[Signature]</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Human Resources		Initials	Date
Department Head	Lashon Ross		<i>[Signature]</i>	3-11-09
Dept Signature:		Assistant City Manager	<i>[Signature]</i>	3-11-09
		Deputy City Manager	<i>[Signature]</i>	3/13/09
		City Manager		
Agenda Coordinator (include phone #): Stacey D. Stagich, ext. 7296				
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 ORDINANCE NO. 2008-11-25; ESTABLISHING THE NUMBER OF CERTAIN CLASSIFICATIONS WITHIN THE POLICE AND FIRE DEPARTMENTS FOR FISCAL YEAR 2008-09; ESTABLISHING THE AUTHORIZED NUMBER AND EFFECTIVE DATES OF SUCH POSITIONS FOR EACH CLASSIFICATION EFFECTIVE OCTOBER 1, 2008, NOVEMBER 24, 2008 AND MARCH 23, 2009 RESPECTIVELY; ESTABLISHING A SALARY PLAN FOR THE POLICE AND FIRE DEPARTMENTS EFFECTIVE OCTOBER 27, 2008; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.				
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				
Requesting approval of 2008-09 Civil Service compensation and classification plan.				
List of Supporting Documents: Attachments A and B		Other Departments, Boards, Commissions or Agencies		

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLANO, TEXAS REPEALING ORDINANCE NO. 2008-11-25; ESTABLISHING THE NUMBER OF CERTAIN CLASSIFICATIONS WITHIN THE POLICE AND FIRE DEPARTMENTS FOR FISCAL YEAR 2008-09; ESTABLISHING THE AUTHORIZED NUMBER AND EFFECTIVE DATES OF SUCH POSITIONS FOR EACH CLASSIFICATION EFFECTIVE OCTOBER 1, 2008, NOVEMBER 24, 2008 AND MARCH 23, 2009 RESPECTIVELY; ESTABLISHING A SALARY PLAN FOR THE POLICE AND FIRE DEPARTMENTS EFFECTIVE OCTOBER 27, 2008; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, on November 24, 2008 by Ordinance No. 2008-11-25; the City Council of the City of Plano, Texas, established classification and salaries for each of the sworn personnel positions within the Police and Fire Departments of the City of Plano; and

WHEREAS, the City Council has since reviewed the classification positions within the rank of Police Officer of the City of Plano and is of the opinion that such position should be decreased effective March 23, 2009, as reflected on Exhibit "A" attached hereto; and

WHEREAS, in compliance with Chapter 143 of the Texas Local Government Code, V.T.C.A., as amended, the City Council desires to adopt the specified number of positions effective October 1, 2008, November 24, 2008 and March 23, 2009 respectively, and the classification and salary plan for the sworn personnel of the Police and Fire Departments of the City of Plano, Texas as set forth in attached Exhibits "A" and "B" with such salary plan effective October 27, 2008.

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

Section I. Ordinance No. 2008-11-25 duly passed and approved by the City Council of the City of Plano, Texas on November 24, 2008 is repealed in its entirety effective March 23, 2009.

Section II. The number of positions in the City of Plano Police and Fire Departments effective October 1, 2008, November 24, 2008 and March 23, 2009 respectively and the classification and salary plan of the City of Plano Police and Fire Departments for City of Plano fiscal year 2008-09, effective October 27, 2008, all as set out on attached Exhibit "A" and Exhibit "B", are hereby approved, adopted, and established.

Section III. Any and all advancements from one service plateau to the next, within the salary structure set out in Exhibit "A" and Exhibit "B", are hereby approved, adopted, and established, and shall thereafter be permitted at the start of the first payroll period following completion of the required number of continuous service months.

Section IV. All provisions of the Ordinances of the City of Plano, codified and 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. Upon passage, this Ordinance shall become effective March 23, 2009.

DULY PASSED AND APPROVED, this, the _____ day of _____, 2009.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane Wetherbee, CITY ATTORNEY

**CITY OF PLANO
2008-2009 CIVIL SERVICE
COMPENSATION PLAN
Effective 10/01/08**

FIRE

RANGE	POSITION	# Positions Effective	BASE				24 MOS. 4
			STEP:	1	2	3	
001	Fire Rescue Specialist**	10/01/08 - 195	Monthly:	4680	5010	5519	
		3/23/09 - 193	Annual:	56,161	60,118	66,228	
			Hourly:	19,2862	20,6451	22,7431	
002	Fire Apparatus Operator**	10/01/08 - 51	Monthly:	6153			
			Annual:	73,832			
			Hourly:	25,3544			
003	Lieutenant**	10/01/08 - 21	Monthly:	6838			
		11/24/08 - 24	Annual:	82,056			
			Hourly:	28,1787			
004	Captain**	10/01/08 - 42	Monthly:	7660			
		11/24/08 - 39	Annual:	91,922			
			Hourly:	31,5667			
005	Battalion Chief*	10/01/08 - 9	Monthly:	8708	9447		
			Annual:	104,493	113,366		
			Hourly:	50,2372	54,5027		
006	Assistant Fire Chief*	10/01/08 - 4	Monthly:	10,376			
			Annual:	124,515			
			Hourly:	59,8629			

* Hourly rate based on 2080 hours annually

** Hourly rate based on 2912 hours annually

n-4

**CITY OF PLANO
2008-2009 CIVIL SERVICE
COMPENSATION PLAN
Effective 10/01/08**

POLICE

RANGE	POSITION	# POSITIONS Effective	BASE							36 MOS.
			1	2	3	4	5	6	7	
001	Police Officer	10/01/08 - 290 03/23/09 - 287	Step:	4719	4878	5039	5262	5435	5620	5906
			Monthly:	56,631	58,540	60,470	63,140	65,218	67,445	70,869
			Annual:	27,2265	28,1442	29,0721	30,3559	31,3548	32,4256	34,0714
002	Sergeant	10/01/08 - 38	Step:	6704		6962				
			Monthly:	80,449		83,541				
			Annual:	38,6773		40,1640				
003	Lieutenant	10/01/08 - 13	Step:	7484		7933				
			Monthly:	89,810		95,193				
			Annual:	43,1778		45,7659				
004	Captain	10/01/08 - 4	Step:	8528		9039				
			Monthly:	102,334		108,468				
			Annual:	49,1990		52,1480				
005	Asst. Police Chief	10/01/08 - 1	Step:	9716		10,352				
			Monthly:	116,598		124,225				
			Annual:	56,0565		59,7235				

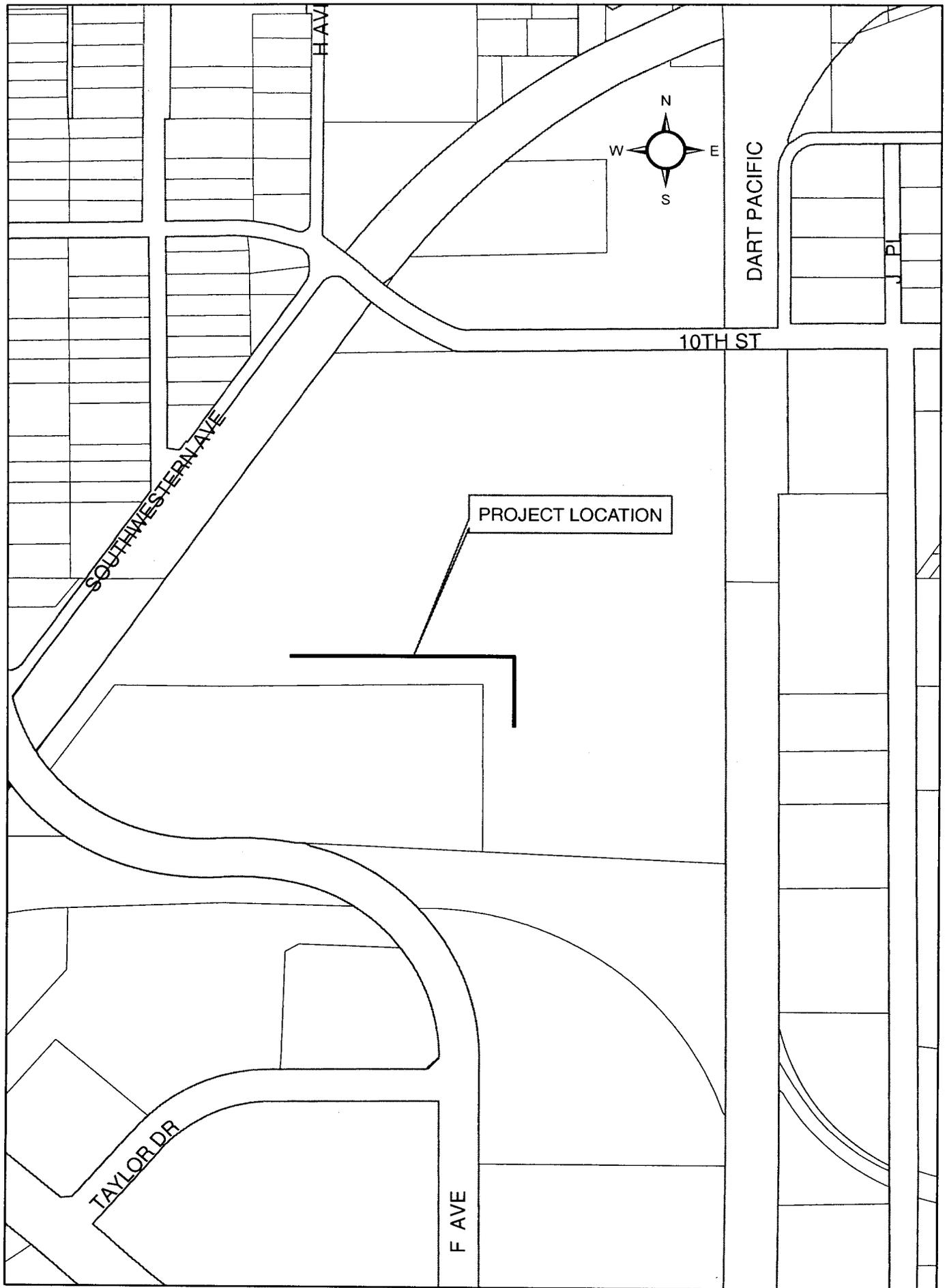
Recruit:
01A
Monthly: 4373
Annual: 52,474
Hourly: 25,2278



**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:	3/23/09	Reviewed by Legal <i>wh</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Public Works & Engineering		Initials	Date
Department Head	Alan L. Upchurch	Assistant City Manager		
Dept Signature:	<i>Alan Upchurch</i>	Deputy City Manager	<i>[Signature]</i>	<i>3/11/09</i>
		City Manager	<i>[Signature]</i>	<i>3/12/09</i>
Agenda Coordinator (include phone #):		Irene Pegues (7198) <i>[Signature]</i>		Proj #5956
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, abandoning all right, title and interest of the City, in and to a portion of that certain 15' Water Main Easement recorded in Volume 684, Page 657 of the Deed Records of Collin County, Texas, being situated in the Samuel Klepper Survey, Abstract No. 216, 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, Tenth Street Plano, L.P., to the extent of its interest; authorizing the City Manager or his authorized designee, to execute any documents deemed necessary; and providing an effective date.				
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				
With the redevelopment of the Capital Wire & Cable Addition, a new water line is being installed and a new easement dedicated. The existing easement is therefore no longer required.				
List of Supporting Documents: Location Map		Other Departments, Boards, Commissions or Agencies n/a		

15' WATER MAIN EASEMENT ON 10TH ST AND SOUTHWESTERN AVE



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, ABANDONING ALL RIGHT, TITLE AND INTEREST OF THE CITY, IN AND TO A PORTION OF THAT CERTAIN 15' WATER MAIN EASEMENT RECORDED IN VOLUME 684, PAGE 657 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, BEING SITUATED IN THE SAMUEL KLEPPER SURVEY, ABSTRACT NO. 216, 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, TENTH STREET PLANO, L.P., TO THE EXTENT OF ITS INTEREST; AUTHORIZING THE CITY MANAGER OR HIS AUTHORIZED DESIGNEE, TO EXECUTE ANY DOCUMENTS DEEMED NECESSARY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Plano has been requested to abandon all right, title and interest of the City in and to a portion of that certain 15' Water Main Easement (hereinafter called "Easement") recorded in Volume 684, Page 657 of the Deed Records of Collin County, Texas being situated in the Samuel Klepper Survey, Abstract No. 216, which is located within the City Limits of Plano, Collin County, Texas, and which is more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

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

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

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

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

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

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

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

DULY PASSED AND APPROVED this the 23rd day of March, 2009.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:



Diane C. Wetherbee, CITY ATTORNEY

ABANDONMENT
15' WATER MAIN EASEMENT
Part of Capital Wire and Cable Co.
Samuel Klepper Survey, Abstract No. 216
City of Plano, Collin County, Texas

DESCRIPTION, of a 10,944 square foot (0.251 acre) tract of land situated in the Samuel Klepper Survey, Abstract No. 216, Collin County, Texas; said tract being part of Capital Wire and Cable Co., an addition to the City of Plano, Texas according to the plat recorded in Cabinet G, Page 293 of the Map Records of Collin County, Texas and part of that certain tract of land described in Special Warranty Deed to Tenth Street BSF, LLC recorded in Instrument No. 20070219000227850 of the Official Public Records of Collin County, Texas; said tract also being part of that certain tract of land described as a 15-foot wide Water Main Easement in Easement to the City of Plano, Texas recorded in Volume 684, Page 657 of the Deed Records of Collin County, Texas; said 10,944 square foot tract of land being more particularly described as follows (bearing system for this survey is based on a bearing of South 88 degrees, 50 minutes, 41 seconds East for a south line of said Capital Wire and Cable Co.):

COMMENCING, at a "+" cut in concrete found at a reentrant corner of said Capital Wire and Cable Co. and the northwest corner of Lot 1, Block 1, Parkway Business Center II, an addition to the City of Plano, Texas according to the plat recorded in Cabinet E, Page 66 of said Map Records;

THENCE, South 88 degrees, 50 minutes, 41 seconds East, along a south line of said Capital Wire and Cable Co. and the north line of said Lot 1, Block 1, a distance of 169.64 feet to a point;

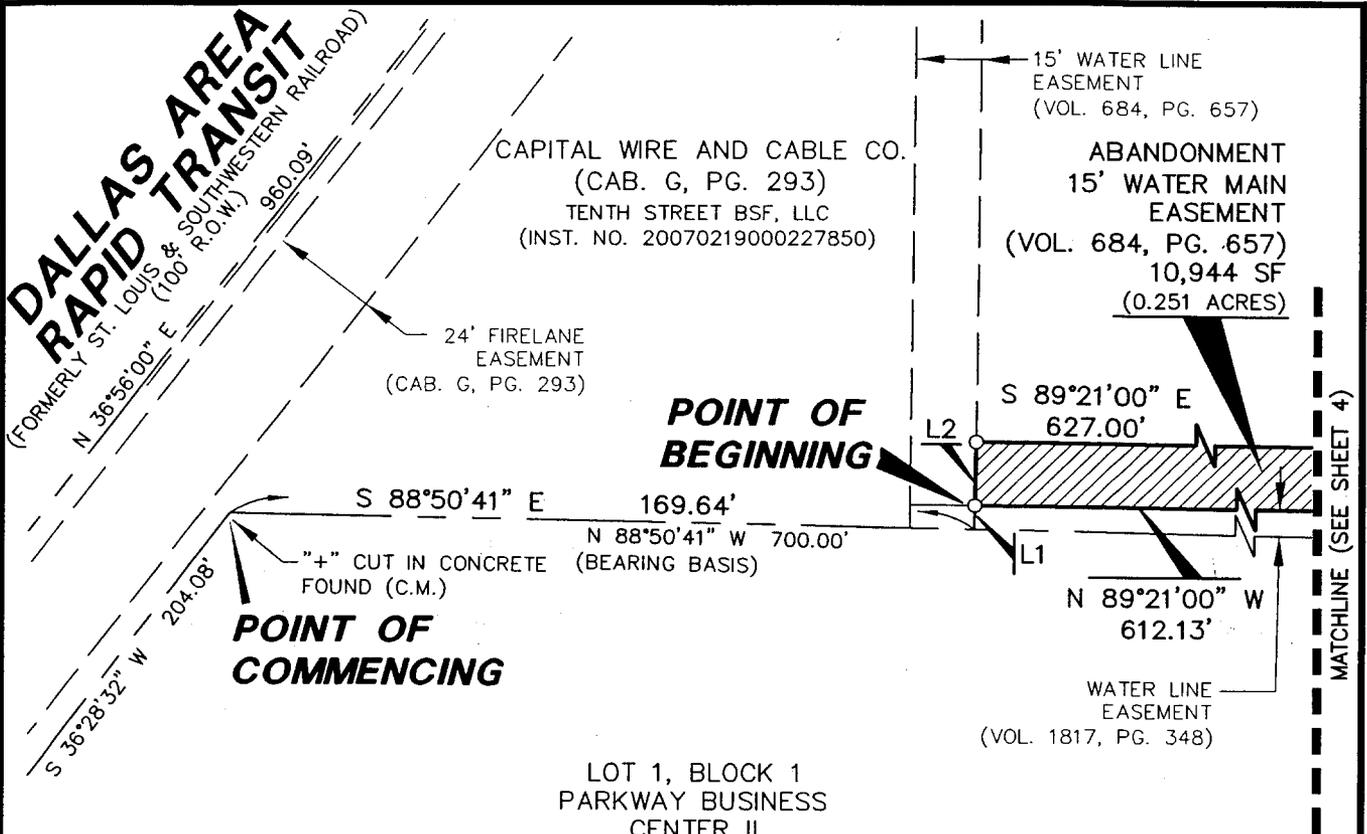
THENCE, North 01 degrees, 09 minutes, 19 seconds East, departing the said south line of Capital Wire and Cable Co. and the said north line of Lot 1, Block 1, a distance of 5.68 feet to the POINT OF BEGINNING (nothing found or set); said point being a southwest corner of said 15-foot wide Water Main Easement;

THENCE, North 01 degrees, 09 minutes, 19 seconds East, a distance of 15.00 feet to a point for corner (nothing found or set);

THENCE, South 89 degrees, 21 minutes, 00 seconds East, a distance of 627.00 feet to a point for corner (nothing found or set);

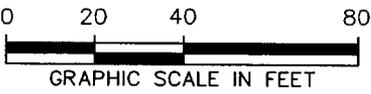
THENCE, South 00 degrees, 39 minutes, 00 seconds West, a distance of 117.50 feet to a point for corner (nothing found or set);

THENCE, North 89 degrees, 21 minutes, 00 seconds West, a distance of 15.00 feet to a point for corner (nothing found or set);



LOT 1, BLOCK 1
 PARKWAY BUSINESS
 CENTER II
 (CAB. E, PG. 66)
 RP INDUSTRIAL TEXAS, L.P.
 (VOL. 5502, PG. 5467)

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



LINE TABLE		
LINE	BEARING	LENGTH
L1	N 01°09'19" E	5.68'
L2	N 01°09'19" E	15.00'
L3	S 00°39'00" W	117.50'
L4	N 89°21'00" W	15.00'
L5	N 00°39'00" E	102.50'

- NOTES:
1. A legal description of even survey date herewith accompanies this plat of survey.
 2. Bearing system for this survey is based on a bearing of South 88 degrees, 50 minutes, 41 seconds East for a south line of Capital Wire and Cable Co., an addition to the City of Plano, Texas according to the plat recorded in Cabinet G, Page 293 of the Map Records of Collin County, Texas.

**ABANDONMENT
 15' WATER MAIN
 EASEMENT**

PART OF CAPITAL WIRE AND CABLE CO.,
 SAMUEL KLEPPER SURVEY, ABSTRACT NO. 216
 CITY OF PLANO, COLLIN COUNTY, TEXAS
 SHEET 3 OF 4

Pacheco Koch Consulting Engineers
 8350 N. CENTRAL EXPWY. SUITE 1000 DALLAS, TX. 75206 972.235.3031

DRAWN BY EMJ	CHECKED BY MCC	SCALE 1"=40'	DATE FEB. 2009	JOB NUMBER 2954-08.299
------------------------	--------------------------	------------------------	--------------------------	----------------------------------

M:\DWG-29\2954-08.299\DWG\2954-08.299EX5.DWG 02/18/2009 - 9:59AM EJOHNSON

6-7

PETITION FOR ABANDONMENT

[For Easement Abandonment]

We, the undersigned, (hereinafter "Owners"), being all of the owners of real property abutting **15' WATER MAIN EASEMENT** (hereinafter called "Easement"), more particularly described by metes and bounds in the field note description attached hereto and incorporated herein as **Exhibit "A"** do hereby request that the City of Plano, Texas (called "City") abandon the Easement.

1. The Owners are requesting the abandonment of the Easement for the following reasons:

THE EXISTING WATER MAIN INSIDE THE EASEMENT IS BEING ABANDONED.

2. The following public interest will be served as a result of the abandonment:

OWNER IS INSTALLING A NEW WATER LINE AND DEDICATING A NEW WATER EASEMENT.

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

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

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

100% OF THE PROPERTY IS OWNED BY TENTH STREET PLANO, L.P.

[Remainder of page blank]

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

Dated: March 5, 2009

Signature of Owner

Tenth Street Plano, L.P.
5055 Keller Springs Road
Addison, Texas 75001

By: Tenth Street Plano GP, LLC
Its General Partner

By: David Cartwright

Name: David Cartwright
Title: Vice President

Contact Person for Property Owners:

Name: David Cartwright
Phone No: (972) 280-8320

FOR DEPARTMENTAL USE ONLY

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

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



 Engineering Department
 City of Plano, Texas

PLAT AVAILABLE IN ENGINEERING



**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:	3/23/09	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	Budget		Initials	Date
Department Head	Karen Rhodes Whitley	Assistant City Manager	<i>[Signature]</i>	<i>3/17/09</i>
Dept Signature:		Deputy City Manager	<i>[Signature]</i>	<i>3/17/09</i>
		City Manager	<i>[Signature]</i>	<i>3/17/09</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 PRESENTATION				
CAPTION				
Presentation of the 2008-09 Status Report and Three-Year Financial Forecast to City Council.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2008-09	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

Plano, Texas

**2008-09 STATUS REPORT
AND
THREE-YEAR FINANCIAL FORECAST
Fiscal Year 2009-10 through 2011-12**

Pat Evans, Mayor
Place 6

Mayor Pro tem

Jean Callison
Place 7

Deputy Mayor Pro tem

Harry LaRosilliere
Place 5

Council Members

Pat Minor
Place 1

Scott Johnson
Place 2

Mabrie Jackson
Place 3

Sally Magnuson
Place 4

Lee Dunlap
Place 8

Thomas H. Muehlenbeck, City Manager

Karen Rhodes-Whitley, Director of Budget & Research

Casey Srader, Budget Manager

BUDGET & RESEARCH STAFF

Karen Rhodes-Whitley
Director of Budget & Research

Casey Srader
Budget Manager

Carla Rude
Sr. Budget Analyst

Elizabeth Dorrance
Sr. Budget Analyst

Steve Tillman
Budget Analyst II

Charles Morrisey
Budget Analyst I

Anita Bell
Budget & Grant Coordinator

This document was prepared by the City of Plano, Budget & Research Department.
For additional information, contact:

Budget & Research Department
City of Plano, Texas
P.O. Box 860358
Plano, TX 75086-0358
(972) 941-7194
www.plano.gov/departments/budget/

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B U D G E T & R E S E A R C H



March 23, 2009

Honorable Mayor & City Council
City of Plano
Plano, Texas 75074

Dear Mayor and Council Members:

I am pleased to present to you the City of Plano's Three-Year Financial Forecast for Fiscal Years 2009-10 through 2011-12. The purpose of this forecast is to review the status of the 2008-09 Budget and provide the City with the opportunity to take **A Look Ahead** into the future, identifying the challenges and opportunities facing the City of Plano over the next three years. The Three-Year Financial Forecast focuses on the General Fund, G.O. Debt Fund, and the City's major enterprise funds – Water & Sewer, Sustainability & Environmental Services, Municipal Drainage, Convention & Tourism, Municipal Golf Course, and Recreation Revolving.

The financial projections included in the forecast will become the foundation for the development of the 2009-10 Budget. With the identification of significant financial and non-financial trends and issues in this report, Council and Management can proceed in developing goals, objectives and priorities for the coming year as well as the next three years.

As we have heard from the media and other sources, cities across the country are being affected by the economic downturn. Companies are closing, unemployment data continues to rise and many cities in North Texas and the DFW Metroplex are projecting budget deficits now and in the coming years. The City of Plano is no different. We are projecting a General Fund budget deficit for Fiscal Year 2009-10 totaling \$13.5 million. In Fiscal Year 2010-11 this number increases to \$32.5 million and then \$31.1 million in Fiscal Year 2011-12. These deficit positions were anticipated last year and the City has worked diligently since the adoption of the FY 2008-09 Budget to identify core services and potential budget reductions for next year to address the shortfall.

Pat Evans
Mayor

Jean Callison
Mayor Pro Tem

Harry LaRosiliere
Deputy Mayor Pro Tem

Pat Miner
Place 1

Scott Johnson
Place 2

Mabrie Jackson
Place 3

Sally Magnuson
Place 4

Lee Dunlap
Place 8

Thomas H. Muehlenbeck
City Manager

P.O. Box 860358
Plano, Texas 75086-0358
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Keep in mind that every annual budget adopted by City Council is statutorily required to be balanced, so these unbalanced projected numbers reflect the work which must be done every year to get expenditures in line with revenues. The purpose of including a "deficit" or "additional revenues/expenditure reduction" line in this forecast is to reveal a structural imbalance that must be eliminated. Even though a deficit is identified, one of the keys to this Financial Forecast is the fact that any fund deficits are assumed to be rectified in the year when the deficit is projected to occur.

Based on preliminary discussions with both Collin County and Denton County Central Appraisal Districts, total assessed property values are projected at \$25.0 billion with existing property values projected to decrease by 3% overall. This translates into a loss in revenue totaling \$3.5 million. New growth is projected to increase by \$450 million in FY 2009-10. The ad valorem tax rate of 47.35 cents per \$100 of assessed property valuation is maintained throughout the forecast, and the amount allocated between debt and operations is adjusted accordingly. Due to the issuance of several large Tax Notes for public safety projects, an additional 1.54 cents will be required to be transferred from the G.O. Debt Fund during 2009-10 from the General Fund. This translates to a loss of revenue to fund operations totaling \$3.8 million.

Sales Tax, the General Fund's second largest revenue source, is projected to decline by 7.5% to \$57.4 million as compared to actual collections for FY 2007-08. Currently, sales tax collections for the first six months of the fiscal year are down \$1.8 million or 5.5%. Due to the volatility of this revenue source, the slow down in the economy, the decrease in manufacturing and wholesale activity, and the increasing loss of retail market share to surrounding communities, sales tax collections are projected to remain constant at \$57.4 million for the forecast period.

In addition, Building and Development related revenues have been severely affected by the downturn in the economy. Our original budget projection included a 15% decline this year. In reality, they have decreased 33% for a loss in revenue totaling \$1.3 million from last year's actual.

Another source of concern within the forecast is Health Insurance Claims. This fiscal year we have witnessed a 22% increase in claims. A number of these have reached our stop loss insurance cap of \$150,000. These, along with the rising cost of cancer care, have contributed to the increase. The Human Resource Team along with the City's Health Insurance Consultant is working to implement design changes in order to offset the projected increase in claims for FY 2009-10. Currently, we have included an additional

\$3 million transfer into the Health Insurance Fund in order to offset the impending deficit.

Listed below are additional significant features and issues contained within the forecast.

Significant Features and Issues of the Forecast

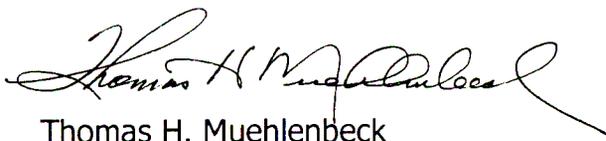
- **Not included** in the fund projections are any of the recommended budget reductions discussed at our City Council Core Business Matrix Retreat on March 6, 2009. The reductions total \$8.6 million and will be reviewed for inclusion into the FY 2009-10 Budget during the upcoming budget process this summer.
- **Not included** in the fund projections are program enhancements relating to increases for mandates, growth, increased services, technology requests, and other causes for the three-year period. All discretionary items will be examined on their individual merit during the budget development process in each year.
- **No** salary increases have been included for either Civil Service or Non-Civil Service employees in the forecast. In addition, attrition is projected at 5.0% for the General Fund and 1.0% for all other funds.
- A 10% health insurance increase is included to fund GASB 45 each year and an additional 1% per year from 15.06% is included to fund changes within the TMRS System throughout the forecast.
- Assumed to be funded within the forecast are all operating expenditures associated with CIP Projects coming on-line during the forecast period. For FY 2009-10, the total is \$3.6 million and includes the addition of a Fire Ladder Truck, the opening of Fire Station #12 and the Emergency Operation Center, as well as the completion of several Parks and Recreation improvements.
- Funding for the Economic Development Incentive Fund has been included throughout the forecast. The forecast includes the actual two-cent property tax revenue at \$5.0 million for FY 2009-10, \$5.0 million for FY 2010-11 and \$5.1 million for FY 2011-12. The Economic Development Incentive Fund was implemented in FY 2006-07 in order to remain competitive with surrounding neighboring cities in our effort to attract businesses to the area and to provide funding for redevelopment purposes.
- The General Fund includes \$1 million for the purchase of library books in each year of the forecast.
- Operating expenditures are projected to increase by the rate of inflation of 1.5% for FY 2009-10, 1.5% for FY 2010-11 and 2.0% for FY 2011-12.

March 23, 2009
Status Report 2009

- The forecast assumes issuing approximately \$38.1 million in new debt in 2009-10, \$35.0 million in 2010-11 and \$30.0 million in 2011-12 assuming passage of the May 2009 Bond Referendum.
- Based on the preliminary information received from North Texas Municipal Water District, both water and sewer rates will be increased dramatically throughout the forecast period. Water rates are scheduled to increase approximately 10% in each year of the forecast, with annual expenditures increases based on the current take or pay minimum of 26.7 billion gallons. For 2009-10, the annual water rate is projected at \$1.30 per thousand gallons, for 2010-11 at \$1.43, and for 2011-12 at \$1.57. Wastewater costs are projected to increase 6.0% for 2009-10, 2% for 2010-11, and 5.0% for 2011-12. The Upper East Fork Interceptor costs are projected to increase 20% for 2009-10, remain constant in 2010-11, and increase 4.0% in 2011-12. The forecast proposes passing through all water and sewer rate increases proposed by NTMWD effective October 1st in each year. The forecast also assumes a return to FY 2005-06 water usage consumption of 26.4 billion gallons which is close to our 26.7 billion gallon take or pay contract.
- The Environmental Waste Fund is projected to experience significant shortfalls due to the decrease in global demand for recyclables and increases for disposal services from North Texas Municipal Water District. Various options will need to be considered including increasing revenues, decreasing operating expenditures, or a combination of both.

My special thanks are offered to all Department Managers, the Executive Team and the Budget & Research Department for their cooperation in putting together this Financial Forecast. In addition, I would like to personally thank the City Council for their work at our Core Business Matrix Retreats. I look forward to discussing this information with you at the March 23rd Council meeting.

Respectfully submitted,



Thomas H. Muehlenbeck
City Manager

New Horizons, a City of Plano Economic Overview

The Economic Outlook and Overview is an instrument intended to serve as a forecast and budgetary planning tool for the citizens and leaders of Plano. This publication attempts to provide the reader with a realistic, yet sensible financial overview of the present and future financial conditions of the City. This document is intended to begin the 2009-10 budgetary planning process for the citizens and businesses of Plano under a united belief that we live, work, and play in one of the finest communities in the nation. Here are a few of the key ingredients that really "make" this community:

All America City! Plano, Texas is home to 263,900 (Population est., January 2009) dynamic and diversified individuals who have chosen to reside in a nationally recognized community with a proud heritage, a stable foundation, strong citizen involvement and the proven ability to provide excellent services to the community. According to the 2008 citizen survey, Plano residents feel safe as they are served by ***World Class and Internationally Accredited Public Safety Departments***, while they drink from a *Superior-rated water supply* with an approved ***Water Conservation Plan***, navigate top quality, beautifully landscaped streets and medians, and participate in environmentally "green" recycling programs served by a ***Gold Award*** winning ***Sustainability & Environmental Waste Services Department***. According to the 2007 Citizen Service Prioritization Assessment, Plano's citizens rank services such as Police, Fire, Public Works, Customer & Utility Services, Sustainability & Environmental Services, 911 Service, and Building Inspections as Highly Important and Highly Valued Services. Plano's citizens enrich their minds with an award winning public school district, have access to five public libraries, and reside in a place which is convenient to six colleges and universities.

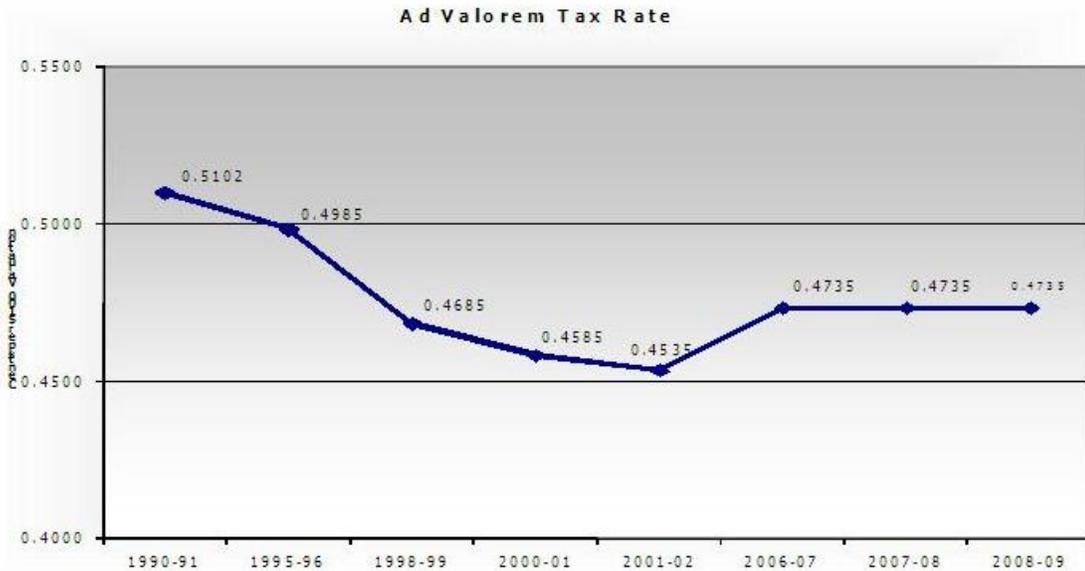
The City received the national "All-America" city award in 1994 and strides into the future with a reputation for excellence and quality services. Additionally, Plano was not only Ranked as "one of the six best places to live in the United States," (*Money Magazine, January 2004*), Plano is also led by the 2007 Texas City Management Associations City Council of the Year. The National Academy of Public Administration (NAPA) also named Plano City Manager Thomas H. Muehlenbeck as one of five 2007 recipients of the prestigious National Public Service Award (NPSA). Plano has won numerous awards for its programs and services including but not limited to an Emmy Award Winning Television Network, The National League of Cities' Award for Municipal Excellence for Innovative City Programs for its Management Preparation Program, and a Top Five ranking for Best Human Resources in the 2007/2008 North American Cities of the Future competition by fDi magazine. Our Parks and Recreation, Building Inspections, Police, Fire and Purchasing departments all continue to be Nationally Accredited Agency.

There's always something to do! The populace enjoys access to over seventy shopping centers, 700 restaurants, 3,700 hotel rooms, and a full-service convention center. The community examines historic roots in an 1840's downtown area that includes an original park and Interurban Railway Museum, and a Heritage Farmstead Museum. All residents are able to "get out and play" with access to ***National Gold Medal Parks and Recreation*** facilities including: 81 public parks, 68 playgrounds, 2 area lakes, 51 miles of recreational trails, 6 recreation centers, a senior center, 3 Theatre/Amphitheatre's, 1 Gazebo/Band Shell, 9 reserved pavilions, 42 shade shelters, 2 public golf courses, 81 public tennis courts, 8 public swimming pools, and 178 sports fields.

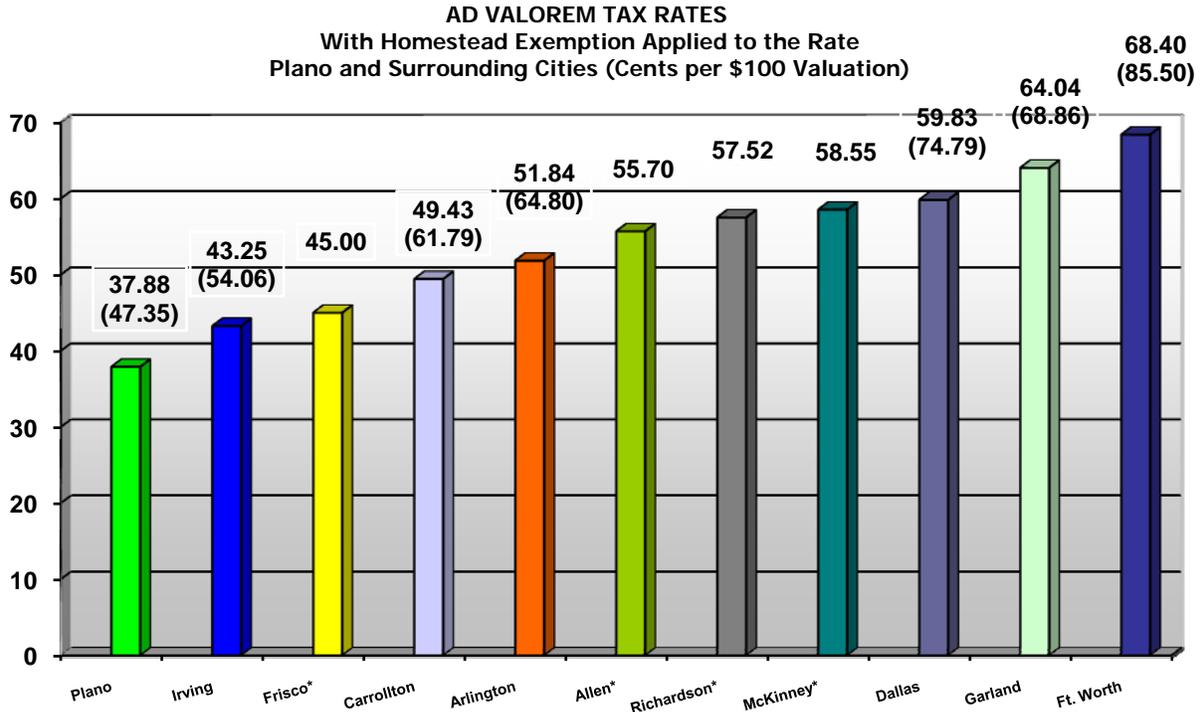
Location, location, location! Plano is the largest city in Collin County. Located 20 miles north of the Dallas Texas Central Business District, in the Central Time Zone, the city boundaries include 72.5 square miles and are supported by four major transportation arteries. Residents have easy access to four airports, and Plano is a member city of the regional public

transportation system, DART, which links Plano with both Dallas and Fort Worth, as well as other member cities via a light rail system. In addition, four hospitals, several specialty treatment and rehabilitation centers, and several nursing and retirement homes are available within the city limits. Businesses and citizens are able to interact with both coasts during most normal business hours, and all major U.S. cities are accessible within three hours. Located in the Sunbelt, Plano enjoys a temperate climate with mild winters and hot summers. The average year-round temperature is 66° F. January is the coldest month, with an average temperature of 44° F. July is the hottest month, with an average temperature of 86° F. Annual rainfall averages 29 inches.

The **ACCRA Cost of Living Index** (American Chamber of Commerce Researchers Association, Annual Average Data, published January 2009) ranked Plano as 94.1% (on a 100% average for all participating locations) on the composite index. In addition, Texas does not impose personal income taxes. The majority of services and benefits enjoyed by citizens in Plano are funded through the City property (ad valorem) taxes and a 1.0% sales tax.



Low Property Tax rates! Plano has a lower city property tax rate and offers greater homestead exemptions than neighboring cities, as well as the distinction of having had no property tax rate increase between 1990 and 2006, as shown in the Ad Valorem chart above. The municipal property tax rate increased two cents to 47.35 cents per \$100 valuation in 2006 and remains the same for FY 2008-09. The revenue generated from this increase will be dedicated solely for economic development incentives in order to remain competitive with neighboring cities by enticing businesses to the area and funding redevelopment efforts. Existing property values for 2008 decreased by 5% from 2007, or by \$1.2 Billion. The total taxable value of all new property constructed and coming on-line in Plano in 2008 was \$345.8 million, and the average value of a home in Plano is estimated at \$251,733. The following chart illustrates how Plano's property tax rate compares to the surrounding cities.

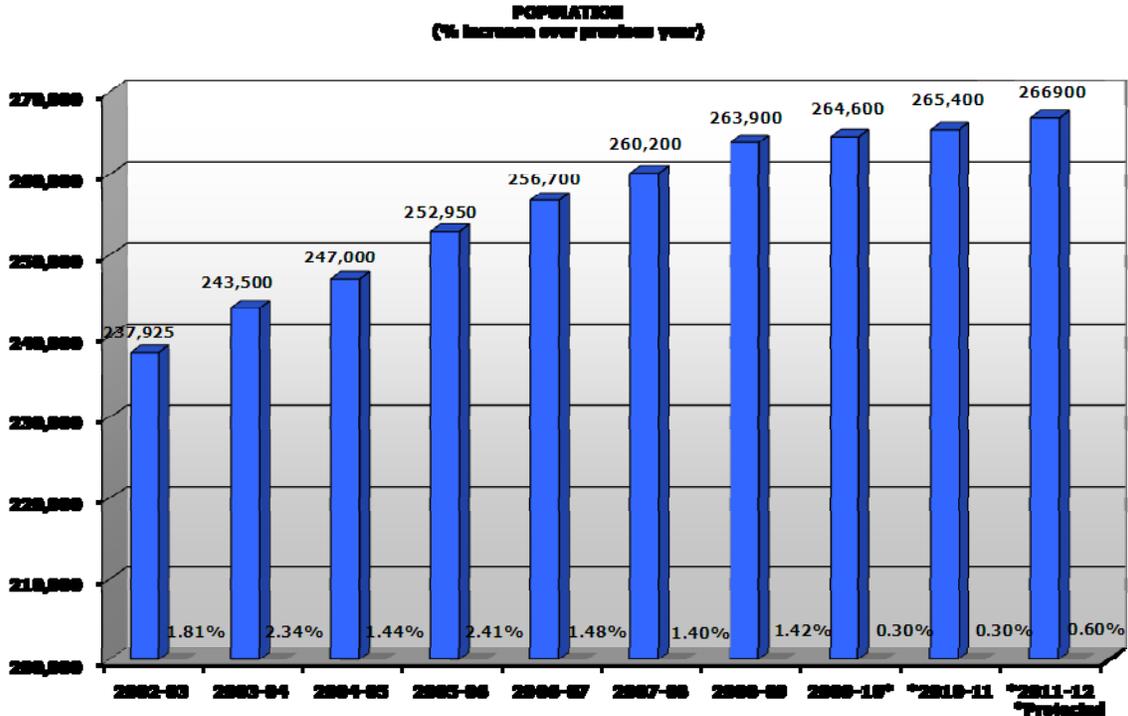


Some of the columns indicate two numbers; with the smaller number representing the effective tax rate, which includes the homestead exemption. The cities with an asterisk do not offer a homestead exemption, and display only one rate.

Sound financial planning, credit-worthy! Plano has been nationally recognized for record growth rates, innovations, and managers/employees, as well as the continued ability to provide the quality services and levels of amenities expected by the citizenry. Holding a **'AAA' Bond rating** from three of the nation's major bond rating companies reflects Plano's strong financial operations, and Plano is one of the few cities in Texas whose general obligation bonds received the highest possible bond ratings from Moody's, Standard and Poor's, and Fitch's IBCA Inc. In the ratings, the three companies lauded everything from the quality of city management, to population growth, to the ability to attract corporate headquarters. In addition, the City's Municipal Drainage Bonds recently received a **"AAA"** rating from Standard and Poor's. Plano is one of the very few cities in the entire country to receive this high rating on Municipal Drainage Bonds.

Diversified Population and Culture! Plano ranks 69th in the United States (U. S. Census Bureau, cities over 100,000, July 2006) and 9th in the State of Texas in terms of total population. In forty-nine years, the population has amplified more than 71 times from 3,695 to the estimated January 1, 2009 population of 263,900. According to the 2006 American Community Survey provided by the U.S. Census Bureau, Plano residents are educated with more than 52.6% holding a Bachelors degree or higher as compared to the U.S. average of 27%. Plano residents enjoy an average median household income of \$77,000 as compared to the national average of \$48,451 and of the estimated 263,900 citizens in Plano, 50% are age 25 years and over with a median age of 35 years. Recent years have shown significant growth in Plano's minority population, with Asian and Hispanic sector growth outpacing all others. Almost 30% of Plano citizens speak a language other than English at home. The city grew by 72.5% between the 1990 and 2000 Census. The most interesting change is that the percentage of

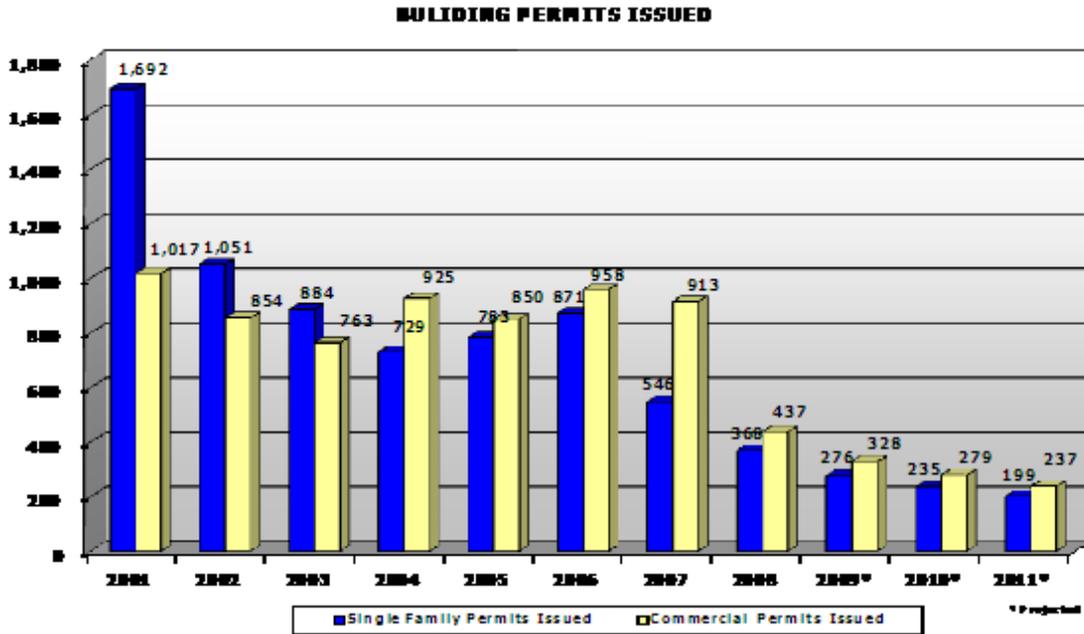
people moving to Plano from another country more than doubled between 1990 and 2000 (2000 Census Data). Most of the foreign-born citizens who move to this area can go anywhere in the world. The fact that they come here is a testimony to the good jobs available, the high quality of life and relatively low costs, and the ease of doing business.



Plano's population growth will decelerate over the next decade, and the City is pro-actively taking measures with the preparation of financial plans, forecasts, and economic guidelines to minimize the impacts of leveling revenues and increasing maintenance costs as the City reaches maturity. For purposes of the Forecast, .3% annual growth is projected for 2009-10, .3% is projected in 2010-11, and 0.6% is projected for 2011-12.

Construction, renovations and build out! The Construction sector continues to experience slippage in the residential real estate market, where permits for new housing construction have dropped significantly. New single family residential permits issued in Plano in 2008 compared to 2007 reflect an almost 15% decrease. This decrease can be attributed not only to the nation's current housing crisis and the upward movement of prices for building materials and land, but also from anticipated residential property build out in Plano. The numbers of Single Family Building Permits and Commercial Permits reflect this trend on the following chart. Building permits as indicators of development are important because they reflect actual new construction, in-fill, remodeling, and re-development. This, in turn, serves to indicate changes and additions to the appraisal values for the property tax base.

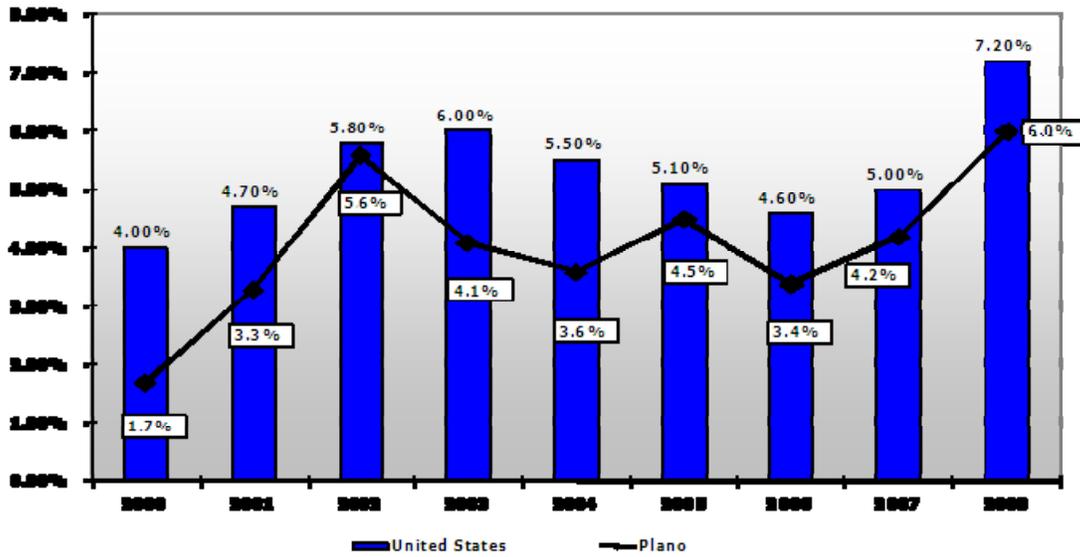
Future revenues predict a decrease of 25% for 2009 followed by 15% for the two remaining years of this forecast as related to the number of building permits issued. The total valuation of residential and commercial permits issued in 2008 was \$345,828,931. The City's Development Review Division continues to see an increase in alternative housing concepts and requests, including requests for higher density and other zoning changes.



Plano has seen a large increase in multi-family construction. The popularity of the Legacy Town Center and land zoned for multi-family use that had been available for many years finally developed. Future residential building trends continue towards patio and town homes, duplexes, and retirement facilities as the baby-boomer generation begins to enjoy retirement while caring for their aging parents. Plano faces the challenges of maintaining a balance in the desirable residential and commercial ratios. This balance is an integral part of the very foundation of values which continue to make this community an attractive choice to new residential and commercial investors, while retaining and encouraging the positive growth of all current property values.

Continued employment opportunity! The Texas economy continues to display broad-based vitality across most sectors. Texas employers added 154,600 jobs over the past 12 months, for an annual growth rate of 1.3 percent. Professional and Business Services gained a total of 44,000 jobs since December 2007 and a 3.3 percent annual growth rate. Education and Health Services recorded a total increase of 30,200 jobs added over the last 12 months. Financial activities posted gains of 3,700 positions over the year. Construction also gained with 9,200 positions added over the year for a 1.4 percent annual growth rate (Real Estate Center, Technical Report January 2009). The current lending and housing market is driving the perception of a local economic downturn, but when looking at Collin County, those industries are not the county's main economic driving force. Plano, Collin County and area cities continue to enjoy a low cost of living. Because of this, businesses continue to relocate to the area bringing new jobs, growth and an overall stimulation to the local economy. Today, it is not unusual for people to live and work entirely north of the LBJ Freeway, a highway which once marked an imaginary line between suburban residential areas and the resident's places of employment in the DFW Metroplex.

Unemployment United States vs. Plano



December 2008 Unemployment

Positive economic outlooks are dependent on consumer and business confidence over employment, markets, global economics, energy availability and prices, and a general continuation of the post 9/11 national recovery. However, current economic downturns and continued recession coupled with increasing unemployment, as well as a globally volatile U.S. dollar all provide a negative economic outlook. In order to combat these downturns the Federal government has instituted an economic stimulus package to boost consumption, business investment, and labor demand

Plano's great employment strength continues to reflect the diversity of its employment base, and a highly educated and motivated workforce. Companies continue to relocate to the community, and businesses already located here make plans to stay. The City and the Plano Economic Development Board identify, recruit, and retain businesses that contribute to the community's economic well-being. The impressive and diverse list of corporate citizens has reduced the severity of the economic downturn as compared to the rest of the nation.

Plano has grown into a major employment center with over 6,000 businesses in the city limits. The city has two major employment districts, Legacy Business Park and the Research and Technology District, in addition to major commercial development along the Dallas North Toll Road, Central Expressway, and the George Bush Turnpike, and three major retail shopping malls: Collin Creek Mall, the Shops at Willow Bend, and the new Shops of Legacy. The combination of these sectors provides jobs in the retail, wholesale, manufacturing, medical, finance, services, and high tech fields all within Plano. These different business sectors will also help limit the effects of the national economy on Plano.

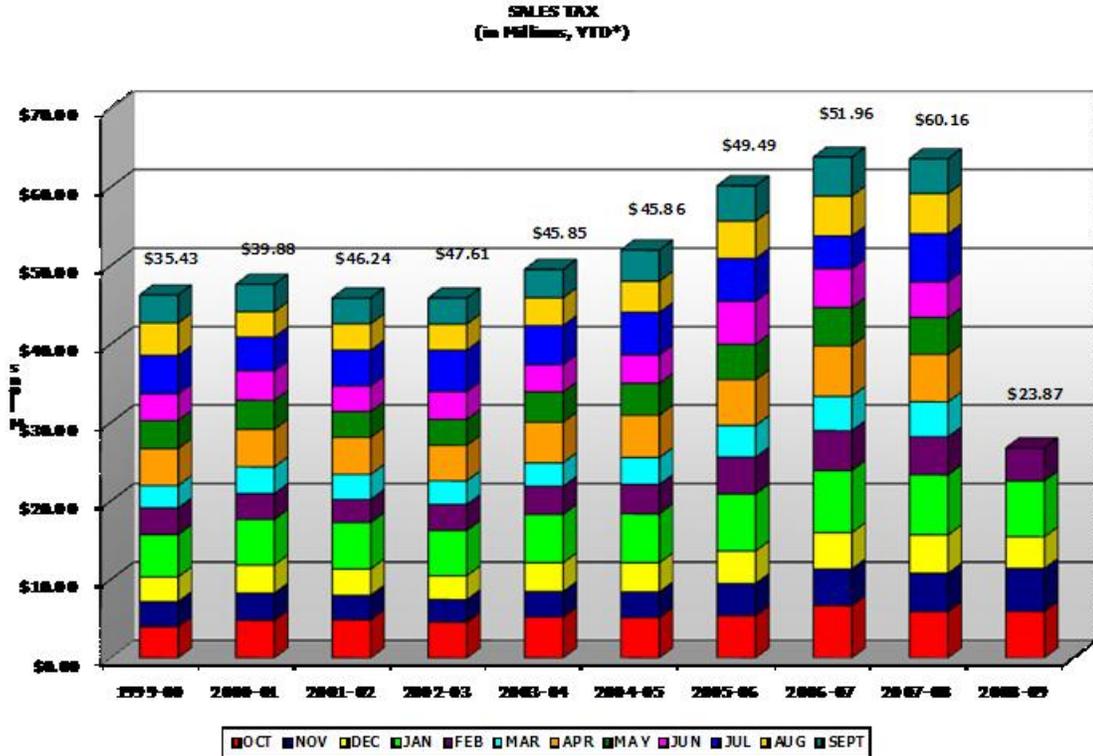
What's happening here and now? The year 2009 is expected to bring only slight economic expansion to the area. Although the economic climate of the city and region has been stifled slightly by the national economic situation including a housing market downturn and continued high energy prices, this region has shown positive and upward momentum, and the local economy is expected to outperform the national economy again this year. The City experienced significant decreases in several key revenues such as sales tax receipts, hotel/motel taxes, and investment earnings in the immediate years following the recession of 2001. In the intervening years most revenues have regained those losses and continued to grow. However,

the City is again facing an economic downturn and its consequences. At the same time, smaller building and other development related revenues for the City should be recognized as a factor of both soft economic growth and recovery and the physical build-out of properties available within the city limits.

Significant increases in expenditures for oil and medical costs have further impacted the City's General Fund working balance. The direct result of decreased revenues and increased expenditures is a smaller fund balance, and decreases the amount that is available for additional programs and appropriations each year. In addition, the City's water and sewer revenues continue to remain an area of concern as they are volatile due to their relation to unusual weather conditions in the past few years. The energy market is extremely vulnerable and oil prices are now starting to increase again. High global demand, low inventories and political tensions around the world have all play a role in these prices. This forecast includes an 8% increases for 2009-10 and an additional 7% for the remaining years of this forecast for the oil and gas products consumed by the City's sizeable fleet of vehicles. Electricity prices are also projected to remain constant for 2009-10 and each increase 5% for the remaining years of this forecast.

Recent decreases in sales tax revenues are indicative of the relatively weak consumer and business spending throughout the nation and across Texas in particular. Statewide, according to 2005 estimates, Texas turns out 19 percent of U.S. petroleum and coal products and nearly 15 percent of chemical products. The state also produces just over 13 percent of the nation's output of computer and electronics products, nearly 10 percent machinery, and 10 percent nonmetallic mineral products, such as brick, glass and cement. Manufacturing employment dropped .5% as compared to the nation average of dropping 1% in manufacturing. The Texas State Comptroller predicts that fiscal year 2009, the national economy is expected to decelerate as households' nationwide retreat from their historically high recent consumption levels, and as the overheated housing market sours. Average weekly earnings rose by 3.5 percent, seasonally adjusted, from February 2008 to February 2009. Even though real wages have risen because of the state's tight labor market, as statewide employment growth continues to fall, disposable personal income growth-the major driver of consumer spending-has also lost momentum.

The City collected \$63.5 million in sales tax during 2007-08 and sales tax revenues are projected to decrease to \$59.4 million in 2008-09. The slowdown of the national economy, coupled with the increasing unemployment, rising prices, and competition from surrounding cities, has led to a forecast of sales tax receipts to decline slightly in 2009-10 and then remain constant for the final two years of the forecast period. The City leaders remain extremely conscious of the fact that sales tax revenues suffered dramatically in 2002 and 2003, and "Shop Plano First!" has been the City's response for several years. A 2003 sales tax study indicated that Plano's share of the regional market should level out or increase slightly, related directly to the growth of retail infrastructure in competitor communities, internet shopping, and general economic recovery. While recent years have reflected such a pattern 2008-09 will see a slight decrease based on the national economic downturn forecast. However, the 2003 Report also indicated that consumers were spending more on services and less on clothing and home furnishings. This is significant because those services are taxed much less broadly than goods. Also noted in that report was the fact that the newer shopping malls which include an "element of entertainment" are often the preferred consumer destinations.



Texas economic growth is expected to continue to lose some of its steam over the three-year period from 2009-2011. As the U.S. economy decelerates and the state’s high-rolling energy and construction sectors decline and settle into more modest and sustainable growth rate. The convergence of a thriving national economy, the boom in housing and construction, and a surge in energy prices fueled the strong performance of the Texas economy over the past few years. Unfortunately, the economic good-times that the state has enjoyed seem to have contracted, as the same factors that propelled the economic boom have stalled. This trend is expected to continue over the next three years.

Plano continues to be a leader in economic development and business growth in the southwest, reflecting a strong history of attracting new construction and business expansions. Numerous nationally recognized companies and their employees realize the benefits of living and working in the same community. The three largest job sectors are retail and wholesale trade, services, and manufacturing. Recent commercial building permits indicate the continued development in the city for office space (general office, banking and technology), retail, and manufacturing facilities.

Business and leisure travel is increasing, but spending is lessened by using low-cost carriers and cheap, non-refundable tickets, and traveling by car or train for trips of 500 miles or less. This strengthens a now well-established business practice of “doing more with less”. It has been estimated that nearly 70% of firms are taking advantage of video and web-conferencing technologies to cut costs. Growth and expansions of hotel and motel facilities in the city has seen significant decrease over the prior decade.

How does this affect Plano? Although economic forecasts for Plano and the region remain somewhat favorable, residential build-out and the controlled economic recovery continue to influence the City. Sustainability and build-out require a shift in focus from growth to maintenance activities. The City of Plano is starting to feel the effects of the economic slowdown in areas such as sales tax dollars, new construction permits issued, and a higher unemployment

rate than last year. These economic indicators will require that Plano continue to diligently monitor financial guidelines, budgeting, and expenditures. Meticulous attention is given to the reserve funds, such as the Capital Reserve Fund, Community Investment Projects, and other City Funds. Efforts are made during the budget process each year to examine and rank capital projects, as well as using oversight and planning to ensure that the funds are available for these projects as needed. In addition, due to the economic downturn, the City Council has participated in two different Core Business Matrix Retreats. The retreats provided the City Council an opportunity to prioritize and review the City of Plano's core businesses in order to provide direction to management regarding reductions in service delivery if necessary. In June 2008, the City Council agreed upon Goals for 2008-2013 and recognized certain realities in the City. **Five Strategic Plan Goals** ensure a continued focus on providing quality-of-life and essential services for the citizens, with short-term actions identified.

The City previously established a **Plano at Maturity** program with nine priorities to address the challenges and opportunities that Plano will face as it transitions from a *growing* to a *maturing* community. All of the priorities noted are highly impacted by resource availability, and influence Plano's ability to address changing financial conditions that will impact service delivery and quality of life. In the Financial Resources Availability section of the report, three categories were identified:

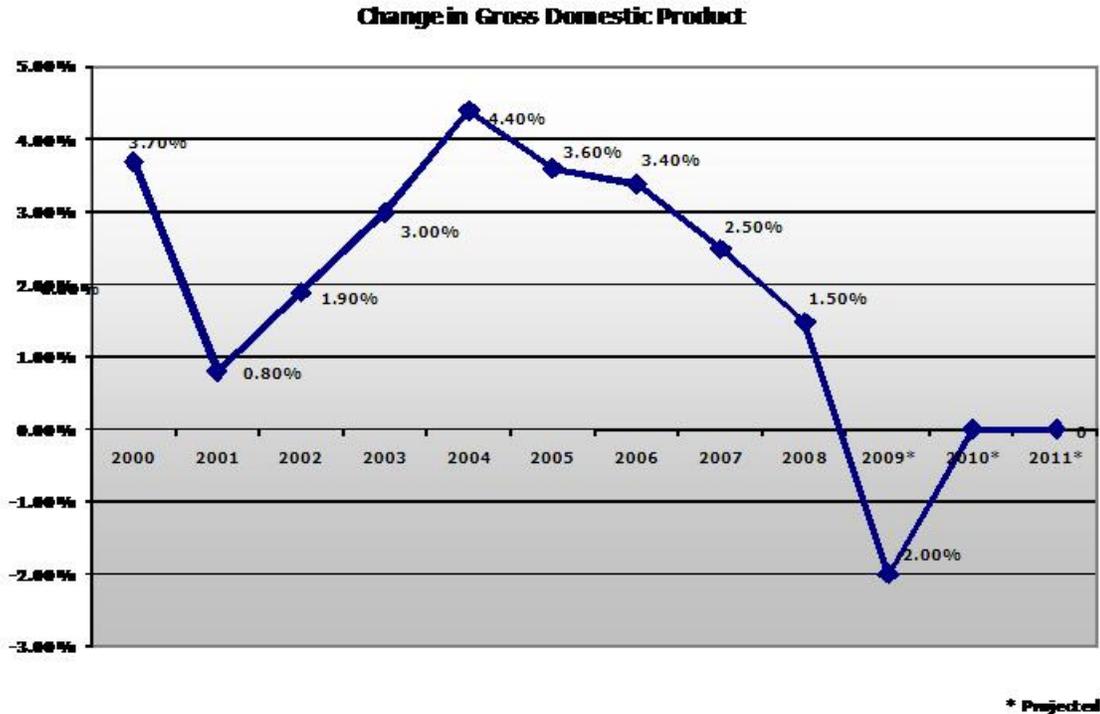
- Revenue Enhancing: Strategies that will improve the revenue stream for the City.
- Reallocation of Resources: Strategies that seek ways to be more efficient with existing resources.
- Retail and Economic Development: Strategies that create an environment that is positive for the long-term economic viability of the community.

The City continues to review requests for services that are likely to increase and/or shift as the city matures, and continue to explore and promote inter-local cooperation with Collin County and other Metroplex municipalities. Such planning is the purpose of this Status Report and Three-Year Financial Summary.

National Economic Trends are focusing on the likelihood of a continued national economic slowdown. As a country, we have faced numerous challenges over the past few years, and in spite of these difficulties, we have remained strong. The lowering of short-term interest rates by the Federal Government should loosen credit and holds inflationary pressures at bay. The current monetary policy should stem any dangerous inflationary threats as well as help shorten the recession.

Innovation, including sound technological advances, remains an important key to the expansion of the economy. Meeting this challenge is critical to economic growth and development. For a positive outlook, this state continues to have one of the best business tax climates in the United States. Texas was selected among the best for business relocation and expansion, and has been named a leader in foreign trade zones. The Texas Workforce Commission released that Texas' year-over-year figures continued to fare better than national figures, with more than half of the industry sectors still posting positive job growth and several industries showing gains in January.

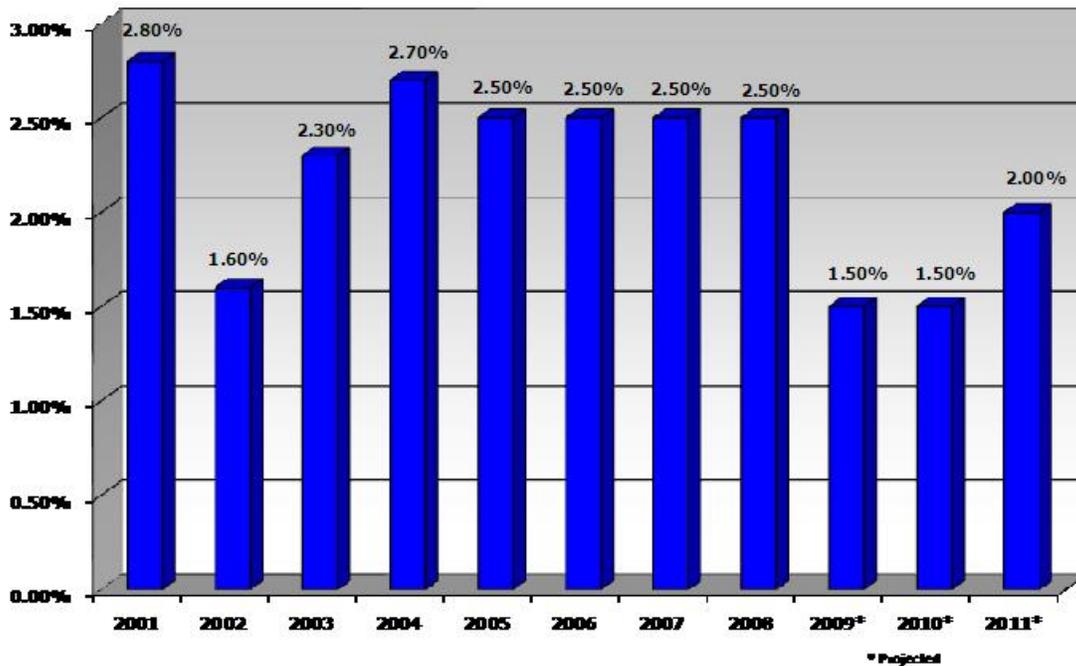
A measure of the national economy is the real Gross Domestic Product (GDP), which measures the output of goods and services produced by labor and property located in the United States. The graph below shows this measure over the past seven years, and includes projections for the next three years.



The Gross Domestic Product experienced tremendous growth from 2001 through 2004. Future years indicate negative or no growth. Economic expansion has decreased, even with Federal Reserve attempts to intervene by decreasing interest rates. Consumer confidence levels have substantially decreased as unemployment rates have increased due to economic expectations. Both Texas and Plano are below the national unemployment rate averages. The economy is projected to continue to grow at a slower pace. U.S. productivity is enhanced by the rapid assimilation of innovative technologies into the workplace, a high proportion of working age people who are employed, and the number of hours they spend on their jobs. However, concerns have been raised over a decline in labor force participation or the share of the adult population that is working or looking for work. A decline in the share of the population that is economically active translates in to a lower rate of economic growth. This has resulted in the relatively low unemployment rate, a delay in retirements, and continued growth and strong participation of women. Labor force participation tends to increase following increases in economic activity.

An additional measure of the overall economy is the Consumer Price Index (CPI), a direct indicator of what inflation will be for the economy. Inflation, as measured by the annual percentage change in the CPI, is expected to remain low as historical data shows that periods immediately following a recession/depression remain fairly level for the next several years according to several different nationally recognized economists. CPI is also influenced by direct relationship to energy prices. As shown in the chart on the following page, inflation has remained remarkably stable for the last several years. The CPI is important in contributing a reasonable cost of living for Plano, and this forecast includes an inflation rate of 1.5% 2009-010 and 2010-11 and 2% for 2011-12. Low positive inflation helps to enhance economic and market prosperity in the long run.

Change in Consumer Price Index



Forecast Notes Our regional and state economy is decreasing at a slower rate than the nation as a whole. Limited economic expansion in several sectors continues to generate few jobs and other opportunities for the citizens of Plano making the effects of recession less severe in this area. However, economists warn that the national economy is expected to recover slowly over the next several years with Texas expected to follow suit.

As the City has experienced in recent years, and as is the case with projections, external issues can heavily influence economic activity. Although the economic outlook is projecting slowing growth, several factors could lead to significantly lower growth over the next several years. Significant outside factors include: unpredictable acts of nature, terrorism, or war; uncertainty about increases in interest rates by the Federal Reserve; performance of global financial markets; and sizable increases in prices. Barring any major developments in these areas, Plano is poised to see slowing, but some growth over the next three years.



BUDGET & RESEARCH

**Budget Assumption Matrix
Revenues & Expenditures
2009-10 thru 2011-12**

Revenue / Expenditure	Assumption	Projected		
		2009-10	2010-11	2011-12
<u>Population:</u>				
January 1, 2008	Current Population: 263,900 (Planning Dept.)			
2009-10	Increase 0.3% to 264,600 (Planning Dept.)	0.30%		
2010-11	Increase 0.3% to 265,400 (Planning Dept.)		0.30%	
2011-12	Increase 0.6% to 266,900 (Planning Dept.)			0.60%
<u>Property Values:</u>				
Existing Property Value:				
2009-10	Decrease 3.0% to \$25,011,755,849 (C.A.D.)	-3.00%		
2010-11	Increase 0.0% to \$26,311,755,849 (C.A.D.)		0.00%	
2011-12	Increase 1.0% to \$25,864,873,407 (C.A.D.)			1.00%
New Property Value:				
2009-10	Increase \$450,000,000 (Based on historical)			
2010-11	Increase \$300,000,000 (Based on historical)			
2011-12	Increase \$300,000,000 (Based on historical)			
<u>Revenues:</u>				
Taxes				
Ad Valorem Taxes:				
Current	Assume 99.0% collection rate	0.00%	0.00%	0.00%
Delinquent	Assume 1.0% delinquent rate			
Penalty & Interest	Based on historical trends in delinquent accts.			
New Debt				
2009-10	\$41,685,000 (Bond Authority)			
2010-11	\$38,075,000 (Bond Authority)			
2011-12	\$35,000,000 (Bond Authority)			
Interest Earnings				
2009-10	Based on historical actuals & ending working bal.			
2010-11	Based on historical actuals & ending working bal.			
2011-12	Based on historical actuals & ending working bal.			
Building Related Revenues				
2009-10	Decrease 25.0% (Bldg. Inspect. Dept. & historical)	-25.00%		
2010-11	Decrease 15.0% (Bldg. Inspect. Dept. & historical)		-15.00%	
2011-12	Decrease 15.0% (Bldg. Inspect. Dept. & historical)			-15.00%
Direct Population-Based (DP)				
2009-10	Increase 0.3% (Planning Dept.)	0.30%		
2010-11	Increase 0.3% (Planning Dept.)		0.30%	
2011-12	Increase 0.6% (Planning Dept.)			0.60%
Indirect Population-Based (IP)				
2009-10	Increase 0.15% (Planning Dept.)	0.15%		
2010-11	Increase 0.15% (Planning Dept.)		0.15%	
2011-12	Increase 0.3% (Planning Dept.)			0.30%
Direct Economy-Based (DE)				
2009-10	Increase 1.50% (Projected inflation rate)	1.50%		
2010-11	Increase 1.50% (Projected inflation rate)		1.50%	
2011-12	Increase 2.00% (Projected inflation rate)			2.00%
Indirect Economy-Based (IE)				
2009-10	Increase .75% (Projected inflation rate)	0.75%		
2010-11	Increase .75% (Projected inflation rate)		0.75%	
2011-12	Increase 1.00% (Projected inflation rate)			1.00%

**Budget Assumption Matrix
Revenues & Expenditures
2009-10 thru 2011-12**

Revenue / Expenditure	Assumption	Projected		
		2009-10	2010-11	2011-12
General Fund				
Sales Tax	Based on historical actuals	0.00%	0.00%	0.00%
Mixed Drink Tax	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Bingo Gross Receipts Tax	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Franchise Fees				
Electrical Franchise	Indirect Economy based increase (IE)	0.75%	0.75%	1.00%
Telephone Franchise	Constant			
Fiber Optics Franchise	Constant			
Gas Franchise	Indirect Economy based increase (IE)	0.75%	0.75%	1.00%
Cable TV Franchise	Constant			
Fines & Forfeits				
Municipal Court	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Library Fines	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Miscellaneous Revenue				
Interest Earnings	Based on historical actuals & ending working bal.			
Sale/Rental of Property	Based on rental lease agreements			
Insurance Collections	4.0% per year increase	4.00%	4.00%	4.00%
Sundry	Constant			
Licenses & Permits				
Electricians License	Based on building & development projection	-25.00%	-15.00%	-15.00%
Food Handlers Permits	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Land/Burning/Liquid Waste	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Grease Trap Permits	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Animal Licenses	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Restaurant Plan Review	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Alarm Permits	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Filing Fees	Based on building & development projection	-25.00%	-15.00%	-15.00%
Fire Protection Plan Review	Based on building & development projection	-25.00%	-15.00%	-15.00%
Building Permits	Based on building & development projection	-25.00%	-15.00%	-15.00%
Electrical Permits	Based on building & development projection	-25.00%	-15.00%	-15.00%
Plumbing Permits	Based on building & development projection	-25.00%	-15.00%	-15.00%
Heating & A/C Permits	Based on building & development projection	-25.00%	-15.00%	-15.00%
Fence Permits	Based on building & development projection	-25.00%	-15.00%	-15.00%
Swimming Pool Permits	Based on building & development projection	-25.00%	-15.00%	-15.00%
Pool Inspection	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Irrigation Permits	Based on building & development projection	-25.00%	-15.00%	-15.00%
Day Laborer Fees	Constant			
Sign Permits	Based on building & development projection	-25.00%	-15.00%	-15.00%
Reoccupancy Permits	Based on building & development projection	-25.00%	-15.00%	-15.00%
Misc. Licenses & Permits	Constant			
Fees & Charges for Services				
Animal Pound & Adopt. Fee	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Ambulance Service	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
False Alarm Response	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Emergency 911	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Interlocal Plan Review	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Contractor Registration Fee	Based on building & development projection	-25.00%	-15.00%	-15.00%
Engineering Inspection Fee	Based on building & development projection	-25.00%	-15.00%	-15.00%
Residential Building Plan Review	Based on building & development projection	-25.00%	-15.00%	-15.00%
Reinspection Fee	Based on building & development projection	-25.00%	-15.00%	-15.00%
File Searches	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Same Day Inspection Fee	Based on building & development projection	-25.00%	-15.00%	-15.00%
Convenience Copiers	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Recreation User Fee	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Recreation Rental Fee	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Swimming Fee	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Recreation Membership Card Fee	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Tennis Center Fee	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Food Manager/Handler Training	Indirect Population based increase (IP)	0.15%	0.15%	0.30%

**Budget Assumption Matrix
Revenues & Expenditures
2009-10 thru 2011-12**

Revenue / Expenditure	Assumption	Projected		
		2009-10	2010-11	2011-12
Tree Trimming Assessments	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Child Safety Fee	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Sundry	4.0% per year increase	4.00%	4.00%	4.00%
Intergovernmental Revenue				
Payments from FISD:				
School Crossing Guards	Based upon schedule of costs reimbursed			
Payments from PISD:				
School Liaisons	Based upon schedule of costs reimbursed			
Collin County Library Grant	Constant			
Denton County Library Grant	Constant			
Tri-City Academy/Miscellaneous	Constant			
Interlocal Radio System Access	Constant			
Intragovernmental Transfers				
Intra-Fund Transfers From:				
Water & Sewer Fund	5.0% of selected Water & Sewer revenues; indirect costs; and allocations for additional costs			
Sustainability & Env. Svcs. Fund	7.0% of Residential Collection, Special Refuse Collection, and Landscape Bag revenues			
Recreation Revolving Fund	5.0% of Recreation Fund revenues			
Municipal Golf Course Fund	5.0% of Municipal Golf Course Fund revenues			
Convention & Tourism Fund	5.0% of Convention & Tourism Fund revenues			
Municipal Drainage Fund	7.0% of Municipal Drainage Fund revenues			
WATER & SEWER FUND				
Water Income	Direct Population based increase (DP), and NTMWD	10.16%	10.00%	9.79%
Water Taps	Indirect Economy based increase (IE)	0.75%	0.75%	1.00%
Sewer Income	Direct Population based increase (DP), and NTMWD	6.00%	2.00%	5.00%
Water & Sewer Penalties	Direct Population based increase (DP)	0.30%	0.30%	0.60%
Water Meters	Indirect Economy based increase (IE)	0.75%	0.75%	1.00%
Construction Water	Indirect Economy based increase (IE)	0.75%	0.75%	1.00%
Service Connect Fee	Indirect Economy based increase (IE)	0.75%	0.75%	1.00%
Backflow Testing	Indirect Economy based increase (IE)	0.75%	0.75%	1.00%
Sewer Tie-On	Indirect Economy based increase (IE)	0.75%	0.75%	1.00%
Pre-Treatment Permits	Indirect Economy based increase (IE)	0.75%	0.75%	1.00%
Interest Earnings	Based on historical actuals & ending working bal.			
Misc. Income	Indirect Economy based increase (IE)	0.75%	0.75%	1.00%
CONVENTION & TOURISM FUND				
Hotel/Motel Receipts	Direct Economy based increase (DE)	1.50%	1.50%	2.00%
Civic Center Fees	Direct Economy based increase (DE)	1.50%	1.50%	2.00%
Miscellaneous	Constant			
Interest Earnings	Based on historical actuals & ending working bal.			
SUSTAINABILITY & ENVIRONMENTAL SERVICES FUND				
Commercial Franchise	Direct Economy based increase (DE)	1.50%	1.50%	2.00%
Special Refuse Collection	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Residential Collection	Direct Population based increase (DP)	0.30%	0.30%	0.60%
BFI, Inc.	Direct Economy based increase (DE)	1.50%	1.50%	2.00%
Recycling	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Sale of Landscape Bags	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Tipping Fee	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Contributions via Utility Billing	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Sale of Compost	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Miscellaneous	Indirect Economy based increase (IE)	0.75%	0.75%	1.00%
Disposal Reimbursements	Direct Economy based increase (DE)	1.50%	1.50%	2.00%
MUNICIPAL DRAINAGE FUND				
Residential Class Fees	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Commercial Class Fees	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Interest Earnings	Based on historical actuals & ending working bal.			

**Budget Assumption Matrix
Revenues & Expenditures
2009-10 thru 2011-12**

Revenue / Expenditure	Assumption	Projected		
		2009-10	2010-11	2011-12
MUNICIPAL GOLF COURSE FUND				
Golf Fees	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Concessions	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Room Rental	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Miscellaneous	Constant			
Interest Earnings	Based on historical actuals & ending working bal.			
RECREATION REVOLVING FUND				
Recreation Fees	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Contributions	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Sundry	Indirect Population based increase (IP)	0.15%	0.15%	0.30%
Interest	Based on historical actuals & ending working bal.			
<u>Expenses:</u>				
Inflation				
2009-10	Increase 1.5% (CPI, Kiplinger, Bernanke, WEFA)	1.50%		
2010-11	Increase 1.5% (CPI, Kiplinger, Bernanke, WEFA)		1.50%	
2011-12	Increase 2.0% (CPI, Kiplinger, Bernanke, WEFA)			2.00%
Salaries, Wages & Benefits				
Salaries (Civil & Non-Civil Service)				
2009-10	Increase 0.0% (Management projections)	0.00%		
2010-11	Increase 0.0% (Management projections)		0.00%	
2011-12	Increase 0.0% (Management projections)			0.00%
RSP				
2009-10	Remain constant at 3.13% of salary (RSP Board)			
2010-11	Remain constant at 3.13% of salary (RSP Board)			
2011-12	Remain constant at 3.13% of salary (RSP Board)			
Life Insurance				
2009-10	Remain constant at 1.00% of salary (Calculation)			
2010-11	Remain constant at 1.00% of salary (Calculation)			
2011-12	Remain constant at 1.00% of salary (Calculation)			
Disability				
2009-10	Remain constant at 0.08% of salary (Calculation)			
2010-11	Remain constant at 0.08% of salary (Calculation)			
2011-12	Remain constant at 0.08% of salary (Calculation)			
Medicare				
2009-10	Remain constant at 1.45% of salary (Calculation)			
2010-11	Remain constant at 1.45% of salary (Calculation)			
2011-12	Remain constant at 1.45% of salary (Calculation)			
TMRS				
2009-10	Remain constant at 15.29% of salary (TMRS in Austin) + 1.0% increase each year. (GASB 45)	1.00%		
2010-11	Remain constant at 15.29% of salary (TMRS in Austin) + 1.0% increase each year. (GASB 45)		1.00%	
2011-12	Remain constant at 15.29% of salary (TMRS in Austin) + 1.0% increase each year. (GASB 45)			1.00%
Health Insurance				
2009-10	Increase 10.0% (Calculation)	10.00%		
2010-11	Increase 10.0% (Calculation)		10.00%	
2011-12	Increase 10.0% (Calculation)			10.00%
Attrition				
2009-10	5.0% for General Fund and 1.0% for other Funds			
2010-11	5.0% for General Fund and 1.0% for other Funds			
2011-12	5.0% for General Fund and 1.0% for other Funds			

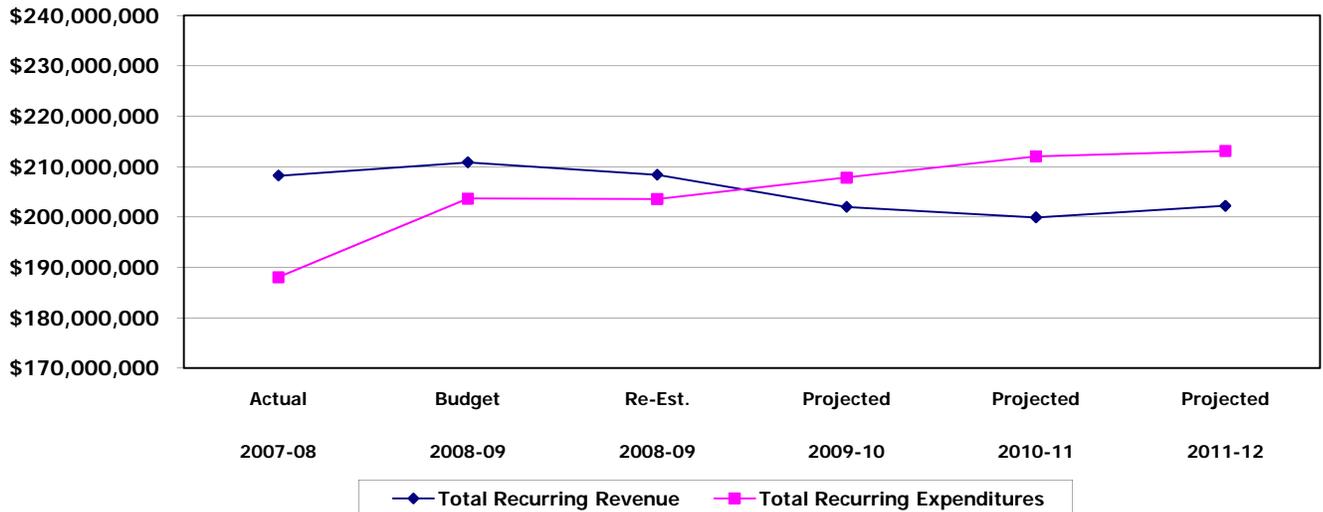
**Budget Assumption Matrix
Revenues & Expenditures
2009-10 thru 2011-12**

Revenue / Expenditure	Assumption	Projected		
		2009-10	2010-11	2011-12
Depreciation				
2009-10	Method remains constant each year (Historical & ERF)			
2010-11	Method remains constant each year (Historical & ERF)			
2011-12	Method remains constant each year (Historical & ERF)			
Municipal Garage Charges				
2009-10	Increase 8.0% (Equip. Svcs., gas and oil price inc.)	8.00%		
2010-11	Increase 7.0% (Equip. Svcs., gas and oil price inc.)		7.00%	
2011-12	Increase 7.0% (Equip. Svcs., gas and oil price inc.)			7.00%
Electricity				
2009-10	Constant (Facility Svcs., Intergovt. Relations)	0.00%		
2010-11	Increase 5.0% (Facility Svcs., Intergovt. Relations)		5.00%	
2011-12	Increase 5.0% (Facility Svcs., Intergovt. Relations)			5.00%
Natural Gas				
2009-10	Constant (Facility Svcs., Intergovt. Relations)	0.00%		
2010-11	Increase 5.0% (Facility Svcs., Intergovt. Relations)		5.00%	
2011-12	Increase 5.0% (Facility Svcs., Intergovt. Relations)			5.00%
Capital Outlay				
2009-10	\$1,000,000 per year for library books (Historical)			
2010-11	\$1,000,000 per year for library books (Historical)			
2011-12	\$1,000,000 per year for library books (Historical)			
Existing Expenditures				
2009-10	Increase 1.5% (Projected inflation increase)	1.50%		
2010-11	Increase 1.5% (Projected inflation increase)		1.50%	
2011-12	Increase 2.0% (Projected inflation increase)			2.00%
NTMWD				
Water				
2009-10	Increase \$0.12 per 1,000 gal. to \$1.30	10.16%		
2010-11	Increase \$0.13 per 1,000 gal. to \$1.43		10.00%	
2011-12	Increase \$0.14 per 1,000 gal. to \$1.57			9.79%
Wastewater				
2009-10	Increase \$0.08 per 1,000 gal. to \$1.35	6.00%		
2010-11	Increase \$0.02 per 1,000 gal. to \$1.37		2.00%	
2011-12	Increase \$0.06 per 1,000 gal. to \$1.43			5.00%
Upper East Fork Interceptor System				
2009-10	Increase \$0.15 per 1,000 gal. to \$0.91	20.00%		
2010-11	Remain at \$0.91 per 1,000 gal.		0.00%	
2011-12	Increase \$0.03 per 1,000 gal. to \$0.94			4.00%
EWS - Regional Landfill				
2009-10	Price per ton to increase to \$39.06	7.70%		
2010-11	Price per ton to increase to \$39.74		1.70%	
2011-12	Price per ton to increase to \$41.72			5.00%
General Fund Transfers				
Capital Reserve				
2009-10	Transfer \$10,500,000 (Calculation)			
2010-11	Transfer \$10,500,000 (Calculation)			
2011-12	Transfer \$10,500,000 (Calculation)			
Economic Development				
2009-10	Constant at \$885,361 (Calculation)			
2010-11	Increase 1.5% to \$871,236 (Calculation)			

**Budget Assumption Matrix
Revenues & Expenditures
2009-10 thru 2011-12**

Revenue / Expenditure	Assumption	Projected		
		2009-10	2010-11	2011-12
2011-12	Increase 1.5% to \$884,305 (Calculation)			
Economic Dev. Incentive Fund				
2009-10	Transfer \$4,952,328 (2 cents on tax rate)			
2010-11	Transfer \$5,011,728 (2 cents on tax rate)			
2011-12	Transfer \$5,121,245 (2 cents on tax rate)			
Technology Fund				
2009-10	Total transfer to remain constant @ \$1.4 million a yr., divided among Funds who contribute: (Calculation) General Fund = \$1,000,000 Water & Sewer Fund = \$300,000 Sustainability & Env. Svcs. Fund = \$60,000 Municipal Drainage Fund = \$20,000 Convention & Tourism Fund = \$20,000			
2010-11				
2011-12				
CATV Fund				
2009-10	Transfer 10.0% of Cable TV Franchise revenue			
2010-11	Transfer 10.0% of Cable TV Franchise revenue			
2011-12	Transfer 10.0% of Cable TV Franchise revenue			
Property & Liability Loss				
2009-10	Transfer \$2,500,000 (Calculation)			
2010-11	Transfer \$2,500,000 (Calculation)			
2011-12	Transfer \$2,500,000 (Calculation)			

General Fund Recurring Revenue Vs. Recurring Expenditures



	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Recurring Revenue						
Ad Valorem Taxes	\$ 77,593,744	\$ 83,068,770	\$ 83,068,770	\$ 76,657,068	\$ 73,780,192	\$ 75,271,865
Sales Tax	62,113,836	57,417,708	57,417,708	57,417,708	57,417,708	57,417,708
Franchise Fees	22,628,847	21,745,842	22,739,040	22,825,783	22,944,996	23,105,138
Fines & Forfeits	7,268,270	8,150,500	8,350,358	8,362,884	8,375,428	8,400,554
Building & Development	4,115,431	3,437,541	2,775,340	2,225,823	1,895,725	1,615,141
Licenses & Permits	2,050,537	2,568,473	2,554,120	2,569,658	2,545,949	2,529,840
Fees & Charges for Services	9,793,316	10,521,510	10,237,697	10,318,696	10,368,460	10,433,834
Intergovernmental	714,197	713,646	714,166	653,868	653,868	653,868
Interest Income	2,244,622	3,182,198	565,533	711,764	711,764	711,764
Transfers In	16,945,554	17,634,574	17,593,672	17,892,438	18,710,040	19,568,861
CIP Coming On-Line	-	-	-	-	100,000	100,000
Other	2,729,903	2,402,177	2,332,457	2,347,099	2,362,261	2,379,684
Total Recurring Revenue	\$ 208,198,257	\$ 210,842,939	\$ 208,348,861	\$ 201,982,790	\$ 199,866,390	\$ 202,188,256
Recurring Expenditures						
Salaries & Wages	\$139,826,925	\$151,397,706	\$148,741,352	\$153,339,800	\$ 155,166,325	\$ 156,485,926
Supplies & Services	47,572,854	51,704,465	53,495,716	51,907,244	53,217,845	54,756,182
Reimbursements	(1,731,795)	(1,966,128)	(1,966,128)	(2,064,434)	(2,126,367)	(2,190,158)
CIP Coming On-Line	-	-	-	3,627,126	4,758,987	3,033,801
Capital Outlay	2,377,311	2,505,307	3,277,437	1,000,000	1,000,000	1,000,000
Total Recurring Expenditures	\$ 188,045,295	\$ 203,641,350	\$ 203,548,377	\$ 207,809,735	\$ 212,016,790	\$ 213,085,750
Transfers Out	21,095,076	19,678,201	20,166,727	20,059,119	20,131,394	20,253,980
Fund Balance - Beginning	\$ 45,683,660	\$ 29,280,321	\$ 44,741,546	\$ 29,375,303	\$ 17,080,252	\$ 17,426,038
Total Recurring Revenue	\$ 208,198,257	\$ 210,842,939	\$ 208,348,861	\$ 201,982,790	\$ 199,866,390	\$ 202,188,256
Total Recurring Expenditures	\$ 188,045,295	\$ 203,641,350	\$ 203,548,377	\$ 207,809,735	\$ 212,016,790	\$ 213,085,750
Less: Transfers Out	\$ 21,095,076	\$ 19,678,201	\$ 20,166,727	\$ 20,059,119	\$ 20,131,394	\$ 20,253,980
Fund Balance - Ending	\$ 44,741,546	\$ 16,803,709	\$ 29,375,303	\$ 3,489,239	\$ (15,201,542)	\$ (13,725,436)
Required 30 Day Balance				17,080,252	17,426,038	17,513,897
Add'l Revenues or Program						
Reductions to Meet 30 Days				\$ 13,591,014	\$ 32,627,580	\$ 31,239,334
Days of Operation				53	30	30

General Fund Forecast

The General Fund is the City's largest single fund, and serves as the primary operating fund. All general tax revenues and other receipts that are not allocated by law or contractual agreement to other funds are accounted for in the General Fund.

The sources of revenue that comprise the General Fund are described below:

Operating Revenue Sources:

Ad Valorem Tax

Ad valorem taxes are levied against the tangible assessed valuation of real and personal property within the city. The property is assessed by the Central Appraisal District of Collin County at 100% of estimated market value and certified by the Appraisal Review Board.

Sales Tax

The City authorizes a 1% local sales and use tax on the receipts from the retail sale of all taxable items within the city. Local sales and use tax revenue is collected by the Comptroller of the State of Texas.

Mixed Drink Tax

The City receives a portion of the State of Texas tax on mixed beverages sold by private clubs within the city limits.

Bingo Gross Receipts Tax

The City authorizes a 2% collection of gross receipts resulting from conduct of bingo games by an authorized organization in any calendar month. The first \$2,500 of gross receipts each month are exempted.

Franchise Fees

Franchise fees are assessments, based upon gross receipts, for electric, telephone, fiber optics, gas, and cable television.

Fines & Forfeits

This category of revenue includes court fines and forfeitures, traffic fines, and library fines.

Licenses & Permits

Licenses and permits include revenue for building & development related, food handlers, restaurant plan review, animal, alarm, fire protection plan review, grease trap, and pool inspections.

Fees & Charges for Services

Fees and charges for services include revenue for animal adoption, ambulance service, 911, false alarm response, charges for parks and recreation programs, contractor registration, engineering inspection, re-inspection, tree trimming, food handler training, and child safety.

Intergovernmental Resources

These resources are comprised of revenues received from other governmental entities.

Other

Miscellaneous receipts include revenues such as interest income, rents, and insurance collections.

Other Financing Sources:

Operating Transfers In

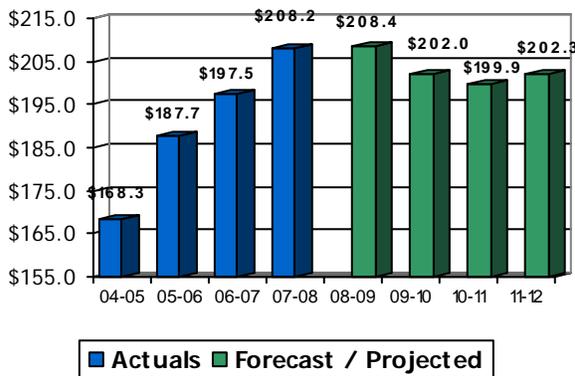
Transfers from other City funds.

GENERAL FUND

Operating Revenues

The General Fund accounts for most financial resources except those required for debt or specifically attributable to the enterprise funds. Resources are generated by property (ad valorem) and other taxes, franchise fees, fines & forfeits, licenses & permits, and fee & charges for services.

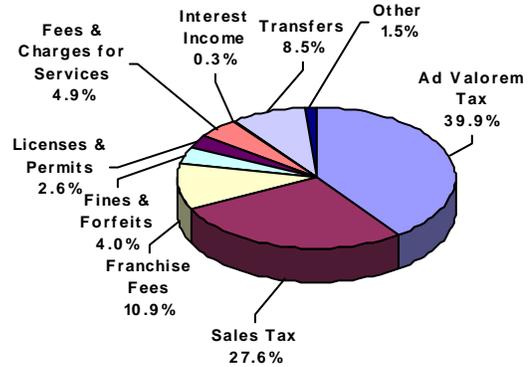
Total General Fund Revenue
(in millions)



The graph above shows the historical trends and projections for all General Fund revenues. As illustrated, 2004-05 revenues in the General Fund were highly affected by the national and local economy, the loss of jobs, and the impact of war. Over the past three years, we have witnessed a rebound in revenue sources, specifically sales tax and building and development related revenues. However, the current slowdown in the economy, a projected decline in existing property values, stagnant sales tax receipts, and the fallout from the nationwide mortgage crisis will most likely lead to revenue shortfalls during the three-year forecast period. By 2011-12, total General Fund revenues are estimated to be \$202.3 million, a 2.8% decrease over 2007-08 revenues.

The major sources that make up the General Fund revenues for 2008-09 include: Ad Valorem Tax (39.9%), Sales Tax (27.6%), Franchise Fees (10.9%), Fines & Forfeits (4.0%), Licenses & Permits (2.6%), Fees & Charges for Services (4.9%), Interest Income (0.3%), Transfers (8.5%), and Other (1.5%). A description of each source as well as a discussion of the outlook over the next three years follows.

General Fund Revenue by Source

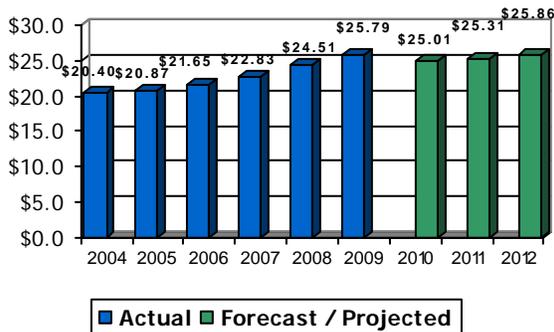


Ad Valorem Taxes

Ad valorem (property) taxes are the City's largest revenue source. Ad valorem tax revenue is determined by two major factors: the total assessed value established by both the Central Appraisal Districts of Collin County and Denton County plus the tax rate established by the City Council. In 2006-07, the City Council approved a 2.00 cent tax rate increase for a total tax rate of 47.35 cents per \$100 of assessed valuation. This 2.00 cent tax rate increase is dedicated solely for economic development incentives and redevelopment purposes.

Ad valorem tax revenue is based on maintaining the current tax rate of 47.35 cents per \$100 valuation for the next 3 years and assumes a 99.0% collection rate. At no time during the forecast period does the change in distribution between operation and debt exceed the 8.0% rollback operating limit. However, due to increasing bond sales sold over the last three years, a total of 1.54 cents will be required to be transferred back to the GO Debt Fund during 2009-10 from Operations.

Assessed Property Valuations
(in billions)



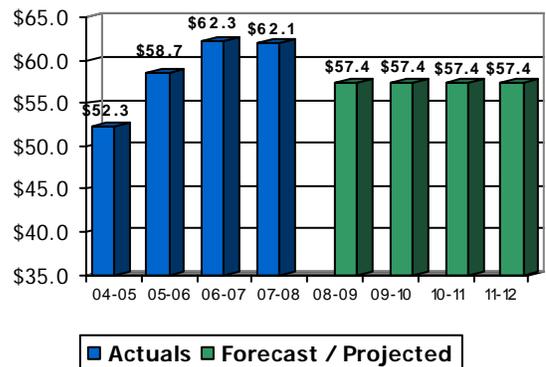
Based on projections attained by both the Central Appraisal Districts, existing property values are projected to decrease by 3.0% in 2009-10, remain constant during 2010-11, and then increase by 1.0% in 2011-12. New growth is projected at \$450.0 million in 2009-10 and then at \$300.0 million for both 2010-11 and 2011-12.

Sales Tax

Sales tax receipts, the General Fund's second largest source of revenue, are expected to decrease 7.6% in 2008-09 from the 2007-08 actual collection of \$62.1 million to \$57.4 million. Based on actual collections through March, this revenue source is projected to decline due to the slow down in the economy and a decrease in manufacturing and wholesale activity. Overall, sales tax receipts represent 27.6% of the total General Fund revenue in 2008-09.

Sales tax receipts will continue to be directly impacted by the national and local economy, the potential loss of market share to surrounding communities, the Texas Legislative-initiated "Back-To-School" Sales Tax Holiday occurring each August, and the developing streamlined sales tax issues of origin-based versus destination-based collections. We are projecting sales tax collections to remain constant at \$57.4 million during the forecast period in anticipation that these trends will continue.

Sales Tax Receipts
(in millions)



The graph above shows the historical trends and projections for sales tax receipts.

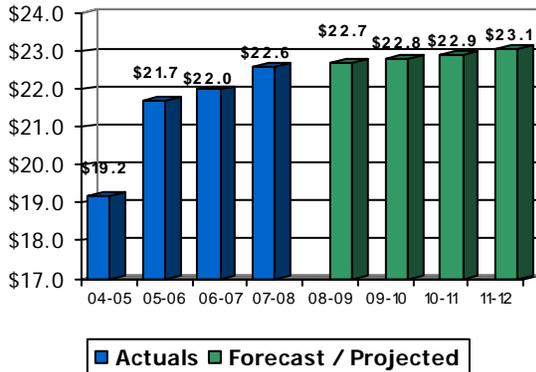
Franchise Fees

Franchise fees for 2008-09 are expected to total \$22.7 million, or 10.9% of the total General Fund revenue. Franchise fees are collected from assessments, based upon gross receipts, for electric, telephone, fiber optics, gas, and cable television.

Telephone, Fiber Optics, and Cable Television franchise fees are all projected to remain constant for the forecast period. Telephone franchise fees are re-estimated for 2008-09 at \$4.5 million; Fiber Optics franchise fees are re-estimated for 2008-09 at \$18,021; and Cable Television franchise fees are re-estimated for 2008-09 at \$2.5 million.

Electrical franchise fees are re-estimated for 2008-09 at \$11.9 million and are projected to increase at the indirect economy-based rate for each of the three forecast years. Gas franchise fees are re-estimated for 2008-09 at \$3.8 million and are also projected to increase at the indirect economy-based rate for each of the three forecast years. It is important to note that while franchise fee revenues from all sources are either remaining stable or declining, the expenditures charged cities for these services continue to increase. Most notably, both electricity and natural gas are projected to increase 5.0% each in 2010-11 and 2011-12.

Franchise Fees
(in millions)



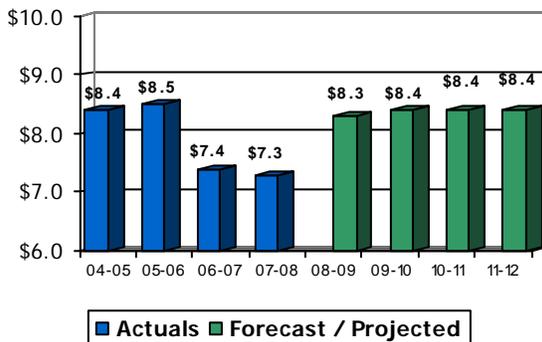
The graph above shows the historical trends and projections for franchise fee revenue. By 2011-12, this revenue source is estimated to reach \$23.1 million.

Fines & Forfeits

Fines and forfeits for 2008-09 are expected to increase to \$8.3 million, up \$1.1 million from 2007-08 actuals due to primarily to an increase in municipal court fines this year. This category of revenue includes court fines and forfeitures, traffic fines, and library fines.

Fines and forfeits are projected to increase at the indirect population-based rate of 0.15% in 2009-10, 0.15% in 2010-11, and 0.3% in 2011-12.

Fines & Forfeits
(in millions)



The graph above shows the historical trends and projections for fines and forfeits revenue. By 2011-12, this revenue source is estimated to reach \$8.4 million.

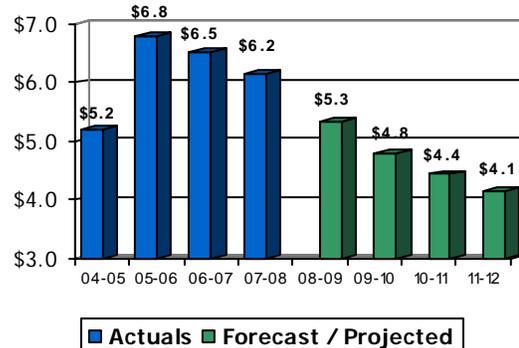
Licenses & Permits

Licenses and permits for 2008-09 are expected to total \$5.3 million, or 2.6% of the total General Fund revenue. Included within the licenses and permits category are food handlers permits, grease trap permits, animal licenses, alarm permits, most building & development related revenues, and various other permits.

Due to the sudden building slowdown as a result of the national and local economy, all building & development related revenues are projected to decrease 25.0% in 2009-10 and 15.0% for each of the 2 remaining forecast periods.

Most other licenses and permits revenues are projected to increase at the indirect population-based rate of 0.15% in 2009-10, 0.15% in 2010-11, and 0.3% in 2011-12.

Licenses & Permits
(in millions)



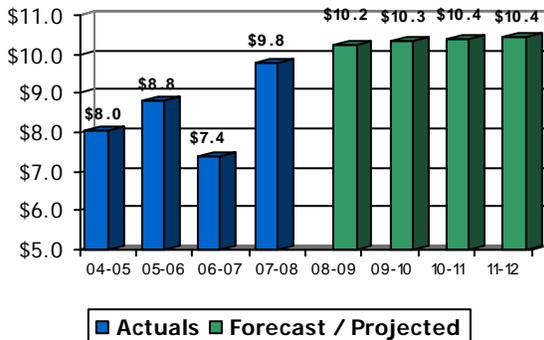
The graph above shows the historical trends and projections for licenses and permits revenue. By 2011-12, this revenue source is estimated to be \$4.1 million.

Fees & Charges for Services

Fees and charges for services for 2008-09 are expected to total \$10.2 million, or 4.9% of the total General Fund revenue. Included within the fees and charges for services category are ambulance service fees, emergency 911 fees, false alarm fees, recreation user fees, tennis center fees, engineering inspection fees, re-inspection fees, and various other fees.

Overall, most fees and charges for services are projected to increase at the indirect population-based rate of 0.15% in 2009-10, 0.15% in 2010-11, and 0.3% in 2011-12. Any building & development related revenues within this category are projected to decrease 25.0% in 2009-10 and 15.0% for each of the 2 remaining forecast periods.

Fees & Charges for Services
(in millions)



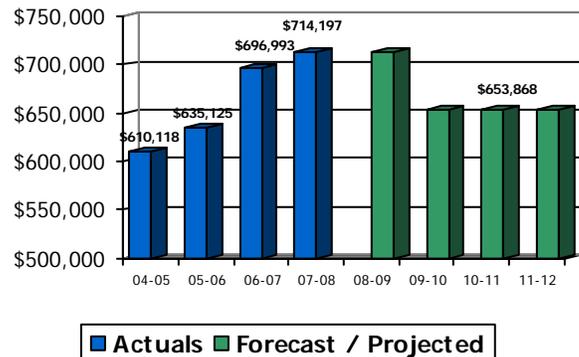
The graph above shows the historical trends and projections for fees and charges for services revenue. By 2011-12, this revenue source is estimated to reach \$10.4 million, a 6.5% increase over 2007-08 revenues.

Intergovernmental Resources

Intergovernmental resources for 2008-09 are expected to total \$714,166. These resources are comprised of revenues received from other governmental entities such as payments from Frisco I.S.D. for school crossing guards and school liaison officers, and Plano I.S.D. for school liaison officers. Also included are a Collin County library grant, a Denton County library grant, Plano-Richardson Police training facility receipts, and Interlocal Radio System Access revenue.

Intergovernmental resources are projected to drop from \$714,166 in 2008-09 to \$653,868 in 2010-11 due to a reduction in the PISD School Liaison Program. This amount is projected to remain constant throughout the forecast period at \$653,868.

Intergovernmental Resources



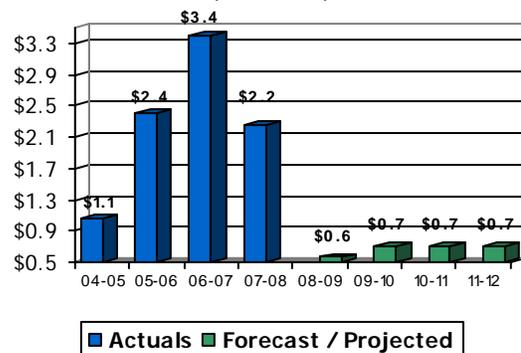
The graph above shows the historical trends and projections for intergovernmental revenue.

Other

Miscellaneous revenues for 2008-09 are expected to total \$2.9 million. Miscellaneous receipts include revenues such as interest income, rents, and insurance collections.

Interest income is projected to drop dramatically in 2008-09 due to the current economic crisis. Interest income is projected to only be \$565,533 in 2008-09 and then increase to \$711,764 in 2009-10 and then remain constant at \$711,764 throughout the remaining forecast period assuming more favorable interest rates.

Interest Income
(in millions)

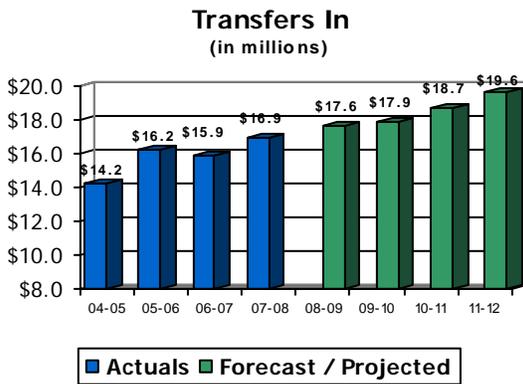


The graph above shows the historical trends and projections for interest income. By 2011-12, this revenue source is estimated to be at \$711,764.

Other Financing Sources:

Operating Transfers In

Transfers in for 2008-09 are expected to total \$17.6 million, or 8.5% of the total General Fund revenue. Transfers in include intra-fund transfers from the Water & Sewer Fund, the Sustainability & Environmental Services Fund, the Recreation Revolving Fund, the Municipal Golf Course Fund, the Convention & Tourism Fund, and the Municipal Drainage Fund. All transfers are based on a percentage allocation of revenues received in each of these funds. Therefore, the revenues received in future years depend on revenues generated in each of these funds over the next three years.



The graph above shows the historical trends and projections for transfers in. By 2011-12, this revenue source is estimated to reach \$19.6 million.

CIP Coming On-Line

Additional revenues anticipated in the future as a result of new facilities coming on-line include the Carpenter Recreation/Senior Center expansion. In both 2010-11 and 2011-12, \$100,000 in additional revenues is anticipated for a full year operation at the expanded facility.

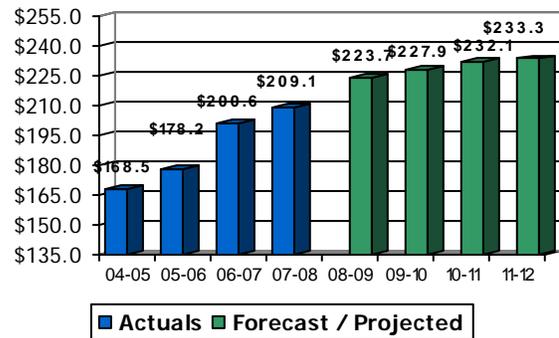
Operating Expenditures

Four decades of rapid growth stimulated local business and development activity and created generous municipal revenues and opportunities. The community, in turn, placed demands on the City to maintain and/or enhance the services provided for citizens. Careful financial planning

and budgeting are integral to the budget process as it is known today.

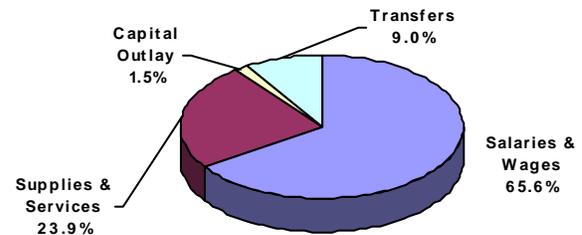
The following graph shows the historical trends and projections for all General Fund expenditures. Over the past decade, there has been steady growth in all major expenditure categories, resulting from the strong growth in the City's population and the need for increased services. Expenditure increases can fluctuate from year-to-year mainly due to one-time expenditures.

Total General Fund Expenditures (in millions)



The major expenditures that make up the General Fund by category for 2008-09 include: Salaries & Wages (65.6%), Supplies & Services (23.9%), Capital Outlay (1.5%), and Transfers (9.0%). A description of each expenditure category as well as a discussion of the outlook over the next three years follows.

General Fund Expenditures by Category



Salaries, Wages and Employee Benefits

Total Salary & Wage growth for the forecast period is projected at \$16.6 million or an 11.9% increase over 2007-08 costs. No salary increases have been included for either Civil

Service or Non-Civil Service employees in the forecast. In addition, attrition is projected at 5.0% for the General Fund. No new positions or program enhancements are included in the projections with the exception of retirement payouts which are included at \$2.0 million for each year of the forecast period. This is necessary to help offset the anticipated large number of retirements in the near future.

Benefits expenditure projections include a 10.0% health insurance increase for all periods of the forecast to fund the implementation of GASB 45, and a 1.0% TMRS rate increase. Other benefit rate calculations remain constant. Slight increases to benefits costs such as Medicare, retirement, disability and life insurance costs are driven by annual salary increase rates.

Supplies & Services

Supplies & services include materials, supplies, contracts, and sundry. During the period of 2007-08 to 2011-12, supplies & services expenditures are projected to increase by \$7.2 million or a 15.1% increase over 2007-08 expenditures.

Supplies & services costs are projected to increase based on the projected inflation rate of 1.5% in 2009-10, 1.5% in 2010-11 and 2.0% in 2011-12. Municipal garage charges are projected to increase 8.0% in 2009-10 and then 7.0% in each of the remaining two forecast periods due to anticipated rising fuel costs. Electricity charges are projected to remain flat in 2009-10 and then increase 5.0% in each of the remaining two forecast periods. Finally, just like electricity, natural gas charges are projected to remain flat for in 2009-10 and then increase 5% in each of the remaining two forecast periods.

Capital Outlay

Capital outlay is projected at \$1,000,000 per year for library books. No other new capital is provided for in the General Fund with the exception of capital outlay related to CIP projects coming on-line.

Transfers

The Capital Reserve Fund policy aims to allocate 75.0% of the annual depreciation to be transferred from the General Fund. The transfer to the Capital Reserve Fund is projected to remain constant at \$10.5 million for each forecast period.

The Property & Liability Loss Fund transfer is projected based on a three-year average of General Fund losses. The transfer is projected at approximately \$2.3 million in 2008-09 and is projected to remain constant at \$2.5 million for the remainder of the forecast period. This transfer is necessary to pay Workers Compensation and Judgments & Damages claims.

A transfer to the Technology Fund in the amount of \$1.0 million in all forecast periods is representative of the General Fund's proportionate share for technology related expenses.

The transfer to the CATV Fund is based on a percentage of the cable television franchise received. For all 3 years of the forecast, the General Fund will transfer 10.0% of the cable television franchise received to the CATV Fund, which amounts to \$248,430 each year.

The Economic Development transfer is projected to be \$858,361 in 2009-10. This amount will increase 1.5% in both 2010-11 and 2011-12. This annual transfer amount is for personnel and operating and maintenance costs for the Economic Development Department. In 2006-07, the City Council approved a 2.00 cent tax rate increase to be dedicated solely for economic development incentives and redevelopment purposes. In that initial year, \$6.0 million, which included the two-cent amount plus supplemental funding from the General Fund, was transferred into the Economic Development Incentive Fund for the start-up of this Fund. An additional \$6.0 million was transferred in 2007-08. The forecast includes the transfer to include \$4.9 million in 2009-10; \$5.0 million in 2010-11; and \$5.1 million in 2011-12. These forecasted amounts represent only the actual two-cent property tax revenue and does not include supplemental funding from the General Fund.

Detailed information regarding specific transfers is provided in the Appendix section: *Three-Year Financial Forecast – Transfers*.

Community Investment Program Impacts

Included in this forecast are new project costs associated with Community Investment Projects coming on-line during the forecast period totaling over \$11 million. These projects include Fire Stations and equipment, an Emergency Operations Center, an expansion of the Carpenter Recreation Center, and additional Park Improvements. Please refer to *Projected General Fund O&M Expenses – Community Investment Program* in the Appendix Section of this document for a detailed list.

Not included in the fund projections in this forecast are any of the recommended budget reductions discussed during the March 6, 2009 worksession. All potential reductions will be reviewed for inclusion into the 2009-10 Budget during the upcoming budget process this summer.

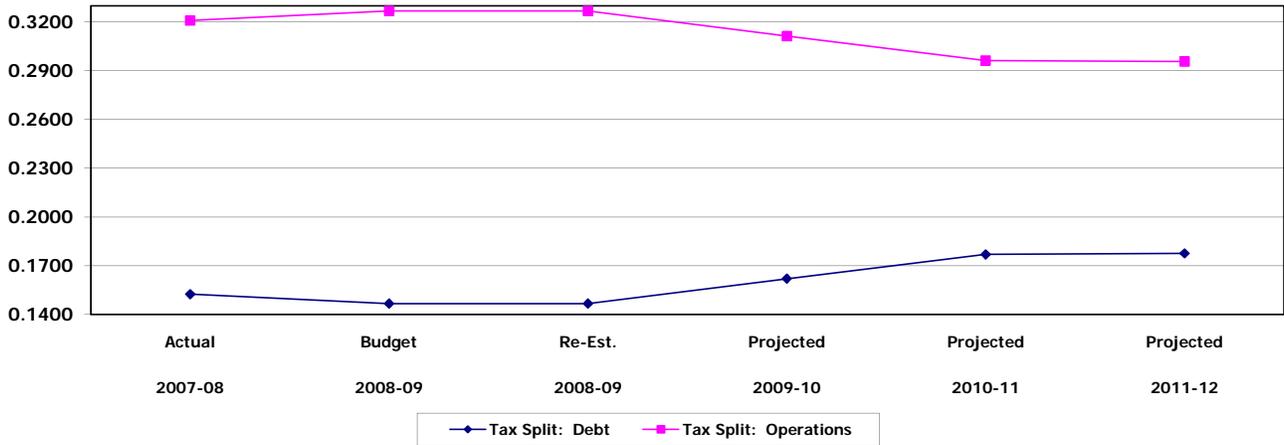
Outlook & Analysis

Financial policies adopted by City Council stipulate that the General Fund must maintain a working balance of 30 days. Beginning in 2009-10, based on this current forecast, the General Fund will fall short of this Council goal.

Specifically, the General Fund will need an additional \$13.5 million in additional revenues, reduced expenditures, or a combination of both to reach the 30 day working balance requirement. Thus, the projections indicate that there may not be sufficient resources in the General Fund to maintain current operations or increase staffing to meet growing the demand for services, even if revenues meet expectations.

In an effort to help soften the anticipated 2009-10 budget shortfall, departments were instructed in October, 2008 to identify core services and all associated costs and staffing to provide these core services. From this, each Department's Core Business Matrix was developed. Departments then met with City Council to go over all core services. Based on direction at that time from the City Council, departments were then asked to make certain modifications and fine tune their Matrixes. A second worksession with City Council occurred on March 6, 2009. Included in this worksession was discussion regarding potential 10% cuts from each department. Total potential reductions totaled \$8.6 million.

General Obligation Debt Fund Recurring Revenue Vs. Recurring Expenditures



	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Recurring Revenue						
Ad Valorem Taxes	\$ 36,900,896	\$ 36,956,430	\$ 36,956,430	\$ 39,669,194	\$ 43,969,390	\$ 45,108,689
Interest Income	941,997	600,000	500,000	600,000	700,000	800,000
Transfers In	547,804	834,120	834,120	-	-	-
Police Academy Reimbursement	248,301	73,736	238,425	246,554	142,527	150,597
Total Recurring Revenue	\$ 38,638,998	\$ 38,464,286	\$ 38,528,976	\$ 40,515,748	\$ 44,811,917	\$ 46,059,286
Recurring Expenditures						
Principal	\$ 21,715,000	\$ 21,615,000	\$ 21,615,000	\$ 22,645,000	\$ 24,253,858	\$ 25,059,610
Interest	13,463,820	13,651,357	14,096,285	13,302,651	13,714,901	14,203,484
Trans to Tech Infra & Pub Art	281,900	281,588	281,588	281,064	280,326	284,376
Transfer to Tax Notes Moto Mesh	2,110,000	2,103,200	2,103,200	2,099,000	2,097,200	2,092,600
Transfer to Tx Nt MotoMesh& Radi	327,916	2,659,794	2,659,794	2,678,419	2,694,494	2,717,869
Transfer to Tax Notes Radio Sys R	0	0	96,019	963,725	969,994	980,644
Exchange Fees	3,089	20,000	10,000	10,000	10,000	10,000
New Debt	0	642,683	0	691,313	700,000	675,000
Total Recurring Expenditures	\$ 37,901,725	\$40,973,622	\$ 40,861,886	\$ 42,671,172	\$ 44,720,773	\$ 46,023,583
Fund Balance - Beginning	\$ 4,754,700	\$ 4,287,993	\$ 5,491,973	\$ 3,159,063	\$ 1,003,638	\$ 1,094,782
Total Recurring Revenue	\$ 38,638,998	\$ 38,464,286	\$ 38,528,976	\$ 40,515,748	\$ 44,811,917	\$ 46,059,286
Total Recurring Expenditures	\$ 37,901,725	\$ 40,973,622	\$ 40,861,886	\$ 42,671,172	\$ 44,720,773	\$ 46,023,583
Fund Balance - Ending	\$ 5,491,973	\$ 1,778,657	\$ 3,159,063	\$ 1,003,638	\$ 1,094,782	\$ 1,130,485
Total Assessed Property Value			\$25,785,315,308	\$25,011,755,849	\$25,311,755,849	\$25,864,873,407
Tax Split:						
Debt	0.1525	0.1467	0.1467	0.1621	0.1771	0.1777
Operations	0.3210	0.3268	0.3268	0.3114	0.2964	0.2958
	0.4735	0.4735	0.4735	0.4735	0.4735	0.4735

General Obligation Debt Service Fund Forecast

The General Obligation Debt Service Fund accounts for the accumulation of monies set aside to pay principal and interest on debt incurred through sale of bonds and other debt instruments. These tax bonds finance long-term community investment projects such as streets, parks, buildings, and technology infrastructure projects.

Operating Revenue Sources:

Ad Valorem Tax

Ad valorem taxes are levied against the tangible assessed valuation of real and personal property within the city. The property is assessed by the Central Appraisal Districts of Collin County and Denton County at 100% of estimated market value and certified by the Appraisal Review Board.

Other

Miscellaneous receipts include revenues such as interest income.

Other Financing Sources:

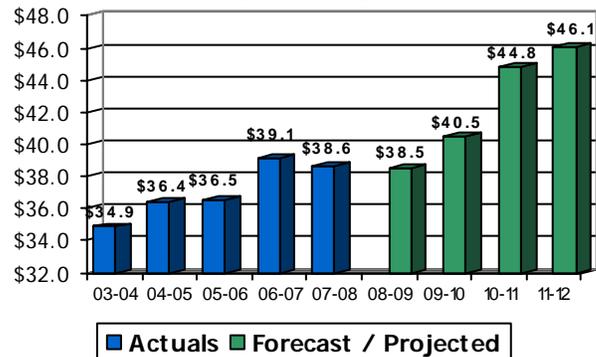
Operating Transfers In

Transfers from other City funds for existing debt as well as reimbursements.

Operating Revenues

Ad valorem taxes necessary to be collected in the General Obligation Debt Service Fund are determined by using the projected assessed value for each year, and appropriating the funds required for principal and interest payments on existing and new debt. All additional revenue that is collected in the General Obligation Debt Service Fund, such as interest earnings and reimbursements for the Convention & Tourism debt and Police Academy debt, helps offset the amount of ad valorem tax revenue required to keep the ending fund balance at 2.5% of current taxes.

Total General Obligation Debt Service Fund Revenue
(in millions)



The graph above shows the historical trends and projections for all General Obligation Debt Service Fund revenues.

By 2011-12, total General Obligation Debt Service Fund revenues are estimated to reach \$46.1 million.

Ad Valorem Taxes

The existing tax rate is used for projections throughout the three-year period. After the debt portion of the tax rate is determined, the remaining amount is available for operations. Due to economic conditions, the issuance of several large Tax Notes and with property values in 2009-10 projected to decrease by 3%, the projected debt portion of the tax rate will need to increase from .1467 to .1621. According to preliminary estimates provided by the Central Appraisal Districts of Collin County and Denton County, the total assessed property value projected for 2009-10 is \$25.0 billion. Adjustments are made for both TIF Districts and the 380 Agreements.

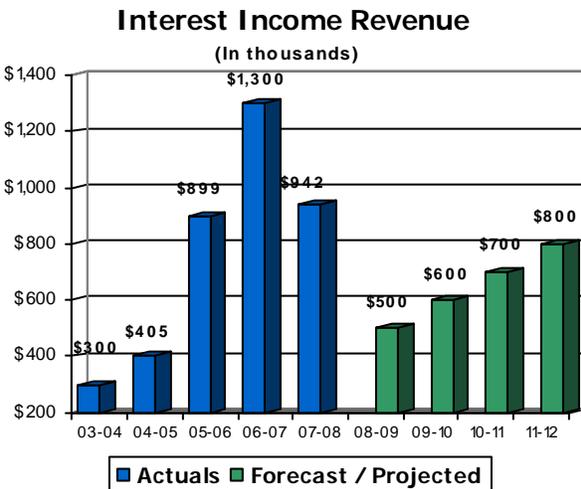
Ad valorem tax revenue is based on maintaining the 2008-09 tax rate of 47.35 cents per \$100 valuation for the next 3 years and assumes a

99.0% collection rate. At no time during the forecast period does the change in distribution between operation and debt exceed the 8.0% rollback operating limit. However, due to increasing bond sales sold over the last four years, a total of 1.54 cents will be required to be transferred back to the G.O. Debt Fund during 2009-10 from Operations.

Other

Miscellaneous revenues for 2008-09 are expected to total \$1,572,545. Miscellaneous revenues are comprised of interest income and transfers.

Interest income is projected to generate \$500,000 in 2008-09. The interest rates are projected to increase \$100,000 per year for fiscal years 2009-10 through 2011-12. The graph below shows the historical trends and projections for interest income.



Other Financing Sources:

Operating Transfers In

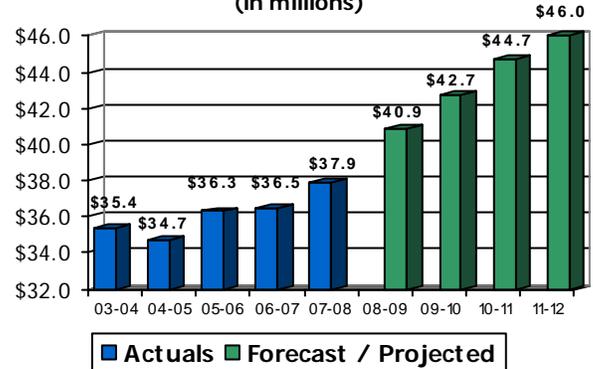
Transfers in for 2008-09 are expected to total \$1,072,545. Transfers in include reimbursement for the Police Academy debt in the amount of \$238,425 and a loan payoff transfer for the Civic Center debt in the amount of \$834,120.

After 2008-09, the transfers are projected to decrease constantly through 2011-12 as the Police Academy repays the G.O. Debt fund. The Police Academy reimbursement from the other member city is scheduled to be received through 2025 when the Police Academy debt is paid off.

Operating Expenditures

Expenses in this fund are exclusively for support of principal and interest payments on long-term general obligation debt. The following graph shows the historical trends and projections for all G.O. Debt Service Fund expenditures.

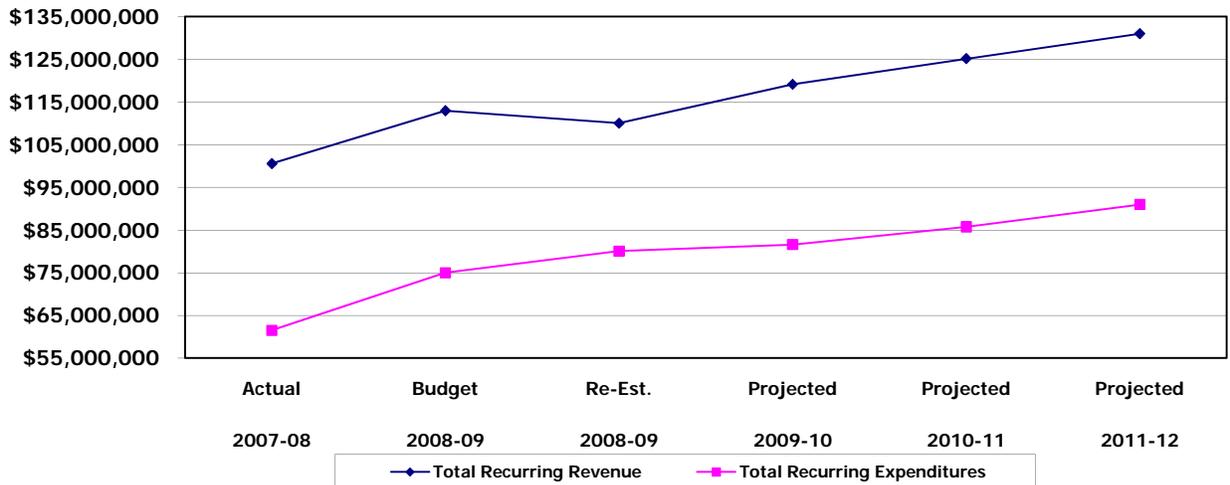
Total General Obligation Debt Service Fund Expenditures (in millions)



Existing bond authority should provide funding for community investment projects into 2009-10 from the \$144.8 million in bond authority approved by voters on May 7, 2005. A City Ordinance has been passed calling for a bond referendum on May 9, 2009. The new authority requested on the referendum totals \$128.6 million with one revocation in the amount of \$3.5 million. The forecast assumes passage of the propositions for the purpose of projecting future bond sale amounts. On January 26, 2009, \$41.7 million in bonds were sold as well as \$35.3 million in G.O. Refunding and Improvement Bonds and \$6.4 million in Tax Notes. In January 2010, \$38.1 million is projected to be sold, \$28.1 in G.O. and \$10.0 million in Tax Notes. For the purpose of this forecast, a \$35.0 million bond sale is scheduled for 2009-10 and \$30.0 million for 2010-11 & 2011-12. The new debt uses an average interest rate of 3.5% for 2009-10 G.O. and 4.0% for 2009-10 Tax Notes, 4.0% for 2010-11, and 4.5% for 2010-11. The issuance is projected on mid-year sales with only one interest payment included in the first year.

Primary factors affecting the projections include changes in economic conditions, interest rates, structuring of debt payments and actual amounts of the annual bond sale.

Water & Sewer Fund Recurring Revenue Vs. Recurring Expenditures



	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Recurring Revenue						
Water Income	\$ 52,620,501	\$ 57,484,581	\$ 57,675,514	\$ 60,846,113	\$ 65,630,724	\$ 70,493,796
Sewer Income	44,569,734	52,540,000	49,352,550	55,233,600	56,427,072	57,555,613
Water Taps	87,052	77,131	90,780	92,596	93,290	94,223
Water & Sewer Penalties	1,339,659	1,234,162	1,328,628	1,339,257	1,343,275	1,351,334
Water Meters	196,413	223,451	152,094	153,235	154,384	155,928
Construction Water	245,036	229,848	282,255	284,372	286,505	289,370
Service Connect Fee	162,317	172,974	155,420	156,586	157,760	159,338
Backflow Testing	287,475	298,809	298,809	301,050	303,308	306,341
Sewer Tie-On	27,100	27,974	27,974	28,184	28,395	28,679
Pre-Treatment Permits	27,775	27,993	27,993	28,203	28,414	28,699
Interest Earnings	0	50,000	50,000	50,000	50,000	50,000
Transfer from Water Impact Fees	254,530	0	0	0	0	0
Educational Building	148,928	148,928	148,928	148,928	148,928	0
Misc. Income	591,558	431,468	431,468	463,828	467,307	471,980
Total Recurring Revenue	\$ 100,558,078	\$ 112,947,318	\$ 110,022,412	\$ 119,125,951	\$ 125,119,362	\$ 130,985,300
Recurring Expenditures						
Salaries & Wages	\$ 8,252,650	\$ 8,948,305	\$ 9,158,235	\$ 9,420,728	\$ 9,497,149	\$ 9,569,867
Supplies & Services	6,900,269	10,996,126	14,268,693	11,238,085	11,540,454	11,784,610
NTMWD	45,131,652	53,961,646	53,961,646	59,682,163	63,454,403	68,357,218
Retirement of NTMWD Debt	815,191	828,355	828,355	861,488	869,233	869,898
Reimbursements	265,134	275,144	385,193	385,522	396,586	407,969
Capital Outlay	147,451	-	1,470,584	-	-	-
Total Recurring Expenditures	\$ 61,512,347	\$ 75,009,576	\$ 80,072,706	\$ 81,587,986	\$ 85,757,825	\$ 90,989,561
Transfers Out	31,439,292	34,349,069	34,349,069	38,047,731	36,364,005	37,369,453
Fund Balance - Beginning	\$4,823,608	\$4,021,400	\$ 12,430,047	\$ 8,030,684	\$ 7,520,917	\$ 10,518,448
Total Recurring Revenue	\$ 100,558,078	\$ 112,947,318	\$ 110,022,412	\$ 119,125,951	\$ 125,119,362	\$ 130,985,300
Total Recurring Expenditures	\$ 61,512,347	\$ 75,009,576	\$ 80,072,706	\$ 81,587,986	\$ 85,757,825	\$ 90,989,561
Less: Transfers Out	\$ 31,439,292	\$ 34,349,069	\$ 34,349,069	\$ 38,047,731	\$ 36,364,005	\$ 37,369,453
Fund Balance - Ending	\$ 12,430,047	\$7,610,073	\$ 8,030,684	\$ 7,520,917	\$ 10,518,448	\$ 13,144,735
Add'l Revenues or Program Reductions to Meet 45 Days						
Days of Operation			37	34	45	53

Water & Sewer Fund Forecast

The Water & Sewer Fund, an enterprise fund, provides for the administration, operation, and maintenance of the City's water and wastewater system, billing, and collection activities. The services provided by the Water & Sewer Fund are financed through utility customer fees. Common sources of revenue that comprise the Water & Sewer Fund are described below:

Operating Revenue Sources:

Water Income

Monthly service fees charged for potable water, designed to recover customer costs based on customer class, metered water consumption per thousand gallons and meter line size.

Sewer Income

Monthly service fees charged for wastewater collection, transmission, and treatment services. Sewer fees are based on customer class, metered gallons of water consumed, and use a rolling three year Winter Quarter Average.

Water Taps

Fee charged for water line installation and connection from the customer's service line to the meter and the municipal water main.

Water & Sewer Penalties

A late fee charged for failure to pay the utility bill by the 25th day after billing date.

Water Meters

Fee charged for the installation of water meters. All meters remain the property of the City.

Construction Water

Fee charged for consumption of water using temporary fire hydrant meters, usually for temporary water connections during construction.

Service Connect Fee

Fee charged to turn on water service, and for any transfer of service from one name or address to another where no service call is required.

Backflow Testing

Periodic fee to test the integrity of water system backflow prevention devices to assure that no cross connection has occurred during the installation or relocation of water lines, sprinkler systems, fire suppression service lines and meters on private property.

Sewer Tie-On

Fee charged for connection to an existing sanitary sewer line.

Pre-Treatment Permits

Fee charged for any significant industrial or commercial user which discharges non-domestic waste into the sanitary sewer system.

Miscellaneous Income

Includes revenues such as interest income related to the fund balance, sewer taps, disconnect and reconnect fees, rental income, insurance collections, and other miscellaneous sources.

Other Financing Sources:

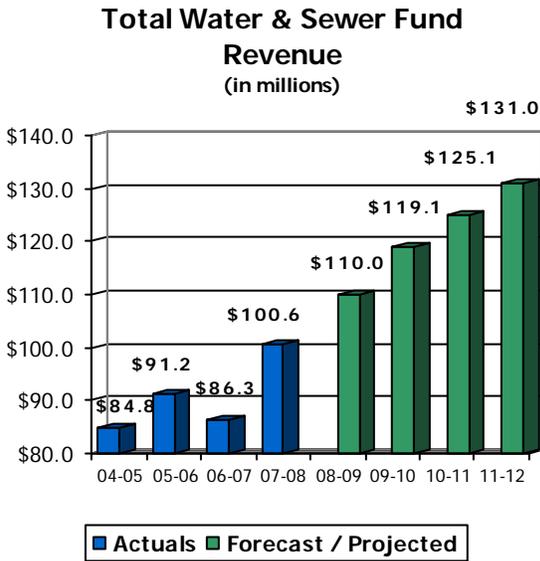
Operating Transfers In

Direct transfers from water impact fees, water and sewer reserve funds and other sources on an as needed/if available basis.

WATER & SEWER FUND

Operating Revenues

The City of Plano secures its water supply and sewer services from the North Texas Municipal Water District (NTMWD). The City provides the payment of its contractual obligations with NTMWD from revenues generated by the waterworks and sewer systems.

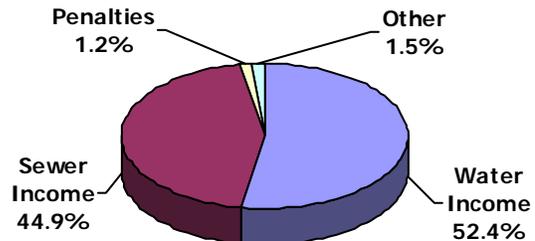


The graph above shows historical revenue data and future revenue projections for the Water & Sewer Fund. Revenues in this Fund have been highly affected by the extreme reversals from year to year in local weather patterns and conditions. During fiscal years 2003 through early 2005, the area held with very wet weather conditions followed by an immediate reversal to drought during the summer of 2005 through 2006, with a complete reversal to above average rainfalls in 2007. In 2008, dry area conditions returned, and consumption patterns increased again. Water and sewer revenues reflected in this forecast are based on a return to the water consumption usage pattern at 26.7 Billion gallons of water, the amount required on the take or pay contract with NTMWD.

Other factors impacting revenue include: Winter Quarter Averaging for sewer charges based on metered water consumption during the winter

months; updates to the Water & Sewer rate model; across the board rate changes; major sewer and water delivery line repairs; significant increases in wholesale costs from NTMWD for water and wastewater (sewage) treatment and processing; and a change in water consumption patterns as related to water conservation efforts and other sustainability programs.

2008-09 Water & Sewer Fund Revenue by Source



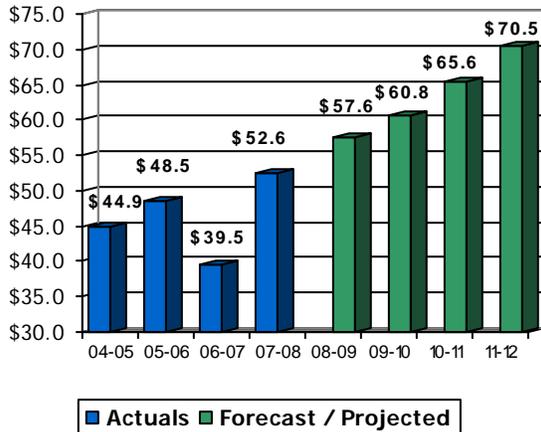
2008-09 Water & Sewer Fund re-estimated revenues include: Water Income (52.4%), Sewer Income (44.9%), Penalties (1.2%), and Other sources (1.5%). A description of each source as well as a discussion of the outlook over the next three years follows.

Water Income

Water & Sewer Fund's largest revenue source is water income. Water revenues are based directly on the type of customer (residential or nonresidential/commercial), meter size, and consumption or metered gallons. Usage is billed monthly per thousand gallons. Plano purchases water from the NTMWD at a rate based on a 1,000 gallon basis, subject to a 26.7 billion gallon minimum annual purchase. Water sales are quickly and dramatically impacted by changes in local weather patterns such as excess rainfall or drought as evidenced in a preceding graph. Conservation and "Green Living" practices are also impacting the City's annual water revenues, ultimately reducing metered consumption. Unused or "unsold" water reduces the water revenues received by the City, with additional negative impact to the fund because of the minimum gallons that must be purchased under terms of the contract with

NTMWD. Conversely, when the annual minimum usage requirement (26.7 billion gallons) is exceeded, that amount becomes the new annual minimum purchase required of the City. The NTMWD minimum gallon purchase requirement was last increased during 2001-02, based on high usage during the summer of 2002.

Water Income
(in millions)



Future water revenue projections are based on a return to a more normal weather pattern and an averaged water sales volume of approximately 26.4 billion gallons per year, based on 2005-06 usage. 2008-09 water income is currently re-estimated at \$57.6 million, a very slight increase over the original Budget. This revenue amount includes the pass through of a .10 per thousand gallon rate increase by NTMWD, and an expansion of the water seasonal rate plan to include two additional months, April and October. Water and sewer rates were last adjusted effective March 1, 2009 to cover increased costs from the water district.

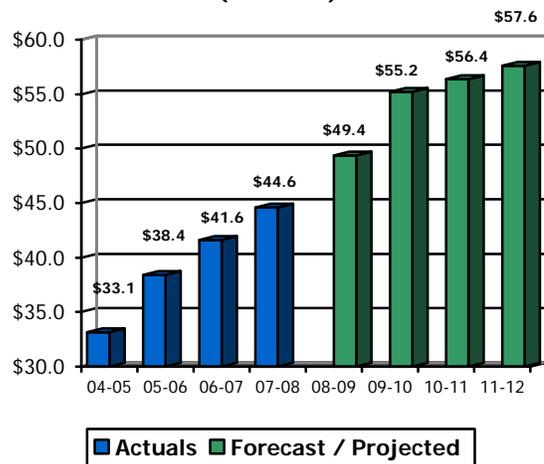
The water income graph illustrates historical trends and projections for water income. By 2011-12, this revenue source is estimated to reach \$70.5 million. Future 10% average annual wholesale water cost increases from NTMWD are factored into these revenue projections, and will be passed through to customers at rates determined by a rate study currently in progress.

Sewer Income

Sewer income represents the Water & Sewer Fund's second largest revenue source, and is based on a Winter Quarter Averaging method. The 2008-09 sewer income re-estimate has been reduced \$3.2 million from the original Budget.

Sewer revenues reflect the use of Winter Quarter Averaging to annually re-set the monthly sewer rates for customers. This method uses the water consumption for each customer based on their December, January, February, and March billings. These billings are typically based on November, December, January, and February actual water consumptions. The highest month of consumption of these four billing periods is disregarded, and the remaining three months are averaged. This quarter average is then averaged with the prior two years Winter Quarter Averages to establish the sewer usage charge for billing over the next 12-monthly billing periods. Once the new annual sewer usage rate is established, this amount is billed for the next 12 months. The advantage of the Winter Quarter Averaging program for residents is that lawn watering and other outdoor usage during the warmer months does not impact the monthly sewer charges.

Sewer Income
(in millions)



The sewer income graph indicates both the historical trends and projections for sewer income. Sewer revenue projections include the pass-thru of a 23.5% sewer treatment and transmission increase as received from NTMWD

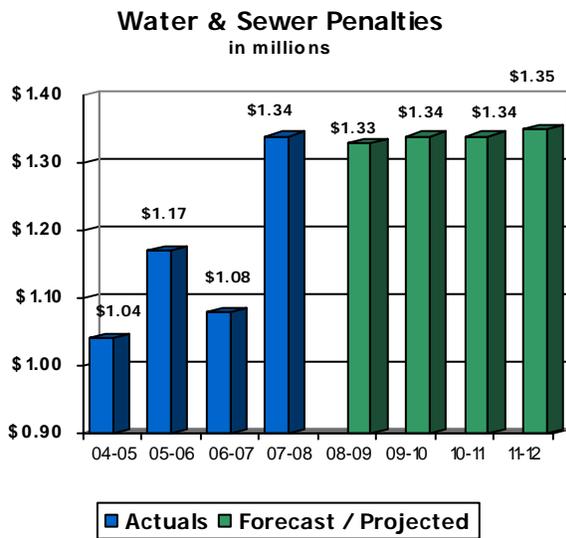
for 2008-09. Future annual cost projection increases for wastewater treatment and transmission vary from 2% to 20%, and are included in this forecast. Wastewater increases from the district will be passed through to customers as determined by the rate study currently in progress.

By 2011-12, the wastewater revenue is estimated to reach \$57.6 million, based on annual gallons treated.

Water & Sewer Penalties Income

Water & Sewer penalties collected have trended upwards based on economic conditions, population growth and rate changes. Weather patterns affect consumption and also impact the penalties collected. A penalty charge is assessed for failure to pay the monthly water and sewer billing by the 25th day after the billing date.

Water & Sewer penalties are projected at \$1.3 million for the 2008-09 Re-Estimate and the 2009-10 Budget.



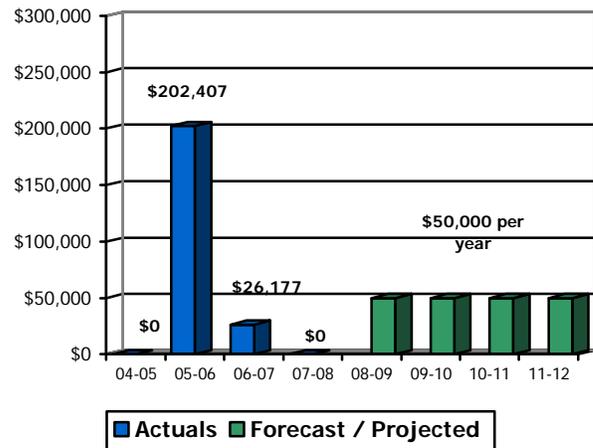
The graph shows the historical trends and projections for Water & Sewer penalties, by 2011-12, this revenue source is projected to reach \$1.35 million.

Other

Miscellaneous revenues for 2008-09 are re-estimated at \$1.67 million, or 1.5% of the total Water & Sewer Fund revenues. Miscellaneous

sources include revenues such as interest income, water and sewer taps, water meters, transfers in, service connect fees, connection fees, backflow testing, and other miscellaneous sources.

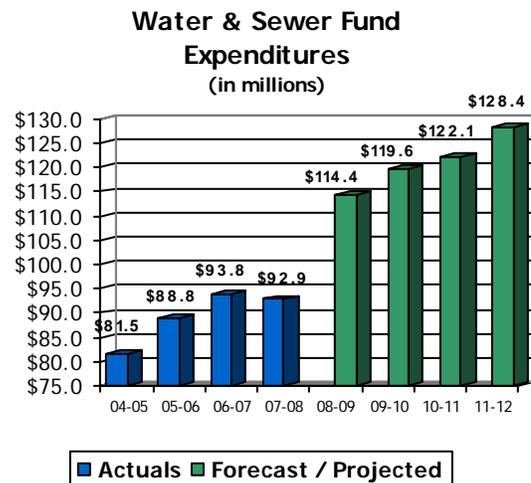
Interest Income



Interest income is re-estimated for 2008-09 at \$50,000 and is projected at \$50,000 for the remainder of the forecast with optimism. Interest earnings are critically affected by the monthly fund balance and the overall unfavorably poor investment market conditions.

Operating Expenditures

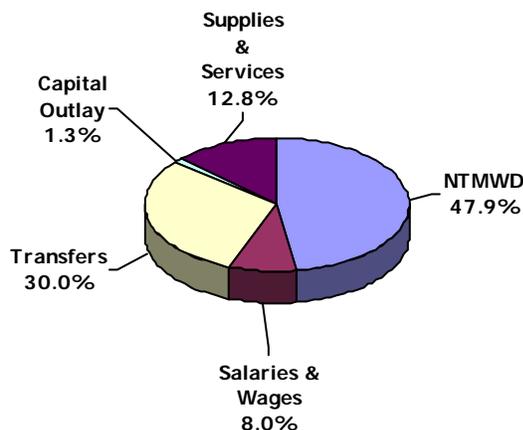
The following graph shows the historical trends and forecast period projections for Water & Sewer Fund operating expenditures and transfers.



The expenditures are expected to increase by \$35.4 million (38.1%) from the 2007-08 actual expenditures when compared to 2011-12 projected expenditures.

This increase is specifically tied to the ever-increasing costs of water delivery and wastewater treatment from NTMWD, as well as the inclusion of transfers to a Water and Sewer Reserve Fund during 2010-11 and 2011-12 totaling \$4.0 million. The Reserve Fund balance was depleted during 2006-07 when the remaining reserve funds were required to help offset the major fluctuations and a very major sewer line repair. These fluctuations were experienced during periods of extreme weather conditions, including severe drought and excessive rainfall.

2008-09 Water & Sewer Fund Expenditures by Category



Major expenditures in the Water & Sewer Fund for the 2008-09 Re-Estimate include: Salaries & Wages, 8.0%; Supplies & Services, 12.8%; NTMWD, 47.9%; Capital Outlay, 1.3%; and Transfers, 30.0%.

Salaries, Wages and Employee Benefits

Salary, Wage and Benefit expenses are projected to increase by \$1.3 million or 16.02% for the entire five year period from the 2007-08 actual expenditures as compared to 2011-12 projected expenditures. Salary, wage and benefit predictions include salaries for all approved positions and reflect a 1.0% attrition rate. No salary or merit increases, no new

positions and no program enhancements have been included in this forecast.

Benefits expenditure projections include a 10.0% health insurance increase for all periods of the forecast to fund the implementation of GASB 45, and a 1.0% TMRS rate increase. All other benefit rate calculations remain constant.

Supplies & Services

Supplies & services include materials, supplies, contracts, fuel, repairs, utilities, sundry and reimbursements to other cost centers. During the period of 2007-08 to 2011-12, supplies and services expenditures are projected to increase by \$5.0 million or a 70.2% increase over the actual 2007-08 expenditures. Basic materials, supplies, sundry and services are projected to increase by 1.5% in 2009-10 and 2010-2011, and by another 2% in 2011-2012. Municipal garage charges are programmed to increase 8% in 2009-10, and 7% in both 2010-11 and 2011-12, while electricity rates are projected to be flat in 2009-10, and then increase 5% for the final two years of the forecast period.

North Texas Municipal Water District

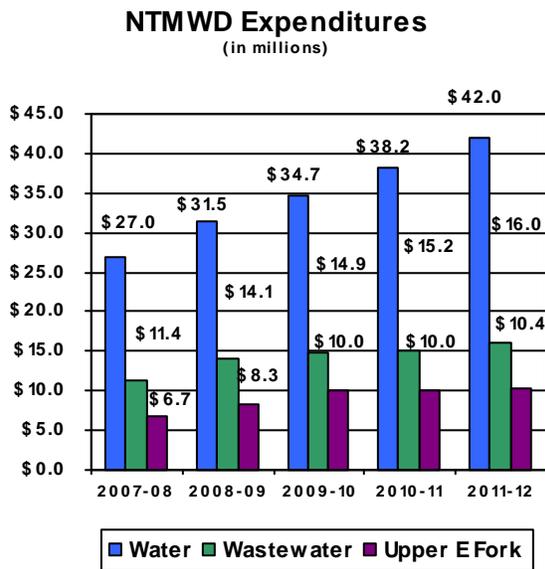
Projected increases from the NTMWD for water and sewer service treatment and delivery during the forecast period total \$23.3 million, and are a 50.7% increase over the 2007-08 NTMWD expenditures.

NTMWD water costs are projected to increase approximately 10.0% during each year of the forecast, with annual expenditure increases based on the current take or pay minimum of 26.7 billion gallons. For 2009-10, the wholesale water rate is projected at \$1.30 per thousand gallons, a \$0.12 increase over the 2008-09 rate of \$1.18 per thousand gallons. In 2010-11, the water cost projections increase to \$1.43 per thousand, and in 2011-2012, another increase to \$1.57 per thousand gallons.

Wastewater treatment costs are projected to increase 6.0% for FY 2009-10, 2% for 2010-11 and 5.0% for 2011-12. Upper East Fork Upper East Fork Interceptor Wastewater System costs are projected to increase 20.0% for 2009-10,

remain flat in 2010-11, and increase 4.0% for 2011-12.

Retirement of NTMWD debt for the water transmission facilities is programmed at \$861,488 for 2009-10, \$869,233 for 2010-11, and \$869,898 for 2011-12, following the original loan amortization schedule. The following graph outlines the anticipated payments to NTMWD over the three-year forecast period for Water, Wastewater, and the Upper East Fork Wastewater Interceptor System.



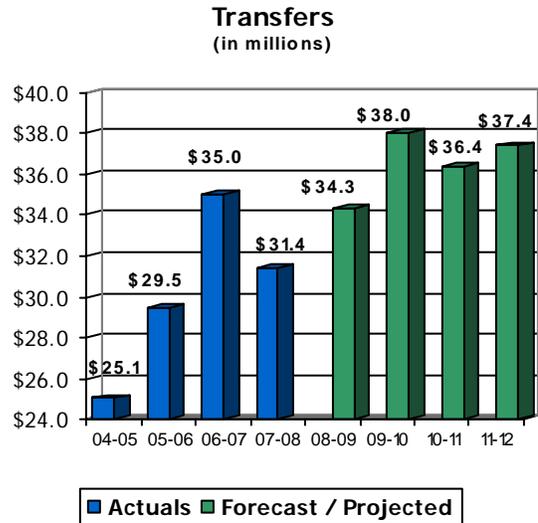
Capital Outlay

Capital outlay is re-estimated at \$1.5 million for 2008-09. Of that, \$1.4 million is required for the completion of the Environmental Education Building, while \$70,584 is included for open orders and encumbrance funding for purchases that were not completed during 2007-08. No other capital costs have been included for all three future years of this forecast. Capital outlay includes items over \$5,000 such as such as additional rolling stock, large equipment and machinery, and the very large commercial meters.

Transfers

Expenditure transfers included in the forecast are to other City of Plano funds for services received, for the payment of Water & Sewer Debt, for planned Water & Sewer Capital

Improvements, for projects included in the Capital Reserve Fund, for Technology-related service enhancements, and for Sustainability educational programming.



The graph shows the historical trends and projections for all Water & Sewer Fund transfers to other City funds. Total Transfers increase \$6.0 million (18.9%) from the 2007-08 actual transfers when compared to 2011-12 projected transfers due to the inclusion of a Reserve Fund to help offset severe impacts to the fund during periods of extreme weather patterns.

Water & Sewer Fund transfers to the General Fund are based on a percentage of projected Water & Sewer revenues, indirect cost allocations, and an amount in lieu of property taxes (based on total assets). These factors are reviewed each year during the budget process, and the transfer amount is calculated. General Fund transfers are projected to increase by \$2.6 million or 16.8% from the 2007-08 actual expenditures when compared to 2011-12 projections.

The annual transfer for the repayment of Water and Sewer debt decreases each year of the forecast as the debt is paid. The decrease from 2007-08 actual to the 2011-12 projected debt payment requirement is \$2.0 million. This corresponds to the overall reduction and a retirement of the existing Water & Sewer debt by 2013.

The Water & Sewer Fund finances Community Investment Projects (CIP) by the "Pay-As-You-Go" method. Transfers for the forecast period from 2009-10 thru 2011-12 total \$39.1 million and are based on a schedule of probable repairs and improvements to the City's aging water & sewer infrastructure and delivery system.

All water and sewer revenues are influenced by population changes, new construction, decreases or increase in consumption of water stemming from the weather conditions and conservation programs.

Forecast transfers also include a total of \$3.6 million for the 3-year forecast period to the Capital Reserve Fund for other projects related to Water & Sewer service.

A transfer in the amount of \$716,484 to the Property & Liability Loss Fund is included for 2009-10. This amount is representative of the Water & Sewer Fund's proportionate share of estimated expenditures from the Property & Liability Loss Fund, and includes increases of 5% per year for the forecast period.

A transfer in the amount of \$300,000 to the Technology Fund is included for each year of the forecast, and is representative of the fund's share of technology improvements and upgrades to the City information infrastructure, in accordance with the City's Technology Plan. The transfer is re-evaluated each year during the regular budget process, based on the Technology Fund balance and future projects.

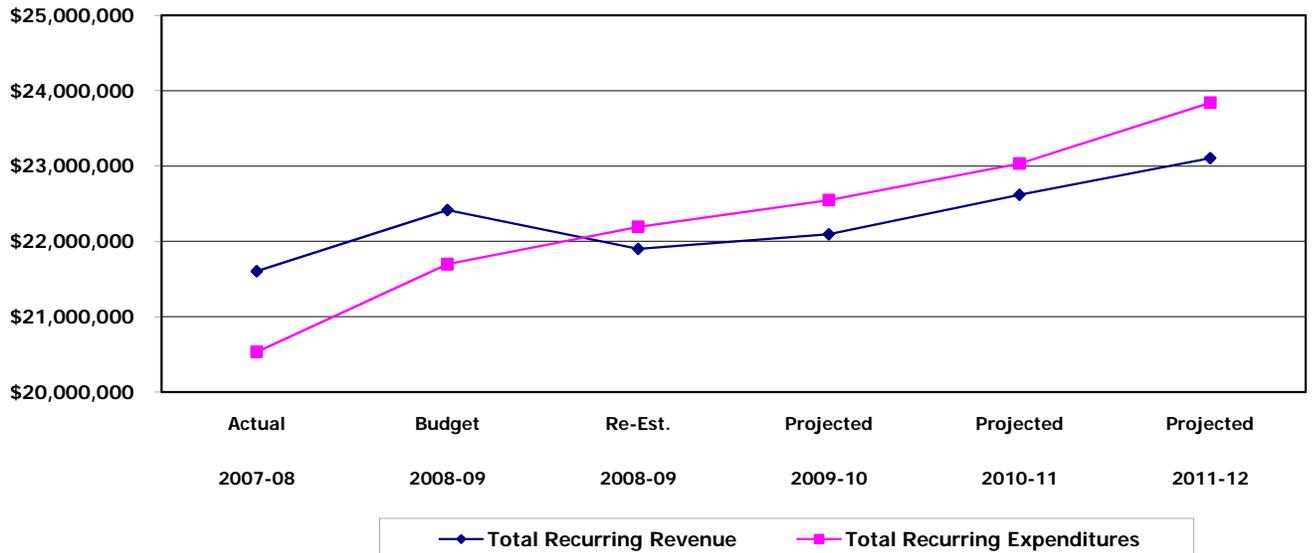
Detailed information regarding specific transfers is provided in the Appendix section: *Three-Year Financial Forecast - Transfers*.

Outlook & Analysis

Based on the projections in this forecast, the return to an average of 26.4 billion gallons per year water consumption usage and a continuation of existing service levels, this forecast does not produce enough working capital to meet the goal of 45 days of operating expenses as established by City Council for 2009-10, but does meet this requirement by 2010-2012.

With recent annual drastic fluctuations in rainfall and anticipated cost increases from NTMWD, the Water & Sewer Fund continues to require vigilant monitoring of the water and sewer rates and sales volume.

Sustainability & Environmental Services Recurring Revenue Vs. Recurring Expenditures



	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Recurring Revenue						
Commercial Franchise	\$ 6,721,464	\$ 6,496,731	\$ 6,848,398	\$ 6,951,124	\$ 7,055,391	\$ 7,196,499
Residential Collection	11,569,221	12,311,419	12,311,419	12,317,814	12,354,768	12,428,896
Special Refuse Collection	55,936	127,020	66,029	67,019	67,120	67,321
Recycling	1,313,606	875,500	169,011	230,000	550,000	800,000
Sale of Compost	722,348	728,709	767,179	778,687	779,855	782,194
Sale of Landscape Bags	44,687	46,451	46,451	46,451	46,521	46,660
Allied Waste, Inc.	0	74,045	74,045	74,045	75,156	76,659
Tipping Fees	706,638	971,228	650,616	660,375	661,366	663,350
Contributions via Utility Billing	12,576	13,308	13,308	13,328	13,348	13,388
Other	356,904	672,170	672,170	672,170	722,583	729,809
Sustainability Program Transfer	100,000	100,000	282,400	283,058	291,550	300,296
Total Recurring Revenue	\$ 21,603,380	\$ 22,416,581	\$ 21,901,026	\$ 22,094,071	\$ 22,617,656	\$ 23,105,072
Recurring Expenditures						
Salaries & Wages	\$ 5,593,431	\$ 5,860,004	\$ 5,936,735	\$ 6,042,958	\$ 6,091,795	\$ 6,138,250
Supplies & Services	7,404,274	7,614,453	7,917,951	7,924,505	8,217,097	8,540,206
NTMWD	7,177,078	7,965,842	7,965,842	8,579,212	8,725,058	9,161,311
Capital Outlay	358,067	256,170	371,070	0	0	0
Total Recurring Expenditures	\$ 20,532,850	\$ 21,696,469	\$ 22,191,598	\$ 22,546,674	\$ 23,033,951	\$ 23,839,767
Transfers Out	1,595,003	1,611,260	1,647,357	1,418,711	1,438,289	1,461,331
Fund Balance - Beginning	\$ 2,492,748	\$ 1,532,722	\$ 1,968,275	\$ 30,346	\$ 926,575	\$ 967,694
Total Recurring Revenue	\$ 21,603,380	\$ 22,416,581	\$ 21,901,026	\$ 22,094,071	\$ 22,617,656	\$ 23,105,072
Total Recurring Expenditures	\$ 20,532,850	\$ 21,696,469	\$ 22,191,598	\$ 22,546,674	\$ 23,033,951	\$ 23,839,767
Less: Transfers Out	\$ 1,595,003	\$ 1,611,260	\$ 1,647,357	\$ 1,418,711	\$ 1,438,289	\$ 1,461,331
Fund Balance - Ending	\$ 1,968,275	\$ 641,574	\$ 30,346	\$ (1,840,968)	\$ (928,009)	\$ (1,228,332)
Add'l Revenues or Program Reductions to Meet 15 Days				\$ 2,767,543	\$ 1,895,703	\$ 2,208,048
Days of Operation	35	11	0	15	15	15

Sustainability & Environmental Services Fund Forecast

The Sustainability & Environmental Services Fund, an enterprise fund, provides for the administration, operation, and maintenance of the City's environmental waste system. Commercial Franchise and Residential Collection fees finance the greatest portion of the services provided by the Environmental Waste Division. All sources of revenue that comprise the Sustainability & Environmental Services Fund are described below:

Operating Revenue Sources:

Commercial Franchise

A franchise agreement between the City and Allied Waste Systems, Inc., whereby Allied Systems has exclusive franchise for collection and disposal of solid waste for commercial customers located within the City of Plano and a non-exclusive franchise for collection of recyclable materials from commercial customers located in the City of Plano.

The City receives 5% of gross receipts collected monthly which includes: revenues for monthly service, rental on roll-off containers, delivery charges, fees for late payment and additional collections. Allied Systems also reimburses the City all costs associated with the commercial disposal of solid waste.

Residential Collection

Fee charged for once a week collection and disposal of solid waste and yard debris, bi-weekly collection of recyclables, monthly collection of bulky waste, on-call collection of household hazardous waste, collection of litter along medians, operation of composting and household hazardous waste facilities, Keep Plano Beautiful program, Commercial Diversion program, and all education/public awareness programs.

Special Refuse Collection

Fee charged for collections in addition to the regular weekly collection schedule.

Each household is granted one special refuse collection per fiscal year at no charge. After the first collection, a fee is charged for subsequent collections.

Recycling

City receives 75% of revenues from current recycling processing contractor after paying processing fees.

Sale of Compost

Proceeds from the sale of compost and compost-related products.

Sale of Landscape Bags

Proceeds from the sale of boxes of biodegradable refuse bags.

Tipping Fees

Fee charged to commercial landscapers for disposal of yard debris waste.

Other

Miscellaneous receipts include revenues such as interest income, contributions, and insurance collections.

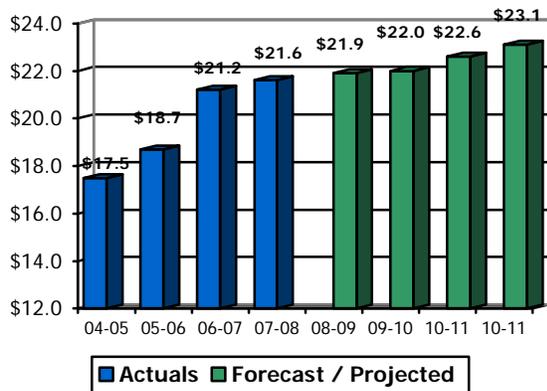
SUSTAINABILITY & ENVIRONMENTAL SERVICES FUND

The Sustainability & Environmental Services Fund, an enterprise fund, provides for administration, operation, and maintenance of the City's environmental waste collection & disposal, recycling, collection & sales, as well as the incorporation of sustainable practices into City operations.

Operating Revenues

The City of Plano contracts for services with the North Texas Municipal Water District (NTMWD), whereby NTMWD agrees to provide a solid waste disposal system for the benefit of the City of Plano and other cities. Each participating city agrees to pay its share of an annual requirement for the operating expenses and debt service of NTMWD to be calculated in the same manner as the wastewater contract. The Sustainability & Environmental Services Fund accounts for the provision of solid waste collection and disposal services to customers who are billed monthly at a rate sufficient to cover the cost of providing such services.

Sustainability & Environmental Revenue
(in millions)



The graph above shows the historical trends and projections for Sustainability Fund revenues. During October 2008, Residential Collection rates were increased by \$1.25 per month to \$15.10 for the 95-gallon container while the annual contract amount paid to NTMWD has increased annually. Commercial rates were also

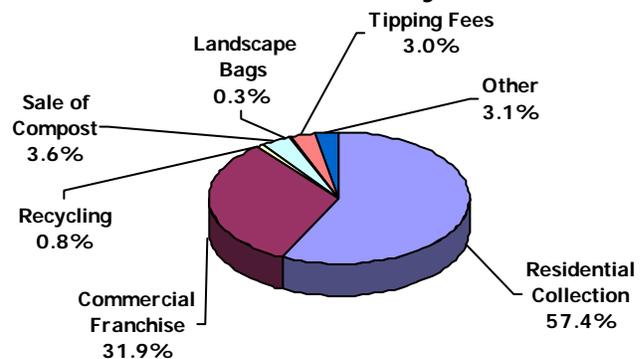
increased by \$1.49 per ton, from a rate of \$34.77 per ton to \$36.26 per ton.

By 2011-12, total Sustainability Fund revenues are estimated to reach \$23.1 million. The major sources that make up the Sustainability & Environmental Services Fund revenues for 2008-09 include: Residential Collection (57.4%), Commercial Franchise (31.9%), Recycling (.8%), Sale of Compost (3.6%), Sale of Landscape Bags (.3%), Tipping Fees (3.0%), and Other (3.1%). A description of each source as well as a discussion of the outlook over the next three years follows.

Residential Collection

Residential collection revenues represent the

Sustainability & Environmental Services Revenue by Source



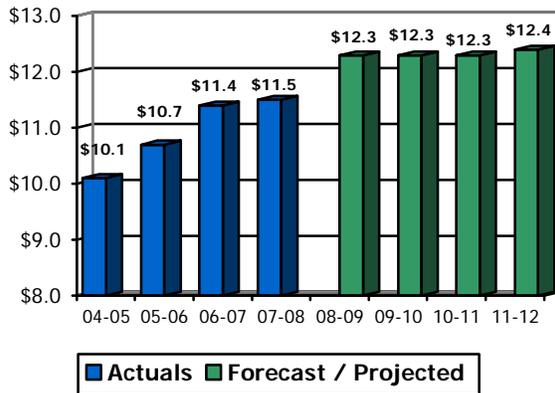
Sustainability & Environmental Services Fund's largest revenue source. Customers who wish to use a 68-gallon refuse cart pay a monthly rate of \$11.25 and customers who choose to use the 95-gallon cart pay a monthly rate of \$15.10. The variable rates continue to allow the City to implement environmental programs that will reduce the NTMWD disposal tonnage costs and encourage waste minimization and recycling.

As of February 2009, there are approximately 68,420 single family housing units billed monthly for residential refuse collection services.

Residential collection revenue is projected to increase 0.3% in 2009-10, 0.3% in 2010-11 and 0.6% in 2011-12. The amounts indicated in the revenue forecast assume no future changes in

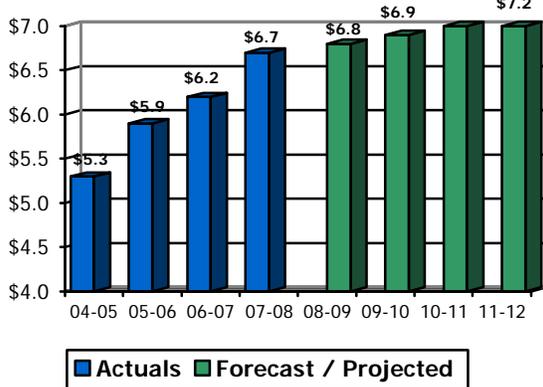
the rate structure and projection estimates with the two customer variable rates, based on container size.

Residential Collection
(in millions)



The graph shows the historical trends and projections for residential collection revenue. By 2011-12, this revenue source is estimated to reach \$12.4 million.

Commercial Franchise
(in millions)



Commercial Franchise

Commercial franchise revenue represents the Sustainability & Environmental Service Fund's second largest revenue source, currently re-estimated at \$6.8 million for 2008-09. This revenue source consists of a franchise agreement between the City of Plano and Allied Waste Systems, Inc.

Commercial franchise revenue, based on anticipated direct economic growth, is estimated

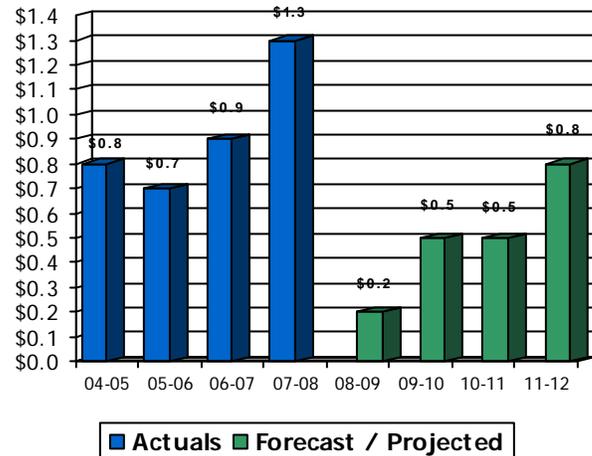
to increase 1.5% for 2009-10 and 1.5% 2010-11 and 2.0% 2011-12. The accompanying graph shows the historical trends and projections for commercial franchise revenue. By 2011-12, this revenue source is estimated to reach \$7.2 million.

Recycling

Contracted recycling revenue is tied to market values of the individual recycling commodities. As an industry, the per ton value of the recycling materials fluctuates season to season, year to year, based on current recycling materials and market demand. The City receives 75% of revenues from current recycling processing contracts after paying processing fees.

Due to the volatility of this revenue source, recycling revenues are projected to increase .15% in 2009-10 and .15% 2010-11 and .3% for 2011-12, based on indirect population-based changes. However these revenues have significantly been reduced due to global market prices.

Recycling
(in millions)



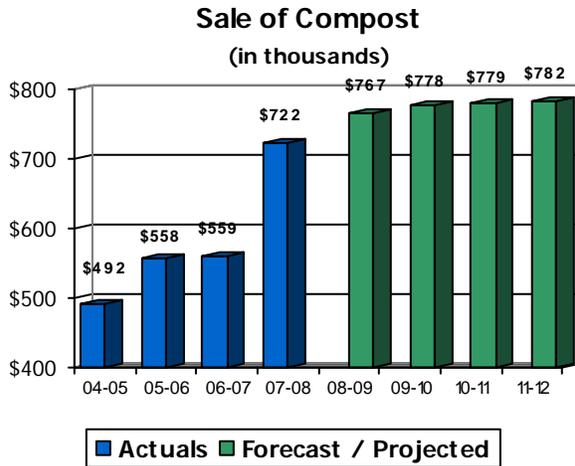
By 2011-12, annual recycling revenues are projected to be \$800,000, down from their high of \$1.3 million. The graph above shows the historical trends and projections for recycling revenue.

Sale of Compost

Market demands for quality compost products are increasing annually. The City retains

proceeds from the sale of compost and compost-related products, while diverting an estimated 26,836 tons of waste from the landfill, which in turn, creates an estimated 73,949 cubic yards of commercial product.

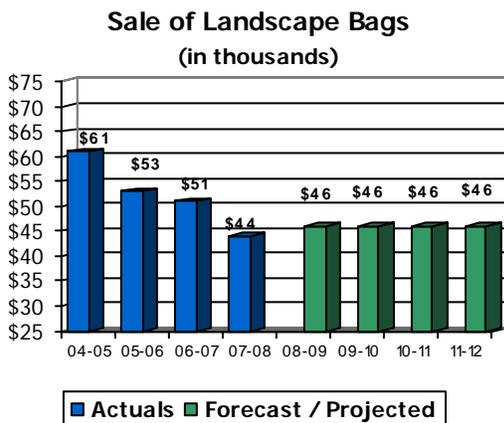
Sale of compost revenue is projected to increase .15% in 2009-10 and 0.15% in 2010-11, and .3% in 2011-12 based on indirect population-based increases.



The graph above shows the historical trends and projections for sale of compost revenues. By 2011-12, this revenue source is estimated to reach \$782,194.

Sale of Landscape Bags

A program closely tied to composting is the sale of landscape waste collection bags.



The City received \$44,687 in 2007-08 from biodegradable refuse bag sales. Collection vehicles pick these parcels up at each residential waste collection site for use in the compost

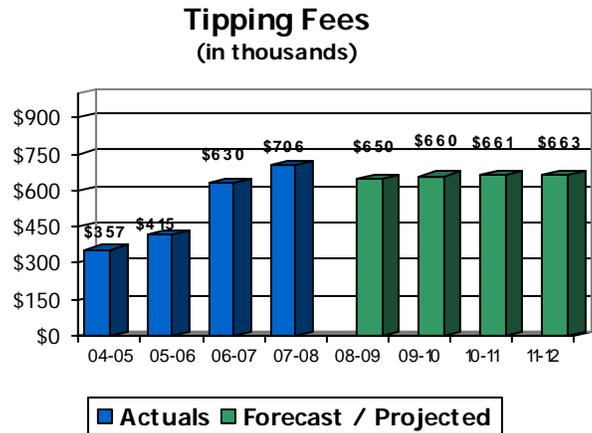
operation. Landscape bag revenues are currently re-estimated at \$46,451 in 2008-09 and increase 0.15% in 2009-10, and 0.15% in 2010-11, and .3% in 2011-12, based on indirect population-based increases.

The Sale of Landscape Bags graph shows the historical trends and projections for sale of landscape bags revenues. By 2011-12, this revenue source is anticipated to reach \$46,660.

Tipping Fees

Tipping fees consist of revenue received from commercial landscapers for disposal of yard debris waste. The City began charging tipping fees during 2003-04.

Tipping fee revenue is currently re-estimated to decrease 33.0% in 2008-09, an increase 0.15% in 2009-10 and 2010-11, with an additional 0.3% increase in 2011-12.



The graph above shows the historical trends and projections for tipping fee revenue. By 2011-12, this revenue source is estimated to reach \$663,350.

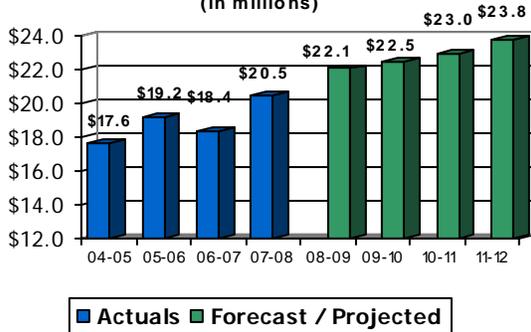
Other

Miscellaneous revenues for 2008-09 are expected to total \$672,170, or 3.1%, of the total Sustainability & Environmental Services Fund Revenues. Miscellaneous revenues are comprised of several varied sources and include: a transfer from the Water & Sewer Fund for expenditures related to the Sustainability program, \$282,400; Special Refuse Collection fees, \$66,029; Citizen and Commercial Contributions, \$21,680; Disposal

Reimbursements, \$3,000; and Other Sources, including reimbursements from other city departments, Grants, and Container Replacement fees, \$299,061.

Operating Expenditures

Sustainability & Environmental Expenditures
(in millions)

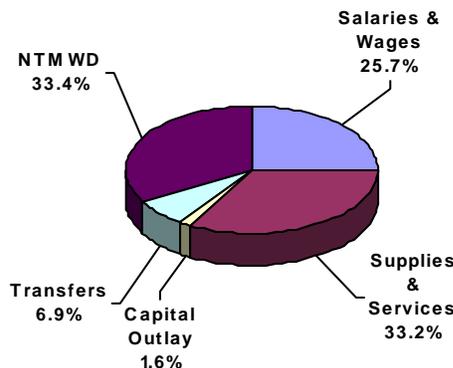


The graph above shows the historical trends and projections for the Sustainability & Environmental Services Fund. Expenditure increases can fluctuate from year-to-year mainly due to capital outlay expenditures. The major expenditures that make up the Sustainability Fund by category for 2008-09 include: Salaries & Wages (25.7%), Supplies & Services (33.2%), NTMWD (33.4%), Capital Outlay (1.6%), and Transfers (6.9%). A description of each expenditure category as well as a discussion of the outlook over the next three years follows.

Salaries, Wages & Employee Benefits

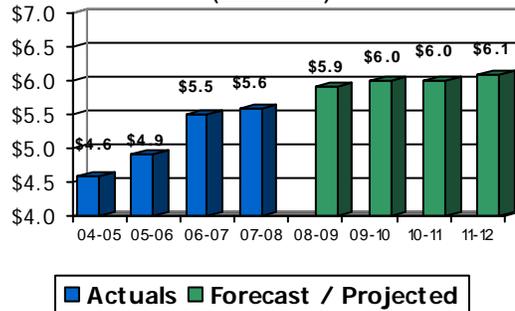
Salary projections assume no salary increase throughout this forecast. However, a 1.0%

Sustainability & Environmental Services Expenditures by Category



attrition rate is included. Benefits expenditure projections include a 10.0% health insurance cost increase for all periods of the forecast, and a 1% TMRS rate increase for each forecast period. All other benefit rate calculations remain constant. Slight increases to benefits costs such as Medicare, retirement, disability and life insurance costs are driven by inflation and annual salary changes.

Salaries, Wages & Employee Benefits
(in millions)

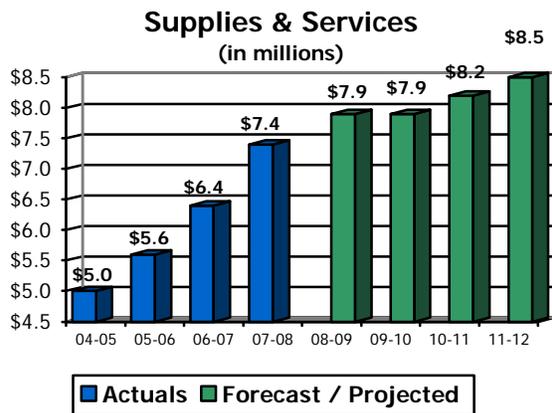


The graph above shows the historical trends and projections for Salaries, Wages & Employee Benefits. By fiscal year 2011-12, this annual operating expense is projected to be \$6.1 million.

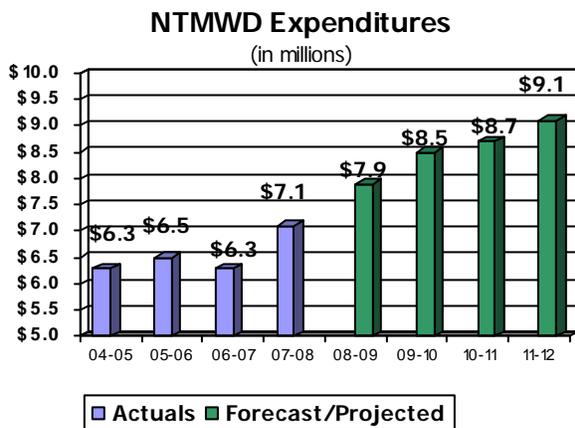
Supplies & Services

Supplies & services costs are projected to increase 1.5% for 2009-10 and 2010-11 while 2011-12 is projected to increase 2%. Municipal Garage charges are projected to increase 8.0% in 2009-10, and an additional 7.0% for each of the remaining years of the forecast.

The following Supplies & Services graph shows historical trends and estimates for supplies & services. By 2011-12, operating expenditures for supplies and services are projected at \$8.5 million per year.



NTMWD landfill contracted expenditures are projected to increase by 7.7% in 2009-10, 1.7% for 2010-11 and an additional 5.0% in 2011-12.



Capital Outlay

No additional funding for capital outlay has been included for the three-year forecast period.

Transfers

The transfers to the General Fund for services received are based on Residential Collection fees, Special Collection fees, and Sale of Landscape Bags revenue. The transfer is based on 7.0% of the total of these revenue sources. The transfer amount increases each year of the forecast period with projected increases in revenues.

A \$60,000 transfer to the Technology Fund is included in each year of the forecast,

representative of the fund share of technology improvements and provide funding for improvements and upgrades to City information infrastructure, in accordance with the City's Technology Plan.

An annual transfer of \$148,928 from Sustainability to the Water & Sewer Fund is also included for each year of the forecast. This amount is the annual payment on a five-year loan for the construction of the Environmental Education Building. The new facility includes classrooms to be used as a teaching center for environmental topics, incorporates sustainable design concepts, and serves as an example of a "green" building.

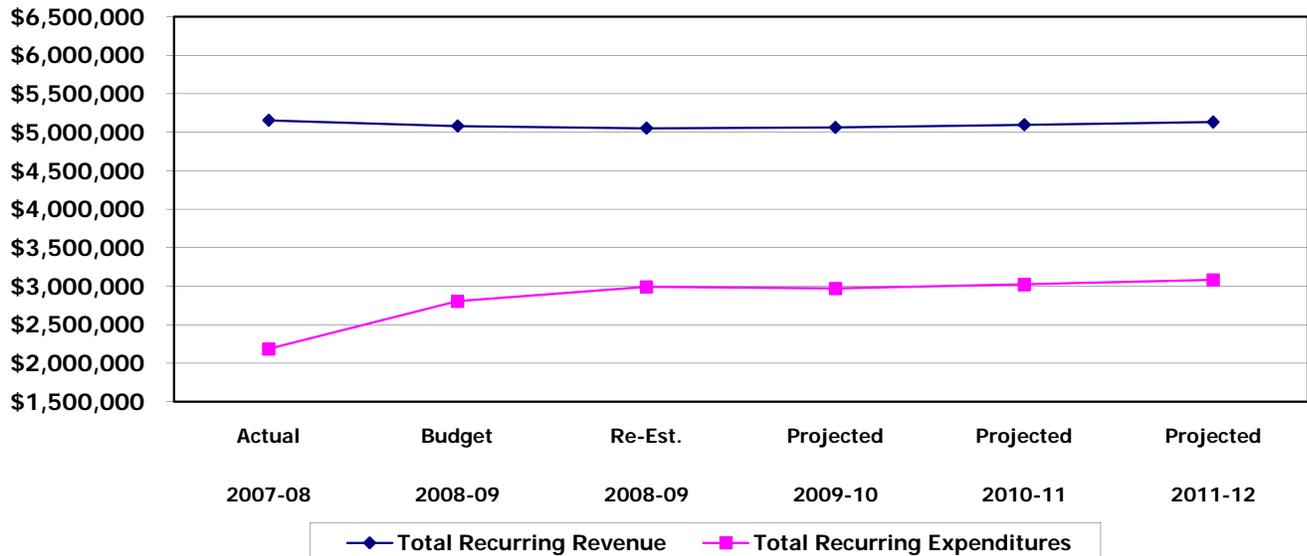
The Property/Liability Loss Fund transfer is representative of the Sustainability Fund's proportionate share of anticipated expenses related to Judgments, Damages and Workers' Compensation claims. The 2008-09 transfer is projected at \$329,959 and increases 5.0% each year for the remainder of this forecast period.

Transfers also include the annual payment of \$238,797 to the Internal Loan Program for the 1999 purchase of 95-gallon trash containers, with the final payment this fiscal year.

Outlook & Analysis

Plano's collection rates remain below most every city in the Dallas/Ft. Worth area. Program changes and unanticipated increases in O&M, such as the NTMWD disposal rate, and the deteriorating global market for recyclable products will require another rate increase.

Municipal Drainage Fund Recurring Revenue Vs. Recurring Expenditures



	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Recurring Revenue						
Residential Class Fees	\$ 2,724,526	\$ 2,715,389	\$ 2,737,562	\$ 2,741,668	\$ 2,745,781	\$ 2,754,018
Commercial Class Fees	2,251,778	2,212,721	2,262,551	2,265,945	2,269,344	2,276,152
Interest Income	167,240	150,000	50,000	53,000	80,000	100,000
Other	8,549	-	-	-	-	-
Total Recurring Revenue	\$ 5,152,093	\$ 5,078,110	\$ 5,050,113	\$ 5,060,613	\$ 5,095,125	\$ 5,130,170
Recurring Expenditures						
Salaries & Wages	\$ 1,071,964	\$ 1,337,985	\$ 1,258,330	\$ 1,371,221	\$ 1,382,199	\$ 1,392,655
Supplies & Services	818,257	1,160,758	1,299,043	1,219,376	1,249,152	1,286,750
Reimbursements	292,839	304,760	377,111	377,440	388,763	400,426
Capital Outlay	741	-	54,000	-	-	-
Total Recurring Expenditures	\$ 2,183,801	\$ 2,803,503	\$ 2,988,484	\$ 2,968,037	\$ 3,020,114	\$ 3,079,831
Transfers Out	\$ 2,785,741	\$ 2,867,538	\$ 2,892,152	\$ 2,991,845	\$ 3,116,866	\$ 3,235,708
Fund Balance - Beginning	\$ 4,601,223	\$ 2,545,828	\$ 4,783,774	\$ 3,953,251	\$ 3,053,982	\$ 2,012,126
Total Recurring Revenue	\$ 5,152,093	\$ 5,078,110	\$ 5,050,113	\$ 5,060,613	\$ 5,095,125	\$ 5,130,170
Total Recurring Expenditures	\$ 2,183,801	\$ 2,803,503	\$ 2,988,484	\$ 2,968,037	\$ 3,020,114	\$ 3,079,831
Less: Transfers Out	\$ 2,785,741	\$ 2,867,538	\$ 2,892,152	\$ 2,991,845	\$ 3,116,866	\$ 3,235,708
Fund Balance - Ending	\$ 4,783,774	\$ 1,952,897	\$ 3,953,251	\$ 3,053,982	\$ 2,012,126	\$ 826,757
Days of Operation			483	376	243	98

Municipal Drainage Fund Forecast

The Municipal Drainage Fund, an enterprise fund, provides for the administration, operation, and maintenance of the City's storm water management program, in compliance with EPA storm water runoff and treatment requirements. The services provided by the Municipal Drainage Fund are financed primarily by Commercial and Residential fees.

Operating Revenue Sources:

Drainage Fees

Drainage fees are charged upon municipal water customers to provide funding for compliance with the U.S. Environmental Protection Agency's enforcement of the National Pollutant Discharge Elimination System – a program for storm water runoff monitoring and management.

Operating Revenues

Drainage Fees

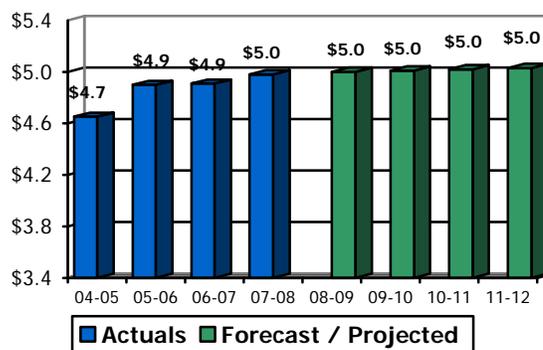
Drainage fees are the Municipal Drainage Fund's primary revenue source. Drainage fees are divided into residential class fees and commercial class fees. The current rates have provided sufficient working capital to maintain 30 days of working capital and maintain revenue reserve requirements prescribed in the bond covenants.

The Community Investment Program has been adjusted to include additional projects through 2012-13 and the debt service needed to finance these projects. The program required the issuance of \$1.9 million in new funding debt this year, a projected \$1.6 million in debt for 2009-10 and an average \$1.5 per issuance for 2010-11 and 2011-12.

Drainage fees are projected to increase based on indirect population increases. The revenue garnered is projected to increase 0.15% for 2009-10 then by 0.15% in 2010-11 and by 0.3% in 2011-12. Drainage fees paid by customers may be expected to increase in the future to provide sufficient working capital to maintain 30 days of working capital and maintain revenue reserve requirements prescribed in the bond

covenants. The rates are currently sufficient to maintain the required reserve. The Budget Department will continue to monitor the rates in the existing Drainage Rate Model.

Drainage Fee Revenue
(in millions)



The graph above shows the historical trends and projections for drainage fees. In 2011-12, this revenue source is estimated at \$5.0 million.

Other

Miscellaneous revenues for 2008-09 are expected to total \$50,000. Miscellaneous revenues are comprised mostly of interest income.

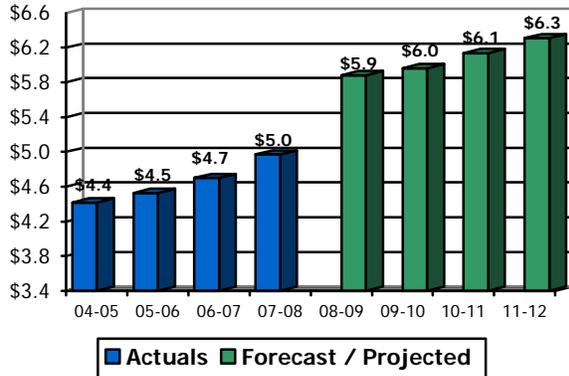
Interest income is projected at \$53,000 for 2009-10 and is increased to \$80,000 for 2010-11 and to \$100,000 in 2011-12 based on projected increasing interest rates.

Operating Expenditures

The following graph shows the historical trends and projections for all Municipal Drainage Fund expenditures. Expenditure increases can fluctuate from year-to-year mainly due to one-

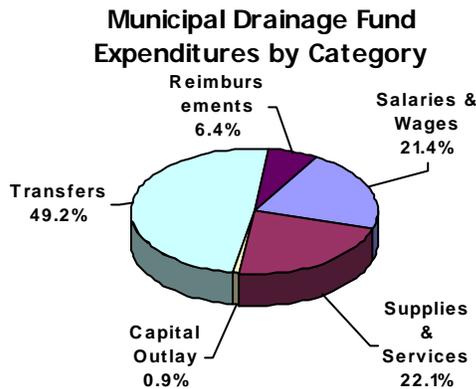
time expenditures and transfers to debt service for CIP projects.

Total Municipal Drainage Fund Expenditures
(in millions)



The major expenditures that make up the Municipal Drainage Fund by category for 2008-09 include: Salaries & Wages (21.4%), Supplies & Services (22.1%), Reimbursements (6.4%), Capital Outlay (.9%) and Transfers (49.2%). A description of each expenditure category as well as a discussion of the outlook over the next three years follows.

Salaries, Wages and Employee Benefits



Salary projections assume no salary increase throughout the forecast period. Benefit expenditure projections include a 10.0% health insurance cost increase for all periods of the forecast, and a 1.0% TMRS rate increase for each year of the forecast. Other benefit rate calculations remain constant. Slight increases to benefits costs such as Medicare, retirement, disability and life insurance costs are driven by annual salary increase rates.

The salaries and wages are projected to increase in 2009-10 by \$112,891 or 9.0% over the 2008-09 Re-Estimate.

Supplies & Services

Supplies & services increases are based on 1.5% in 2009-10, 1.5% in 2010-11 and 2.0% in 2011-12, the projected rate of inflation, with the exception of municipal garage charges, which are forecast to increase 8.0% in 2009-10 and 7.0% in 2010-11 and 2011-12. The three-year projected decrease to supplies & services is \$17,918 or a 1.4% decrease over the 2008-09 Re-Estimate. Each year, discretionary expenditures are evaluated based on individual merit during the budget process.

Capital Outlay

No new capital outlay items are projected for the Municipal Drainage Fund the forecast for 2009-10 through 2010-12.

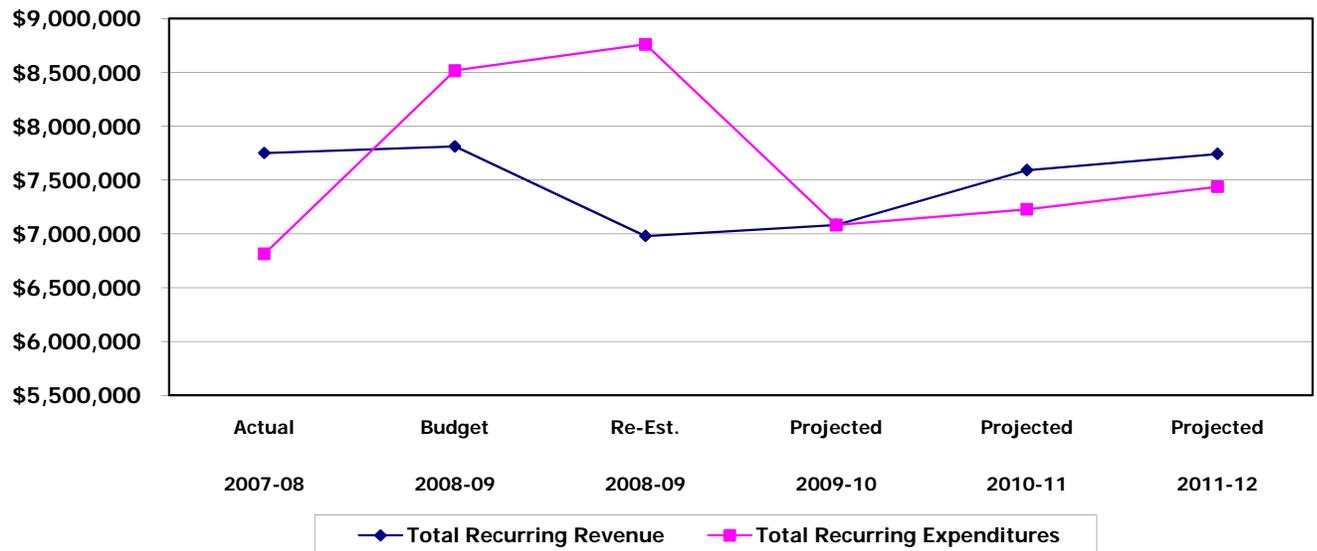
Transfers

Transfers from the Municipal Drainage Fund total \$9.3 million for the three-year forecast period and is divided into the separate funds. The transfer to the General Fund is based on a percentage of the total Municipal Drainage revenue and totals approximately \$1.0 million for the three-year period. The Municipal Drainage Fund transfer for revenue Debt for the three forecast years totals just over \$8.1 million. The technology transfer is approximately \$20,000 per year for future hardware and software purchases and improvements. This transfer totals \$60,000 for the three-year period.

Outlook & Analysis

It is necessary for the Municipal Drainage Fund to maintain a significant fund balance due to revenue requirements. A positive fund balance is projected through the forecast period. As the City continues to issue revenue debt to support municipal drainage infrastructure, it will be necessary for revenues to keep pace with the debt requirements as well as increasing expenditures. Additionally, the city recently received a Triple AAA Bond Rating from Standard and Poor's.

Convention & Tourism Fund Recurring Revenue Vs. Recurring Expenditures



	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Recurring Revenue						
Hotel/Motel Receipts	\$ 4,909,061	\$ 4,964,601	\$ 4,428,065	\$ 4,494,486	\$ 4,964,601	\$ 5,063,893
Civic Center Fees	2,682,611	2,698,452	2,501,780	2,539,307	2,577,396	2,628,944
Interest Income	148,518	150,000	50,000	50,000	50,000	50,000
Other	11,270	-	-	-	-	-
Total Recurring Revenue	\$ 7,751,460	\$ 7,813,053	\$ 6,979,845	\$ 7,083,793	\$ 7,591,997	\$ 7,742,837
Recurring Expenditures						
Salaries & Wages	\$ 2,578,727	\$ 2,892,001	\$ 2,801,093	\$ 2,836,307	\$ 2,915,676	\$ 3,052,290
Supplies & Services	2,420,512	4,118,799	4,403,583	2,743,667	2,800,835	2,871,060
Support of the Arts	673,590	677,710	664,210	674,173	677,710	677,710
Historic Preservation	692,375	677,710	664,210	674,173	677,710	677,710
Special Events	128,098	150,896	152,217	153,159	155,457	158,566
Capital Outlay	320,787	-	75,236	-	-	-
Total Recurring Expenditures	\$ 6,814,089	\$ 8,517,116	\$ 8,760,548	\$ 7,081,480	\$ 7,227,388	\$ 7,437,336
Transfers Out	950,698	1,244,773	1,203,112	374,190	399,600	407,142
Fund Balance - Beginning	\$ 4,069,927	\$ 2,651,476	\$ 4,056,600	\$ 1,072,785	\$ 700,908	\$ 665,917
Total Recurring Revenue	\$ 7,751,460	\$ 7,813,053	\$ 6,979,845	\$ 7,083,793	\$ 7,591,997	\$ 7,742,837
Total Recurring Expenditures	\$ 6,814,089	\$ 8,517,116	\$ 8,760,548	\$ 7,081,480	\$ 7,227,388	\$ 7,437,336
Less: Transfers Out	\$ 950,698	\$ 1,244,773	\$ 1,203,112	\$ 374,190	\$ 399,600	\$ 407,142
Fund Balance - Ending	\$ 4,056,600	\$ 702,640	\$ 1,072,785	\$ 700,908	\$ 665,917	\$ 564,277
Add'l Revenues or Program Reductions to Meet 30 Days						
Days of Operation				45	36	34
					34	28

Convention & Tourism Fund Forecast

The Convention & Tourism Fund, an enterprise fund, accounts for the administration, operation, and maintenance of the Plano Centre and the Convention & Visitors Bureau. The fund is supported by the Hotel/Motel Occupancy Tax, which is restricted by State law to tourism promotion, capital construction, the operation of recreation facilities, and the funding of cultural activities.

Operating Revenue Sources:

Hotel/Motel Tax Receipts

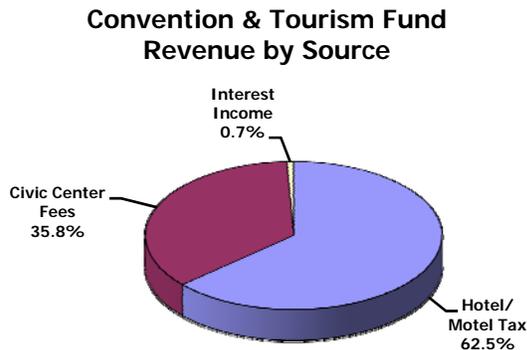
Hotel/Motel taxes are levied upon the cost of occupancy of any sleeping room furnished by a hotel or motel in the city. The current rate is 7.0% of taxable receipts.

Civic Center Fees

Plano Centre administers various service charges and fees for the following items: room rentals, concessions, catering, equipment rentals, and miscellaneous.

Operating Revenues

The major sources that make up the Convention & Tourism Fund revenues for 2008-09 include: Hotel/Motel Tax Receipts (62.5%), Civic Center Fees (35.8%), and Interest Income (0.7%). A description of each source as well as a discussion of the outlook over the next three years follows.

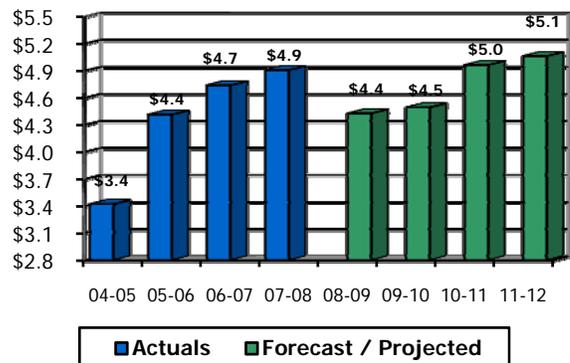


Hotel/Motel Tax Receipts

Hotel/Motel tax receipts are the Convention & Tourism Fund's largest revenue source. The region continues to experience an upswing in the travel-related industry, which has led to increases in Hotel/Motel tax receipts over the last several years. Conversely, increased hotel competition from surrounding communities as well as the national economy has had an impact on Plano's hotel business that will serve to limit this revenue stream to modest growth over the next three years.

Hotel/Motel receipts are estimated to decrease from \$5.0 million to \$4.4 million for the 2008-09 Re-Estimate. Thus far in 2008-09, local hotel occupancies have been running lower than anticipated. Based on direct economic growth, Hotel/Motel receipts are projected to increase 1.5% in 2009-10; 1.5% increase in 2010-11 and 2.0% increase in 2011-12.

**Hotel/Motel Tax Revenue
(in millions)**



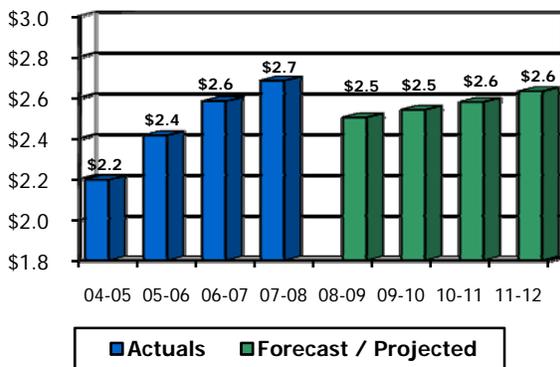
The graph above shows the historical trends and projections for Hotel/Motel tax receipts. By

2011-12, this revenue source is estimated to reach \$5.1 million.

Civic Center Fees

Civic Center fees have rebounded from the negative impacts generated by increased competition from surrounding communities. However, the economic downturn has impacted civic center fees this year and included is a reduction of \$137K for 2008-09 based on actual revenues received. Civic Center fees are projected to increase 1.5% over the Re-Estimated Budget for the next year, and then 1.5% in 2010-11 and 2.0% in 2011-12, all based on direct economic growth.

Civic Center Fee Revenue
(in millions)



The graph above shows the historical trends and projections for Civic Center fees. By 2011-12, this revenue source is estimated to reach \$2.6 million.

Other

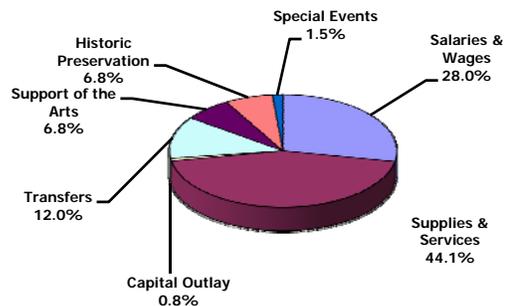
Miscellaneous revenues for 2008-09 are expected to total \$50,000. Miscellaneous revenues are comprised mostly of interest income, which is projected to remain at a constant \$50,000 over the three-year forecast period.

Operating Expenditures

The major expenditures that make up the Convention & Tourism Fund by category for 2008-09 include: Salaries & Wages (28.0%),

Supplies & Services (44.1%), Support of the Arts (6.8%), Historic Preservation (6.8%), Special Events (1.5%), Capital Outlay (0.8%), and Transfers (12.0%). A description of each expenditure category as well as a discussion of the outlook over the next three years follows.

Convention & Tourism Fund Expenditures by Category



Salaries, Wages and Employee Benefits

Salary projections assume no salary increase throughout the forecast period. In addition, no new positions are budgeted for any of the three years. Benefits expenditure projections include a 10.0% health insurance cost increase for all periods of the forecast, and a 1.0% TMRS rate increase. Other benefit rate calculations remain constant. Slight increases to benefits costs such as Medicare, retirement, disability and life insurance costs are driven by annual salary increase rates.

Supplies & Services

Supplies & services costs are projected to increase 1.5% in 2009-10; 1.5% in 2010-11; and 2.0% in 2011-12. Municipal garage charges are projected to increase 8.0% in 2009-10 and 7.0% in both 2010-11 and 2011-12. Also, electricity charges are projected to remain flat in 2009-10, and increase 5.0% in the remaining years of the forecast.

In addition, the budget for supplies & services at the Plano Centre has been significantly increased in 2008-09 in anticipation of several major replacements or upgrades to large pieces of equipment. Anticipated purchases include: a phone system upgrade, new food warmers, new banquet chairs, security camera upgrades, a new trash compactor, an emergency generator,

and refurbishment of bathrooms. Continuation of funding for these items are also included in the projected 2008-09 budget amounts.

**Support of the Arts
Historic Preservation
Special Events**

Hotel/Motel tax is utilized for the promotion of local arts and historic preservation. The amount allocated to each of these areas is based on Hotel/Motel tax receipts. Due to the decline in the economy as well as receipt collections, this allocation is projected to decline from the original \$677,710 to \$664,210 in 2008-09. Special Events is projected at \$152,217 for 2008-09 and is projected to be \$153,159 in 2009-10; \$155,457 in 2010-11; and \$158,566 in 2011-12. These amounts include funding for the Plano Balloon Festival.

Capital Outlay

No new capital outlay is projected for the forecast period. All discretionary expenditure items will be examined on their individual merit during the budget development process in each year.

Transfers

The transfer to the General Fund is based on 5.0% of total revenues and the amount projected for 2008-09 equals \$390,653.

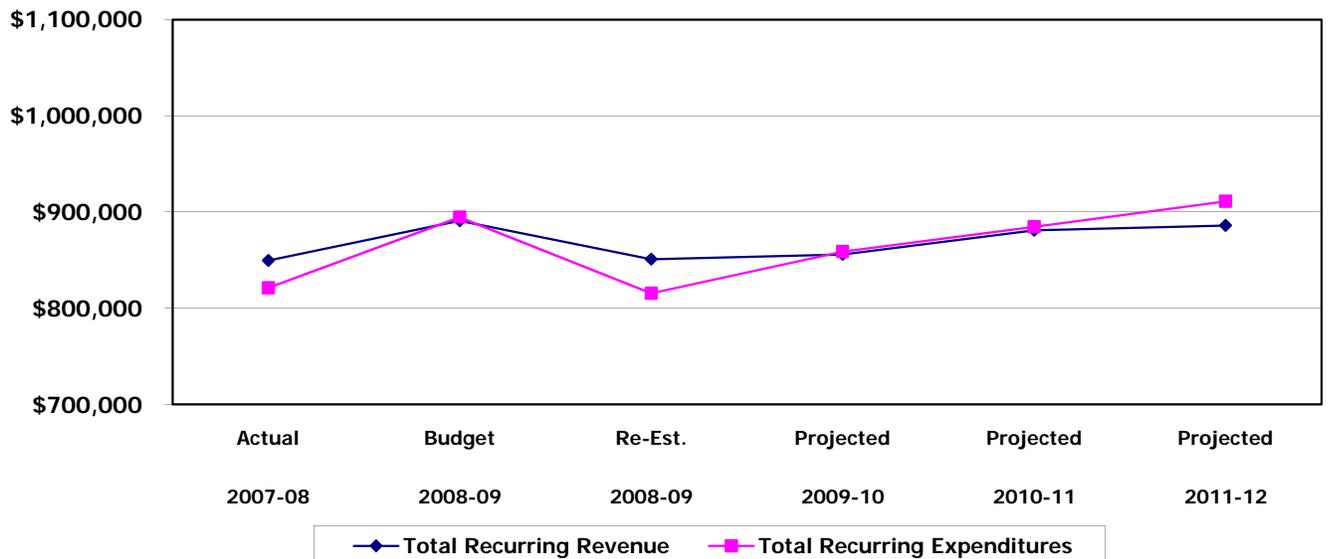
A transfer to the Technology Fund in the amount of \$20,000 in 2008-09 is representative of the Convention & Tourism Fund's proportionate share of technology related expenditures. This amount is projected to remain constant for the remainder of the forecast.

The transfer to the General Obligation Debt Service Fund totals \$834,120 for 2008-09 and includes the remaining amount equal to 100.0% of the principal and interest attributable to the outstanding debt on the Plano Centre in order to pay off the debt in 2010-11.

Outlook & Analysis

Based on projections, the Convention & Tourism Fund is forecasted to maintain at least 30 days of operating funds until 2011-12 when it drops to 28 days. Revenues generated from Hotel/Motel Tax, and Civic Center concessions, room rental, catering, etc. are projected to continue to outpace expenditures in this fund, providing for a healthy fund balance.

Municipal Golf Course Fund Recurring Revenue Vs. Recurring Expenditures



	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Recurring Revenue						
Golf Fees	\$ 822,272	\$ 870,000	\$ 825,000	\$ 830,000	\$ 855,000	\$ 860,000
Concessions	12,984	15,000	15,000	15,000	15,023	15,068
Interest Income	3,487	4,000	1,000	1,000	1,000	1,000
Other	10,840	2,000	10,000	10,000	10,000	10,000
Total Recurring Revenue	\$ 849,583	\$ 891,000	\$ 851,000	\$ 856,000	\$ 881,023	\$ 886,068
Recurring Expenditures						
Salaries & Wages	\$ 533,377	\$ 511,279	\$ 502,657	\$ 546,077	\$ 567,090	\$ 588,790
Supplies & Services	265,650	383,472	312,914	312,933	317,627	322,391
Capital Outlay	22,162	-	-	-	-	-
Total Recurring Expenditures	\$ 821,189	\$ 894,751	\$ 815,571	\$ 859,010	\$ 884,717	\$ 911,181
Transfers Out	43,950	44,550	44,550	44,550	44,639	44,773
Fund Balance - Beginning	\$ 75,039	\$ 70,251	\$ 59,483	\$ 50,362	\$ 70,604	\$ 72,716
Total Recurring Revenue	\$ 849,583	\$ 891,000	\$ 851,000	\$ 856,000	\$ 881,023	\$ 886,068
Total Recurring Expenditures	\$ 821,189	\$ 894,751	\$ 815,571	\$ 859,010	\$ 884,717	\$ 911,181
Less: Transfers Out-Transfers In	\$ 43,950	\$ 44,550	\$ 44,550	\$ 44,550	\$ 44,639	\$ 44,773
Fund Balance - Ending	\$ 59,483	\$ 21,950	\$ 50,362	\$ 2,802	\$ 22,270	\$ 2,830
Add'l Revenues or Program Reductions to Meet 30 Days Days of Operation				\$ 67,802	\$ 50,446	\$ 72,062
				23	30	30

Municipal Golf Course Fund Forecast

The Municipal Golf Course Fund, an enterprise fund, provides for the administration, operation, and maintenance of the City's golf course – Pecan Hollow. All costs are financed through fees charged to patrons.

Operating Revenue Sources:

Golf Fees

Golf fees are charged for the use of the City's municipal golf course.

Concessions

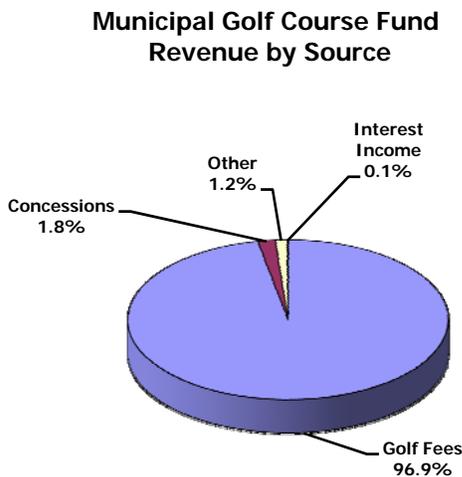
Plano Centre provides the food services at the City's municipal golf course on a contractual basis. The Municipal Golf Course Fund retains 5% of gross sales.

Room Rental Fees

Room rental fees are charged to any group wanting to rent the clubhouse facilities for meeting space.

Operating Revenues

The major sources that make up the Municipal Golf Course Fund revenues for 2008-09 include: Golf Fees (96.9%), Concessions (1.8%), Interest Income (0.1%), and Other (1.2%). A description of each source as well as a discussion of the outlook over the next three years follows.

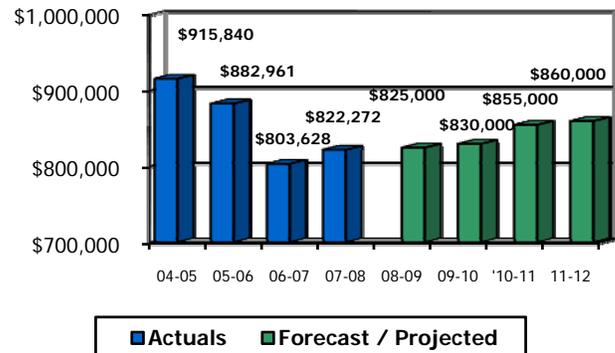


Golf Fees

Golf fees are the Municipal Golf Course Fund's largest revenue source. Golf fees showed a moderate increase in 2007-08 but are projected to decrease slightly to \$825,000 for 2008-09. Competition from surrounding golf courses, the national economy as well as a nationwide decline in golf participation has had a negative effect on this fund.

Golf fees are projected to increase 0.6% to \$830,000 for 2009-10, and 3.0% for 2010-11 and 0.6% for 2011-12.

Golf Fee Revenue



The graph above shows the historical trends and projections for golf fees. By 2011-12, this revenue source is estimated to reach \$860,000.

Concessions Room Rental Fees

Based on the current agreement with the golf course pro, the City receives concession and room rental fee revenues. Combined concession and room rental fee revenues are projected at \$15,000 for the 2008-09 Re-Estimate and are forecasted to remain fairly constant for the next three years.

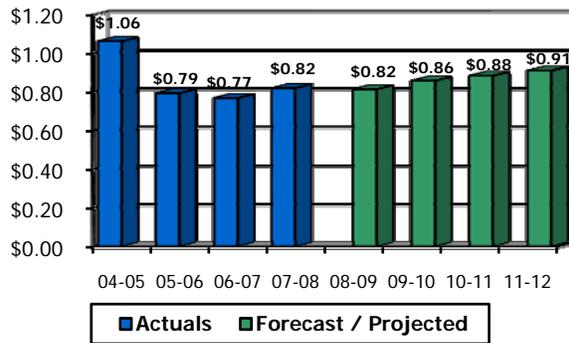
Other

Miscellaneous revenues for 2008-09 are expected to total \$11,000. Interest income comprises \$1,000 of this amount.

Operating Expenditures

The following graph shows the historical trends and projections for all Municipal Golf Course Fund expenditures. Expenditure increases can fluctuate from year-to-year mainly due to one-time expenditures.

Total Municipal Golf Course Fund Expenditures (in millions)



The major expenditures that make up the Municipal Golf Course Fund by category for 2008-09 include: Salaries & Wages (58.6%), Supplies & Services (36.5%), and Transfers (5.0%). A description of each expenditure category as well as a discussion of the outlook over the next three years follows.

Municipal Golf Course Fund Expenditures by Category



Salaries, Wages and Employee Benefits

Salary projections assume no salary increase throughout the forecast period. In addition, no new positions are budgeted for any of the three years, while one vacancy due to retirement is budgeted to remain unfilled. Included in the forecast is a 10.0% increase in health insurance for each additional year over the three-year period, and a 1% TMRS rate increase for each year of the forecast. Other benefit rate calculations remain constant. Slight increases to benefits costs such as Medicare, retirement, disability and life insurance costs are driven by annual salary increase rates.

Supplies & Services

Supplies & services costs are projected to increase by the inflation rate for each year of the three-year forecast. Municipal garage charges are projected to increase 8.0% in 2009-10, 7.0% in 2010-11, and 7.0% in 2011-12. Electric charges are projected to remain flat in 2009-10 and increase 5.0% per year for the remaining forecast period.

Capital Outlay

No new capital outlay is projected for this forecast. All discretionary expenditure items will be examined on their individual merit during the budget development process in each year.

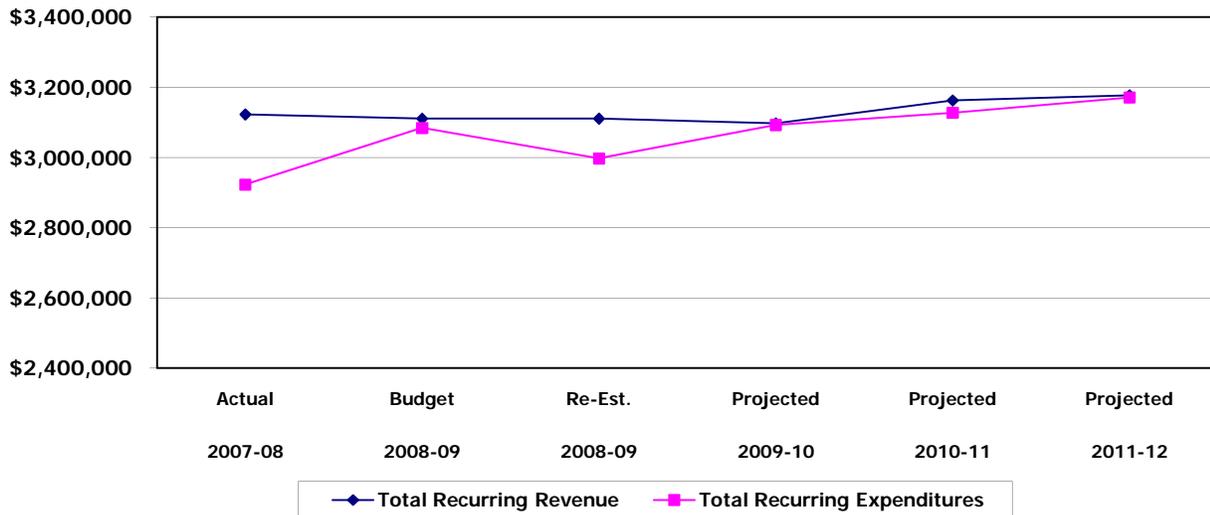
Transfers

The transfer to the General Fund is based on 5.0% of total revenues and the amount projected for 2008-09 equals \$44,550. This transfer compensates the General Fund for expenses related to the administration of the Municipal Golf Course.

Outlook & Analysis

Based on projections, the Municipal Golf Course Fund is forecasted to maintain a positive fund balance through fiscal year 2011-12. However, if a 30 day fund balance is required, a slight increase in certain revenues or a reduction in expenditures may be necessary to retain 30 days of operating funds.

Recreation Revolving Fund Recurring Revenue Vs. Recurring Expenditures



	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Recurring Revenue						
Recreation Fees	\$ 3,031,946	\$ 3,030,077	\$ 3,030,077	\$ 3,039,167	\$ 3,093,726	\$ 3,103,007
Contributions	16,432	12,600	15,600	15,600	15,623	15,670
Interest Income	41,974	40,000	14,000	14,000	25,000	30,000
Other	32,346	28,056	50,798	28,056	28,098	28,182
Total Recurring Revenue	\$ 3,122,698	\$ 3,110,733	\$ 3,110,475	\$ 3,096,823	\$ 3,162,447	\$ 3,176,860
Recurring Expenditures						
Salaries & Wages	\$ 1,125,912	\$ 1,347,502	\$ 1,242,500	\$ 1,329,456	\$ 1,337,015	\$ 1,344,196
Supplies & Services	1,796,857	1,736,285	1,754,552	1,762,923	1,789,905	1,826,207
Capital Outlay	-	-	-	-	-	-
Total Recurring Expenditures	\$ 2,922,769	\$ 3,083,787	\$ 2,997,052	\$ 3,092,373	\$ 3,126,920	\$ 3,170,403
Transfers Out	151,553	155,537	155,524	154,841	158,122	158,843
Fund Balance - Beginning	\$ 481,915	\$ 383,051	\$ 530,291	\$ 488,190	\$ 337,799	\$ 215,204
Total Recurring Revenue	\$ 3,122,698	\$ 3,110,733	\$ 3,110,475	\$ 3,096,823	\$ 3,162,447	\$ 3,176,860
Total Recurring Expenditures	\$ 2,922,769	\$ 3,083,787	\$ 2,997,052	\$ 3,092,373	\$ 3,126,920	\$ 3,170,403
Less: Transfers Out	\$ 151,553	\$ 155,537	\$ 155,524	\$ 154,841	\$ 158,122	\$ 158,843
Fund Balance - Ending	\$ 530,291	\$ 254,460	\$ 488,190	\$ 337,799	\$ 215,204	\$ 62,818
Add'l Revenues or Program Reductions to Meet 30 Days						
Days of Operation				59	40	25
						7

Recreation Revolving Fund Forecast

The Recreation Revolving Fund, an enterprise fund, accounts for the recreational programs and activities that are offered to groups and individuals on a fee basis.

Operating Revenue Sources:

Recreation Fees

Recreation fees are charged for participation in Parks & Recreation classes, sessions and events. These fees are used to cover the cost of instruction, materials and supplies. Also included are user fees for the use of the City's public facilities to aid in recovery of the cost of facility maintenance and upkeep.

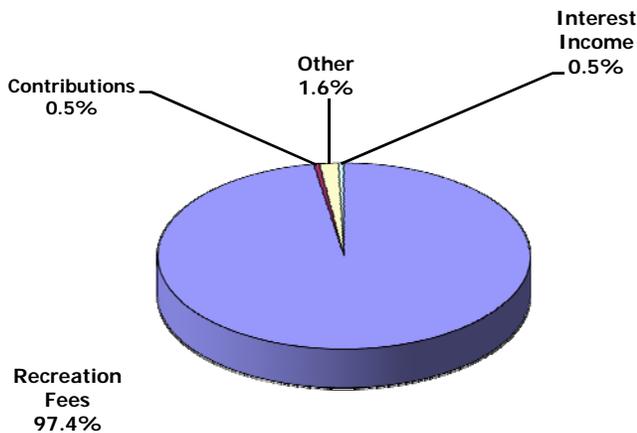
Contributions

The City of Plano accepts monetary contributions from businesses, organizations, institutions and individuals which are usually earmarked for certain programs.

Operating Revenues

The major sources that make up the Recreation Revolving Fund re-estimated revenues for 2008-09 include: Recreation Fees (97.4%), Contributions (0.5%), Interest Income (0.5%), and Other (1.6%). A description of each source

Recreation Revolving Fund Revenue by Source



as well as a discussion of the outlook over the next three years follows.

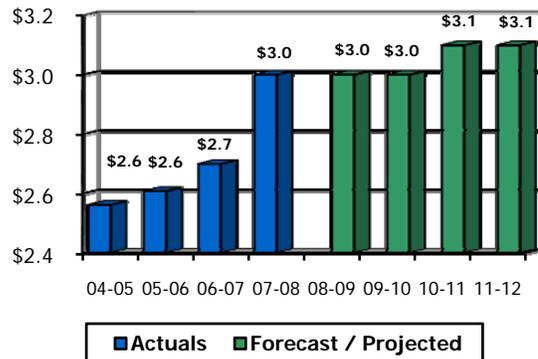
Recreation Fees

Recreation fees are the Recreation Revolving Fund's primary revenue source. Program fees are constantly reviewed in order to adequately cover expenditures and allow for continued program growth in future years. Thus, program expenditures are directly correlated to the fees charged for courses and programs.

The Recreation Revolving Fund experienced slowing growth in program participation over the past few years due to increased competition from other fitness venues located in Plano. The 2008-09 recreation fees are forecasted to increase by \$9,090 over the original budget based on the additional revenues.

Recreation course, class, and facility demands are influenced by population growth and the increases in revenues reflect the current popularity of the programs available through the recreation centers.

Recreation Fee Revenue (in millions)



The graph above shows the historical trends and projections for recreation fees. By 2011-12, this revenue source is now predicted to reach \$3.1 million, a 2.3% increase over 2007-08 actual revenues.

Contributions

The Recreation Revolving Fund enjoys a dependable flow of contribution revenue. Contribution revenue is projected to remain fairly constant, at about \$16,000 per year over the three-year period.

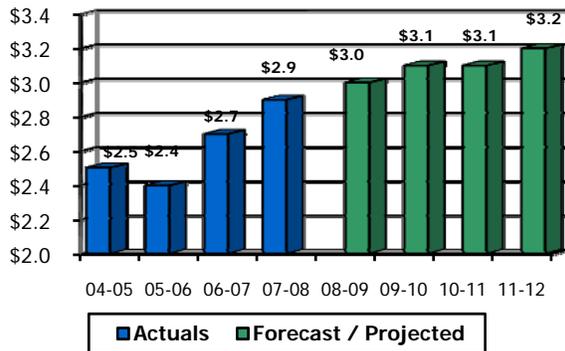
Other

Miscellaneous revenues for 2008-09 are re-estimated at \$64,798. Interest income comprises \$14,000 of that amount and is projected to rise over the three-year forecast period to \$30,000 in 2011-12.

Operating Expenditures

Recreation program expenditures are directly correlated to the fees charged for courses and programs. The following graph shows the historical trends and projections for all Recreation Revolving Fund expenditures. Expenditure increases can fluctuate from year-to-year mainly due to one-time expenditures.

Total Recreation Revolving Fund Expenditures (in millions)



The major expenditures that make up the Recreation Revolving Fund by category for 2008-09 include: Salaries & Wages (39.4%), Supplies & Services (55.7%), and Transfers (4.9%). A description of each expenditure category as well as a discussion of the outlook over the next three years follows.

Salaries, Wages and Employee Benefits

Total Salary & Wage growth for the forecast period is projected at \$218,284, a 19.4%

Recreation Revolving Fund Expenditures by Category



increase over actual 2007-08 costs. Salary projections assume no salary increase throughout the forecast period. In addition, no new positions are budgeted for any of the three years. Also included in the forecast is a 10.0% increase in health insurance for each additional year over the three-year period, and a 1.0% TMRS rate increase for each year of the forecast. Other benefit rate calculations remain constant. Slight increases to benefits costs such as Medicare, retirement, disability and life insurance costs are driven by annual salary increase rates.

Supplies & Services

Supplies & services costs are projected to increase only slightly in future years, while Municipal garage charges are projected to increase 8.0% in 2009-10, 7.0% in 2010-11 and 7.0% in 2011-12.

Capital Outlay

No new capital outlay is projected for the forecast period. All discretionary expenditure items will be examined on their individual merit during the budget development process in each year.

Transfers

The transfer to the General Fund is based on 5.0% of total revenues each year of the forecast period. The amount projected for 2009-10 is \$154,841. This transfer reimburses the General Fund for expenses incurred in the administration of the Recreation Revolving Fund and programs.

Outlook & Analysis

Based on projections, the Recreation Revolving Fund is forecasted to maintain a positive fund balance through fiscal year 2011-12. However, if a 30 day fund balance is required, a slight increase in certain revenues or a reduction in expenditures may be necessary to retain 30 days of operating funds.



B U D G E T & R E S E A R C H

COMBINED BUDGET

	Actuals 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
BEGINNING BALANCES				
Operating Funds:				
General Fund	\$45,683,660	\$29,280,321	\$44,741,546	\$29,375,303
Water & Sewer Fund	4,823,608	4,021,400	12,430,047	8,030,684
Sustainability & Environ. Services Fund	2,492,748	1,532,722	1,968,275	30,346
Convention & Tourism Fund	4,069,927	2,651,475	4,056,600	1,072,785
Municipal Drainage Utility Fund	4,601,223	2,545,828	4,783,774	3,953,251
Recreation Revolving Fund	481,915	383,051	530,291	488,190
Municipal Golf Course Fund	75,039	70,251	59,483	50,362
Property Management Fund	382,247	448,108	432,081	463,412
Community Access TV Fund	253,185	153,915	338,475	203,116
TOTAL OPERATING FUNDS	\$62,863,552	\$41,087,070	\$69,340,572	\$43,667,450
Debt Service Funds:				
General Obligation	\$4,754,700	\$4,287,993	\$5,491,973	\$3,159,063
Water & Sewer Revenue	640,655	197,632	207,060	322,766
TOTAL DEBT SERVICE FUNDS	\$5,395,355	\$4,485,625	\$5,699,033	\$3,481,829
TOTAL BEGINNING BALANCES	\$68,258,907	\$45,572,695	\$75,039,605	\$47,149,278

REVENUES & TRANSFERS IN

Operating Funds:				
General Fund	\$208,198,257	\$210,842,939	\$208,348,861	\$201,982,790
Water & Sewer Fund	100,558,078	112,947,318	110,022,412	119,125,951
Sustainability & Environ. Services Fund	21,603,380	22,416,581	21,901,026	22,094,071
Convention & Tourism Fund	7,751,460	7,813,053	6,979,845	7,083,793
Municipal Drainage Utility Fund	5,152,093	5,078,110	5,050,113	5,060,613
Grant Fund	1,905,895	2,339,563	2,339,563	2,339,563
Recreation Revolving Fund	3,122,698	3,110,733	3,110,475	3,096,823
Municipal Golf Course Fund	849,583	891,000	851,000	856,000
Property Management Fund	88,331	53,431	39,431	34,431
Community Access TV Fund	1,017,878	994,876	936,430	938,445
TOTAL OPERATING FUNDS	\$350,247,653	\$366,487,605	\$359,579,156	\$362,612,480

COMBINED BUDGET (continued)

	Actuals 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
Debt Service Funds:				
General Obligation	\$38,638,998	\$38,464,286	\$38,528,976	\$40,515,748
Water & Sewer Revenue	2,965,499	2,220,000	2,210,000	2,210,000
TOTAL DEBT SERVICE FUNDS	\$41,604,497	\$40,684,286	\$40,738,976	\$42,725,748
TOTAL REVENUE & TRANSFERS IN	\$391,852,150	\$407,171,891	\$400,318,132	\$405,338,228
Less: Interfund Transfers	20,302,945	21,228,281	21,126,222	20,590,868
NET BUDGET REVENUE	\$371,549,205	\$385,943,610	\$379,191,910	\$384,747,360
TOTAL AVAILABLE FUNDS	\$439,808,112	\$431,516,305	\$454,231,515	\$431,896,638

APPROPRIATIONS & TRANSFERS OUT

Operations:

General Fund	\$209,140,371	\$223,319,551	\$223,715,104	\$227,868,854
Water & Sewer Fund	92,951,639	109,358,645	114,421,775	119,635,717
Sustainability & Environ. Services Fund	22,127,853	23,307,729	23,838,955	23,965,385
Convention & Tourism Fund	7,764,787	9,761,888	9,963,660	7,455,670
Municipal Drainage Utility Fund	4,969,542	5,671,041	5,880,636	5,959,882
Grant Fund	1,905,895	2,339,563	2,339,563	2,339,563
Recreation Revolving Fund	3,074,322	3,239,324	3,152,576	3,247,215
Municipal Golf Course Fund	865,139	939,301	860,121	903,560
Property Management Fund	38,497	8,100	8,100	8,100
Community Access TV Fund	932,588	1,061,677	1,071,789	1,049,544
TOTAL OPERATIONS	\$343,770,633	\$379,006,817	\$385,252,278	\$392,433,491

Debt Service Funds:

General Obligation	\$37,901,725	\$40,973,622	\$40,861,886	\$42,671,172
Water & Sewer Revenue	3,399,094	2,094,294	2,094,294	2,112,050
TOTAL DEBT SERVICE FUNDS	\$41,300,819	\$43,067,916	\$42,956,180	\$44,783,222
TOTAL APPROPRIATIONS & TRANSFERS OUT	\$385,071,452	\$422,074,733	\$428,208,458	\$437,216,713
Less: Interfund Transfers	20,302,945	21,228,281	21,126,222	20,590,868
NET BUDGET APPROPRIATIONS	\$364,768,507	\$400,846,452	\$407,082,236	\$416,625,845

COMBINED BUDGET (continued)

	Actuals 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
ENDING BALANCES				
Operating Funds:				
General Fund	\$44,741,546	\$16,803,709	\$29,375,303	\$3,489,239
Water & Sewer Fund	12,430,047	7,610,074	8,030,684	7,520,918
Sustainability & Environ. Services Fund	1,968,275	641,574	30,346	(1,840,968)
Convention & Tourism Fund	4,056,600	702,640	1,072,785	700,908
Municipal Drainage Utility Fund	4,783,774	1,952,897	3,953,251	3,053,982
Recreation Revolving Fund	530,291	254,460	488,190	337,799
Municipal Golf Course Fund	59,483	21,950	50,362	2,802
Property Management Fund	432,081	493,439	463,412	489,743
Community Access TV Fund	338,475	87,114	203,116	92,017
TOTAL OPERATING FUNDS	\$69,340,572	\$28,567,857	\$43,667,450	\$13,846,439
Debt Service Funds:				
General Obligation	\$5,491,973	\$1,778,657	\$3,159,063	\$1,003,638
Water & Sewer Revenue	207,060	323,338	322,766	420,716
TOTAL DEBT SERVICE FUNDS	\$5,699,033	\$2,101,995	\$3,481,829	\$1,424,354
TOTAL ENDING BALANCES	\$75,039,605	\$30,669,853	\$47,149,278	\$15,270,794
TOTAL APPROPRIATIONS & ENDING BALANCES	\$439,808,112	\$431,516,305	\$454,231,515	\$431,896,638

GENERAL FUND

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
UNAPPROPRIATED FUND BALANCE	\$45,683,660	\$29,280,321	\$42,057,821	\$29,375,303
Encumbrance Adjustment			2,683,725	
Revenues				
Taxes	\$141,052,752	\$141,822,672	\$141,822,672	\$135,412,687
Franchise Fees	22,628,847	21,745,842	22,739,040	22,825,783
Fines & Forfeits	7,268,270	8,150,500	8,350,358	8,362,884
Miscellaneous Revenue	3,629,353	4,248,181	1,561,796	1,720,953
Licenses & Permits	5,235,695	5,325,629	4,802,961	4,350,607
Charges for Services	10,723,589	11,201,895	10,764,196	10,763,570
Intergovernmental Revenue	714,197	713,646	714,166	653,868
Subtotal Revenues	\$191,252,703	\$193,208,365	\$190,755,189	\$184,090,352
Intragovernmental Transfers	16,945,554	17,634,574	17,593,672	17,892,438
TOTAL REVENUES & TRANSFERS	\$208,198,257	\$210,842,939	\$208,348,861	\$201,982,790
TOTAL RESOURCES	\$253,881,917	\$240,123,260	\$253,090,407	\$231,358,093
APPROPRIATIONS				
Operating Expense				
Salaries & Wages	\$139,826,925	\$151,397,706	\$148,741,352	\$153,339,800
Materials & Supplies	6,746,416	7,322,754	8,126,991	7,322,754
Contractual	39,326,406	42,692,862	43,763,198	43,091,041
Community Services Agencies	495,900	524,600	524,600	529,200
Sundry	1,004,132	1,164,249	1,080,927	964,249
CIP Coming On-Line	0	0	0	3,627,126
Reimbursements	(1,731,795)	(1,966,128)	(1,966,128)	(2,064,434)
Subtotal	\$185,667,984	\$201,136,043	\$200,270,940	\$206,809,735
Capital Outlay	2,377,311	2,505,307	3,277,437	1,000,000
TOTAL OPERATIONS	\$188,045,295	\$203,641,350	\$203,548,377	\$207,809,735
Capital Reserve	\$10,500,000	\$10,500,000	\$10,500,000	\$10,500,000
Property & Liability Loss Fund	1,800,000	1,800,000	2,300,000	2,500,000
Technology Fund	1,500,000	1,000,000	1,000,000	1,000,000
CATV Fund	309,587	309,587	248,430	248,430
Economic Development	985,489	858,361	908,044	858,361
Economic Development Incentive Fund	6,000,000	5,210,253	5,210,253	4,952,328
TOTAL TRANSFERS	\$21,095,076	\$19,678,201	\$20,166,727	\$20,059,119
TOTAL APPROPRIATIONS	\$209,140,371	\$223,319,551	\$223,715,104	\$227,868,854
UNAPPROPRIATED FUND BALANCE	\$44,741,546	\$16,803,709	\$29,375,303	\$3,489,239
Days of Operation				6

GENERAL FUND REVENUE BY SOURCE

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
SOURCE OF INCOME				
Taxes				
Ad Valorem Taxes:				
Current	\$76,753,030	\$81,804,774	\$81,804,774	\$75,488,769
Delinquent	440,345	842,664	842,664	778,866
Penalty & Interest	400,369	421,332	421,332	389,433
Sales Tax	62,113,836	57,417,708	57,417,708	57,417,708
Mixed Drink Tax	1,003,932	992,563	992,563	994,052
Bingo Gross Receipts Tax	148,608	151,654	151,654	151,881
Excess Proceeds on Taxes	192,632	191,977	191,977	191,977
TOTAL TAXES	\$141,052,752	\$141,822,672	\$141,822,672	\$135,412,687
Franchise Fees				
Electrical Franchise	\$12,227,643	\$11,711,005	\$11,877,447	\$12,055,609
Telephone Franchise	4,686,032	4,588,434	4,548,434	4,428,434
Fiber Optics Franchise	18,021	18,021	18,021	18,021
Gas Franchise	3,192,713	3,264,467	3,810,835	3,839,416
Cable TV Franchise	2,504,438	2,163,915	2,484,303	2,484,303
TOTAL FRANCHISE FEES	\$22,628,847	\$21,745,842	\$22,739,040	\$22,825,783
Fines & Forfeits				
Municipal Court	\$6,894,505	\$7,772,500	\$7,960,687	7,972,628
Library Fines	373,765	378,000	389,671	390,256
TOTAL FINES & FORFEITS	\$7,268,270	\$8,150,500	\$8,350,358	\$8,362,884
Miscellaneous Revenue				
Interest Earnings	\$2,244,622	\$3,182,198	\$565,533	\$711,764
Sale/Rental of Property	104,796	125,193	125,193	125,193
Insurance Collections	690,772	460,790	323,142	336,068
Sundry	589,163	480,000	547,928	547,928
TOTAL MISCELLANEOUS REVENUE	\$3,629,353	\$4,248,181	\$1,561,796	\$1,720,953
Licenses and Permits				
Electricians Licenses	\$39,488	\$33,968	\$29,616	\$22,212
Food Handlers Permits	483,060	490,910	490,910	491,646
Land / Burning / Liquid Waste	22,620	20,341	20,341	20,372
Grease Trap Permits	45,050	42,419	42,419	42,483
Rental Registration Fees	188,225	267,880	267,880	267,880
Animal Licenses	67,734	106,404	86,404	106,404
Restaurant Plan Review	33,000	33,295	33,295	33,345
Alarm Permits	897,650	1,311,289	1,311,289	1,313,256
Filing Fees	206,262	213,192	165,010	123,757
Fire Protection Plan Review	158,645	149,232	159,232	159,232
Building Permits	2,288,884	1,831,658	1,468,469	1,101,352
Electrical Permits	87,825	75,058	65,869	49,402
Plumbing Permits	181,260	161,163	154,197	115,648
Heating & A/C Permits	91,780	69,159	68,835	51,626
Fence Permits	58,405	66,334	43,804	32,853

GENERAL FUND REVENUE BY SOURCE

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
Swimming Pool Permits	35,050	28,123	22,703	17,027
Pool Inspection	61,000	62,735	62,735	62,829
Irrigation Permits	19,023	16,782	14,267	10,700
Day Laborer Fees	26,210	25,166	25,166	25,166
Sign Permits	133,854	202,106	152,106	202,106
Reoccupancy Permits	56,605	68,416	68,416	51,312
Misc. Licenses & Permits	54,065	50,000	50,000	50,000
TOTAL LICENSES & PERMITS	\$5,235,695	\$5,325,629	\$4,802,961	\$4,350,607
Fees & Service Charges				
Animal Pound & Adoption Fee	\$199,412	\$249,383	\$216,383	\$249,383
Ambulance Service	3,445,284	3,563,923	3,563,923	3,569,269
False Alarm Response	361,306	338,141	409,444	410,058
Emergency 911	1,057,584	1,112,250	1,112,250	1,113,918
Interlocal Plan Review	109,781	134,211	82,336	82,459
Contractor Registration Fee	220,486	164,401	164,401	123,301
Engineering Inspection Fee	483,657	300,000	200,000	200,000
Residential Building Plan Review	33,300	59,903	46,400	34,800
Reinspection Fee	116,375	90,886	69,825	52,369
File Searches	43,516	33,197	36,989	37,044
Same Day Inspection Fee	76,455	65,195	45,873	34,405
Convenience Copiers	15,369	18,144	18,144	18,171
Recreation User Fee	648,239	500,345	500,345	501,096
Recreation Rental Fee	80,023	92,414	92,414	92,553
Swimming Fees	499,022	447,155	520,047	520,827
Recreation Membership Card Fee	1,976,724	2,746,746	2,296,746	2,300,191
Tennis Center Fee	204,671	192,411	197,651	197,947
Food Manager/Handler Training	53,085	65,258	65,258	65,356
Ticket Services/Sales	45,369	103,000	103,000	103,155
Tree Trimming Assessments	106,515	103,614	103,614	103,769
Child Safety Fees	73,746	62,858	62,858	62,953
Sundry	873,670	758,459	856,295	890,547
TOTAL FEES & SVC CHARGES	\$10,723,589	\$11,201,895	\$10,764,196	\$10,763,570

GENERAL FUND REVENUE BY SOURCE

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
Intergovernmental Revenue				
Payments from FISD:				
School Crossing Guards	\$19,675	\$39,016	\$39,016	\$39,016
School Liaisons	47,020	49,834	49,834	99,744
Payments from PISD:				
School Liaisons	289,961	249,798	249,798	139,590
Collin County Library Grant	79,113	77,730	78,250	78,250
Denton County Library Grant	11,200	11,200	11,200	11,200
Plano-Richardson Trng. Ctr. / Misc.	187,578	206,418	206,418	206,418
Interlocal Radio System Access	79,650	79,650	79,650	79,650
TOTAL INTERGOVT'L REVENUE	\$714,197	\$713,646	\$714,166	\$653,868
TOTAL REVENUE	\$191,252,703	\$193,208,365	\$190,755,190	\$184,090,352
Intragovernmental Transfers				
Intra-Fund Transfers From:				
Water & Sewer Fund	\$15,219,179	\$15,824,925	\$15,824,925	\$16,118,134
Sustain. & Environ. Services Fund	817,319	873,942	869,673	870,190
Recreation Revolving Fund	151,553	155,537	155,524	154,841
Golf Course Fund	43,950	44,550	44,550	44,550
Convention & Tourism Fund	382,894	390,653	348,992	354,190
Municipal Drainage Fund	330,659	344,968	350,008	350,533
TOTAL INTRAGOV'T'L TRANSFERS	\$16,945,554	\$17,634,574	\$17,593,672	\$17,892,438
TOTAL GENERAL FUND	\$208,198,257	\$210,842,939	\$208,348,862	\$201,982,790

GENERAL OBLIGATION DEBT SERVICE

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
UNAPPROPRIATED FUND BALANCE	\$4,754,700	\$4,287,993	\$5,491,973	\$3,159,063
Revenues				
Property Tax				
Current	\$36,462,303	\$36,426,851	\$36,426,851	\$39,101,577
Delinquent	240,447	378,271	378,271	405,441
Penalty & Interest	198,146	151,308	151,308	162,176
Fund Interest Income	941,997	600,000	500,000	600,000
Transfer-Conv. & Tour. Fund	547,804	834,120	834,120	0
Police Academy Reimbursement	248,301	73,736	238,425	246,554
TOTAL REVENUES	\$38,638,998	\$38,464,286	\$38,528,976	\$40,515,748
TOTAL RESOURCES	\$43,393,698	\$42,752,279	\$44,020,949	\$43,674,810
APPROPRIATIONS				
Bond and Certificates				
Principal	\$21,715,000	\$21,615,000	\$21,615,000	\$22,645,000
Interest	13,463,820	13,651,357	14,096,285	13,302,651
Transfer to Tech Infrastructure & Public Art	281,900	281,588	281,588	281,064
Transfer to Tax Notes Moto Mesh	2,110,000	2,103,200	2,103,200	2,099,000
Transfer to Tax Notes MotoMesh& Radio Sys Rep	327,916	2,659,794	2,659,794	2,678,419
Transfer to Tax Notes Radio Sys Repl	0	0	96,019	963,725
Exchanges Fees	3,089	20,000	10,000	10,000
Subtotal	\$37,901,725	\$40,330,939	\$40,861,886	\$41,979,859
New Debt	0	642,683	0	691,313
TOTAL APPROPRIATIONS	\$37,901,725	\$40,973,622	\$40,861,886	\$42,671,172
UNAPPROPRIATED FUND BALANCE	\$5,491,973	\$1,778,657	\$3,159,063	\$1,003,638

WATER & SEWER

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
WORKING CAPITAL	\$4,823,608	\$4,021,400	\$12,430,047	\$8,030,684
Revenues				
Water Income	\$52,620,501	\$57,484,581	\$57,675,514	\$60,846,113
Sewer Income	44,569,734	52,540,000	49,352,550	55,233,600
Water Taps	87,052	77,131	90,780	92,596
Water & Sewer Penalties	1,339,659	1,234,162	1,328,628	1,339,257
Water Meters	196,413	223,451	152,094	153,235
Construction Water	245,036	229,848	282,255	284,372
Service Connect Fee	162,317	172,974	155,420	156,586
Backflow Testing	287,475	298,809	298,809	301,050
Sewer Tie-On	27,100	27,974	27,974	28,184
Pre-Treatment Permits	27,775	27,993	27,993	28,203
Interest Earnings	0	50,000	50,000	50,000
Transfer from Water Impact Fees	254,530	0	0	0
Transfer in for Education Building	148,928	148,928	148,928	148,928
Misc. Income	591,558	431,468	431,468	463,828
TOTAL REVENUES	\$100,558,078	\$112,947,318	\$110,022,412	\$119,125,951
TOTAL RESOURCES	\$105,381,686	\$116,968,718	\$122,452,459	\$127,156,634
APPROPRIATIONS				
Operating Expense				
Salaries & Wages	\$8,252,650	\$8,948,305	\$9,158,235	\$9,420,728
Materials & Supplies	1,735,472	5,079,551	7,456,504	5,155,744
Contractual	4,618,403	5,537,841	6,297,210	5,697,926
NTMWD - Water	26,973,343	31,529,375	31,529,375	34,735,752
NTMWD - Wastewater	11,413,675	14,087,958	14,087,958	14,933,235
NTMWD - Upper E. Fork Interceptor	6,744,634	8,344,313	8,344,313	10,013,176
Retirement of NTMWD Debt	815,191	828,355	828,355	861,488
Sundry	546,394	378,734	514,979	384,415
Reimbursements	265,134	275,144	385,193	385,522
Subtotal	\$61,364,896	\$75,009,576	\$78,602,122	\$81,587,986
Capital Outlay	147,451	0	1,470,584	0
TOTAL OPERATIONS	\$61,512,347	\$75,009,576	\$80,072,706	\$81,587,986
Transfer to General Fund	\$15,219,179	\$15,824,925	\$15,824,925	\$16,118,134
Transfer to Debt Service	2,250,000	2,200,000	2,200,000	2,200,000
Transfer to W & S CIP	7,800,000	11,835,000	11,835,000	15,095,000
Transfer to Capital Reserve	3,000,000	1,200,000	1,200,000	1,200,000
Transfer to Loss Fund	571,959	616,484	616,484	716,484
Transfer to Technology Fund	300,000	300,000	300,000	300,000
Transfer to Technology Services	2,198,154	2,272,660	2,272,660	2,318,113
Transfer for Sustainability	100,000	100,000	100,000	100,000
TOTAL TRANSFERS	\$31,439,292	\$34,349,069	\$34,349,069	\$38,047,731
TOTAL APPROPRIATIONS	\$92,951,639	\$109,358,645	\$114,421,775	\$119,635,717
WORKING CAPITAL	\$12,430,047	\$7,610,073	\$8,030,684	\$7,520,917
Days of Operation				34

WATER & SEWER DEBT SERVICE

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
<u>RESERVE FUND</u>				
WORKING CAPITAL	\$0	\$0	\$0	\$0
Fund Interest Income	0	0	0	0
Transfer to W&S Debt Service	0	0	0	0
TOTAL	\$0	\$0	\$0	\$0
FUND BALANCE	\$0	\$0	\$0	\$0
<u>SINKING FUND</u>				
UNAPPROPRIATED FUND BALANCE	\$640,655	\$197,632	\$207,060	\$322,766
Transfer In (W & S Fund)	\$2,250,000	\$2,200,000	\$2,200,000	\$2,200,000
Transfer In (W & S Reserve)	0	0	0	0
Transfer to Escrow & Adj.	0	0	0	0
Transfer In (Water Impact Fees)	412,885	0	0	0
Transfer In (Sewer Impact Fees)	248,186	0	0	0
Fund Interest Income	54,428	20,000	10,000	10,000
TOTAL	\$2,965,499	\$2,220,000	\$2,210,000	\$2,210,000
TOTAL RESOURCES	\$3,606,154	\$2,417,632	\$2,417,060	\$2,532,766
<u>APPROPRIATIONS</u>				
Principal	\$2,280,000	\$1,855,000	\$1,855,000	\$1,940,000
Interest	319,094	239,294	239,294	172,050
Fees	0	0	0	0
Subtotal	\$2,599,094	\$2,094,294	\$2,094,294	\$2,112,050
Transfer to Sewer CIP	800,000	0	0	0
TOTAL TRANSFERS	\$800,000	\$0	\$0	\$0
TOTAL APPROPRIATIONS	\$3,399,094	\$2,094,294	\$2,094,294	\$2,112,050
UNAPPROPRIATED FUND BALANCE	\$207,060	\$323,338	\$322,766	\$420,716

SUSTAINABILITY & ENVIRONMENTAL SERVICES

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
WORKING CAPITAL	\$2,492,748	\$1,532,722	\$1,968,275	\$30,346
Revenues				
Commercial Franchise	\$6,721,464	\$6,496,731	\$6,848,398	\$6,951,124
Special Refuse Collection	55,936	127,020	66,029	67,019
Residential Collection	11,569,221	12,311,419	12,311,419	12,317,814
Allied Waste, Inc.	0	74,045	74,045	74,045
Recycling	1,313,606	875,500	169,011	230,000
Sales of Landscape Bags	44,687	46,451	46,451	46,451
Contributions via Utility Billing	12,576	13,308	13,308	13,328
Sale of Compost	722,348	728,709	767,179	778,687
Tipping Fees	706,638	971,228	650,616	660,375
Miscellaneous	334,283	669,170	669,170	669,170
Reimbursements	22,621	3,000	3,000	3,000
Sustainability Program Transfer	100,000	100,000	282,400	283,058
TOTAL REVENUES	\$21,603,380	\$22,416,581	\$21,901,026	\$22,094,071
TOTAL RESOURCES	\$24,096,128	\$23,949,303	\$23,869,301	\$22,124,418
APPROPRIATIONS				
Operating Expense				
Salaries & Wages	\$5,593,431	\$5,860,004	\$5,936,735	\$6,042,958
Materials & Supplies	311,352	327,777	445,982	332,694
Contractual	6,893,310	6,999,094	7,179,597	7,297,740
NTMWD	7,177,078	7,965,842	7,965,842	8,579,212
Sundry	119,972	225,444	230,234	228,826
Reimbursements	79,640	62,138	62,138	65,245
Subtotal	\$20,174,783	\$21,440,299	\$21,820,528	\$22,546,674
Capital Outlay	358,067	256,170	371,070	0
TOTAL OPERATIONS	\$20,532,850	\$21,696,469	\$22,191,598	\$22,546,674
Transfer to General Fund	\$817,319	\$873,942	\$869,673	\$870,190
Transfer to Technology Fund	60,000	60,000	60,000	60,000
Transfer to W&S Fund-Env. Ed. Bldg.	148,928	148,928	148,928	148,928
Transfer to Internal Loan Program	238,797	238,797	238,797	0
Transfer to Loss Fund	329,959	289,593	329,959	339,593
TOTAL TRANSFERS	\$1,595,003	\$1,611,260	\$1,647,357	\$1,418,711
TOTAL APPROPRIATIONS	\$22,127,853	\$23,307,729	\$23,838,955	\$23,965,385
WORKING CAPITAL	\$1,968,275	\$641,574	\$30,346	(\$1,840,968)
Days of Operation				-30

MUNICIPAL DRAINAGE UTILITY

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
WORKING CAPITAL	\$4,601,223	\$2,545,828	\$4,783,774	\$3,953,251
Revenues				
Environmental Assessment Fees:				
Residential Class Fees	\$2,724,526	\$2,715,389	\$2,737,562	\$2,741,668
Commercial Class Fees	2,251,778	2,212,721	2,262,551	2,265,945
Miscellaneous	8,549	0	0	0
Interest Income	167,240	150,000	50,000	53,000
TOTAL REVENUES	\$5,152,093	\$5,078,110	\$5,050,113	\$5,060,613
TOTAL RESOURCES	\$9,753,316	\$7,623,938	\$9,833,887	\$9,013,864
APPROPRIATIONS				
Operating Expense				
Salaries & Wages	\$1,071,964	\$1,337,985	\$1,258,330	\$1,371,221
Materials & Supplies	144,995	265,464	329,910	269,446
Contractual	664,116	859,833	933,672	882,937
Sundry	9,146	35,461	35,461	66,993
Reimbursements	292,839	304,760	377,111	377,440
Subtotal	\$2,183,060	\$2,803,503	\$2,934,484	\$2,968,037
Capital Outlay	741	0	54,000	0
TOTAL OPERATIONS	\$2,183,801	\$2,803,503	\$2,988,484	\$2,968,037
Transfer to General Fund	\$330,659	\$344,968	\$350,008	\$350,533
Transfer to Technology Fund	20,000	20,000	20,000	20,000
Transfer to Revenue Debt	2,435,082	2,502,570	2,522,144	2,621,312
TOTAL TRANSFERS	\$2,785,741	\$2,867,538	\$2,892,152	\$2,991,845
TOTAL APPROPRIATIONS	\$4,969,542	\$5,671,041	\$5,880,636	\$5,959,882
WORKING CAPITAL	\$4,783,774	\$1,952,897	\$3,953,251	\$3,053,982
Days of Operation				376

CONVENTION & TOURISM

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
WORKING CAPITAL	\$4,069,927	\$2,651,476	\$4,056,600	\$1,072,785
Revenues				
Hotel/Motel Receipts	\$4,909,061	\$4,964,601	\$4,428,065	\$4,494,486
Civic Center Fees	2,682,611	2,698,452	2,501,780	2,539,307
Miscellaneous	11,270	0	0	0
Interest Income	148,518	150,000	50,000	50,000
TOTAL REVENUES	\$7,751,460	\$7,813,053	\$6,979,845	\$7,083,793
TOTAL RESOURCES	\$11,821,387	\$10,464,528	\$11,036,445	\$8,156,578
APPROPRIATIONS				
Operating Expenses				
Convention & Visitors Bureau	\$1,322,779	\$1,565,550	\$1,572,621	\$1,538,762
Civic Center Operations	3,504,898	4,034,749	3,997,993	4,041,212
Support of the Arts	673,590	677,710	664,210	674,173
Historic Preservation	692,375	677,710	664,210	674,173
Special Events	128,098	150,896	152,217	153,159
Civic Center Equipment Rpl Fund	171,562	1,410,500	1,634,062	0
Subtotal	\$6,493,302	\$8,517,115	\$8,685,312	\$7,081,480
Capital Outlay	320,787	0	75,236	0
TOTAL OPERATIONS	\$6,814,089	\$8,517,115	\$8,760,548	\$7,081,480
Transfer to General Fund	\$382,894	\$390,653	\$348,992	\$354,190
Transfer to Technology Fund	20,000	20,000	20,000	20,000
Transfer to Debt Service	547,804	834,120	834,120	0
TOTAL TRANSFERS	\$950,698	\$1,244,773	\$1,203,112	\$374,190
TOTAL APPROPRIATIONS	\$7,764,787	\$9,761,888	\$9,963,660	\$7,455,670
WORKING CAPITAL	\$4,056,600	\$702,640	\$1,072,785	\$700,908
Days of Operation				36

GOLF COURSE

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
WORKING CAPITAL	\$75,039	\$70,251	\$59,483	\$50,362
Revenues				
Golf Fees	\$822,272	\$870,000	\$825,000	\$830,000
Concessions	12,984	15,000	15,000	15,000
Interest Income	3,487	4,000	1,000	1,000
Miscellaneous	10,840	2,000	10,000	10,000
TOTAL REVENUES	\$849,583	\$891,000	\$851,000	\$856,000
TOTAL RESOURCES	\$924,622	\$961,251	\$910,483	\$906,362
APPROPRIATIONS				
Operating Expense				
Salaries & Wages	\$533,377	\$511,279	\$502,657	\$546,077
Supplies	80,267	117,550	85,000	85,000
Contractual Services	205,499	263,692	225,556	225,670
Sundry Charges	(20,116)	2,230	2,358	2,263
Subtotal	\$799,027	\$894,751	\$815,571	\$859,010
Capital Outlay	22,162	0	0	0
TOTAL OPERATIONS	\$821,189	\$894,751	\$815,571	\$859,010
Transfer to General Fund	43,950	44,550	44,550	44,550
TOTAL TRANSFERS	\$43,950	\$44,550	\$44,550	\$44,550
TOTAL APPROPRIATIONS	\$865,139	\$939,301	\$860,121	\$903,560
WORKING CAPITAL	\$59,483	\$21,950	\$50,362	\$2,802
Days of Operation				1

RECREATION REVOLVING

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
WORKING CAPITAL	\$481,915	\$383,051	\$530,291	\$488,190
Revenues				
Recreation Fees	\$3,031,946	\$3,030,077	\$3,030,077	\$3,039,167
Contributions	16,432	12,600	15,600	15,600
Interest Income	41,974	40,000	14,000	14,000
Sundry	32,346	28,056	50,798	28,056
TOTAL REVENUES	\$3,122,698	\$3,110,733	\$3,110,475	\$3,096,823
TOTAL RESOURCES	\$3,604,613	\$3,493,784	\$3,640,766	\$3,585,013
APPROPRIATIONS				
Operating Expense				
Salaries & Wages	\$1,125,912	\$1,347,502	\$1,242,500	\$1,329,456
Materials & Supplies	215,077	224,986	234,811	228,361
Contractual	1,553,511	1,482,446	1,490,513	1,505,271
Sundry	28,269	28,853	29,228	29,286
Subtotal	\$2,922,769	\$3,083,787	\$2,997,052	\$3,092,374
Capital Outlay	0	0	0	0
TOTAL OPERATIONS	\$2,922,769	\$3,083,787	\$2,997,052	\$3,092,374
Transfer to General Fund	\$151,553	\$155,537	\$155,524	\$154,841
TOTAL TRANSFERS	\$151,553	\$155,537	\$155,524	\$154,841
TOTAL APPROPRIATIONS	\$3,074,322	\$3,239,324	\$3,152,576	\$3,247,215
WORKING CAPITAL	\$530,291	\$254,460	\$488,190	\$337,799
Days of Operation				40

PROPERTY MANAGEMENT

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
WORKING CAPITAL	\$382,247	\$448,108	\$432,081	\$463,412
Revenues				
Rents	\$72,568	\$39,431	\$34,431	\$29,431
Interest	15,763	14,000	5,000	5,000
TOTAL REVENUES	\$88,331	\$53,431	\$39,431	\$34,431
TOTAL RESOURCES	\$470,578	\$501,539	\$471,512	\$497,843
APPROPRIATIONS				
Operating Expense				
Materials & Supplies	\$835	\$500	\$500	\$500
Contractual	37,662	7,600	7,600	7,600
Subtotal	\$38,497	\$8,100	\$8,100	\$8,100
Capital Outlay	0	0	0	0
TOTAL OPERATIONS	\$38,497	\$8,100	\$8,100	\$8,100
TOTAL APPROPRIATIONS	\$38,497	\$8,100	\$8,100	\$8,100
WORKING CAPITAL	\$432,081	\$493,439	\$463,412	\$489,743

COMMUNITY ACCESS TV

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
WORKING CAPITAL	\$253,185	\$153,915	\$338,475	\$203,116
Revenues				
Plano Television Network Fee	\$281,370	\$269,274	\$282,000	\$282,000
Interest Income	22,280	15,000	5,000	7,000
Cable Community Grant	150,000	150,000	150,000	150,000
Transfer In Gen Fund - Franchise Fees	309,587	309,587	248,430	248,430
Transfer In Technology Fund	250,000	250,000	250,000	250,000
Miscellaneous	4,641	1,015	1,000	1,015
TOTAL REVENUES	\$1,017,878	\$994,876	\$936,430	\$938,445
TOTAL RESOURCES	\$1,271,063	\$1,148,791	\$1,274,905	\$1,141,561
APPROPRIATIONS				
Operating Expense				
Salaries & Wages	\$790,955	\$819,898	\$805,010	\$780,768
Materials & Supplies	39,038	73,129	73,129	73,129
Contractual	72,151	116,150	116,150	118,147
Sundry	1,966	2,500	2,500	2,500
Equipment Replacement	0	50,000	75,000	75,000
Subtotal	904,110	1,061,677	1,071,789	1,049,544
Capital Outlay	28,478	0	0	0
TOTAL APPROPRIATIONS	932,588	1,061,677	1,071,789	1,049,544
WORKING CAPITAL	\$338,475	\$87,114	\$203,116	\$92,017
Days of Operation				32

PROPERTY & LIABILITY LOSS

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
WORKING CAPITAL	\$3,273,175	\$2,076,803	\$1,690,722	\$1,075,221
Resources				
General Fund Transfer In	\$1,800,000	\$1,800,000	\$2,300,000	\$2,500,000
Water & Sewer Fund Transfer In	571,959	616,484	616,484	716,484
Sustain. & Env. Svcs. Fund Transfer In	329,959	289,593	329,959	339,593
Claims Recovered	480,194	200,000	200,000	200,000
Interest Earned	299,337	225,000	75,000	100,000
TOTAL REVENUES	\$3,481,449	\$3,131,077	\$3,521,443	\$3,856,077
TOTAL RESOURCES	\$6,754,624	\$5,207,880	\$5,212,165	\$4,931,298
APPROPRIATIONS				
Workers' Compensation	\$898,773	\$1,075,000	\$1,000,000	\$1,000,000
Judgements and Damages	1,259,297	1,000,000	1,000,000	1,000,000
Property Damage	0	100,000	100,000	100,000
Risk Management Operations	2,905,832	2,021,266	2,036,944	2,016,550
TOTAL APPROPRIATIONS	\$5,063,902	\$4,196,266	\$4,136,944	\$4,116,550
UNAPPROPRIATED FUND BALANCE	\$1,690,722	\$1,011,614	\$1,075,221	\$814,748

CAPITAL RESERVE

	Actual 2007-08	Budget 2008-09	Re-Est 2008-09	Projected 2009-10
WORKING CAPITAL	\$35,494,900	\$25,205,270	\$37,446,122	\$34,807,622
Revenues				
General Fund Transfer In	\$10,500,000	\$10,500,000	\$10,500,000	\$10,500,000
Water & Sewer Transfer In	3,000,000	1,200,000	1,200,000	1,200,000
Fund Interest Earnings	1,490,917	1,000,000	470,000	510,000
Rollback Taxes	1,134,487	500,000	300,000	300,000
Miscellaneous	4,875	0	0	0
Screening Walls	7,386	5,000	2,500	2,500
TOTAL REVENUE	\$16,137,665	\$13,205,000	\$12,472,500	\$12,512,500
TOTAL RESOURCES	\$51,632,565	\$38,410,270	\$49,918,622	\$47,320,122
APPROPRIATIONS				
Streets & Drainage Projects	\$7,647,338	\$8,427,000	\$8,427,000	\$9,004,000
Park Improvement Projects	3,504,114	3,375,000	3,375,000	3,640,000
Municipal Facilities Projects	3,032,896	3,309,000	3,309,000	2,322,000
Audit Adjustment	2,095	0	0	0
TOTAL OPERATIONS	\$14,186,443	\$15,111,000	\$15,111,000	\$14,966,000
TOTAL APPROPRIATIONS	\$14,186,443	\$15,111,000	\$15,111,000	\$14,966,000
WORKING CAPITAL	\$37,446,122	\$23,299,270	\$34,807,622	\$32,354,122



B U D G E T & R E S E A R C H

OPERATING BUDGET CALENDAR Fiscal Year 2009-10

- February 9 Personnel worksheets issued for verification.
- Budget & Research Department issues calendar and instructions for requesting the following internal review items:
- Audio-visual/media equipment
 - Building modifications
 - Cellular telephones & communications devices
 - Copiers
 - Furniture and office equipment
 - G.I.S. software/hardware
 - Technology requests
 - Leased space
 - Microfilming
 - Radios, radio systems, and maintenance
 - Special mail-outs
 - Telecommunications and phone equipment/lines
 - Vehicles and major equipment
 - Other major capital outlay/specialty items
- February 17 City council agrees on Bond Referendum Propositions to be submitted to the voters.
- February 20 Requests due to service departments for internal review items listed above.
- Changes to Personnel worksheets are due to Budget & Research Department.
- February 23 City Council considers an Ordinance calling for the Bond Referendum Election.
- February 27 Estimated cost list of frequently purchased items due to Budget & Research Department from Purchasing, Public Safety Communications, Telecommunications, and Technology Services for inclusion in the Budget Preparation Manual.
- Various Departments submit indicators to Budget & Research Department for inclusion in the Budget Preparation Manual.
- Preliminary FY 2009-10 Personnel requests submitted to Technology Services, Human Resources, and City Manager.

OPERATING BUDGET CALENDAR
Fiscal Year 2009-10
(continued)

	Equipment Services distributes recommendations for vehicle and rolling stock replacements.
March 6, 7	City Council Core Business Matrix Worksession.
March 12	Budget & Research Department meets with City Manager and Executive Directors to present mid-year revenue and expenditure forecast, review preliminary assumptions, and set budget parameters, targets, and goals. Status of the Community Investment Program is also discussed.
March 16	Cost information and recommendations due back to departments on internal review items.
March 19, 23	Budget & Research Department staff provides training on instructions, forms, automation, supplements, and other issues.
March 23	Budget & Research Department presents FY 2007-08 Status Report and Three-Year Financial Summary to City Council for review and input.
March 25	At Management Team meeting, Budget & Research Department gives overview and distributes instructions, forms, and departmental targets.
April 10	Budget & Research Department re-assesses revenue estimates for the current and upcoming year and advises the City Manager of these changes.
April 20 - May 8	Citizen input meetings in community with specific groups, including the Chamber of Commerce and Homeowners Council, as requested.
May 8	All departmental Operating Budgets due to area Executive Directors.
May 9	2009 Bond Referendum Election.
May 15	All departmental Operating Budget requests due in Budget & Research Department.

OPERATING BUDGET CALENDAR
Fiscal Year 2009-10
(continued)

May 18 - June 17	Budget & Research Department compiles total Operating Budget requests and Community Investment Program requests.
June 11	Technology Services Steering Committee prioritizes all departmental Technology Requests and submits recommendation to the City Manager.
June 17	Budget & Research Department presents total request to City Manager with highlights, issues, options, and recommendations.
June 12, 17 & 18	City Manager reviews Operating Budgets and Community Investment Program with all department heads.
June 26	City Manager gives final instructions to Budget & Research Department.
July 8	Budget & Research Department notifies departments of preliminary funded FY 2008-09 requests.
July 17	Draft Operating Budget and Community Investment Program submitted to City Manager for review.
July 29	City Manager submits FY 2008-09 Recommended Budget and Proposed Community Investment Program to Council. Presentation of Proposed Community Investment Program to the City Council.
August 10 Program.	Public Hearing on Operating Budget and Community Investment Approval of Appraisal Roll. Vote on proposed tax rate increase, if necessary.
August 15	Council Budget Worksession.
August 24	1 st Public Hearing on tax rate. (If Required)
September 1	2 nd Public Hearing on tax rate. (If Required)
September 14	Council adopts Operating Budget, Community Investment Program and sets Tax Rate.

OPERATING BUDGET CALENDAR
Fiscal Year 2009-10
(continued)

October 1 New fiscal year begins.

The Budget Department reserves the right to make changes to this budget calendar, as required or may be appropriate, to facilitate the timely execution of tasks and required productions of publications.

**History of Tax Base in Plano
and Projection for 2009-10**

As of Jan. 1	Taxable Value	New Property	Existing Tax Base	Change in Total Value \$	Change in Total %	Change in Base \$	Change in Base %
1991	\$7,556,605,808	\$246,246,097	\$7,310,359,711	(\$46,813,631)	-0.62%	(\$293,059,728)	-3.85%
1992	\$7,612,573,526	\$405,155,121	\$7,207,418,405	\$55,967,718	0.74%	(\$349,187,403)	-4.62%
1993	\$7,665,358,776	\$544,555,172	\$7,120,803,604	\$52,785,250	0.69%	(\$491,769,922)	-6.46%
1994	\$8,087,599,099	\$532,021,145	\$7,555,577,954	\$422,240,323	5.51%	(\$109,780,822)	-1.43%
1995	\$8,601,115,799	\$548,621,386	\$8,052,494,413	\$513,516,700	6.35%	(\$35,104,686)	-0.43%
1996	\$9,647,082,946	\$747,048,223	\$8,900,034,723	\$1,045,967,147	12.16%	\$298,918,924	3.48%
1997	\$10,470,958,182	\$764,878,033	\$9,706,080,149	\$823,875,236	8.54%	\$58,997,203	0.61%
1998	\$11,659,019,391	\$858,000,000	\$10,801,019,391	\$1,188,061,209	11.35%	\$330,061,209	3.15%
1999	\$13,318,803,313	\$973,732,898	\$12,345,070,415	\$1,659,783,922	14.24%	\$686,051,024	5.88%
2000	\$14,970,714,724	\$1,075,343,168	\$13,895,371,556	\$1,651,911,411	12.40%	\$576,568,243	4.33%
2001	\$16,951,975,217	\$1,209,831,901	\$15,742,143,316	\$1,981,260,493	13.23%	\$771,428,592	5.15%
2002	\$18,923,096,351	\$952,719,113	\$17,970,377,238	\$1,971,121,134	11.63%	\$1,018,402,021	6.01%
2003	\$20,194,219,506	\$913,900,252	\$19,280,319,254	\$1,271,123,155	6.72%	\$357,222,903	1.89%
2004	\$20,398,670,327	\$434,730,669	\$19,963,939,658	\$204,450,821	1.01%	(\$230,279,848)	-1.14%
2005	\$20,869,734,810	\$328,684,415	\$20,541,050,395	\$471,064,483	2.31%	\$142,380,068	0.70%
2006	\$21,649,265,385	\$376,517,872	\$21,272,747,513	\$779,530,575	3.74%	\$403,012,703	1.93%
2007	\$22,829,141,312	\$556,469,319	\$22,272,671,993	\$1,179,875,927	5.45%	\$623,406,608	2.88%
2008	\$24,511,500,675	\$568,050,666	\$23,943,450,009	\$1,682,359,363	7.37%	\$1,114,308,697	4.88%
2009	\$25,785,315,308	\$559,678,673	\$25,225,636,635	\$1,273,814,633	5.20%	\$714,135,960	2.91%
2010	\$25,011,755,849	\$450,000,000	\$24,561,755,849	(\$773,559,459)	-3.00%	(\$1,223,559,459)	-4.75%

Three-Year Financial Forecast Ad Valorem Tax Analysis

				-3.00%	0.00%	1.00%
Existing Property Values				450,000,000	300,000,000	300,000,000
New Property Growth						
		2007-08 Actual	2008-09 Budget	2009-10 Projected	2010-11 Projected	2011-12 Projected
Analysis of Tax Rate						
Total Taxable Value		\$ 24,511,500,675	\$ 25,785,315,308	\$ 25,011,755,849	\$ 25,311,755,849	\$ 25,864,873,407
Change in Total Value (\$)		1,682,359,363	1,273,814,633	(773,559,459)	300,000,000	553,117,558
Change in Total Value (%)		7.37%	5.20%	-3.00%	1.20%	2.19%
Tax Rate		0.4735	0.4735	0.4735	0.4735	0.4735
Levy		116,061,956	122,093,468	118,430,664	119,851,164	122,470,176
Current Collections		113,215,333	120,872,533	117,246,357	118,652,652	121,245,474
Current Collections Percent		97.5%	99.0%	99.0%	99.0%	99.0%
Delinquent Collections		680,792	1,220,935	1,184,307	1,198,512	1,224,702
Penalty & Interest		598,515	572,640	551,609	554,429	566,389
Total Collections		114,494,640	122,666,108	118,982,273	120,405,593	123,036,565
Total Current Levy		98.6%	100.5%	100.5%	100.5%	100.5%
Debt Allocation						
Rate		0.1525	0.1467	0.1621	0.1771	0.1777
Current Collections		36,462,303	36,426,851	39,116,680	43,356,913	44,480,326
Delinquent Collections		240,447	378,271	405,441	448,271	459,619
Penalty & Interest		198,146	151,308	162,176	179,308	183,848
General Fund Allocation						
Rate		0.3210	0.3268	0.3114	0.2964	0.2958
Current Collections		76,753,030	81,804,774	75,488,769	72,654,831	74,124,240
Delinquent Collections		440,345	842,664	778,866	750,240	765,083
Penalty & Interest		400,369	421,332	389,433	375,120	382,541
One Cent Equivalent on Tax Rate				\$ 2,476,164	\$ 2,505,864	\$ 2,560,622

Three-Year Financial Forecast Transfers

GENERAL FUND						
	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Transfers To:						
Capital Reserve	\$ 10,500,000	\$ 10,500,000	\$ 10,500,000	\$ 10,500,000	\$ 10,500,000	\$ 10,500,000
Property & Liability Loss	1,800,000	1,800,000	2,300,000	2,500,000	2,500,000	2,500,000
Technology Fund	1,500,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
CATV Fund	309,587	309,587	248,430	248,430	248,430	248,430
Economic Development	985,489	858,361	908,044	858,361	871,236	884,305
Eco. Dev. Incentive Fund	6,000,000	5,210,253	5,210,253	4,952,328	5,011,728	5,121,245
Total Transfers	\$ 21,095,076	\$ 19,678,201	\$ 20,166,727	\$ 20,059,119	\$ 20,131,394	\$ 20,253,980

GENERAL OBLIGATION DEBT FUND						
	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Transfers To:						
Tech Infra. & Public Art	\$ 281,900	\$281,588	\$281,588	\$281,064	\$280,326	\$284,376
Tax Notes - Moto Mesh	2,110,000	2,103,200	2,103,200	2,099,000	2,097,200	2,092,600
Tax Notes - Moto & Radio	327,916	2,659,794	2,659,794	2,678,419	2,694,494	2,717,869
Tax Notes - Radio Repl.	0	0	96,019	963,725	969,994	980,644
Total Transfers	\$ 2,719,816	\$ 5,044,582	\$ 5,140,601	\$ 6,022,208	\$ 6,042,014	\$6,075,489

WATER & SEWER FUND						
	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Transfers To:						
General Fund	\$ 15,219,179	\$ 15,824,925	\$ 15,824,925	\$ 16,118,134	\$ 16,924,041	\$ 17,770,243
Debt Service Fund	2,250,000	2,200,000	2,200,000	2,200,000	1,200,000	250,000
Water & Sewer CIP	7,800,000	11,835,000	11,835,000	15,095,000	12,000,000	12,000,000
Capital Reserve	3,000,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000
Property & Liability Loss	571,959	616,484	616,484	716,484	752,308	789,924
Technology Fund	300,000	300,000	300,000	300,000	300,000	300,000
Technology Services	2,198,154	2,272,660	2,272,660	2,318,113	2,387,657	2,459,286
Reserve Fund	0	0	0	0	1,500,000	2,500,000
Sustainability	100,000	100,000	100,000	100,000	100,000	100,000
Total Transfers	\$ 31,439,292	\$ 34,349,069	\$ 34,349,069	\$ 38,047,731	\$ 36,364,005	\$ 37,369,453

SUSTAINABILITY & ENVIRONMENTAL SERVICES FUND						
	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Transfers To:						
General Fund	\$ 817,319	\$ 873,942	\$ 869,673	\$ 870,190	\$ 872,789	\$ 878,001
Technology Fund	60,000	60,000	60,000	60,000	60,000	60,000
Internal Loan	238,797	238,797	238,797	0	0	0
Property & Liability Loss	329,959	289,593	329,959	339,593	356,573	374,401
W & S - Env. Edu. Bldg.	148,928	148,928	148,928	148,928	148,928	148,928
Total Transfers	\$ 1,595,003	\$ 1,611,260	\$ 1,647,357	\$ 1,418,711	\$ 1,438,289	\$ 1,461,331

Three-Year Financial Forecast Transfers

MUNICIPAL DRAINAGE FUND						
	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Transfers To:						
General Fund	\$ 330,659	\$ 344,968	\$ 350,008	\$ 350,533	\$ 351,059	\$ 352,112
Technology Fund	20,000	20,000	20,000	20,000	20,000	20,000
Revenue Debt	2,435,082	2,502,570	2,522,144	2,621,312	2,745,808	2,863,596
Total Transfers	\$ 2,785,741	\$ 2,867,538	\$ 2,892,152	\$ 2,991,845	\$ 3,116,866	\$ 3,235,708

CONVENTION & TOURISM FUND						
	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Transfers To:						
General Fund	\$ 382,894	\$ 390,653	\$ 348,992	\$ 354,190	\$ 379,600	\$ 387,142
Technology Fund	20,000	20,000	20,000	20,000	20,000	20,000
Debt Service	547,804	834,120	834,120	0	0	0
Total Transfers	\$ 950,698	\$ 1,244,773	\$ 1,203,112	\$ 374,190	\$ 399,600	\$ 407,142

MUNICIPAL GOLF COURSE FUND						
	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Transfers To:						
General Fund	\$ 43,950	\$ 44,550	\$ 44,550	\$ 44,550	\$ 44,639	\$ 44,773
Total Transfers	\$ 43,950	\$ 44,550	\$ 44,550	\$ 44,550	\$ 44,639	\$ 44,773

RECREATION REVOLVING FUND						
	2007-08 Actual	2008-09 Budget	2008-09 Re-Est.	2009-10 Projected	2010-11 Projected	2011-12 Projected
Transfers To:						
General Fund	\$ 151,553	\$ 155,537	\$ 155,524	\$ 154,841	\$ 158,122	\$ 158,843
Total Transfers	\$ 151,553	\$ 155,537	\$ 155,524	\$ 154,841	\$ 158,122	\$ 158,843

**PROJECTED GENERAL FUND O&M EXPENSES
COMMUNITY INVESTMENT PROGRAM**

	2009-10	2010-11	2011-12
<u>CIP O&M Expenditures</u>			
Fire Station #12	54,300	-	-
Warehouse Logistic Facility	37,495	-	-
Emergency Operations Center	99,776	-	-
Fire Station #13	-	1,777,316	-
Engine #13	231,831	-	-
Fire Ladder Truck	1,646,952	-	-
Fire Engines	-	1,646,952	1,646,952
Fire Station #4 Expansion	-	19,195	-
Animal Shelter Expansion	23,540	-	-
Environmental Education Building	22,381	-	-
Add'l Facility Maintenance Personnel	97,622	-	-
Archgate	17,430	-	-
Carpenter Expansion/Senior Center	-	197,060	164,350
Harrington Park/Collin Corridor	-	268,164	351,249
Land Acquisitions	10,000	10,000	10,000
Legacy Trail	154,710	-	-
Miscellaneous Park Improvements	656,955	582,450	460,150
Oak Point Park & Nature Preserve	157,059	-	401,100
Oak Point Retreat Center	110,755	-	-
Oak Point Visitor Center	146,830	-	-
PISD Tennis Court Lights	130,840	-	-
White Rock Creek Development	28,650	257,850	-
Total CIP O&M Expenditures	\$ 3,627,126	\$ 4,758,987	\$ 3,033,801
Tax Rate Impact	1.46	1.90	1.18

* Projected costs include existing planned facility and park projects. Additional or reduced costs may occur for other facilities contingent on the strategic plan and the projected May 2009 Bond Referendum.



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>CS</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 3/23/08		Reviewed by Legal <i>CS</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Finance			Initials	Date
Department Head	Denise Tacke <i>DT</i>			Assistant City Manager	<i>DT</i> 3-16-09
Dept Signature:				Deputy City Manager	<i>DT</i> 3/16/09
				City Manager	<i>DT</i> 3/16/09
Agenda Coordinator (include phone #):		Katherine Crumbley - 7479			
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 checked="" type="checkbox"/> OTHER Public Hearing					
CAPTION					
AN ORDINANCE OF THE CITY OF PLANO, TEXAS, DESIGNATING A CERTAIN AREA WITHIN THE CITY OF PLANO AS REINVESTMENT ZONE NO. 117 FOR A TAX ABATEMENT CONSISTING OF A 9.602 ACRE TRACT OF LAND LOCATED AT THE NORTHWEST CORNER OF SUMMIT AVENUE AND JUPITER ROAD, IN THE CITY OF PLANO, TEXAS ESTABLISHING THE BOUNDARIES OF SUCH ZONE; ORDAINING OTHER MATTERS RELATING THERETO; 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: 2009-10	Prior Year (CIP Only)	Current Year	Future Years	TOTALS	
Budget	0		0	0	
Encumbered/Expended Amount	0			0	
This Item	0			0	
BALANCE	0	-7,352	0	0	
FUND(S):					
COMMENTS: Notice of public hearing published on March 13th 2009, to create reinvestment zone 117. The real property improvements amount is \$1,000,000 while the business personal property amount to be maintained is to be \$2,100,000.					
SUMMARY OF ITEM					
This is related to Telmar Network Technology, Inc. request for tax abatement on reinvestment zone 117 and creation of the zone.					
List of Supporting Documents: Tax Abatement Agreement Agreement			Other Departments, Boards, Commissions or Agencies		

INTEROFFICE MEMORANDUM

TO: Thomas H. Muehlenbeck
City Manager

DATE: March 16, 2009

FROM: Denise Tacke
Director of Finance

CC: Cindy Pierce
Exec. Admin. Asst.

SUBJECT: Tax Abatement for Telmar Network Technology – Reinvestment Zone 117

Telmar Network Technology, a Delaware Corporation, is a global provider of equipment and services to OEMs, Enterprise and Network Service Providers. The company offers communications solutions, including repair, asset management, supply chain outsourcing and profession services; and new, pre-owned and manufactured products.

Telmar will make real property improvements to the Real Property with an approximate taxable value of not less than \$1,000,000 occupying a total of 143,817 gross square feet of office space. Reinvestment zone 117 will consist of a 9.602 acre tract of land located at the northwest corner of Summit Avenue and Jupiter Road. The development will result in approximately 127 full time jobs.

The tax abatement will be based on the following values; the estimated amount of \$1,000,000 of real property and \$2,100,000 of business personal property. This tax abatement will be for a period of eight years, from January 1, 2010 through December 31, 2017, and shall be based on amounts equal to 50% for real property, and 50% for business personal property which is a savings of \$2,367.50 annually for real property and \$4,971.75 annually for business personal property, at the current rate of .4735.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, DESIGNATING A CERTAIN AREA WITHIN THE CITY OF PLANO AS REINVESTMENT ZONE NO. 117 FOR A TAX ABATEMENT CONSISTING OF A 9.602 ACRE TRACT OF LAND LOCATED AT THE NORTHWEST CORNER OF SUMMIT AVENUE AND JUPITER ROAD, IN THE CITY OF PLANO, TEXAS ESTABLISHING THE BOUNDARIES OF SUCH ZONE; ORDAINING OTHER MATTERS RELATING THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Plano, Texas (the "City"), desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone for retail tax abatement, as authorized by V.T.C.A. Tax Code Chapter 312 (referred to as the "Property Redevelopment and Tax Abatement Act" or the "Act"); and

WHEREAS, a public hearing before the City Council was set for 7:00 p.m. on the 23rd day of March, 2009, such date being at least seven (7) days after the date of publication of the notice of such public hearing; and

WHEREAS, the City held such public hearing after giving written notice of said hearing to all taxing units overlapping the territory inside the proposed reinvestment zone; and

WHEREAS, the City at such hearing invited any interested person or his representative to appear for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory described in the notice calling such public hearing should be included in such proposed reinvestment zone, and the concept of tax abatement; and

WHEREAS, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all matters relating to the creation of the reinvestment zone.

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

Section I. The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

Section II. Definitions. For the purposes of this Ordinance, the following terms and phrases shall have the following meanings ascribed to them:

- a) Improvements - Improvements shall include, for the purpose of establishing eligibility under the Act, any activity at the location, including, but not limited to, new construction.
- b) Taxable Real Property - Taxable real property shall be as defined in the Texas Property Tax Code and shall not include personal property as defined in said code, nor shall it include land.
- c) Taxable Tangible Personal Property - Shall be defined, for purposes of this Ordinance, as tangible personal property, such as office machines and office furnishings, but shall specifically exclude inventory or supplies.
- d) Base Year - The base year for determining increased value shall be the taxable real property value assessed the year in which the agreement is executed.

Section III. The City, after conducting the above-mentioned hearing and having heard such evidence and testimony, has made the following findings and determinations based on the testimony presented to it:

- a) That a public hearing on the adoption of the reinvestment zone has been properly called, held and conducted and that notices of such hearings have been published as required by law and mailed to all taxing units overlapping the territory inside the proposed reinvestment zone; and
- b) That the boundaries of the reinvestment zone should be the area as described in the metes and bounds description attached hereto as Exhibit "A"; and
- c) That creation of the reinvestment zone for commercial/industrial tax abatement with boundaries as described in Exhibit "A" will result in benefits to the City and to the land included in the zone and the improvements sought are feasible and practical; and
- d) That the reinvestment zone as defined in Exhibit "A" meets the criteria for the creation of a reinvestment zone as set forth in Section 312.202 of the Act in that it is "reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City"; and

- e) That the reinvestment zone as defined in Exhibit "A" meets the criteria for the creation of a reinvestment zone as set forth in the City of Plano Revised Policy Statement for Tax Abatement.

Section IV. Pursuant to Section 312.201 of the Act, the City hereby creates a reinvestment zone for commercial/industrial tax abatement encompassing only the area described by metes and bounds in Exhibit "A" attached hereto and such reinvestment zone is hereby designated and shall hereafter be designated as Reinvestment Zone No. 117, City of Plano, Texas.

Section V. The zone shall be effective as of January 1, 2010.

Section VI. To be eligible for tax abatement a retail project shall:

- a) Be located wholly within the zone as established herein.
- b) Not include property that is owned or leased by a member of the City Council of the City of Plano or by a member of the Planning and Zoning Commission.
- c) Conform to the requirements of the City's Zoning Ordinance and all other applicable laws and regulations.
- d) Have and maintain all land located within the designated zone, appraised at market value for tax purposes.

Section VII. Written tax abatement agreements with property owner(s) located within the zone shall provide the terms regarding duration of exemption and share of taxable real property (and personalty) value from taxation as approved hereunder as shown below:

- a) Duration of Exemption – eight (8) consecutive tax years beginning with and including the January 1, 2010 assessment date.
- b) Share of taxes abated - percentage of taxes on total value of appraised Real and Business Personal Property and Improvements at the rate of: 50% for the years 2010, 2011, 2012, 2013, 2014, 2015, 2016, and 2017.

Section VIII. Any written agreements authorized under this Ordinance must include provisions for:

- a) Listing the kind, number and location of all proposed improvements of the property;

- b) Access to and inspection of property by municipal employees to ensure that the improvements or repairs are made according to the specification and conditions of the agreements;
- c) Limiting the use of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period that property tax exemptions are in effect; and
- d) Recapturing property tax revenue lost as a result of the agreement if the owner of the property fails to make the improvements or repairs as provided by the agreement.

Section IX. If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof.

Section X. This Ordinance shall become effective from and after its date of passage.

DULY PASSED AND APPROVED this 23rd day of March, 2009.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

EXHIBIT "A"
LEGAL DESCRIPTION
REINVESTMENT ZONE NO. 117
Real Property
Metes and Bounds

LEGAL DESCRIPTION

BEING located at 901 Jupiter Road in the City of Plano, Texas, being Lot 4, Block 1 of Replat of Lot 4, Block 1, of the Central Plano Industrial Park Phase 1, an addition to the City of Plano, Collin County, Texas, according to the plat recorded in Volume G, Page 381, Map Records Collin County, Texas, and being more particularly described as follows:

BEGINNING at the most Northerly corner of a visibility cutback line for the intersection of the West line of Jupiter Road (a 100' R.O.W.), with the North line of Summit Avenue (a 60' R.O.W.), said point being a Southeasterly corner of said Lot 4, a ½" iron rod set for corner;

THENCE South 44 deg. 22 min. West, with said visibility cutback line, a distance of 13.93 feet to the most Southerly corner of said visibility cutback line, a ½" iron rod set for corner;

THENCE North 89 deg. 47 min. 30 sec. West, with the same North line of Summit Avenue, a distance of 658.63 feet to the Southwest corner of said Lot 4, a 1" iron rod found for corner;

THENCE North, with the West line of said Lot 4, same being with the East line of Summer Service Center Addition, an addition to the City of Plano, Texas, according to the plat recorded in Cabinet F, Page 329, Map Records Collin County, Texas, a distance of 633.29 feet, a ½" iron rod found for corner;

THENCE South 89 deg. 47 min. 54 sec. East, with the North line of said Lot 4, same being with the South line of a tract of land conveyed to Chrysler Boat Corp., by deed recorded in Volume 561, Page 282, Deed Records Collin County, Texas, a distance of 652.32 feet to a point in the said West line of Jupiter Road, a ½" iron rod found for corner;

THENCE South 01 deg. 28 min. 30 sec. East, with the said West line of Jupiter Road, a distance of 623.64 feet to the PLACE OF BEGINNING and CONTAINING 9.602 acres of land.



**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: 3/23/09		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Finance		Initials	Date
Department Head	Denise Tacke	Assistant City Manager	<i>DL</i>	3-18-09
Dept Signature:		Deputy City Manager		
		City Manager	<i>[Signature]</i>	3/18/09
Agenda Coordinator (include phone #): Katherine Crumbley - 7479				
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				
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS, TELMAR NETWORK TECHNOLOGY, INC., A DELAWARE CORPORATION, AND JUD AND CATHERINE IRELAND AND OLIVAS OWNERS LLC, A FLORIDA LIMITED LIABILITY COMPANY; AND PROVIDING FOR A BUSINESS PERSONAL PROPERTY AND REAL PROPERTY TAX ABATEMENT; AND 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: 2009-10	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0		0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS: The real property improvements amount is \$1,000,000 while the business personal property amount to be maintained is to be \$2,100,000. The term of the abatement will begin on 1/1/2010 and end on 12/31/2017 and will be equal to 50% for 8 years.				
SUMMARY OF ITEM				
This is related to Telmar Network Technology, Inc. request for tax abatement on reinvestment zone 117 and creation of the zone..				
List of Supporting Documents: Tax Abatement 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 AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS, TELMAR NETWORK TECHNOLOGY, INC., A DELAWARE CORPORATION, AND JUD AND CATHERINE IRELAND AND OLIVAS OWNERS LLC, A FLORIDA LIMITED LIABILITY COMPANY; AND PROVIDING FOR A BUSINESS PERSONAL PROPERTY AND REAL PROPERTY TAX ABATEMENT; AND AUTHORIZING ITS EXECUTION BY THE CITY MANAGER, OR IN HIS ABSENCE AN AUTHORIZED DESIGNEE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Tax Abatement Agreement by and between the City of Plano, Texas, and Telmar Network Technology, Inc., a Delaware Corporation and Jud and Catherine Ireland and Olivas Owners LLC, a Florida limited liability company, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Agreement"); and

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

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

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

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

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

DULY PASSED AND APPROVED this the 23rd day of March, 2009.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

2. The tangible personal property subject to this Agreement shall be personal property, excluding inventory and supplies, used within Reinvestment Zone No. 117, which shall be hereinafter referred to as the "Personalty." The Personalty is presently estimated to have an approximate taxable value of Two Million One Hundred Thousand Dollars (\$2,100,000) and is or will be owned by Lessee or its affiliates. Lessee shall timely render its personal property value each year to the Central Appraisal District

3. Lessee, as owner of the Personalty, may not relocate, for purposes of maintaining taxable situs of tangible personal property, the Personalty on the Real Property in other Reinvestment Zones in the City.

JOBS

4. Lessee estimates the proposed occupancy of the Real Property as shown in **EXHIBIT "B"** (the "Development") will result in the retention, creation or transfer of approximately 127 jobs at the Development in Plano when the office building is occupied.

IMPROVEMENTS

5. The Lessee shall occupy not less than 143,817 gross square feet of office space on the Real Property; locate Personalty on the Real Property with an approximate taxable value of not less than Two Million One Hundred Thousand Dollars (\$2,100,000.00); make real property improvements to the Real Property with an approximate taxable value of not less than One Million Dollars (\$1,000,000.00); and employ thereon not less than 127 employees for the purpose of providing communications equipment and services to OEMs, Enterprise and Network Service Providers, referred to herein as the "Purposes."

DEFAULT

6. Any of the following events shall be deemed a breach of this agreement resulting in default:

(a) Lessee or Owners allow their personal property taxes located on the Property or real property improvement taxes, respectively, owed the City to become delinquent and fails to timely and properly follow the legal procedures for protest and/or contest of any such ad valorem taxes;

(b) Lessee fails to occupy the Improvements for the Purposes set forth in paragraph 5 above on or before December 31, 2009; or

(c) The value of Personalty placed on the Real Property on or before December 31, 2009, and maintained on the Real Property during the term of this Agreement or the value of real property improvements on the Property is less than the minimum amounts set forth in paragraphs 2 and 5 above; or

(d) Lessee fails to employ at least 75% of its employee commitment as provided in paragraph 4 above; or

(e) Lessee fails to provide annual certification as required in paragraph 9 below.

(f) Lessee or Owners have been convicted of a violation under 8 U.S.C. Section 1324a (f) regarding the unlawful employment of aliens.

7. In the event that the Lessee or Owners default under this Agreement then the City shall give the defaulting party written notice of such default and if the defaulting party has not cured such default, or obtained a waiver thereof from the appropriate authority, within thirty (30) days of said written notice, this Agreement may be terminated by the City as to that party. Notice shall be in writing as provided below. Upon the occurrence of an event of default other than under Paragraph 6(a) or 6 (f) above and after the defaulting party fails to cure same in accordance herewith, this Agreement shall immediately terminate as to the defaulting party and all taxes due after the event of default shall be paid in full without the benefit of any abatement. The parties acknowledge that actual damages in the event of default and termination would be speculative and difficult to determine.

8. Upon the occurrence of an event of default under Paragraph 6(a) above and after Lessee or Owners fail to cure same in accordance herewith or upon the occurrence of an event of default under Paragraph 6(f), this Agreement shall immediately terminate with respect to the tax abatements attributable to the Personalty for Lessee and for real property improvements for Owners and all taxes, including previously abated taxes which would have been paid to the City without the benefit of this Agreement, shall become due and owing to the City, together with interest charged from the date of this Agreement at the statutory rate for delinquent taxes as determined by V.T.C.A., Tax Code § 33.01, but without the addition of penalty other than that mandated by V.T.C.A., § 33.01 or 33.07.

ANNUAL CERTIFICATION

9. On or before the 1st day of November of each calendar year during the term of this Agreement, the Lessee and Owners , or their successors or assigns, must provide annual certification (substantially in the form attached as **EXHIBIT "C"** hereto) to the Governing Body of the City certifying compliance with each applicable term of the Agreement.

ASSIGNMENT

10. The terms and conditions of this Agreement are binding upon the successors and assigns of all parties hereto. This Agreement cannot be assigned by Lessee or Owners unless written permission is first granted by the City, which permission shall be at the reasonable discretion of the City, except under the following conditions:

(a) Assignment to an affiliate of Lessee or Owners is permissible;

(b) A transfer or assignment of this Agreement by Lessee or Owners to successors or assigns is permissible wherein the successors or assigns agree to be bound by the terms of this Agreement and Lessee and Owners shall continue to conduct business on the subject premises, and shall remain the primary tenant and landlords.

However, Lessee and Owners agree to give written notice to the City of any assignment or transfer of interest allowed pursuant to subparagraphs (a) and (b) hereof.

ABATEMENT PROVISIONS

11. Subject to the terms and conditions of this Agreement, and subject to the rights of holders of any outstanding bonds of the City, a portion of ad valorem personal property taxes and real property improvements belonging to Lessee and/or Owners located on the Real Property otherwise owed to the City shall be abated as follows:

(a) The tax abatements as to Personalty and real property improvements, as provided for herein, shall be for a period of eight (8) tax years, from January 1, 2010, through December 31, 2017.

(b) In accordance with all applicable federal, state, and local laws and regulations, the abatement shall be based on amounts equal to fifty (50%) of the value of the Personalty and real property improvements for each tax year from January 1, 2010, through December 31, 2017.

(c) The Lessee and Owners shall have the right to protest and/or contest any assessment of the Personalty, and the abatement shall be applied to the amount of taxes finally determined to be due as a result of any such protest and/or contest. Notwithstanding the above, it shall be a breach of this agreement if assessed values fall below those in paragraphs 2 and 5 as a result of a Lessee or Owner filed protest and/or contest.

NOTICE

12. Notices required to be given to any party to this Agreement shall be given personally or by registered or certified mail, return receipt requested, postage prepaid, addressed to the party at its address as set forth below, and, if given by mail, shall be deemed delivered as of the date deposited in the United States mail:

For City by notice to:

City of Plano
Attention: Mr. Thomas H. Muehlenbeck
City Manager
P.O. Box 860358
Plano, Texas 75086-0358

With copy to:

City of Plano
Attention: Ms. Diane C. Wetherbee
City Attorney
P.O. Box 860358
Plano, Texas 75086-0358

For Lessee by notice to:

Telmar Network Technology, Inc.
Attention: Mr. Rick Flanagan
Executive Director of Operations
901 Jupiter Road
Plano, Texas 75074

For Owners by notice to:

Jud and Catherine Ireland
17216 Credo Place
Granada Hills, CA 91344

Olivas Owners LLC
17216 Credo Place
Granada Hills, CA 91344

Any party may change the address to which notices are to be sent by giving the other parties written notice in the manner provided in this paragraph.

MISCELLANEOUS PROVISIONS

13. The Lessee and Owners further agree that the City, its agents and employees, shall have reasonable right (upon reasonable prior notice to Lessee and Owners) to access the Real Property to inspect the Personalty and real property improvements in order to insure that the location of the Personalty and real property improvements are in accordance with this Agreement and all applicable federal, state, and local laws and regulations. During the term of this Agreement City shall have the continuing right (upon reasonable prior notice to Lessee and Owners) to inspect the Real Property and Personalty to insure that the Personalty and real property improvements are thereafter maintained in accordance with this Agreement.

14. It is understood and agreed between the parties that the Lessee and Owners, in performing their obligations hereunder, are acting independently, and the City assumes no responsibilities or liabilities in connection therewith to third parties and Lessee and Owners agree to indemnify and hold harmless City from any and all claims, suits, and causes of actions, including attorneys' fees, of any nature whatsoever arising out of Lessee's or Owners' default of its obligations hereunder.

15. The City represents and warrants that the Personalty or Property do not include any property that is owned by it or its council or boards, agencies, commissions, or other entities approving, or having responsibility for the approval of this Agreement.

16. This Agreement was authorized by Resolution of the City Council at its Council meeting on the 23rd day of March, authorizing the City Manager to execute the Agreement on behalf of the City.

17. This Agreement was entered into by Lessee pursuant to authority granted by its Board of Directors whereby the Executive Director of Operations of the corporation was authorized to execute this Agreement on behalf of Lessee.

18. This Agreement was entered into by Jud and Catherine Ireland personally and by Olivas Owners LLC pursuant to its duly authorized representative.

19. This instrument shall constitute a valid and binding agreement between the City and Lessee and Owners when executed in accordance herewith.

20. Severability. If any term or provision of this Agreement shall, to any extent, be invalid or unenforceable, the remainder of this Agreement (or the application of such term or provision, to persons or circumstances other than those in respect of which it is invalid or unenforceable) except those terms or provisions, which are made subject to or conditioned upon such invalid or unenforceable term or provision, shall not be affected thereby, and each other term or provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

This Agreement is performable in Collin County, Texas. Signed this 23rd day of March, 2009.

ATTEST:

CITY OF PLANO, TEXAS, a home-rule municipal corporation

Diane Zucco, CITY SECRETARY

Thomas H. Muehlenbeck
CITY MANAGER

APPROVED AS TO FORM:

Diane Wetherbee, CITY ATTORNEY

ATTEST:

TELMAR NETWORK TECHNOLOGY, INC.
a Delaware corporation

By: _____
Rick Flanagan
Executive Director of Operations

ATTEST:

OWNERS:

JUD IRELAND

CATHERINE IRELAND

OLIVAS OWNERS LLC, a Florida limited
liability company

By: _____
Name:
Title:

EXHIBIT "A"
LEGAL DESCRIPTION
REINVESTMENT ZONE NO. 117
Real Property
Metes and Bounds

BEING located at 901 Jupiter Road in the City of Plano, Texas, being Lot 4, Block 1 of Replat of Lot 4, Block 1, of the Central Plano Industrial Park Phase 1, an addition to the City of Plano, Collin County, Texas, according to the plat recorded in Volume G, Page 381, Map Records Collin County, Texas, and being more particularly described as follows:

BEGINNING at the most Northerly corner of a visibility cutback line for the intersection of the West line of Jupiter Road (a 100' R.O.W.), with the North line of Summit Avenue (a 60' R.O.W.), said point being a Southeasterly corner of said Lot 4, a ½" iron rod set for corner;

THENCE South 44 deg. 22 min. West, with said visibility cutback line, a distance of 13.93 feet to the most Southerly corner of said visibility cutback line, a ½" iron rod set for corner;

THENCE North 89 deg. 47 min. 30 sec. West, with the same North line of Summit Avenue, a distance of 658.63 feet to the Southwest corner of said Lot 4, a 1" iron rod found for corner;

THENCE North, with the West line of said Lot 4, same being with the East line of Summer Service Center Addition, an addition to the City of Plano, Texas, according to the plat recorded in Cabinet F, Page 329, Map Records Collin County, Texas, a distance of 633.29 feet, a ½" iron rod found for corner;

THENCE South 89 deg. 47 min. 54 sec. East, with the North line of said Lot 4, same being with the South line of a tract of land conveyed to Chrysler Boat Corp., by deed recorded in Volume 561, Page 282, Deed Records Collin County, Texas, a distance of 652.32 feet to a point in the said West line of Jupiter Road, a ½" iron rod found for corner;

THENCE South 01 deg. 28 min. 30 sec. East, with the said West line of Jupiter Road, a distance of 623.64 feet to the PLACE OF BEGINNING and CONTAINING 9.602 acres of land.

EXHIBIT "C"
CERTIFICATION FORM
REINVESTMENT ZONE NO. 117

This letter certifies that Telmar Network Technology, Inc., is in compliance with each applicable term as set forth in the Agreement to Resolution No. _____(R) as of _____. The term of this agreement is January 1, 2010, through December 31, 2017. This form is due on November 1 of each year this tax abatement is in force.

ATTEST:

TELMAR NETWORK TECHNOLOGY, INC.
a Delaware corporation

By: _____
Rick Flanagan
Executive Director of Operations

Date

**NOTE: This certification form should be mailed to: City of Plano
Finance Department
P.O. Box 860358
Plano, Texas 75086-0358**



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: 3/23/08		Reviewed by Legal <i>WJ</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Finance			Initials	Date
Department Head	Denise Tacke <i>DT</i>			Assistant City Manager	<i>JK</i> 3-16-09
Dept Signature:				Deputy City Manager	<i>[Signature]</i> 3/16/09
				City Manager	<i>[Signature]</i> 3/16/09
Agenda Coordinator (include phone #):		Katherine Crumbley - 7479			
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					
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS AND TELMAR NETWORK TECHNOLOGY, INC., A DELAWARE CORPORATION; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER OR, IN HIS ABSENCE, AN AUTHORIZED DESIGNEE; AND PROVIDING AN EFFECTIVE DATE.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2009-10	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	12,391,869	0	12,391,869
Encumbered/Expended Amount		0	-848,173	-3,224,477	-4,072,650
This Item		0	-101,600	-34,400	-136,000
BALANCE		0	11,442,096	-3,258,877	8,183,219
FUND(S):					
COMMENTS: Strategic Plan Goal: Providing economic development incentives relates to the City's Goal of Diverse Business Center					
SUMMARY OF ITEM					
A request from Telmar Network Technology, Inc., for an Economic Development incentive to relocate its business and commercial activities to the City, thereby generating additional local sales tax revenues and increasing ad valorem tax values to the City. Telmar agrees to occupy not less than 143,817 square feet and they agree to retain, transfer or create 127 full time jobs by 4/1/2009, adding an additional 23 by 12/31/2009 and then an additional 20 by 12/31/2010.					
List of Supporting Documents: Economic Development Incentive 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 ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS AND TELMAR NETWORK TECHNOLOGY, INC., A DELAWARE CORPORATION; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER OR, IN HIS ABSENCE, AN AUTHORIZED DESIGNEE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Economic Development Incentive Agreement By and Between the City of Plano, Texas and Telmar Network Technology Inc., a Delaware corporation, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Agreement"); and,

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

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

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

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

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

DULY PASSED AND APPROVED this the 23rd day of March, 2009.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT

This Economic Development Incentive Agreement ("Agreement") is made by and between the City of Plano, Texas (the "City"), and Telmar Network Technology, Inc., a Delaware Corporation, acting by and through its respective authorized officers and representatives.

WITNESSETH:

WHEREAS, Telmar Network Technology, Inc., (hereinafter referred to as the "Company") is a global provider of communications equipment and services to OEMs, Enterprise and Network Service Providers; and

WHEREAS, the Company has advised the City that a contributing factor that would induce the Company to relocate its business and commercial activities to the City, thereby generating additional local sales tax revenues and increasing ad valorem tax values for the City, would be an agreement by the City to provide an economic development grant to the Company; and

WHEREAS, the Company agrees to occupy not less than 143,817 square feet of office space located at 901 Jupiter Road, Plano, Texas 75074, (the "Property") for the full term of this Agreement and to retain, transfer or create up to 170 Job Equivalents on the Property by December 31, 2010 and maintain those positions for the full term of this Agreement; and

WHEREAS, the retention, creation or transfer up to 170 Job Equivalents at the Property within the City will promote economic development, stimulate commercial activity and enhance the tax base and economic vitality of the City; and

WHEREAS, the City has adopted programs for promoting economic development; and

WHEREAS, the City is authorized by TEX. LOC. GOV'T CODE §380.001 *et seq.* to provide economic development grants to promote local economic development and to stimulate business and commercial activity in the City; and

WHEREAS, the City has determined that making an economic development grant to the Company in accordance with the terms and conditions set forth in this Agreement will further the objectives of the City, will benefit the City and the City's inhabitants and will promote local economic development and stimulate business and commercial activity in the City;

NOW THEREFORE, in consideration of the foregoing and the premises, mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, hereby covenant and agree as follows:

**Article I
Definitions**

For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

"Commencement Date" shall mean the earlier of the date of occupancy of the Property by the Company or April 1, 2009, whichever occurs first.

"Effective Date" shall mean the last date on which all of the parties hereto have executed this Agreement.

"Event of Force Majeure" shall mean any contingency or cause beyond the reasonable control of a party including, without limitation, acts of God or the public enemy, war, riot, civil commotion, insurrection, government or de facto governmental action (unless caused by the intentionally wrongful acts or omissions of the party), fires, explosions or floods, strikes, slowdowns or work stoppages any of which event(s) directly impact the Company's operations in the City.

"Job Equivalent" shall mean one or more Company job positions located at the Property which individually or when combined total 2080 hours (inclusive of holidays, vacation and sick leave) annually.

**Article II
Term**

The term of this Agreement shall begin on the Commencement Date and continue until September 1, 2017, unless sooner terminated as provided herein.

**Article III
Obligations of Company**

In consideration for the grant of public funds as set forth in Section 4.01 below, the Company agrees to the following:

- (a) Occupy not less than 143,817 square feet of office space on the Property on or before April 1, 2009;
- (b) Retain, create or transfer 127 Job Equivalents to the Property on or before April 1, 2009; retain, create or transfer and additional 23 Job Equivalents to the Property on or before December 31, 2009; and retain, create or transfer and additional 20 Job Equivalents to the Property on or before December 31, 2010;
- (c) Maintain all 170 Job Equivalents for the full term of this Agreement; and

- (d) Use reasonable efforts to place all Company-managed hotel room nights, related to the Company's business activities, at facilities located in the City of Plano.

Article IV
Economic Development Grant

4.01 **Grant.** The City agrees to provide the Company a one-time cash grant of up to One Hundred and Thirty Six Thousand Dollars (\$136,000.00) for the occupancy of not less than 143,817 square feet of office space on the Property and the retention, transfer or creation of up to 170 Job Equivalent positions on the Property by December 31, 2010. For the Job Equivalents for which the Company receives a grant, the Company agrees to maintain those Job Equivalents throughout the term of this Agreement as provided in Section 4.03 below.

4.02 **Grant Payments.** Except as otherwise indicated, payment by the City under this Agreement shall be made as follows: (1) within thirty (30) days after the Company verifies to the City on the Initial Certification attached hereto as Exhibit "A" that the Company has occupied 143,817 square feet of office space on the Property and has retained, created or transferred 127 Job Equivalents to the Property by April 1, 2009, the Company shall receive a grant payment of One Hundred and One Thousand Six Hundred Dollars (\$101,600.00); (2) within thirty (30) days after the Company verifies to the City that the Company has retained, created or transferred an additional twenty-three (23) Job Equivalents on the Property by December 31, 2009, the Company shall receive a grant payment of Eighteen Thousand Four Hundred Dollars (\$18,400.00); and (3) a third payment of Sixteen Thousand Dollars (\$16,000.00) will be made to the Company within thirty (30) days of the City receiving certification that the Company has retained, created or transferred an additional twenty (20) Job Equivalents to the Property on or before December 31, 2010.

4.03 **Refunds.**

(a) In the event the Company allows Job Equivalents at the Property to fall below the number of Job Equivalents for which it has received a grant payment for 180 consecutive days during the term of this Agreement, not the result of an Event of Force Majeure, the Company shall refund to the City an amount equal to Eight Hundred Dollars (\$800.00) for each lost Job Equivalent. For the purposes of determining whether the City is due a refund under this section, the Company's Chief Financial Officer shall certify to the City by January 31, 2010 and by January 31 of each year thereafter during the term of this agreement the actual number of Job Equivalents at the Property for the preceding calendar year using the Certificate Form attached as Exhibit "B". All refunds under this Agreement shall be due within 30 days of written demand for payment. Notwithstanding the foregoing, the Company shall never be required to refund to the City, in the aggregate, any amount in excess of the total grant amount set forth in Section 4.01.

(b) In the event the Company, at any time during the term of this Agreement, is convicted of a violation under 8 U.S.C. Section 1324a(f) regarding the unlawful employment of undocumented workers, it shall reimburse the City all grant funds paid pursuant to this Agreement together with interest charged from the date of payment of the funds at the statutory

rate for delinquent taxes as determined by V.T.C.A., Tax Code § 31.01, but without the addition of penalty. Repayment of grant funds and interest shall be due not later than 120 days after the date the City notifies the Company of the conviction.

Article V Termination

5.01 This Agreement terminates upon any one or more of the following:

- (a) By mutual written agreement of the parties;
- (b) Upon expiration of the term of this Agreement;
- (c) By either party upon written notice to the other, if the other party defaults or breaches any of the terms or conditions of this Agreement and such default or breach is not cured within thirty (30) days after written notice thereof (provided that such 30 day period shall be extended if the default is of a nature that cannot reasonably be cured within such 30 day period and further provided that the remedy is being diligently pursued); and
- (d) By either party upon written notice to the other if any subsequent federal or state legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable, provided, that such termination notice shall set forth an explanation of the terminating party's basis for termination under this subsection (d).

5.02 **Effect of Termination.** The rights, responsibilities and liabilities of the parties under this Agreement shall be extinguished upon the applicable effective date of termination of this Agreement, except for any obligations that accrue prior to such termination or as otherwise provided herein. All rights and obligations set forth above in this Section 5.02 shall survive the termination of this Agreement.

Article VI Miscellaneous

6.01 **Binding Agreement.** The terms and conditions of this Agreement are binding upon the successors and permitted assigns of the parties. This Agreement may not be assigned without the express written consent of the non-assigning party, except that the Company may assign this Agreement without obtaining the City's consent (a) to one of its affiliates, or (b) to any person or entity that directly or indirectly acquires, through merger, sale of stock, purchase or otherwise, all or substantially all of the assets of the Company.

6.02 **No Joint Venture.** It is acknowledged and agreed by the parties that the terms of this Agreement are not intended to and shall not be deemed to create a partnership or joint venture among the parties. Neither party shall have any authority to act on behalf of the other party under any circumstances by virtue of this Agreement.

6.03 **Authorization.** Each party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement.

6.04 **Notice.** Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered.

If intended for the City:
City of Plano, Texas
Attention: Thomas H. Muehlenbeck
City Manager
1520 Avenue K
P.O. Box 860358
Plano, TX 75086-0358

With a copy to:
City of Plano, Texas
Attention: Diane Wetherbee
City Attorney
1520 Avenue K
P. O. Box 860358
Plano, TX 75086-0358

If intended for the Company:
Telmar Network Technology, Inc.,
Attention: Rick Flanagan
Executive Director of Operations
901 Jupiter Road
Plano, Texas 74074
With cc to: General Counsel

6.05 **Entire Agreement.** This Agreement is the entire Agreement between the parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written Agreement between the parties that in any manner relates to the subject matter of this Agreement.

6.06 **Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Venue for any action concerning this Agreement, the transactions contemplated hereby or the liabilities or obligations imposed hereunder shall be in the State District Court of Collin County, Texas.

6.07 **Amendment.** This Agreement may only be amended by the mutual written agreement of the parties.

6.08 **Legal Construction.** In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

6.09 **Recitals.** The recitals to this Agreement are incorporated herein.

6.10 **Counterparts.** This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

6.11 **Survival of Covenants.** Any of the representations, warranties, covenants, and obligations of the parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

6.12 **Dispute Resolution.** Any controversy or claim arising from or relating to this Agreement, or a breach thereof shall be subject to non-binding mediation, as a condition precedent to the institution of legal or equitable proceedings by any party. The parties shall endeavor to resolve their claims by mediation that, unless the parties mutually agree otherwise, shall be in accordance with the American Arbitration Association's Commercial Mediation Rules in effect at the time of mediation. Request for mediation shall be filed concurrently with the other party. Mediation shall proceed in advance of legal or equitable proceedings, which shall be stayed pending mediation for a period of sixty (60) days from the date of filing for mediation, unless stayed for a longer period of time by agreement of the parties. The party requesting the mediation shall bear all costs related to the mediation. The mediation shall be held in Collin County, Texas, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any Court having jurisdiction thereof.

EXECUTED on this 23rd day of March, 2009.

ATTEST:

CITY OF PLANO, TEXAS, a home rule
municipal corporation

Diane Zucco, CITY SECRETARY

By: _____
Thomas H. Muehlenbeck
CITY MANAGER

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

ATTEST:

TELMAR NETWORK TECHNOLOGY,
INC., a Delaware Corporation

By: _____
Name:
Title:

EXHIBIT "A"

INITIAL CERTIFICATE OF COMPLIANCE

I hereby certify that TELMAR NETWORK TECHNOLOGY, INC. has occupied not less than 143, 817 square feet of office space on the Property, and has retained, transferred or added _____ Job Equivalent positions to the Property. TELMAR NETWORK TECHNOLOGY, INC., is in compliance with subsections (a) and (b) of Article III of the Agreement to Resolution No. _____(R) as of _____, and is entitled to receive payment under the terms of that Agreement.

ATTEST:

TELMAR NETWORK TECHNOLOGY,
INC., a Delaware Corporation

By: _____
Name:
Title:

Date

NOTE:

This Certificate of Compliance should be mailed to:

City of Plano
Finance Department
P.O. Box 860358
Plano, Texas 75086-0358

EXHIBIT "B"

ANNUAL CERTIFICATE OF COMPLIANCE

I hereby certify that TELMAR NETWORK TECHNOLOGY, INC., is in compliance with each applicable term as set forth in Article III of the Agreement to Resolution No. _____ (R) as of _____. The term of the Agreement is April 1, 2009 through September 1, 2017. "The number of new, transferred or retained Job Equivalents, calculated as set forth in the Agreement, and maintained pursuant to the Agreement since its inception has not fallen below _____ for more than 180 consecutive days and is _____ as of the date of this Certificate of Compliance." If the number herein reported is below the number required to be maintained pursuant the Agreement, I certify that the City of Plano has been refunded the appropriate amount as required by Section 4.03 of the Agreement. This form is due on January 31 of each year this Agreement is in force.

ATTEST:

TELMAR NETWORK TECHNOLOGY,
INC., a Delaware Corporation

By:

Name:

Title:

Date

NOTE:

This Certificate of Compliance should be mailed to:

City of Plano
Finance Department
P.O. Box 860358
Plano, Texas 75086-0358



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: 3/23/08		Reviewed by Legal <i>JS</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Finance		Initials	Date
Department Head	Denise Tacke <i>DT</i>	Assistant City Manager	<i>DT</i>	3-16-09
Dept Signature:		Deputy City Manager	<i>[Signature]</i>	3-16-09
		City Manager	<i>[Signature]</i>	3/16/09
Agenda Coordinator (include phone #): Katherine Crumbley - 7479 <i>km</i>				
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				
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS AND INTERTEK, A NEW YORK CORPORATION; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER OR, IN HIS ABSENCE, AN AUTHORIZED DESIGNEE; AND PROVIDING AN EFFECTIVE DATE.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2009-10	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	12,391,869	0	12,391,869
Encumbered/Expended Amount	0	-848,173	-3,224,477	-4,072,650
This Item	0	-20,000	0	-20,000
BALANCE	0	11,523,696	-3,224,477	8,299,219
FUND(S):				
COMMENTS: Strategic Plan Goal: Providing economic development incentives relates to the City's Goal of Diverse Business Center				
SUMMARY OF ITEM				
A request from Intertek for an Economic Development incentive to relocate its business and commercial activities to the City, thereby generating additional local sales tax revenues and increasing ad valorem tax values to the City. Intertek agrees to occupy not less than 94,600 square feet and add a minimum of \$1.7 million of business personal property to the property. They agree to retain, transfer or create 30 full time jobs by 4/1/2009.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Economic Development Incentive Agreement				

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS AND INTERTEK, A NEW YORK CORPORATION; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER OR, IN HIS ABSENCE, AN AUTHORIZED DESIGNEE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Economic Development Incentive Agreement By and Between the City of Plano, Texas and Intertek, a New York Corporation, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Agreement"); and,

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

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

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

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

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

DULY PASSED AND APPROVED this the 23rd day of March, 2009.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT

This Economic Development Incentive Agreement ("Agreement") is made by and between the City of Plano, Texas (the "City"), and Intertek, a New York Corporation, acting by and through its respective authorized officers and representatives.

WITNESSETH:

WHEREAS, Intertek, (hereinafter referred to as the "Company") is an international provider of quality and safety services to a wide range of global and local industries; and

WHEREAS, the Company has advised the City that a contributing factor that would induce the Company to relocate its business and commercial activities to the City, thereby generating additional local sales tax revenues and increasing ad valorem tax values for the City, would be an agreement by the City to provide an economic development grant to the Company; and

WHEREAS, the Company agrees to occupy not less than 94,600 square feet of office space located at 1809 10th Street, Suite 400, Plano, Texas 75074, (the "Property") for the full term of this Agreement; add a minimum of One Million Seven Hundred Thousand Dollars (\$1,700,000.00) of Business Personal Property to the Property; and to retain, transfer or create 30 Job Equivalents on the Property by April 1, 2009 and maintain those positions for the full term of this Agreement; and

WHEREAS, the retention, creation or transfer of 30 Job Equivalents at the Property within the City will promote economic development, stimulate commercial activity and enhance the tax base and economic vitality of the City; and

WHEREAS, the City has adopted programs for promoting economic development; and

WHEREAS, the City is authorized by TEX. LOC. GOV'T CODE §380.001 *et seq.* to provide economic development grants to promote local economic development and to stimulate business and commercial activity in the City; and

WHEREAS, the City has determined that making an economic development grant to the Company in accordance with the terms and conditions set forth in this Agreement will further the objectives of the City, will benefit the City and the City's inhabitants and will promote local economic development and stimulate business and commercial activity in the City;

NOW THEREFORE, in consideration of the foregoing and the premises, mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, hereby covenant and agree as follows:

**Article I
Definitions**

For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

"Commencement Date" shall mean the earlier of the date of occupancy of the Property by the Company or April 1, 2009, whichever occurs first.

"Effective Date" shall mean the last date on which all of the parties hereto have executed this Agreement.

"Event of Force Majeure" shall mean any contingency or cause beyond the reasonable control of a party including, without limitation, acts of God or the public enemy, war, riot, civil commotion, insurrection, government or de facto governmental action (unless caused by the intentionally wrongful acts or omissions of the party), fires, explosions or floods, strikes, slowdowns or work stoppages any of which event(s) directly impact the Company's operations in the City.

"Job Equivalent" shall mean one or more Company job positions located at the Property which individually or when combined total 2080 hours (inclusive of holidays, vacation and sick leave) annually.

**Article II
Term**

The term of this Agreement shall begin on the Commencement Date and continue until April 1, 2009, unless sooner terminated as provided herein.

**Article III
Obligations of Company**

In consideration for the grant of public funds as set forth in Section 4.01 below, the Company agrees to the following:

- (a) Occupy not less than 94,600 square feet of office space on the Property on or before April 1, 2009;
- (b) Add a minimum of One Million Seven Hundred Thousand Dollars (\$1,700,000.00) of Business Personal Property to the Property;
- (c) Retain, create or transfer 30 Job Equivalents to the Property on or before April 1, 2009;

- (d) Maintain all 30 Job Equivalents for the full term of this Agreement; and
- (e) Use reasonable efforts to place all Company-managed hotel room nights, related to the Company's business activities, at facilities located in the City of Plano.

Article IV Economic Development Grant

4.01 **Grant.** The City agrees to provide the Company a one-time cash grant of Twenty Thousand Dollars (\$20,000.00) for the occupancy of not less than 94,600 square feet of office space on the Property; add a minimum of One Million Seven Hundred Thousand Dollars (\$1,700,000.00) of Business Personal Property to the Property; and the retention, transfer or creation of 30 Job Equivalent positions on the Property by April 1, 2009. For the Job Equivalents for which the Company receives a grant, the Company agrees to maintain those Job Equivalents throughout the term of this Agreement as provided in Section 4.03 below.

4.02 **Grant Payments.** Except as otherwise indicated, payment by the City under this Agreement shall be within thirty (30) days after the Company verifies to the City on the Initial Certification attached hereto as Exhibit "A" that the Company has occupied 94,600 square feet of office space on the Property; added a minimum of One Million Seven Hundred Thousand Dollars (\$1,700,000.00) of Business Personal Property to the Property; and retained, created or transferred 30 Job Equivalents to the Property by April 1, 2009.

4.03 **Refunds.**

(a) In the event the Company allows Job Equivalents at the Property to fall below 30 Job Equivalents for 180 consecutive days during the term of this Agreement, not the result of an Event of Force Majeure, the Company shall refund to the City an amount equal to Six Hundred and Sixty-Seven Dollars (\$667.00) for each lost Job Equivalent. For the purposes of determining whether the City is due a refund under this section, the Company's Chief Financial Officer shall certify to the City by January 31, 2010 and by January 31 of each year thereafter during the term of this agreement the actual number of Job Equivalents at the Property for the preceding calendar year using the Certificate Form attached as Exhibit "B". All refunds under this Agreement shall be due within 30 days of written demand for payment. Notwithstanding the foregoing, the Company shall never be required to refund to the City, in the aggregate, any amount in excess of the total grant amount set forth in Section 4.01.

(b) In the event the Company, at any time during the term of this Agreement, is convicted of a violation under 8 U.S.C. Section 1324a(f) regarding the unlawful employment of undocumented workers, it shall reimburse the City all grant funds paid pursuant to this Agreement together with interest charged from the date of payment of the funds at the statutory rate for delinquent taxes as determined by V.T.C.A., Tax Code § 31.01, but without the addition of penalty. Repayment of grant funds and interest shall be due not later than 120 days after the date the City notifies the Company of the conviction.

**Article V
Termination**

5.01 This Agreement terminates upon any one or more of the following:

(a) By mutual written agreement of the parties;

(b) Upon expiration of the term of this Agreement;

(c) By either party upon written notice to the other, if the other party defaults or breaches any of the terms or conditions of this Agreement and such default or breach is not cured within thirty (30) days after written notice thereof (provided that such 30 day period shall be extended if the default is of a nature that cannot reasonably be cured within such 30 day period and further provided that the remedy is being diligently pursued); and

(d) By either party upon written notice to the other if any subsequent federal or state legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable, provided, that such termination notice shall set forth an explanation of the terminating party's basis for termination under this subsection (d).

5.02 **Effect of Termination.** The rights, responsibilities and liabilities of the parties under this Agreement shall be extinguished upon the applicable effective date of termination of this Agreement, except for any obligations that accrue prior to such termination or as otherwise provided herein. All rights and obligations set forth above in this Section 5.02 shall survive the termination of this Agreement.

**Article VI
Miscellaneous**

6.01 **Binding Agreement.** The terms and conditions of this Agreement are binding upon the successors and permitted assigns of the parties. This Agreement may not be assigned without the express written consent of the non-assigning party, except that the Company may assign this Agreement without obtaining the City's consent (a) to one of its affiliates, or (b) to any person or entity that directly or indirectly acquires, through merger, sale of stock, purchase or otherwise, all or substantially all of the assets of the Company.

6.02 **No Joint Venture.** It is acknowledged and agreed by the parties that the terms of this Agreement are not intended to and shall not be deemed to create a partnership or joint venture among the parties. Neither party shall have any authority to act on behalf of the other party under any circumstances by virtue of this Agreement.

6.03 **Authorization.** Each party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement.

6.04 **Notice.** Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified

mail, return receipt requested, addressed to the party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered.

If intended for the City:
City of Plano, Texas
Attention: Thomas H. Muehlenbeck
City Manager
1520 Avenue K
P.O. Box 860358
Plano, TX 75086-0358

With a copy to:
City of Plano, Texas
Attention: Diane Wetherbee
City Attorney
1520 Avenue K
P. O. Box 860358
Plano, TX 75086-0358

If intended for the Company:
Intertek,
Attention: Chris Haws
HVAC Safety Team Leader
1809 10th Street, Suite 400
Plano, Texas 74074
With cc to: General Counsel

6.05 **Entire Agreement.** This Agreement is the entire Agreement between the parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written Agreement between the parties that in any manner relates to the subject matter of this Agreement.

6.06 **Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Venue for any action concerning this Agreement, the transactions contemplated hereby or the liabilities or obligations imposed hereunder shall be in the State District Court of Collin County, Texas.

6.07 **Amendment.** This Agreement may only be amended by the mutual written agreement of the parties.

6.08 **Legal Construction.** In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal,

invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

6.09 **Recitals**. The recitals to this Agreement are incorporated herein.

6.10 **Counterparts**. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

6.11 **Survival of Covenants**. Any of the representations, warranties, covenants, and obligations of the parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

6.12 **Dispute Resolution**. Any controversy or claim arising from or relating to this Agreement, or a breach thereof shall be subject to non-binding mediation, as a condition precedent to the institution of legal or equitable proceedings by any party. The parties shall endeavor to resolve their claims by mediation that, unless the parties mutually agree otherwise, shall be in accordance with the American Arbitration Association's Commercial Mediation Rules in effect at the time of mediation. Request for mediation shall be filed concurrently with the other party. Mediation shall proceed in advance of legal or equitable proceedings, which shall be stayed pending mediation for a period of sixty (60) days from the date of filing for mediation, unless stayed for a longer period of time by agreement of the parties. The party requesting the mediation shall bear all costs related to the mediation. The mediation shall be held in Collin County, Texas, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any Court having jurisdiction thereof.

EXECUTED on this 23rd day of March, 2009.

ATTEST:

CITY OF PLANO, TEXAS, a home rule
municipal corporation

Diane Zucco, CITY SECRETARY

By:

Thomas H. Muehlenbeck
CITY MANAGER

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

5.8

ATTEST:

INTERTEK, a New York Corporation

By: _____

Name:

Title:

EXHIBIT "A"

INITIAL CERTIFICATE OF COMPLIANCE

I hereby certify that INTERTEK has occupied not less than 94,600 square feet of office space on the Property, added a minimum of One Million Seven Hundred Thousand Dollars (\$1,700,000.00) of Business Personal Property to the Property; and has retained, transferred or added 30 Job Equivalent positions to the Property. INTERTEK, is in compliance with subsections (a), (b) and (c) of Article III of the Agreement to Resolution No. _____(R) as of _____, and is entitled to receive payment under the terms of that Agreement.

ATTEST:

INTERTEK, a New York Corporation

By:

Name:

Title:

Date

NOTE:

This Certificate of Compliance should be mailed to:

City of Plano
Finance Department
P.O. Box 860358
Plano, Texas 75086-0358

EXHIBIT "B"

ANNUAL CERTIFICATE OF COMPLIANCE

I hereby certify that INTERTEK, is in compliance with each applicable term as set forth in Article III of the Agreement to Resolution No. _____(R) as of _____. The term of the Agreement is April 1, 2009 through April 1, 2019. "The number of new, transferred or retained Job Equivalents, calculated as set forth in the Agreement, and maintained pursuant to the Agreement since its inception has not fallen below 30 for more than 180 consecutive days and is _____ as of the date of this Certificate of Compliance." If the number herein reported is below the number required to be maintained pursuant the Agreement, I certify that the City of Plano has been refunded the appropriate amount as required by Section 4.03 of the Agreement. This form is due on January 31 of each year this Agreement is in force.

ATTEST:

INTERTEK, a New York Corporation

By:

Name:

Title:

Date

NOTE:

This Certificate of Compliance should be mailed to:

City of Plano
Finance Department
P.O. Box 860358
Plano, Texas 75086-0358

DATE: March 3, 2009
TO: Honorable Mayor & City Council
FROM: James Duggan, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of March 2, 2009

**AGENDA ITEM NO. 6A - PUBLIC HEARING
ZONING CASE 2009-01
APPLICANT: GBRE, LLC**

Request for a Specific Use Permit for Arcade on 2.3± acres located on the south side of Chase Oaks Boulevard, 300± feet west of U.S. Highway 75. Zoned Corridor Commercial.

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

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 1 **OPPOSE:** 1

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

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

STIPULATIONS:

Recommended for approval subject to City Council waiving the 300 foot distance requirement from residentially-zoned property.

FOR CITY COUNCIL MEETING OF: March 23, 2009 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

EH/dc

xc: Daniel Burgess, BRRE, LLC
Seth Kelly, RLK Engineering, Inc.

CITY OF PLANO
PLANNING & ZONING COMMISSION

March 2, 2009

Agenda Item No. 6A

Public Hearing: Zoning Case 2009-01

Applicant: GBRE, LLC

DESCRIPTION:

Request for a Specific Use Permit for Arcade on 2.3± acres located on the south side of Chase Oaks Boulevard, 300± feet west of U.S. Highway 75. Zoned Corridor Commercial.

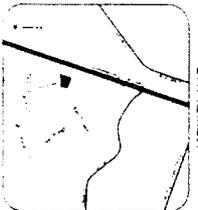
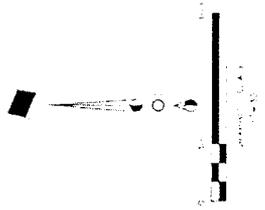
REMARKS:

The requested zoning is a Specific Use Permit (SUP) for Arcade in a proposed commercial amusement (indoor) building. An arcade is defined as an establishment with six or more player-operated skill or amusement machines, or a combination of six or more such machines and/or connected control panels that provide access to the machines. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application. The arcade will be operated in conjunction with a restaurant and commercial amusement (indoor) business.

The Zoning Ordinance prohibits arcades from being located within 300 feet of any church or residential zoning district, and within 1,000 feet of any public or parochial school. This site is approximately 50 feet south of a residential zoning district; however, the area is developed as a golf course. The closest residential development is a multifamily development approximately 900 feet to the west. The Zoning Ordinance allows City Council to waive the 300 foot distance requirement if it finds that the issuance of the SUP would not be detrimental to the public health, safety, or general welfare, or otherwise offensive to the residentially-zoned area. The applicant is requesting a waiver of the 300 foot distance requirement.

RECOMMENDATIONS:

Recommended for approval subject to City Council waiving the 300 foot distance requirement from residentially-zoned property.



CHASE OAKS BLVD

Lot 1A, Block A
Chase Oaks Golf Club
Caddis Creek, L.P.
Tract 5A-9
Golf Course

A=648134°
P=329.89'
T=33.13'
L=70.22'
CB=49554122°E
79.40'

A=109.33°
P=140.07'
T=40.37'
L=78.84'
CB=40817238°E
79.30'

Lot 8, Block A
Legacy Central Theater Addition
Cob 2006, Pg. 484
Zone C
Theater

Lot 16, Block A
Legacy Central Theater Addition
Cob 2006, Pg. 482
Zone C
Theater

Lot 5, Block A
Legacy Central Theater Addition
Cob 2006, Pg. 481
Zone C
Theater

Lot 20, Block A
Legacy Central Theater Addition
Cob 2006, Pg. 481
Zone C
Theater

SITE DATA SUMMARY TABLE - LOT 8

Item	Description
1	Area of Lot 8: 1.23 Acres
2	Area of Building Footprint: 0.85 Acres
3	Area of Parking: 0.38 Acres
4	Area of Landscaping: 0.05 Acres
5	Area of Driveway: 0.05 Acres
6	Area of Access Road: 0.05 Acres
7	Area of Utility Easement: 0.05 Acres
8	Area of Right-of-Way: 0.05 Acres
9	Area of Other Easements: 0.05 Acres
10	Area of Other Features: 0.05 Acres

SITE DATA SUMMARY TABLE - LOT 20

Item	Description
1	Area of Lot 20: 1.23 Acres
2	Area of Building Footprint: 0.85 Acres
3	Area of Parking: 0.38 Acres
4	Area of Landscaping: 0.05 Acres
5	Area of Driveway: 0.05 Acres
6	Area of Access Road: 0.05 Acres
7	Area of Utility Easement: 0.05 Acres
8	Area of Right-of-Way: 0.05 Acres
9	Area of Other Easements: 0.05 Acres
10	Area of Other Features: 0.05 Acres

SITE REMARKS

1. The area shown on this plan is the site of the proposed Legacy Central Theater Addition. The site is located on the east side of Chase Oaks Blvd, between Lot 8 and Lot 20, Block A. The site is bounded by Chase Oaks Blvd to the north, Lot 8 to the west, Lot 20 to the east, and the Legacy Central Theater Addition to the south. The site is currently vacant and is to be used for the construction of a new theater building and parking lot. The proposed building footprint is 0.85 acres and the proposed parking lot is 0.38 acres. The site is zoned Zone C and is subject to the Legacy Central Theater Addition Covenants, Conditions, and Restrictions (CCRs) for Lots 8, 16, 20, and 28, Block A, Cob 2006, Pg. 481-482. The site is also subject to the Legacy Central Theater Addition Covenants, Conditions, and Restrictions (CCRs) for Lots 1A, 2A, 3A, 4A, 5A, 6A, 7A, 9A, 10A, 11A, 12A, 13A, 14A, 15A, 17A, 18A, 19A, 21A, 22A, 23A, 24A, 25A, 26A, 27A, 29A, 30A, 31A, 32A, 33A, 34A, 35A, 36A, 37A, 38A, 39A, 40A, 41A, 42A, 43A, 44A, 45A, 46A, 47A, 48A, 49A, 50A, 51A, 52A, 53A, 54A, 55A, 56A, 57A, 58A, 59A, 60A, 61A, 62A, 63A, 64A, 65A, 66A, 67A, 68A, 69A, 70A, 71A, 72A, 73A, 74A, 75A, 76A, 77A, 78A, 79A, 80A, 81A, 82A, 83A, 84A, 85A, 86A, 87A, 88A, 89A, 90A, 91A, 92A, 93A, 94A, 95A, 96A, 97A, 98A, 99A, 100A, 101A, 102A, 103A, 104A, 105A, 106A, 107A, 108A, 109A, 110A, 111A, 112A, 113A, 114A, 115A, 116A, 117A, 118A, 119A, 120A, 121A, 122A, 123A, 124A, 125A, 126A, 127A, 128A, 129A, 130A, 131A, 132A, 133A, 134A, 135A, 136A, 137A, 138A, 139A, 140A, 141A, 142A, 143A, 144A, 145A, 146A, 147A, 148A, 149A, 150A, 151A, 152A, 153A, 154A, 155A, 156A, 157A, 158A, 159A, 160A, 161A, 162A, 163A, 164A, 165A, 166A, 167A, 168A, 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999A, 1000A.

LEGACY CENTRAL THEATER ADDITION
LOTS 7 & 9, BLOCK A
 3.563 Acres Situated in The
DANIEL ROWLETT SURVEY ~ ABST. 738
PLANO, COLLIN COUNTY, TEXAS

Owner:
 UMR, L.L.C.
 774 Collins Creek Drive
 Suite 100
 Plano, Texas 75075
 Telephone 972.781.1611
 Fax 972.781.1612
 Email: umr@umr.com

Location:
 111 East Main Street
 Suite 100
 Plano, Texas 75075
 Telephone 972.781.1611
 Fax 972.781.1612
 Email: umr@umr.com

February 23, 2009

STATEMENT OF ASSOCIATED BILL WORK

ORDINANCE NO. _____
(Zoning Case 2009-01)

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 2006-4-24, AS HERETOFORE AMENDED, GRANTING SPECIFIC USE PERMIT NO. 599 SO AS TO ALLOW THE ADDITIONAL USE OF ARCADE ON 2.3± ACRES OF LAND OUT OF THE DANIEL ROWLETT SURVEY, ABSTRACT NO. 738 LOCATED ON THE SOUTH SIDE OF CHASE OAKS BOULEVARD, 300± WEST OF U.S. HIGHWAY 75 IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, PRESENTLY ZONED CORRIDOR COMMERCIAL; 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.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 23rd day of March, 2009, for the purpose of considering granting Specific Use Permit No. 599 for the additional use of Arcade on 2.3± acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the south side of Chase Oaks Boulevard, 300± west of U.S. Highway 75 in the City of Plano, Collin County, Texas, presently zoned Corridor Commercial; and

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

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 23rd day of March, 2009; and

WHEREAS, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 599 for the additional use of Arcade on 2.3± acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the south side of Chase Oaks Boulevard, 300± west of U.S. Highway 75 in the City of Plano, Collin County, Texas, would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

WHEREAS, the City Council is of the opinion and finds that such change will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

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

Section I. The Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 599, allowing the additional use of Arcade on 2.3± acres of land out of the Daniel Rowlett Survey, Abstract No. 738, located on the south side of Chase Oaks Boulevard, 300± west of U.S. Highway 75 in the City of Plano, Collin County, Texas, presently zoned Corridor Commercial, said property being more fully described on the legal description in Exhibit "A" attached hereto.

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

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

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

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

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

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

PASSED AND APPROVED THIS THE 23RD DAY OF MARCH, 2009.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

EXHIBIT "A"
LEGAL DESCRIPTION

BEING a tract of land situated in the Daniel Rowlett Survey, Abstract No. 738, City of Plano, Collin County, Texas, and being part of Lot 7, Block A, Legacy Central Theater Addition, an addition to the City of Plano as recorded in Cabinet 2006, Page 441, Plat Records of Collin County, Texas, and being more particularly described as follows:

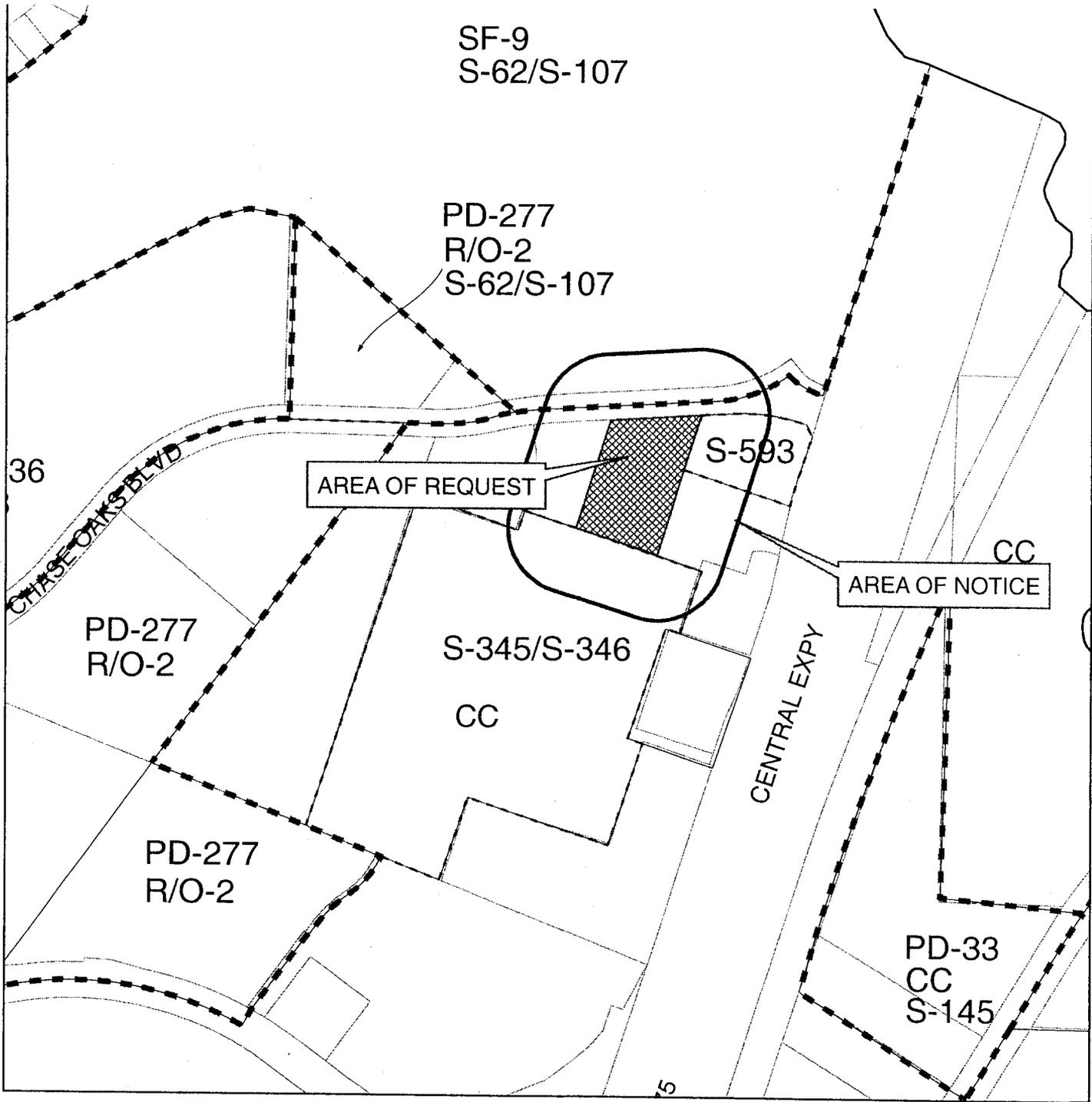
BEGINNING at an "x" cut out for corner in the south line of Chase Oaks Boulevard (an 85' R.O.W.), said point being the northeast corner of the aforementioned Lot 7, Block A;

THENCE South $18^{\circ} 45' 49''$ West, leaving Chase Oaks Boulevard, a distance of 440.60 feet to a capped iron found (VOTEX) for corner in the north line of Lot 1R, Block A, Legacy Central Theater Addition as recorded in Cabinet M, Page 492, Plat Records of Collin County, Texas;

THENCE North $71^{\circ} 14' 11''$ West, with the north line of said Lot 1R, a distance of 257.67 feet to an "x" cut set for corner'

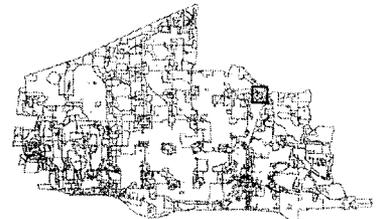
THENCE North $18^{\circ} 45' 49''$ East, a distance of 341.55 feet to a point for corner in the aforementioned south line of Chase Oaks Boulevard;

THENCE North $87^{\circ} 44' 09''$ East, with the south line of Chase Oaks Boulevard, a distance of 276.05 feet to a POINT OF BEGINNING and CONTAINING 100,765 square feet, or 2.313 acres of land.



Zoning Case #: 2009-01

Existing Zoning: CORRIDOR COMMERCIAL



○ 200' Notification Buffer

