

## PLANO CITY COUNCIL

**WILL CONVENE INTO EXECUTIVE SESSION AT 5:00 P.M. FEBRUARY 10, 2003, AND PRELIMINARY OPEN MEETING IMMEDIATELY THEREAFTER, IN THE PLANO MUNICIPAL BUILDING, 1520 K AVENUE, IN COMPLIANCE WITH VERNON'S TEXAS CODES ANNOTATED, GOVERNMENT CODE CHAPTER 551 (OPEN MEETINGS ACT), AS FOLLOWS:**

*Mission Statement: The Purpose of Plano City Government is to facilitate an outstanding quality of life for residents at a reasonable cost in taxes and fees.*

### **EXECUTIVE SESSION**

- |    |                                                                  |           |        |
|----|------------------------------------------------------------------|-----------|--------|
| I. | Legal Advice                                                     | Wetherbee | 15 min |
|    | A. Respond to questions and receive legal advice on agenda items |           |        |

### **PRELIMINARY OPEN MEETING**

- |       |                                                                       |         |         |
|-------|-----------------------------------------------------------------------|---------|---------|
| I.    | Consideration and action resulting from executive session discussion: | Council | 5 min.  |
| II.   | DART Status Report                                                    | Pope    | 15 min. |
| III.  | Mobility Report                                                       | Neal    | 10 min. |
| IV.   | Animal Services Plan Update                                           | Collins | 10 min. |
| V.    | Update on Cox Building                                                | Turner  | 10 min. |
| VI.   | Personnel                                                             | Council | 15 min. |
|       | A. Cultural Affairs Commission                                        |         |         |
|       | B. International Relations Advisory Commission                        |         |         |
|       | C. Keep Plano Beautiful Commission                                    |         |         |
|       | D. Board of Adjustment                                                |         |         |
|       | E. Council Liaisons to Board and Commissions                          |         |         |
| VII.  | Council items for discussion/action on future agendas                 | Council | 5 min.  |
| VIII. | Consent, Statutory and Regular Agenda                                 | Council | 5 min.  |

- |     |                 |                                                                                                                 |        |
|-----|-----------------|-----------------------------------------------------------------------------------------------------------------|--------|
| IX. | Council Reports | Council                                                                                                         | 5 min. |
|     | A.              | Council May Receive Information, discuss and provide direction on the following reports:                        |        |
|     | B.              | Council may receive reports from its other members who serve as liaisons to boards, commissions, and committees |        |

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

***Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Avenue L, with specially marked parking spaces nearby. Access and special parking are also available on the north side of building. The Council Chamber is accessible by elevator to the lower level. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.***

# CITY COUNCIL

1520 AVENUE K

DATE: February 10, 2003

CALL TO ORDER: 7:00 p.m.  
INVOCATION: Associate Pastor Kathryn Strempeke  
Custer Road United Methodist Church  
PLEDGE OF ALLEGIANCE: Junior Girl Scout Troop 658  
Thomas Elementary School

ITEM NO.	EXPLANATION	ACTION TAKEN
*	<p>MISSION STATEMENT: THE PURPOSE OF PLANO CITY GOVERNMENT IS TO FACILITATE AN OUTSTANDING QUALITY OF LIFE FOR RESIDENTS AT A REASONABLE COST IN TAXES AND FEES.</p> <p><b><u>OATH OF OFFICE</u></b></p> <p><u>Council Member – Place 7</u> John R. Roach, Jr.</p>	
*	<p><b><u>CERTIFICATES OF APPRECIATION</u></b></p> <p><u>Cultural Affairs Commission</u> Stephanie Caudill L. Kenyon Elliott</p> <p><u>Keep Plano Beautiful Commission</u> Jason Teel</p> <p><b><u>GENERAL DISCUSSION</u></b></p> <p><b>In accordance with the Open Meeting Act, the City Council will hear comments of public interest, but any discussion shall be limited to placing the item on a future agenda for further consideration.</b></p> <p><b>Persons wishing to speak before the City Council should limit remarks to a total speaking time of five (5) minutes per speaker, with a maximum of 30 total minutes of testimony. At the discretion of the Mayor other time restraints may be directed depending on prevailing factors.</b></p> <p><b>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</b></p> <p><b>CONSENT AGENDA</b></p> <p><b><u>Any citizen may remove an item from the Consent Agenda for individual discussion, limited to a maximum of two (2) items and discussion time of three (3) minutes each.</u></b></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><b><u>Approval of Minutes</u></b></p> <p>January 27, 2003 February 3, 2003</p> <p><b><u>Award, Rejection of Bids/Proposals, Conditional Acceptance of Lowest Responsible Bid/Proposal and Designation of Alternate Lowest Responsible Bid/Proposal when applicable on the following:</u></b></p>	
(b)	<p><b>Bid No. C020-03</b> for Lease of a Microfilm Reader/Printer for the Planning Department in the amount of \$6,338 for the first year of a five-year lease.</p>	
(c)	<p><b>Bid No. C018-03</b> for a fixed-price contract for Traffic Signal Items in the estimated annual amount of \$62,358.</p>	
(d)	<p><b>Bid No. B030-03</b> for construction of the South Cedar Elm Channel Improvements in the amount of \$235,219.</p>	
(e)	<p><b>Bid No. C023-03</b> for \$10.04 per hour for Professional Kitchen Personnel for Food Service at the Plano Centre in the estimated annual amount of \$35,000.</p>	
(f)	<p><b>Bid No. C026-03</b> for a fixed-price contract for Nitrile Emergency Medical Gloves for the Fire Department in the estimated annual amount of \$28,891.</p>	
	<p><b><u>Adoption of Resolutions</u></b></p>	
(g)	<p>To authorize the City Manager to enter into an agreement with the Plano Independent School District and Frisco Independent School District for the purpose of conducting a Joint General Election on May 3, 2003; and providing an effective date.</p>	
(h)	<p>To approve and authorize refunds of property tax overpayments; and providing an effective date.</p>	
(i)	<p>To urge the 78<sup>th</sup> Texas Legislature to adopt initiatives to preserve Texas air quality, enhance public health, and promote economic prosperity; and providing an effective date.</p>	
(j)	<p>To authorize the purchase of two Model 6210 Self Check Units in the amount of \$46,475, from 3M Safety and Security Systems, the sole source supplier of such equipment; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the purchase; and providing an effective date.</p>	
(k)	<p>To approve and grant a 15 foot sanitary sewer easement on City property approximately 40 feet north of Parker Road and extending east from Spring Creek Parkway approximately 460 feet, in the City of Plano, Collin County, Texas, authorizing its execution by the City Manager; and providing an effective date.</p>	
(l)	<p>To approve a license agreement by and between the City of Plano, Texas, and K&amp;C Capital Partners, LTD., for use of a nine by twenty foot portion of the public right-of-way situated in front of the proposed restaurant use located at 1422 Avenue K.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><b><u>Adoption of Ordinances</u></b></p> <p>(m) To order an election to be held on May 3, 2003 for the purpose of electing four (4) members of Council, Place No. 1 (District 1), Place No. 3 (District 3), Place No. 5, and Place No. 7, to the City Council to hold office for a period of two years; designating locations of polling places; and ordering notices of election to be given as prescribed by law in connection with such election; and providing an effective date.</p> <p>(n) To abandon all right, title and interest of the City, in and to that certain 50-foot right-of-way called M Avenue between 18<sup>th</sup> Street and 19<sup>th</sup> Street being situated in the Stanford Beck Survey, Abstract Number 73, which is located within the City limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such right-of-way to the abutting property owner, Plano Independent School District, to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.</p> <p><b><u>Approval of Agreement</u></b></p> <p>(o) To approve payment of Geographic Information Systems Annual Maintenance and upgrade fees for software and core systems to Environmental Systems Research Institute (ESRI) in the amount of \$44,255.</p> <p><b><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></b></p> <p><b><u>The purpose of a Public Hearing is to receive input and information. The City Council is always open to public comment, but wishes to clarify that their focus is on the singularly presented position, and not on the assemblage. Eliminating the repetition of statements enables the City Council to more effectively consider all presentations.</u></b></p> <p><b><u>In order to be fair to all persons who have items on the agenda or interest in one or more of the items, the Council must impose time limitations on speakers in the Public Hearings. The applicants will limit their presentations to 15 minutes with a five (5) minute rebuttal time, if needed. All other speakers will be limited to a maximum of 30 total minutes of testimony, and three minutes per individual on any single issue. Other time restraints may be imposed at the discretion of the Mayor depending on other prevailing factors. Speakers will be notified by the City Secretary when speaking time has expired.</u></b></p> <p>(l) <b>An Ordinance</b> - To amend Ordinance No. 92-11-50, the existing gas franchise between the City of Plano and TXU Gas Company, to clarify revenues subject to the franchise fee, to provide for payment due dates, and to authorize the lease of facilities within the City’s rights-of-way; providing for acceptance by TXU Gas Company; and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Second reading – First reading held January 6, 2003)</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(2)	<p><b>An Ordinance</b> - To amend Ordinance No. 93-7-24, the existing electric franchise between the City of Plano and Oncor Electric Delivery Company, to provide for a different method of calculating franchise fees; providing for acceptance by Oncor Electric Delivery Company; and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Second reading – First reading held January 6, 2003)</p>	
(3)	<p><b>Public Hearing and an ordinance as requested in Zoning Case 2002-57</b> - To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 485 so as to allow the additional use of a Private Club on 0.2± acre of land located on the northwest corner of Bishop Road and Martin Road in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #16 Applicant: The Shops at Legacy, LP (Passed Over 1-13-03)</p>	
(4)	<p><b>Public Hearing and an ordinance as requested in Zoning Case 2002-59</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 486 so as to allow the additional use of a Used Car Dealer on 2.7± acres of land located on the east side of K Avenue, 150± feet north of 11th Street in the City of Plano, Collin County, Texas, presently zoned Light 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. Neighborhood #67. Applicant: Andrew Schultz (Passed Over 1-13-03)</p>	
(5)	<p><b>Public Hearing and an ordinance as requested in Zoning Case 2002-60</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Heritage Resource Designation H-26 for the area bounded on the north by 15th Place, on the east by K Avenue including properties on the northeast and the southeast corner of K Avenue and 15th Street, on the south side by 14th Street, and on the west by J Avenue and the DART Right-of-Way, an addition to the City of Plano, Collin County, Texas, presently zoned Business/Government with Specific Use Permit #464 for a Private Club, and individual Heritage Resource Designations H-8 and H-9; 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. Neighborhood #59. Applicant: City of Plano</p>	
(6)	<p><b>Public Hearing and an ordinance as requested in Zoning Case 2002-61</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 487 so as to allow the additional use of a Private Club on 0.1± acre of land located on the southwest corner of Bishop Road and Kincaid Road in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #16. Applicant: The Shops at Legacy, LP (Passed Over 1-13-03)</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(7)	<p><b>Public Hearing and an ordinance as requested in Zoning Case 2002-70 -</b> To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, so as to rezone 8.0± acres located on the southeast corner of 18th Street and K Avenue in the City of Plano, Collin County, Texas, as more fully described in the attached Exhibit "A", from Retail to Downtown Business/Government; 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. Neighborhood #60. Applicant: City of Plano (Passed Over 1-13-03)</p> <p><b><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 is 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></b></p>	



February 5, 2003

*Pat Evans*  
Mayor

*Phil Dyer*  
Mayor Pro tem

*Steve Stovall*  
Deputy Mayor Pro tem

*Shep Stahel*  
Place 1

*Scott Johnson*  
Place 2

*Sally Magnuson*  
Place 4

*Jim McGee*  
Place 7

*Ken Lambert*  
Place 8

Thomas H. Muehlenbeck  
City Manager

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

Honorable Mayor and City Council:

We will begin our meeting Monday evening at 5:00 with legal advice during Executive Session.

The Preliminary Open Meeting agenda consists of the DART Report by Robert Pope, the Mobility Report by Lloyd Neal. Brian Collins will provide a presentation on the Animal Services Plan and Frank Turner will update you on the Cox Building. You also have personnel appointments.

I look forward to seeing you Monday evening.

Sincerely yours,

Thomas H. Muehlenbeck  
City Manager

THM/bn

Preliminary Open Meeting Item II.

DART Report  
Robert Pope

*POMIIa*



## Transportation Mobility / Safety Report

January 2003

- **Traffic Signals:**
  - ✓ **Participating on the NCTCOG steering committee on Thoroughfare Assessment**
  - ✓ **Began developing specifications for new signal controller replacement program**
  - ✓ **Began developing alternative strategies to deep night signal operations (as an alternative to current use of all-red flash operation)**
  - ✓ **Implemented new signal timing in response to new traffic detour on SH-121/DNT construction project**
  - ✓ **Attended training the use of the new MUTCD manual, Awaiting release of new Texas MUTCD**
  - ✓ **Began annual evaluation of vehicle loop detectors (40% completed)**
  - **Implemented revised deep night signal operations on thoroughfare roads (100% completed)**
- New Signal Construction/Design -*
  - **Park Blvd at Archerwood Street (Turned on 1/2003)**
  - **Parker Rd at Silver Creek Drive (Turned on 1/2003)**
  - **Jupiter Rd at Royal Oaks (Turn on date 3/2003)**
- **School Pedestrian / Bike Safety:**
  - ✓ **Reviewing the traffic safety elements for the renovation of three (3) elementary schools**
  - ✓ **Provided presentation to the Meadows Homeowner Association**
- **Traffic Safety:**
  - ✓ **Completed 2002 Traffic Volume Map**
  - ✓ **Completed downtown are parking-lot survey**
  - **Attended monthly DRMC, STTC, TAC, and ITE meetings**
- **Dallas Area Rapid Transit (DART):**
  - ✓ **Issued 45 free DART light rail tickets to city employees as part of DART promotion**
  - **Attended NCTCOG Bike Committee, DART Board meetings**
  - **Continued on-going parking-lot use survey for Parker Road Station, Haggard Park, and surrounding areas**
- **Safe Streets Program (SSP)**
  - ✓ **Discussing construction material alternatives with TAC**
  - ✓ **Emergency Services completed their testing of new traffic management devices on Hearst Castle Drive**
  - ✓ **Last months' Utility Bill Inserts produced a significant number of requests for transportation services**
  - **Caravan Drive (temporary devices received. Installation being scheduled)**

*Pom 11/12*

## Participating Neighborhoods

- Hearst Castle Way (**permanent traffic management plan being sent to residents for approval**)
  - Caravan Drive (awaiting temporary plan installation)
  - Crossbend Drive from Custer to Country Place (temporary plan under development)
  - Rochelle Drive (temporary plan under development)
  - Hawkhurst Drive (temporary plan under development)
  - Ranier Road (temporary plan stage)
  - Mission Ridge (temp plan stage)
  - Seabrook (temp plan stage)
  - Cumberland Trail (temp plan stage)
  - Crossbend from Mission Ridge to Coit (temp plan stage)
  - Middle Cove Drive (temp plan stage)
  - Carriage Lane (temp plan stage)
  - Ironside (temp plan stage)
  - Russell Creek Drive (temporary plan stage)
  - Glenciff Drive (temporary plan stage)
  - Sailmaker Drive (temporary plan stage *for substitution*)
- Capital Improvement Program (CIP):
    - Transportation Improvement Projects-*
    - Hedgcoxe (Custer to Preston): Widen Hedgcoxe from 4 lanes to 6 lanes. Add right turn lanes at northbound Preston to eastbound Hedgcoxe, westbound Hedgcoxe to northbound Preston, all direction at Coit & Hedgcoxe and eastbound Hedgcoxe at southbound Custer. Main lane paving completed. **Right-turn lane work continues. Paving work 95% completed**
    - 14th Street (Avenue G to Avenue K): Rebuild entire road, widen lanes from 10-feet to 11-feet. Reconstruct storm sewers, water and sanitary sewer lines. **Waiting for completion of utility relocations**
    - Midway (Plano Parkway to Parker): Widen Midway from 4 lanes to 6 lanes. Widening and pavement repair completed. Working on median. **Project is substantially completed (98%)**
    - Spring Creek Parkway – White Rock Creek to the Toll road: **Bridge work continues.**
    - Parker Road (Midway Road to Dozier): Construct Parker to six (6) lanes, widen from Midway to Arbor Hills Park. Constructing Parker west of Marsh Lane to the west city limits. Main lane construction completed. **Road is open to traffic.**
  - NTTA/TxDOT Projects:
    - Dallas North Tollway (DNT) – SH 121: (**New detour as of 2/3/03**)
    - SH 121 (from Kathryn Lane to US-75): (**Begin construction 2/2003**)
  - Long Range Planning:
    - ✓ **Began developing transportation accreditation standards**
    - US-75 Ramp Study Phase 2 (Requested TxDOT approval of traffic forecast methodology and results)
    - Plano Thoroughfare Standards update (45% completed)

*Tom III*



City of Plano  
P.O. Box 880358  
Plano, Texas 75086-0358  
972-941-7143  
972-941-7142 FAX

**MEMORANDUM**

*Health Department*

**TO:** Rod Hogan, Executive Director of Public Services & Operations

**FROM:** Brian Collins, Director of Environmental Health  
Keith Clark, Interim Animal Services Manager

**DATE:** February 3, 2003

**SUBJECT:** Animal Services Work Plan

Attached is the six-month "general" work plan composed for the Animal Services Division. Objectives outlined herein have been updated the first workday of each month beginning December 2, 2002 and forwarded to you electronically. This is the February 3, 2003 update. The work plan encompasses tasks in addition to daily operations and the "Action Item" list previously generated.

At the four-month mark, twenty-two of the 37 items are complete.

*fomiva*

**WORK PLAN  
ANIMAL SERVICES DIVISION  
NOVEMBER 1, 2002 TO MAY 1, 2003\***

**MANAGEMENT/POLICY/PROCEDURE**

- Item:* Standard Operating Procedure  
*Issue:* Last Update 1989, Target March 2003  
*Status:* November 1, 2002 - Collecting information and collating topic items from various sources.  
December 2, 2002 - Draft compiled and forwarded to ASAC and stakeholders for input by December 6, 2002  
January 2, 2003 - SOP working document complete. Stakeholder input incorporated. Issued to staff on December 18. Start date January 2, 2003. Complete.
- Item:* Euthanasia Policy  
*Issue:* Last Update 1989, Target January 2003  
*Status:* November 1, 2002 - Collecting information from various source.  
November 1, 2002 - Former SOP City of Plano evaluated and compiling information from cities of over 200,000 population. Six received plus NACA C.D.  
December 2, 2002 - Euthanasia policy draft included in SOP modeled after Texas Animal Control Association and City of Arlington.  
January 2, 2003 - Staff providing final review of euthanasia policy contained in SOP. Expect completion by mid-February.  
February 3, 2003 - Euthanasia section of SOP amended regarding use of tranquilizing drugs prior to euthanasia. Expected complete by mid February.
- Item:* Adoption Policy (General)  
*Issue:* Adoptability of Animals, Target January 2003  
*Status:* November 1, 2002 - Collecting information from various sources.  
Training guide from NACA evaluated and three officers attended a temperament class sponsored by HSUS.  
Sue Sternberg "Great Dog Adoptions: A Guide for Shelters" evaluated with Rottweiler Rescue of Canada.  
Interviews with Staff Vet for ideas on what "adoptable" is/should be.  
December 2, 2002 - Adoption policy written and included in SOP and distributed at ASAC meeting requesting feedback by December 6, 2002.  
January 2, 2003 - Feedback from stakeholders and ASAC incorporated into SOP. SOP Implemented on January 2, 2003. Complete.

*Item:* Adoption Policy (Rescue/Welfare)  
*Issue:* Adoptability/Collaboration, Target January 2003  
*Status:* November 1, 2002 – Draft written and process of review is beginning.  
December 2, 2002 – Draft provided at ASAC meeting on November 11, 2002 requesting written feedback ASAP. Draft included in SOP.  
January 2, 2003 – Feedback from stakeholders and ASAC incorporated into SOP. SOP Implemented on January 2, 2003. Complete.

*Item:* Temperament Training (Staff)  
*Issue:* Need for Training in Addition to TDH Basic  
*Status:* November 2, 2002 – Staff Vet assessing temperament of animals. In addition, several officers reviewed temperament for professional recommendations to management. Three officers have attended a temperament class held, October 2002 and training will continue as it becomes available. 24 hours of temperament training occurred November 1, 2002 to December 2, 2002 in various staff.  
January 2, 2003 – Considering use of portions of Sue Sternberg/Rottweiler Rescue Temperament Testing Models. Temperament review incorporated in SOP with January 2, 2003 implementation.  
February 3, 2003 – All current and future employees trained in accordance with SOP training ongoing. Complete.

*Item:* Training Policy (Staff)  
*Issue:* Need for Continuous and Current Training  
*Status:* December 2, 2002 – Training guidelines addressed in SOP. Specific minimum training guidelines per position that coincide with job responsibilities will be developed.  
January 2, 2003 – Continuing development. Staff currently required to complete 10 Contact hours/year in Animal Control Training. Written policy expected by February 2003.  
February 3, 2003 – Memo to all staff via Keith that 10 hours of relevant training per year is required. Tracked by supervisor. Complete.

*Item:* Training Policy (Volunteers)  
*Issue:* Need for Orientation and Structured Training  
*Status:* December 2, 2002 – Anticipate working with volunteers in Plano to develop a tiered training and development program. Discussed with Robin Popik. Sr. Officer assigned to work with VIP.  
January 2, 2003 – No update  
February 3, 2003 – Sr. Officer Mike Hansen met with volunteer coordinator to initiate process for volunteer program. Looking at tiered training program for implementation by April 1, 2003.

*Item:* Staff Scheduling  
*Issue:* Match personnel to hours for customer service  
*Status:* November 1, 2002 - Seeking input from Sr. Staff, October 30, 2002  
December 2, 2002 Request to reduce shelter hours 20% (9 hours) to accommodate staff shortages.  
January 2, 2003 -- Reduced public shelter hours 20 percent (9 hours) to accommodate staff shortages. Considering contract cleaning labor for kennels to assist with staff shortages.  
February 3, 2003 -- Contract labor for kennels acquired. Staffing level low i.e., - 3 ACO's, 1 supervisor, 1 data entry, 2 part-time kennel attendants. Actively pursuing candidates and conducting interviews.

*Item:* Staffing  
*Issue:* Fill All Vacancies  
*Status:* November 1, 2002 -- 2 ACO's and 1 part-time kennel attendant available  
December 2, 2002 -- Upgraded ACO to Veterinarian Services Coordinator/Sr. Animal Control Officer. Submitted to Budget Contingency Committee for approval of 3 ACO's, 1 part-time kennel position, and 1 data entry staff. Filled one ACO position on November 11, 2002. Total deficient staff, 4 ACO's, 1 supervisor, 1 part-time kennel attendant and 1 data entry staff.  
January 2, 2003 -- Two Animal Control Officers hired and trained. Budget Contingency Committee approved three Animal Control Officers, one part-time Kennel Attendant and one Data Entry position. Posting these positions January 3, 2003. Manager is evaluating Inspection Services Supervisor vacancy.  
February 3, 2003 -- Minus 3 ACO's, 1 supervisor, 1 data entry, 2 part-time kennel attendants.

*Item:* Education Program  
*Issue:* Need more interaction in community  
Targeting 175 hours/6 months  
*Status:* December 2, 2002 -- Education officer ordered to bed rest due to pregnancy. Classes scheduled will be covered by ACO Hilliard. Future classes halted until staffing complete and volunteer program reinstated.  
January 2, 2003 Education Officer out on maternity leave. Program on hold.  
February 3, 2003 -- Same as above.

*Item:* Consulting Veterinarian Contract  
*Issue:* No contract  
*Status:* November 1, 2002 -- Awaiting review of insurance by Risk Management.  
December 2, 2002 -- Complete.

*Item:* Spay/Neuter Program Veterinarians  
*Issue:* Secure pool of DVM's, create credential/insurance file for each/create invoice system/track municipal court and Animal Services savings.  
*Status:* November 2, 2002 – Currently three vets have performed spay/neuter for the shelter.  
December 2, 2002 – Pool of three vets available, credential/insurance file available on two awaiting third DVM's invoice. Asked Administrative Assistant to track savings for municipal court, will be enumerated beginning with January update.  
January 2, 2003 – Program operational. Complete.  
February 3, 2003 – 325+ spay/neuters conducted to date.

*Item:* Uniforms Policy  
*Issue:* Create Standard Uniforms Policy  
*Status:* November 1, 2002 Reviewed with staff on proper uniform appearance for public.  
December 2, 2002 – Included in SOP requesting feedback by December 6, 2002.  
January 2, 2003 – Complete

*Item:* Public Information Enhancement  
*Issue:* Update Website, Use PTN and Media  
*Status:* December 2, 2002 No update  
January 2, 2003 – No update  
February 3, 2003 – No update

*Item:* Realign Supervisor/Senior Officer Duties  
*Issue:* Operational Efficiencies  
*Status:* December 2, 2002 – Personnel actions pending (one Animal Control Officer upgraded to Sr. Animal Control Officer (Veterinarian Services Coordinator).  
January 2, 2003 – Position upgrade approved and complete. Animal Services Manager evaluating Inspection Services Supervisor position and Sr. Officer duties.  
February 3, 2003 – No update

*Item:* Animal Shelter Advisory Committee  
*Issue:* Work Collaboratively  
*Status:* Training for ASAC, October 23, 2002, completed.  
November 11, 2002 – First ASAC meeting with new personnel.  
December 3, 2002 Second meeting (called) for review and feedback regarding SOP, working with Chair to establish agenda submittal guidelines, minutes requirements.  
January 2, 2003 - Complete

*Item:* Ordinance Update  
*Issue:* Last Update 1994, Target July 2003  
*Status:* Collecting information from cities of over 200,000  
December 2, 2002 – No update  
January 2, 2003 – No update  
February 3, 2003 – No update

*Item:* Peer/Best Practices Review  
*Issue:* What Can We Do Better? Target April 2003  
*Status:* Tentatively arranged with National Animal Control Association for April 6-12, 2003.  
December 2, 2002 – NACA review tentatively scheduled. Must contact NACA in January to confirm and discuss contract.  
January 2, 2003 – Mini-peer-review by North Texas Animal Shelter Coalition set for end of January. NACA review still scheduled for April.  
February 3, 2003 – Accepted proposal from NACA for Best Practices Review at an estimated cost of \$4,500 - \$5,000. Anticipate review in April.

## **SHELTER OPERATIONS**

*Item:* “Paperless” Record-Keeping  
*Issue:* Records Management, Backup  
*Status:* Scanner installed October 2002  
November 1, 2002 – Training for staff (Sr. Officer and Administrative Assistant)  
December 2, 2002 – Anticipate pilot implementation for December 16 and full implementation by January 2, 2003.  
January 2, 2003 - Pilot extended to January 15 to further evaluate type of documents stored in e-cabinet.  
February 3, 2003 - Complete

*Item:* Euthanasia Drug/Records Management  
*Issue:* Need Rules, Accountability, Tracking, Reconciliation  
*Status:* November 1, 2002 – Fatal Plus logs reviewed by Sr. Officer as part of the morning report and Fatal Plus logs reviewed by Sr. ACO/Supervisor at least 2X/week. Manager conducts spot checks.  
December 2, 2002 – SOP contains euthanasia policy with records management section. Seeking input from ASAC/staff by December 6, 2002. New registration certificate from DEA arrived December 2, 2002.  
January 2, 2003 – Compliance letter to USDEA on December 3. DEA responded everything is in order. Animal Services will conduct biennial inventory in January. Complete.

*Item:* Building Security  
*Issue:* Keys, Locks, Electronic Entry, Panic Button  
*Status:* November 1, 2002 – All keys reissued to staff and new locks placed on exterior doors.  
December 2, 2002 – ADA door installed at front entry. Panic button targeted for December 16, 2002.  
January 2, 2003 – Complete

*Item:* Donations Management  
*Issue:* Track Incoming Donations and Use  
*Status:* November 1, 2002 - A paper log is in place to account all donations received from the public, the public fill out the log.  
December 2, 2002 – Included in SOP awaiting feedback. Donation log maintained, receipts provided, inventory maintenance for Sr. Administrative Assistant.  
January 2, 2003 – Budget line item established for donations. Donations coming into 583 stay. Donations and use tracked by Administrative Assistant. Complete.

*Issue:* Manage Electronically, Daily, Reconciliations, Assign Accountability  
*Status:* November 1, 2002 – Daily log reconciled by Sr. ACO and/or ACO.  
December 2, 2002 – Daily reconciliation occurs, Sr. ACO accountable for that shift.  
January 2, 2003 - Complete

*Item:* Inventory Control Food  
*Issue:* Manage Electronically, Daily, Reconciliations, Donations, Assign Accountability  
*Status:* December 2, 2002 - Manager is temporarily conducting inventory control in absence of supervisor.  
January 2, 2003 - Same as December report  
February 3, 2003 – Same

*Item:* Inventory Control: Supplies  
*Issue:* Manage Electronically, Daily, Reconciliations, Assign Accountability  
*Status:* December 2, 2002 – New supervisor will order supplies. Manager will conduct temporarily.  
January 2, 2003 – Same as December report  
February 3, 2003 - Same

*Item:* Inventory Control: Veterinary Supplies  
*Issue:* Manage Electronically, Daily, Reconciliations, Assign Accountability  
*Status:* November 1, 2002 – One ACO in charge of all vet needs  
December 2, 2002 – ACO position upgraded to Sr. ACO (Veterinarian Services Coordinator) to have responsibility for all veterinary aspects and accountability.  
January 2, 2003 - Complete

*Item:* Inventory Control: Office Supplies  
*Issue:* Manage Electronically, Daily, Reconciliations, Accountability  
*Status:* November 1, 2002 - Sr. ACO staff in charge of order of office supplies.  
December 2, 2002 - Sr. Admin. Assistant assigned responsibility and accountability.  
January 2, 2003 - Complete

*Item:* Petwhere  
*Issue:* Needs Update to Latest Version  
*Status:* November 1, 2002 - Concerns regarding the reliability of this program. In future survey other sources for possible replacement.  
December 2, 2002 - Anticipate new version in January.  
January 2, 2003 - Same as December report  
February 3, 2003 - Petwhere software not available yet. Will install on availability.

*Item:* Purchasing  
*Issue:* Centralization/Accountability  
*Status:* December 2, 2002 - Manager currently conducting this task. Will be distributed to Sr. ACO's depending on area of responsibility with manager approval.  
January 2, 2003 - Same as December report  
February 3, 2003 - Same

*Issue:* Daily Review, Responsibility  
*Status:* December 2, 2002 - Sr. ACO charged with task.  
January 2, 2003 - Complete

*Item:* Phone System  
*Issue:* Customer Service, Direct Lines for Vets, Emergencies, Lost/Found, Etc.  
*Status:* November 1, 2002 - Phone voice message systems evaluated.  
November 22, 2002 - Voice message system activated.  
December 2, 2002 - Voice message system in testing stage.  
January 2, 2003 - Complete

*Item:* Internet  
*Issue:* Regular Updates/Management/Responsibility  
*Status:* December 2, 2002 - Sr. Admin. Asst. currently in charge. Considering options.  
January 2, 2003 - Complete

IVK

*Item:* Forms Review  
*Issue:* Update  
*Status:* December 2, 2002 – Forms updated and included in S.O.P. Others being considered continuously.  
January 2, 2003 – Complete. Continuous update.

### **FIELD SERVICES**

*Item:* Scheduling  
*Issue:* Coverage, Hours, Responsibility  
*Status:* November 1, 2002 – Sr. ACO's work together for field scheduling.  
December 2, 2002 – Scheduling anticipated with staffing.  
January 2, 2003 – Changing based on staffing.  
February 3, 2003 - Staff shortages requiring close management.

*Item:* Fleet Management  
*Issue:* Availability, Maintenance, Inventories, Equipment, Responsibility  
*Status:* November 1, 2002 - Field Officers maintain rolling stock and equipment.  
December 2, 2002 – Sr. Officer assigned responsibility for fleet management.  
January 2, 2003 – Complete

*Item:* Fatal Plus (Schedule II)  
*Issue:* Euthanasia or Chemical Immobilization  
*Status:* November 1, 2002 - One officer is assigned the responsibility for “in field” euthanasia needs on wild life. Evaluating possibility of not using Fatal Plus in field in favor of chemical immobilization.  
December 2, 2002 – Chemical immobilization section in SOP awaiting feedback.  
January 2, 2003 – Veterinarian Services Coordinator evaluating field euthanasia. Still under development.  
February 3, 2003 – Continue use of Fatal Plus in one truck managed tightly by Veterinarian Services Coordinator. Complete.

*Item:* Training  
*Issue:* Injury Prevention, Safe Driving Animal Capture, Customer Service  
*Status:* November 1, 2002 – Safety Officer provides a one-hour a month safety awareness class over various topics.  
December 2, 2002 – Evaluating targetsafety.com program for implementation in March contingent upon staffing.  
January 2, 2003 – Implementing targetsafety.com in March. No further update.  
February 3, 2003 - Safety liaison Sherry Smith. Will work with Risk Management on new safety coordinator position.

\* Unless Noted Otherwise

Preliminary Open Meeting Item V.

Update on Cox Building  
Turner

# MEMO

**DATE:** February 3, 2002

**TO:** Honorable Mayor and City Council  
City Manager Muehlenbeck

**FROM:** Elaine Bealke, City Secretary 

**RE:** Personnel, Worksession

The following Board and Commission appointments will be addressed at the February 10, 2003, Council Worksession:

**Board of Adjustment**

Interim member (Term expires 10-03) – Resignation of Byron Betler

**Cultural Affairs Commission**

Interim member (Term expires 10-03) - Resignation of Stephanie Caudill  
Interim member (Term expires 10-04) – Resignation of L. Kenyon Elliott  
Appointment of Chair

**International Relations Advisory Commission**

Appointment of Members

**Keep Plano Beautiful Commission**

Interim member (Term expires 10-04) – Resignation of Jason Teel

/dz

**BOARD OF ADJUSTMENT**  
(2 Year Terms/5 Members, 4 Alternates)

**Positions Available – 1 Interim Alternate  
(Resignation of Byron Betler - Term Expires 10-03)**

**Interim Alternate Position:** \_\_\_\_\_

**SHORT LIST CREATED SEPTEMBER 3, 2002**

Roger K. Bolin

Christopher J. Caso

**ADDITIONAL APPLICANTS:**

- 2(3) Clint Brady (appointed to Self Sufficiency)
- 1(4) David James Gillespie (appointed to Keep Plano Beautiful)
- 2(2) Stacia L. Johnson
- 3(4) Joe Wolens Milkes (appointed to Self Sufficiency)
- 1(2) Graham Strange
- 2(3) Steven D. Zuehlke

<b><u>MEMBERS</u></b>	<b><u>TERM EXPIRES</u></b>
<del>Byron Betler (alt)</del>	<del>10-03</del>
Michael Broderick	10-03
Kevin Cain	10-04
Bob Deputy	10-04
Kevin Patrick Finch	10-03
Stephen Karl Harvey (alt)	10-04
Chris Polito (alt)	10-04
Arthur E. Stone (alt)	10-04
Jackie Westbrook	10-04

## Elaine Bealke

---

**From:** Byron Betler [byronbetler@hotmail.com]  
**Sent:** Tuesday, February 04, 2003 14:39  
**To:** Elaine Bealke  
**Cc:** Russ Mower; phild@legacytexas.com  
**Subject:** Board Resignation

Byron Betler  
941 Simon  
Plano, Tx 75025

February 4, 2003

Elaine Bealke  
City Secretary

Dear Elaine Bealke:

Effective immediately, I resign my position as Alternate member of the Board of Adjustment.

Sincerely,

Byron Betler

---

The new MSN 8: advanced junk mail protection and 2 months FREE\*  
<http://join.msn.com/?page=features/junkmail>

CITY BOARDS AND COMMISSIONS

DATE: October 2002

Board of Adjustment

Ordinance No. 86-3-14, 92-6-21, 92-9-13, 99-11-19  
2002-4-1(R) (ZO 6-200)

Terms: 2 years/5 regular members, 4 alternates

*Persons appointed as alternates to any board shall not have the term served as an alternate counted toward the two consecutive 2-year term limitation*

Meetings: 2nd & 4th Tuesday, 6:00 p.m. - Council Chambers

Staff: Russ Mower, Chief Building Official Council Liaison: Mayor Pro tem Phil Dycr  
and Sally Magnuson

*Per Zoning Ordinance: "There shall be at least one member and one alternate member appointed who is employed in either the retail or advertising business, and at least one member and one alternate member who is employed in the real estate or development business."*

*Chair: Kevin Patrick Finch*

<u>MEMBER</u>	<u>DATE ORIGINAL APPOINTMENT</u>	<u>DATE LAST REAPPOINTED</u>	<u>PRESENT TERM EXPIRES</u>
Michael Broderick 1308 Quill Drive Plano, TX 75075 972-578-1013 (h) 972-303-0774(o) fax: 972-303-0775 e-mail (h): brodygrp@aol.com e-mail (o): Michael Broderick@allstate.com Owner-Insurance Agency (comm/retail) Regular (Dugnan)	09-10-01		10-31-03
Kevin Cain 2329 Eldger Drive Plano, TX 75025 972-618-8604 (h) 972-788-1000 (o) 972-788-1302 (f) e-mail (h): kljkcaain@aol.com e-mail (o): kcain@huntconstructiongroup.com Contract Manager Com/Retail Properties Moved to Regular 06-02-02 (Joyce Beach)	10-23-00	07-22-02	10-31-04
Bob Deputy 5909 Red Wolf Lane Plano, TX 75093 972-403-0884 (h) 972-608-0101 (o) 972-608-1011 (f) e-mail: lbdeputy@ix.netcom.com Original Appointment was Alternate (Kezhaya) Retired Moved to Regular 5/29/01	10-23-00	07-22-02	10-31-04
Kevin Patrick Finch 2600 Beechcraft Street Plano, TX 75025 972-398-8551 (h) 972-312-8790(o) 469-467-8048(f) 972-467-4753 (cell) e-mail (office): kfinch@quartettservice.com original appointment alternate (Bush) Tenant Rep (realty) moved to Regular 10/00 Apptd Chair 10/02	04-24-00	07-23-01	10-31-03

# BOARD OF ADJUSTMENT

## Page 2

Stephen Karl Harvey 8700 Digby Drive Plano, TX 75025 972-335-0141 (h) 972-233-7705 (o) 972-387-2553 (f) e-mail: sharvey@runyonarch.com Architect Alternate (Susan Stevenson)	10-23-00	07-22-02	10-31-04
Chris Polito 3405 Caleche Court Plano, TX 75023 972-596-0807 (h) 972-985-1576 (o) 972-964-1685 (f) 214-212-9013 (c) e-mail: chrisp007@aol.com Construction Company owner Alternate – Interim Term (Hicks)	09-10-01	07-22-02	10-31-04
Byron Betler 941 Simon Plano, TX 75025 972-398-6074 (h) 972-605-0104 (o) e-mail (h): <u>byronbetler@hotmail.com</u> e-mail (o): <u>byron.betler@cds.com</u> Alternate (replaced Shemek)	09-09-02	<i>resigned</i>	10-31-03
Arthur E. Stone 6305 Trailwood Plano, TX 75024 972-625-5207 (h) 214-577-7996 (o) 972-625-5400 (fax) e-mail (h): aarthur@ev1.net e-mail (o): astone@prestonwood.org Retired Alternate (Meg Titus)	10-23-00	07-22-02	10-31-04
Jackie Westbrook 907 17 <sup>th</sup> Street Plano, TX 75074 972-423-3929 (h) 469-467-0067(o) 972/467-0066(f) e-mail – jackie.westbrook@futureelectronics.com original appointment alternate (Hunnicut) Operations Mgr for Electronic Distribution Co. moved to Regular – 10/00 Appointed chair – 09/01	11-2-98	07-22-02	10-31-04

# CITY OF PLANO

## BOARD OR COMMISSION CANDIDATE APPLICATION

**RECEIVED**

Applications are due August 22, 2002

NAME: Clint Walter Brady (I go by Clint Brady) AUG 09 2002

(Please print legal name and your name as you wish it to appear, if different.)

**CITY SECRETARY'S OFFICE**

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. Self Sufficiency Committee    2. Board Of Adjustment    3. Public Arts Committee

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>2372 Claridge Circle</u>
Telephone:	<u>972-867-2620</u> Fax: <u>←</u>
E-mail:	<u>clint_brady@yahoo.com</u>
Plano Resident for:	<u>21</u> years County: <u>Collin</u>
Drivers License #:	<u>14401505</u>
*Voter Registration #:	<u>345992</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>United Health Care</u>
Occupation:	<u><del>9500</del> Case Installation Rep.</u>
Address:	<u>1600 W. Plano Pkwy., Ste. 100 Zip: 75075</u>
Telephone:	<u>972-461-5114</u> Fax: <u>←</u>
E-mail:	<u>See Personal Information</u>
Business owner?	yes: <u>  </u> no: <u>X</u>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>Plano Independent School District (Sub-Teacher)</u>	<u>Various Campuses</u>	<u>1997-1999</u>
<u>On-Air Talent, KNTU-FM</u>	<u>Univ. Of North Texas</u>	<u>1996-1997</u>

How would you use this experience to benefit the City?

I'd use the communication & research skills that I've learned to improve City services for all affected.

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

None.

I will attend the following reception: (Attendance is limited to one reception per applicant)

Thursday, August 8, 2002  
7:00 p.m.  
Mabelle Davis Library  
750 Independence Parkway

Saturday, August 10, 2002  
2:00 p.m.  
Plano Municipal Center  
Training Room A  
1520 K Avenue

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Clint Brady  
Signature

8-5-02  
Date

Compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Mail completed application to:

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

ADS

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

**RECEIVED**

AUG 05 2002

Name: ROGER K. BELIN Applications are due August 22, 2002  
(Please print legal name and your name as you wish it to appear, if different.)

**CITY SECRETARY'S OFFICE**

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. Planning & Zoning Commission 2. Board of Adjustment 3. Technology Commission

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>2616 Walnut Lane</u>
Telephone:	<u>972-767-1628</u> Fax: <u>214-544-2721</u>
E-mail:	<u>LIN BELIN25@AOL.COM</u> (Family)
Plano Resident for	<u>18</u> years County: <u>Collin</u>
Drivers License #:	<u>09571243</u>
*Voter Registration #:	<u>192553</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>Magnetic Technology Inc.</u>
Occupation:	<u>V.P. Sales &amp; Marketing</u>
Address:	<u>1627 Bray Central Dr. McKinney 75067</u>
Telephone:	<u>214-544-2700</u> Fax: <u>214-544-2721</u>
E-mail:	<u>Roger.Belin@MAGTECHTX.COM</u>
Business owner?	yes: <input checked="" type="checkbox"/> Minorly, no: <input type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>Parks and Recreation Planning Board</u>	<u>Plano</u>	<u>3 terms</u>
<u>Landscape Development Commission</u>	<u>Plano</u>	<u>3/91 to 9/92</u>

How would you use this experience to benefit the City?

My leadership ability plus my ability to get along and motivate others

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

None I'm aware of at this time.

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
6-7 p.m.  
Marielle Davis Library  
7501 Independence Parkway

Saturday, August 10, 2002  
2-3 p.m.  
Plano Municipal Center  
Training Room A  
1520 K Avenue

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Roger K. Belin  
Signature

7-28-02  
Date

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Mail completed application to:

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

ADP

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Name: CHRISTOPHER J. CASO  
 (Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (Abbreviated board/commission names are acceptable, eg. KPBB)  
 1. BO. OF ADJ.      2. NTMWD      3. B+OG. STAND. Comm.  
 Charter Review Com. Per Mr. Caso 4-16-02  
 Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>2932 SAN SIMON WAY</u>
Telephone:	<u>972-618-9668</u> Fax: _____
E-mail:	<u>CHRISCASO@AOL.COM</u>
Plano Resident for	<u>10</u> years County: <u>COLLIN</u>
Drivers License #:	<u>13754814</u>
*Voter Registration #:	<u>299181</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>CASO EBERSTON ECKERT, LLP</u>
Occupation:	<u>ATTORNEY</u>
Address:	<u>10246 MIDWAY RD. DALLAS, TX</u>
Telephone:	<u>214-351-4121</u> Fax: <u>214-351-0466</u>
E-mail:	<u>CHRISCASO@AOL.COM</u>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

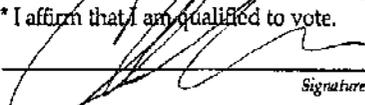
Organization	Location	Years
<u>SEE ATTACHED RESUME</u>		

How would you use this experience to benefit the City?  
MY BUSINESS AND PROFESSIONAL EXPERIENCE WOULD ALLOW ME TO BENEFIT THE CITY IN ANY OF THE ABOVE POSITIONS

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.  
N/A

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.  
  
 Signature

10 / 9 / 01  
 Date

In compliance with Chapter 552, Vernon's Texas Codes, Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Mail completed application to:  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

*h*

*AOS*

RECEIVED

OCT 10 2001

CITY SECRETARY'S OFFICE

**CASO EGELSTON & ECKERT, L.L.P.**

ATTORNEYS AND COUNSELORS  
10246 MIDWAY ROAD • SUITE 202  
DALLAS, TEXAS 75229

TELEPHONE (214) 351-4121

TELECOPIER (214) 351-0466

October 9, 2001

Ms. Elaine Bealke  
City Secretary  
City of Plano  
1520 K Avenue  
Plano, Texas 75074

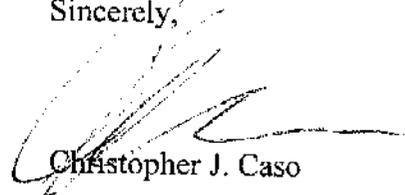
RE: Boards and Commission

Dear Ms. Bealke:

Enclosed please find my application for an appointment to a Board or Commission of the City. I have also enclosed my resume'. Please present the application and resume' to the City Council so that I may be considered for an appointment to one of the requested Boards or Commissions.

I appreciate your attention in this regard and please do not hesitate to call if you have any questions.

Sincerely,



Christopher J. Caso

enclosures

*[Handwritten mark]*

**CHRISTOPHER J. CASO, AICP**

**CASO EGELSTON & ECKERT, LLP**

10246 Midway Road, Suite 202

Dallas, Texas 75202

Telephone: 214-351-4121

Facsimile: 214-351-0466

E-mail: chriscaso@aol.com

---

## **EDUCATION**

### **University of Texas at Arlington**

Currently Enrolled in Masters Program in Urban Affairs--School of Urban and Public Affairs

### **Oklahoma City University School of Law**

Degree: Doctor of Jurisprudence

Distinction: American Jurisprudence Award - Criminal Law

### **Rutgers University**

Degree: Bachelor of Arts

Major: Political Science

Minor: Philosophy

## **EMPLOYMENT HISTORY**

1983-1985

**Office of Municipal Counselor**

**City of Oklahoma City**

Position: Senior Intern

Federal and state litigation; real estate; zoning and land use; personnel; municipal court prosecution and administrative law.



1985 to 1991

**HUTCHISON PRICE BOYLE AND BROOKS  
JENKENS HUTCHISON AND GILCHRIST  
HUTCHISON BOYLE BROOKS AND FISHER**

Federal and state litigation, zoning and land use, municipal, real estate, insurance, corporate, tax, personnel, and administrative.

1990

**SOUTHERN METHODIST UNIVERSITY**

Position: Adjunct Instructor of Constitutional Law, SMU Legal Assistant Program.

1991 to 1998

**POWER AND DEATHERAGE**

Representation of developers and corporations in seeking zoning and other land use entitlements, negotiating tax abatement agreements and other economic development incentives from local, county and state governments, representation of corporations and individuals before a variety of local, regional and state agencies, collections, real estate transactions, personnel and general corporate matters.

1998

**JENKENS & GILCHRIST**

Representation of developers and corporations in seeking zoning and other land use entitlements, negotiate tax abatement agreements and other economic development incentives from local, county and state governments and representation of corporations before a variety of local, regional and agencies.

1998 to Present

**CASO & EGELSTON, PLLC  
CASO EGELSTON & ECKERT LLP**

Representation of developers and corporations in seeking zoning and other land use entitlements, negotiate tax abatement agreements and other economic development incentives from local, county and state governments and representation of corporations before a variety of local, regional and agencies, real estate transactions, condemnation, municipal law and general corporate matters.

2000

**NORTHLAKE COLLEGE**

Instructor in Real Estate Law

**LICENSES**

Licensed to practice before all state courts in Texas; United States District Court for the Northern and Eastern Districts of Texas; United States Courts of Appeal for the District of Columbia, Fifth and Eleventh Circuits; and the Supreme Court of the United States.

**LEGAL PUBLICATIONS**

Implied Civil Liability Under the Trust Indenture Act

Legal article prepared for a seminar in advanced corporations law.

Zoning and the First Amendment

Paper prepared for publication in the Southwestern Legal Foundation annual treatise and presented at the 1990 annual meeting of the Foundation.

Sign of the Times: Regulating Commercial Speech in the 90's

Legal article co-authored with S. Reid Heller addressing current law on the regulation of commercial speech..

Federal Casenote Summary - Dallas Young Lawyers Association.

Municipal Courts of Record - Paper delivered to the Texas Municipal Courts Association.

Plats and Subdivisions - Paper presented at the annual meeting of the Texas Planning Association.

Vested Right and Development Agreements - Paper presented at the 1999 CLE International Annual Land Use Law Conference.

**PROFESSIONAL ORGANIZATIONS**

Member Plano Bar Association

Member Collin County Bar Association



# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

**RECEIVED**

Name: David James Gillespie

AUG 22 2002

(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

**CITY SECRETARY'S OFFICE**

1. Parks & Recreation Planning Board 2. Keep Plano Beautiful Commission 3. Board of Adjustment  
4. Public Arts Committee

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>4324 Stromboli Dr.</u>
Telephone:	<u>9-985-8041</u> Fax: <u>214-670-9102</u>
E-mail:	<u>dgillespie@totalshow.com</u>
Plano Resident for	<u>11</u> years County: _____
Drivers License #:	<u>06606517</u> <u>38491B</u>
*Voter Registration #:	<u>Yes Registered but don't know it off hand</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>The Freeman Companies</u>
Occupation:	<u>Corporate Director of Design</u>
Address:	<u>1421 W. Mockingbird La. Dallas, 752</u>
Telephone:	<u>214-670-9085</u> Fax: <u>214-670-9102</u>
E-mail:	<u>dgillespie@totalshow.com</u>
Business owner?	yes: _____ no: <u>X</u>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>See Attached</u>		

How would you use this experience to benefit the City?

See Attached

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

None

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

David James Gillespie  
Signature

08/20/02  
Date

I will attend the following reception. (Attendance is limited to one reception per applicant.)

**Thursday, August 8, 2002**  
6-7 p.m.  
Maribelle Davis Library  
7501 Independence Parkway

**Saturday, August 10, 2002**  
2-3 p.m.  
Plano Municipal Center  
Training Room A  
1520 K Avenue

*Unfortunately I was out of town on these two dates.*

In compliance with Chapter 252, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Mail completed application to:

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

YJM  
AOS

## Attachment to Board or Commission Candidate Application

### ξ Previous Board, Commission, Civic or Community, or Work Experience

<u>Organization</u>	<u>Location</u>	<u>Years</u>
<u>Volunteer Experience</u>		
Dallas County Habitat for Humanities (Advisory Board)	Dallas TX.	81-84
Dallas County Commissioner (Appointed by the Honorable Judge Mark Whittington)	Richardson TX.	82-84
Spring Creek United Methodist Church (Various church boards & committees)	Richardson TX.	84-90
Boy Scouts of America (Circle 10) (Unit Commissioner)	Richardson TX.	89-92
Texas Special Olympics		
St. Andrew United Methodist Church (Various church boards & committees)	Plano TX	92-Present
Bristol Pointe Estates HOA (Various Board Positions, Current President)	Plano, TX.	99-Present

### Professional Experience

As part of an outside consultant team to Triland Development, Terra Properties, and Pacific Reality Corp. and Belama Development, involved in numerous presentations to City Planning Boards and City Councils in relationship to major developments in South West Dallas, Coppell, Colleyville and South Lake areas of metroplex. As well as Nationwide.

### ξ How would you use this experience to benefit the City?

As a design consultant for over 20 years and active community volunteer, I would bring my experience of interacting with companies and communities across the country in land use, development, planning and park issues along with my dedication to any job I undertake, professionally or as a volunteer. I have a positive, creative, "Out side the box" approach to solving complex issues. And always look at an issue from both sides.

I have always been actively involved in neighborhood, church and civic organizations and welcome the opportunity to do so for my home town of Plano.

UN

# CITY OF PLANO

## BOARD OR COMMISSION CANDIDATE APPLICATION

Name: Stacia L. Johnson Applications are due August 22, 2002  
(Please print legal name and your name as you wish it to appear, if different.)

**RECEIVED**

Please indicate Board(s) / Commission(s) preferences (abbreviated board/commission names are acceptable, eg. KPB)

1. Planning & Zoning 2. Board of Adjustment 3. \_\_\_\_\_

AUG 20 2002

CITY SECRETARY'S OFFICE

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>3936 Shumard Lake</u>
Telephone:	<u>972-4246946</u> Fax: _____
E-mail:	<u>SJ21988@ACL.com</u>
Plano Resident for	<u>14</u> years County: <u>Collin</u>
Drivers License #:	<u>12068342</u>
*Voter Registration #:	<u>305884</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>City of Dallas</u>
Occupation:	<u>USG Mgr.</u>
Address:	<u>1520 Madalla CEN</u>
Telephone:	<u>214 670 3668</u> Fax: _____
E-mail:	_____
Business owner?	yes: _____ no: _____

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>Plano Homeowners Council</u>		<u>2 yrs</u>

How would you use this experience to benefit the City?

I have extensive knowledge in Planning/Zoning, Resident/Ordinance, and knowledge of the City of Plano as a Plant Manager for

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

None.

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
 5-7 p.m.  
 Maribelle Davis Library  
 7501 Independence Parkway

Saturday, August 10, 2002  
 2-3 p.m.  
 Plano Municipal Center  
 Training Room A  
 1520 K Avenue

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

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

8/1/02  
 \_\_\_\_\_  
 Date

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Mail completed application to:  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

*ADS*

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

**RECEIVED**

Name: JOE WOLFE MILKES

JUL 31 2002

(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

**CITY SECRETARY'S OFFICE**

1. BOARD OF ADJUSTMENT    2. COMMUNITY RELATIONS    3. PLANO HOUSING AUTHORITY  
4. SELF SUFFICIENCY

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address: <u>7201 ROYAL CREST DR.</u>	
Telephone: <u>972/517-2560</u> Fax: <u>214/691-1862</u>	
E-mail: <u>JOE@MILKES.COM</u>	
Plano Resident for <u>5</u> years	County: <u>COWAN</u>
Drivers License #: <u>07365188</u>	
*Voter Registration #: <u>565553</u>	

OCCUPATIONAL INFORMATION	
Business Name: <u>MILKES REALTY VALUATION</u>	
Occupation: <u>REAL ESTATE APPRAISAL</u>	
Address: <u>5430 GLEN LAKES DR. Suite 116</u>	
Telephone: <u>972/963-1881</u> Fax: <u>214/691-1862</u>	
E-mail: <u>JOE@MILKES.COM</u>	
Business owner?	yes: <input checked="" type="checkbox"/> no: <input type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>SEE ATTACHMENT</u>		

How would you use this experience to benefit the City?

THE PROFESSIONAL EXPERIENCE I'VE HAD IN HUMAN SERVICES, BUSINESS,

+ REAL ESTATE AND MY CONCERN FOR THE COMMUNITY  
GIVE ME THE CAPACITY TO HANDLE THE CITY'S RESPONSIBILITIES  
List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve. TO CURRENT ISSUES & NEEDS.

NONE, THAT I'M AWARE OF.

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
6-7 p.m.  
Maribelle Davis Library  
7501 Independence Parkway

Saturday, August 10, 2002  
2-3 p.m.  
Plano Municipal Center  
Training Room A  
1520 K Avenue

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.  
Joe Wolfe Milkes  
Signature

07/29/02  
Date

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Mail completed application to:

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

ADS

*JP*

**Attachment to Board or Commission Candidate Application  
Of Joe Wolens Milkes**

<u>Organization</u>	<u>Location</u>	<u>Years</u>
Collin Central Appraisal District (panel member Appraisal Review Board)	Collin Co., Texas	2002-currently
Plano Volunteer Center (volunteer for bike ride fund raiser)	Plano, Texas	5 years, currently
Susan G. Komen Association (volunteer)	Plano/Dallas, Texas	5 years, currently
Plano Symphony Orchestra (Guild member)	Plano, Texas	2002, currently
Jewish Community Center (board and committee member)	Dallas, Texas	5 years (previously)
Jewish Federation Foundation (real estate committee member, pro bono work)	Dallas, Texas	10 years, currently
Chai (residences for mentally retarded) (board member)	Dallas, Texas	2 years, currently
Appraisal Institute (currently board member local chapter) (committee chair for ethics panel) (committee chair for candidate review panel)	Chicago, IL	7 years, currently
Turnaround Management Association (Chair, Membership Committee)	Dallas, Texas	5 years, currently

Pro Bono Appraisal/Consultation Work for Various Non-Profits and Civic Groups

9

## **Joe Wolens Milkes, MBA MAI CCIM**

Company Owner of Milkes Realty Valuation  
5430 Glen Lakes Drive, Suite 116  
Dallas, Texas 75231

972-960-1881; Fax 214-691-1862; E-mail [joe@milkes.com](mailto:joe@milkes.com)

### **Professional Qualification Statement**

#### **Professional Designations:**

- MAI (Member of The Appraisal Institute) No. 8894 (1991)
- CCIM (Certified Commercial Investment Member, No. 2436), Nat'l Assoc. of Realtors (1985)

#### **Professional Licenses:**

- State Certified General Real Estate Appraiser Number TX-1320681-G, currently effective through May 31, 2003. In good standing.
- Temporary licenses in other states obtained as needed.

#### **Professional Memberships:**

- The Appraisal Institute (AI), Member No. 8894
- CCIM-- national and local chapters
- Turnaround Management Association

#### **Education:**

- MBA obtained from Southern Methodist University (1978) concentration in finance
- Masters of Social Work (MSW) from West Virginia University (1973)— community & clinical service work experience in fields of mental retardation, child abuse and drug abuse
- Michigan State University (1971) BA—psychology/social work
- Diploma from Corsicana High School (1967)

#### **Experience in Commercial Real Estate:**

Currently, Mr. Milkes' practice includes real estate valuation, consultation, estate/portfolio valuation and litigation support. The properties include a wide range of types and his assignments have been throughout Northeast Texas, the Southwest and the US. His primary practice area is North Texas with assignments throughout the US. Mr. Milkes entered the field of commercial real estate 20 years ago with Beer-Litwin & Co., Realtors and was engaged in brokerage, property management, asset disposition and valuation. As an asset manager for corporate pension fund real estate at InterFirst Bank, NA, he was responsible for some \$30 million of commercial property. Later, he moved up to Supervising Appraiser having been with the Mark Galleshaw Company for over 7 years prior to opening his own practice about 7 years ago. Prior to entering the real estate industry, he held positions in clinical social work after obtaining the MSW degree, and in food service marketing with Anderson Clayton Foods, upon obtaining the MBA degree.

#### **Professional Activities:**

- Chair of local Ethics/Standards Panel for AI
- Board Member of North Texas Chapter of AI
- Chair of local Experience Panel for AI
- Pro bono valuation/consultation for various non-profits
- Applicant for board position on Texas Appraiser and Licensing & Certification Board (TALCB)
- Collin Central Appraisal District— Appraisal Review Board member



**Presentations/Publications:**

- Periodic continuing education presenter for CPAs and CLE (attorneys)
- Two articles in progress— pertaining to "value-in-use appraisal methodology" and "case studies in Texas conservation easements"

**Prior Litigation Experience:**

Cases in which Joe Milkes has served as an expert witness have involved depositions and testimony pertaining to his appraisals. Recent cases have involved

- A portfolio of \$45 million in apartment complexes for a divorce action
- Residences (50) potentially impacted by leaking petroleum products tank farms
- An industrial property potentially impacted by environmental contamination
- Various properties planned for condemnation
- Valuations pertaining to bankruptcy filings— for both debtors and creditors
- Portfolio of restaurant properties in taxpayer dispute with the IRS

He has testified before two federal bankruptcy judges and been qualified as an expert witness. In other matters, they were settled after deposition, but before trial.

**Recent Seminars and Professional Education:** Mr. Milkes attends continuing education programs for both his MAI designation and the state appraiser license.

Recent topics have included--

- Black Mold
- Uniform Standards of Professional Practice
- Valuation of Detrimental Conditions
- Market Conditions Updates
- Litigation Skills Planning
- Zoning Issues

**Ancillary Activities:**

- Board member of charitable foundation (Kalman and Ida Wolens Foundation)
- Board member of Chai Community Homes
- Greater Dallas Jewish Federation Foundation Real Estate Committee
- Dallas Womens Foundation, volunteer
- Susan G. Komen Breast Cancer Foundation, volunteer

**Representative Partial Client List:**

- Bank One, Dallas
  - Sterling Bank
  - Strasburger & Price, LLP
  - Bank of America - Trust
  - Hughes and Luce, LLC
  - Haynes and Boone, LLP
  - Figari Davenport and Graves, LLP
  - Wilson, Elsner, Moskowitz, Edelman & Dicker, LLP
  - Koons Fuller, Vanden Eykel & Robertson, LLP
  - Philip Vogel and Company
  - Lane Gorman Trubitt, LLP
- 

# WHAT SETS MILKES REALTY VALUATION APART?

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## Services Offered

- Commercial Real Estate appraisal
- Litigation support
- Consultation and research in specialized areas
- Estate valuation

## Quality education

- MBA Degree (Finance), Edwin L. Cox School of Business, Southern Methodist University, 1978
- Master of Social Work Degree (MSW), West Virginia University, 1973
- BA Degree, Michigan State University, 1971  
Concentration in Psychology and Social Work

## Excellent credentials

State Certified General Real Estate Appraiser TX-1320681-G

Member Appraisal Institute, MAI designation of the Appraisal Institute, No. 8894

Certified Commercial Investment Member (CCIM), National Association of Realtors, No. 2436

## Extensive experience

Twenty years' experience in commercial real estate—valuing, owning and managing

- Principal, owner Milkes Realty Valuation, formed in 1995
- Senior staff supervisor, Mark Galleshaw Company. Assignments nationwide
- Corporate pension fund asset manager, InterFirst Bank, NA
- Staff appraiser at Dolben, Inc., a highly regarded Boston, MA appraisal firm
- Broker, property manager and appraiser, Beer-Litwin Co., Realtors

## Well-established client list

Among these are:

The Wyndam Group, Inc.

Krone, Silverman & Mincey, Attorneys at Law

Haynes and Boone, LLP, Attorneys at Law

Hughes and Luce, Attorneys at Law

Mohrle-Morris & Associates

Robertson & Railsback, Attorneys at Law

Bank One, NA Texas

D/FW International Airport

NationsBank Texas, Trust Department

Lend Lease Real Estate Investments

## Of counsel to the firm

Consulting Economist

Jack P. Friedman, PhD, CPA, MAI, ASA, CRE

Appraiser, Consultant, Educator

Author of leading books and published articles in real estate

### Professional Activities.

- ▶ Local Appraisal Institute chapter, Board Member
- ▶ Experience Review Committee Chairman
- ▶ Demonstration report grader
- ▶ Ethics Committee and Counseling Review Panel Member
- ▶ Offeror of continuing education program for CPAs under auspices of State Board of Accountancy
- ▶ Frequent attendee of professional classes, meetings and seminars

### Prior positions.

- ▶ Market Price Analyst, Anderson Clayton Foods, Inc.
- ▶ Clinical Social Work and Organizational Human Services positions in the areas of child abuse and mental retardation

### Pro Bono.

- ▶ Investment consultant to private charitable trust and board member of charitable foundation
- ▶ Past board member, non-profit housing organization for the elderly
- ▶ University of Texas, School of Social Work, current Advisory Board Member

## CASE STUDIES IN EXCELLENCE

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Milkes Realty Valuation. The experience and capabilities you're looking for.

### 1

#### Valuation for a National Lender

Office in the Park, a 200,000 SF office complex located in the North Dallas market, has been extensively updated. Due to the dramatic shift in market rental rates and tenant demand, it became a strong candidate for re-financing. Lend Lease Real Estate Investments, Inc., through the Wyndam Group, Inc., retained Milkes Realty Valuation to complete an appraisal as part of the underwriting process. A key element noted by the lending representative was the direct involvement of Joe Milkes in the valuation.

### 2

#### Family Estate Appraisal of Portfolio

A client requested that Milkes Realty Valuation appraise an estate portfolio comprising a mixture of properties — industrial, retail and family homestead — in several locales. The challenge was to construct a well documented and tightly reasoned appraisal report that minimized the likelihood of an IRS audit, while working with legal

*M*

counsel and accounting firms throughout the process. The valuation project was successfully completed based on Milkes' excellent market knowledge, his ability to express concepts both clearly and persuasively and his willingness to interface with other professionals as well as the client.

3

### Complex Issues and Litigation Support

Almost five years ago, the main building area of an almost century-old grain mill and processing complex burned to the ground. The remaining structures were severely damaged. The property owner perceived that the fire took place as the result of contractor negligence and a law suit was filed. Located adjacent to D/FW International Airport, the property is at the gateway to a thriving suburban community in the initial phase of becoming a tourist destination. Engaged by the property owner, Milkes performed a retrospective valuation that would capture the market value of the property, prior to and after the destructive fire, as of that date. This valuation project required a great deal of competence in sorting out valuation and business issues, an ability to research esoteric appraisal methodology, a sensitivity to the historic nature of the property and the means of researching the market. Most important to the assignment was the ability to clearly convey the results in the report and, if necessary, on the witness stand before a jury. Some of the key questions to be addressed were:

- ▶ What is the highest and best use of the property both before and after the fire?
- ▶ What were the demographic and economic trends in 1995?
- ▶ What is the appropriate methodology to value the property?
- ▶ What is the appropriate means of measuring the loss in value?

4

### Consultation on Market Trends and Value Potential

Among the properties held by a prominent family is an assemblage of commercial properties strategically located at the intersection of a major Dallas highway and heavily traveled thoroughfare. A "right-of-way taking" by the highway department significantly alters the site characteristics and income production. In addition, an opportunity has come about to acquire an adjoining tract, adding to the holdings. Some of the questions that were addressed in the consulting report were:

- ▶ What effect will the "taking" have on the holdings?
- ▶ What future developments would be feasible immediately after the taking?
- ▶ What is the future potential and highest and best use for the holdings after the highway construction is completed in 10 to 15 years?
- ▶ What considerations should be made in evaluating the potential purchase?

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

me: GRAHAM STRANGE

(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. BOARD OF ADJUSTMENT 2. TECHNOLOGY COMMISSION 3. \_\_\_\_\_

**RECEIVED**

**AUG 08 2002**

Yes, I would be interested in serving on subcommittees that may be formed.

**CITY SECRETARY'S OFFICE**

PERSONAL INFORMATION	
Home Address:	<u>2105 WIND POINT LAKE</u>
Telephone:	<u>972-596-5705</u> Fax: <u>972-985-5587</u>
E-mail:	<u>grahamstrange@att.net</u>
Plano Resident for:	<u>13</u> years County: <u>Collin</u>
Drivers License #:	<u>00543747</u>
*Voter Registration #:	<u>543078</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>NOATEL NETWORKS</u>
Occupation:	<u>RETIRED EXECUTIVE</u>
Address:	_____
Telephone:	_____ Fax: _____
E-mail:	_____
Business owner?	yes: _____ no: _____

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>BOYCE R. HADSON MEDICAL CENTER</u>	<u>RICHARDSON, TX</u>	<u>6 YEARS</u>
<u>BOARD MEMBER 5 YEARS, BOARD CHAIRMAN 1 YEAR</u>		

How would you use this experience to benefit the City?

EXPERIENCE IN MAKING A MUNICIPAL HOSPITAL BOARD  
OPERATE EFFICIENTLY

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

NONE

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

\_\_\_\_\_  
Signature

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
6-7 p.m.  
Maribelle Davis Library  
7501 Independence Parkway

Saturday, August 10, 2002  
2-3 p.m.  
Plano Municipal Center  
Training Room A  
1520 K Avenue

Not available

AUGUST 2, 2002  
Date

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided application may be available to the public upon request.

Mail completed application to:

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

# Amended C CITY OF PLANO Reception BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

**RECEIVED**

re: STEVEN D. ZUEHLKE

(Please print legal name and your name as you wish it to appear, if different.)

AUG 05 2002

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. **CITY SECRETARY'S OFFICE**)

1. BSC P&Z      2. CRC Board of Adjust      3. CRC

Yes, I would be interested in serving on subcommittees that may be formed.

I'd be happy to serve at the pleasure of the mayor + council in whatever capacity they see I could do for the community

PERSONAL INFORMATION	
Home Address:	<u>4607 FOREST PARK RD</u>
Telephone:	<u>972-208-2662</u> Fax: _____
E-mail:	<u>szuehlke@cinemark.com</u>
Plano Resident for	<u>4</u> years      County: <u>Collin</u>
Drivers License #:	<u>145-12769</u>
*Voter Registration #:	<u>408614</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>Cinemark Theatres</u>
Occupation:	<u>Vice President - Int'l Operations</u>
Address:	<u>3900 N. Dallas Pkwy #300</u>
Telephone:	<u>9-665-1000 ext 1044</u> Fax: <u>9-665-6016</u>
E-mail:	<u>szuehlke@cinemark.com</u>
Business owner?	yes: _____ no: <input checked="" type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>Responsible for implementation of fire safety (including review) programs for public assembly</u>	<u>is: motion picture theatres in 13 countries; includes reviewing building plans &amp; layouts with specific attention to integrated Cinemark theatres PLANO</u>	<u>13+ years</u>

How would you use this experience to benefit the City?  
Bring forth my experience in business arena to public administration  
of & the benefits to the city.

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.  
none of which I am aware

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Signature

3 Aug '02  
Date

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided in this application may be available to the public upon request.

I will attend the following reception: (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
6-7 p.m.  
Maribelle Davis Library  
7501 Independence Parkway

Saturday, August 10, 2002  
2-3 p.m.  
Plano Municipal Center  
Training Room A  
1520 K Avenue

**Mail completed application to:**  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

ADS

**CULTURAL AFFAIRS COMMISSION  
(2 Year Terms/ 7 Members)**

**Positions Available – 2 INTERIM & CHAIR  
Resignation of Stephanie Caudill – Member and Chair  
L. Kenyon Elliott - Member**

**2 INTERIM POSITIONS:**

Term Expiring 10/03: \_\_\_\_\_

Term Expiring 10/04: \_\_\_\_\_

**CHAIR:** \_\_\_\_\_

**SHORT LIST CREATED SEPTEMBER 3, 2002**

Martin Greenblatt  
Mary F. Long (appointed to Parks and Recreation Planning Board)  
Patricia Madigan

**ADDITIONAL APPLICANTS**

- 3(3) Alan Bosetta
- 1(3) Sherilyn Godfrey Bening
- 4(5) Wilton J. Hollins
- 1(2) Van W. Landrum
- 3(3) Bob Mitchell (appointed to Keep Plano Beautiful)
- 2(2) Samir Pattni OD
- 3(3) Sheree Peng
- 1(2) Hilda A. Lopez Rodini
- 2(3) James "Jim" A. Ruff
- 3(3) Cindy Shortnacy
- 2(3) Stephen Spisak
- 3(3) Stella Mercedes Veal (current member of Community Relations/apptd to Plano Transition and Revitalization)
- 3(3) Jerry A. Wells (appointed to Senior Citizens Advisory Board)
- 3(5) Jeffrey Wilshire (appointed to Keep Plano Beautiful)

<b><u>MEMBERS</u></b>	<b><u>TERM EXPIRES</u></b>
Stephanie Caudill	10-03
L. Kenyon Elliott	10-04
Pamela Sue Farmer	10-03
Beth O'Neal	10-03
Stella Linn	10-04
C. Larry Tucker	10-04
Anthony Veal	10-04

**Elaine Bealke**

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**From:** Sabrina Hamilton  
**Sent:** Wednesday, January 29, 2003 15:04  
**To:** Elaine Bealke  
**Subject:** Cultural Affairs Commission

Elaine,

*and member*

This is to notify you that Stephanie Caudill has notified me that she is resigning effective immediately as Chair of the Cultural Affairs Commission. She will send me a letter to that affect and I will forward to you.

In the meantime, I will ask Larry Tucker, our Vice Chair, to conduct the meeting on Monday, February 3.

**Sabrina Hamilton**

**Creative Arts Coordinator**

**City of Plano**

**972.941.5201**

*M*

1/29/2003

CITY BOARDS AND COMMISSIONS

DATE: October 2002

Cultural Affairs Commission

Ordinance No. 91-2-9, 92-6-20, 96-8-23,  
2002-4-6 (CO 2-251)

Terms: 2 years, 7 members "No members of the commission shall have served on the board of an affected cultural affairs organization, agency, or group for the previous 12 months."

Meetings: 1st Monday, 7:00 p.m.

Municipal Center South, 1409 K Avenue

Staff: Sabrina Hamilton  
Jim Wear

Council Liaison: Mayor Pro tem Phil Dyer and  
Deputy Mayor Pro tem Steve Stovall

Chair: Stephanie Caudill

MEMBER

DATE ORIGINAL APPOINTMENT

DATE LAST REAPPOINTED

PRESENT TERM EXPIRES

Stephanie Caudill  
6617 Biltmore Place  
Plano, TX 75023  
972/398-2260 (h)  
e-mail: caudillsl@msn.com  
Interim term - replaced Raymond Wirth  
Apptd Chair 10/02  
**RESIGNED 1/03**

11-2-98  
09-10-01

10-31-03

L. Kenyon Elliott  
2800 Boone Court  
Plano, TX 75023  
972-596-6519 (h) 972-758-9979 (f)  
e-mail: 2800boone@attbi.com  
Replaced Mitzi Eisenscher  
**RESIGNED 1/03**

10-23-00

07-22-02

10-31-04

Pamela Sue Farmer  
2605 Laurel Lane  
Plano, TX 75074  
(972) 881-8889 (h) (469) 259-2371 (o)  
(469) 259-9089 (f)  
e-mail: pamela1902@aol.com  
Replaced Gay Lyne Tarango

9-24-01

10-31-03

Beth O'Neal  
6529 Crockett Court  
Plano, TX 75023  
972-517-5108(h)  
e-mail: bethandlee@earthlink.net

09-10-01

10-31-03

Stella Linn  
4520 Longfellow Drive  
Plano, TX 75093  
972-596-7688 (h) 214-749-2661 (o)  
214-749-3669 (of)  
e-mail (h): slin81@aol.com e-mail (o): slinn@dart.org  
Replaced Elena Rohweder-Turner

09-09-02

10-31-04

C. Larry Tucker  
3913 Sonora Drive  
Plano, Tx 75074  
972-424-0144 (h) 972-422-1722 (f)  
469-752-8151 (o) 469-752-8039 (o/f)  
e-mail: larry.tucker@attbi.com (h)  
e-mail: ltucker@psd.edu (o)  
Replaced Raul Rodriguez

10-23-00

07-22-02

10-31-04

Anthony "Tony" Vea  
7805 Hamburg Court  
Plano, TX 75025  
972-351-3105 (cell/primary) 972-527-9407 (h)  
e-mail (o): Anthony.vea@cingular.com  
Replaced Pat Warren

09-09-02

10-31-04

Amended @  
BOARD OR COMMISSION

CITY OF PLANO

Reception  
CANDIDATE APPLICATION  
RECEIVED

Applications are due August 22, 2002

no: Alan Bosetta

AUG 01 2002

(Please print legal name and your name as you wish it to appear, if different.) CITY SECRETARY'S OFFICE

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. Technology Commission (3) Library Adv. Bld. (2) Cultural Affairs Com

Yes, I would be interested in serving on subcommittees that may be formed.

**PERSONAL INFORMATION**

Home Address: 7200 Crayson Drive  
 Telephone: 972 4917401 Fax:  
 E-mail: albosetta@aol.com  
 Plano Resident for 5 years County: Collin  
 Drivers License #: 075 46900 + 07546900  
 \*Voter Registration #: 641015

**OCCUPATIONAL INFORMATION**

Business Name: KLA - Tencor  
 Occupation: Sr. Consultant  
 Address: 1400 Firman Drive, Richardson  
 Telephone: 972 6648384 Fax: 972 6900341  
 E-mail:  
 Business owner? yes: no:

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
KLA - Tencor	Richardson	5
Annual Seminars	Arlington	2

How would you use this experience to benefit the City?

More than 12 years Technical professional experience that would help in making advice and recommendations for the benefit of citizens of Plano.

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

None

**Statement of Intent**

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote

Signature: [Handwritten Signature]

Date: 07/29/02

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
 6-7 p.m.  
 Marjorie Davis Library  
 7500 Independence Parkway

Saturday, August 10, 2002  
 2-3 p.m.  
 Plano Municipal Center  
 Training Room A  
 1520 K Avenue

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided in this application may be available to the public upon request.

Rev. 05 02  
Lili

Mail completed application to:  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

AD5

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002  
 Name: SHERILYN GODFREY-BENING **RECEIVED**  
AUG 05 2002  
(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, ex. KPB)  
 1. CULTURAL 2. KEEP PLANO BEAUTIFUL 3. CITY SECRETARY'S OFFICE TALKS & RECEPTION

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>7008 JASPEL DRIVE</u>
Telephone:	<u>972.633.9272 (same)</u>
E-mail:	<u>wmfort@attbi.com</u>
Plano Resident for:	<u>32</u> years County: <u>COLLIN</u>
Drivers License #:	<u>04510002</u>
*Voter Registration #:	<u>256958</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>PARALEGAL</u>
Occupation:	<u>SELF-EMPLOYED</u>
Address:	
Telephone:	
Fax:	
E-mail:	
Business owner?	yes: <input type="checkbox"/> no: <input type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>PLANO SYMPHONY BOO</u>	<u>PLANO</u>	<u>4 YRS</u>

How would you use this experience to benefit the City?

IN THE PAST, I SERVED IN BOARD POSITIONS W/ GIRL SCOUTS 4-H; BOY SCOUTS; STARTED VOLUNTEER READING PROGRAM; JUNIOR LEAGUE

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

NONE

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Sherilyn Godfrey Bening  
Signature

August 3, 2002  
Date

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
 6-7 p.m.  
 Marbelle Davis Library  
 7501 Independence Parkway

Saturday, August 10, 2002  
 2-3 p.m.  
 Plano Municipal Center  
 Framing Room A  
 1520 K Avenue

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided in this application may be available to the public upon request.

Mail completed application to:  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

*CC ASD*

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

Name: MARTIN GREENBLATT

(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. CULTURAL AFFAIRS COMMISSION

3.

**RECEIVED**

**AUG-20 2002**

Yes, I would be interested in serving on subcommittees that may be formed.

**CITY SECRETARY'S OFFICE**

PERSONAL INFORMATION	
Home Address:	<u>2304 CLARIDGE CIRCLE</u>
Telephone:	<u>972-596-6833</u> Fax: <u>972-612-1113</u>
E-mail:	<u><del>AGREENBLATT@AT&amp;T.COM</del> Mjgreenblat@attbi.com</u>
Plano Resident for	<u>25</u> years County: <u>COLLIN</u>
Drivers License #:	<u>05731433</u>
*Voter Registration #:	<u>106340</u>

OCCUPATIONAL INFORMATION	
Small Business Development Ctr.	Business Name: <u>COLLIN COUNTY COMMUNITY COLLEGE</u>
Occupation:	<u>COUNSELOR COORDINATOR</u>
Address:	<u>4800 PRESTON PARK BLVD SUITE A126</u>
PLANO 75093	Telephone: <u>972-985-3770</u> <u>972-985-3775</u>
E-mail:	<u>Mjgreenblat@<del>cccc.edu</del> ccccd.edu</u>
Business owner?	yes: <input type="checkbox"/> no: <input checked="" type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>CIVIC CENTER ADVISORY BOARD</u>	<u>PLANO</u>	<u>11-14-88 - 6/25/98</u>
<u>VISION 2015 AD HOC COMMITTEE / GOVERNANCE SUB COMMITTEE</u>		<u>12/98 - 10/99</u>

How would you use this experience to benefit the City?

THE EXPERIENCE HAS GIVEN ME AN INSIGHT INTO MAKING BETTER DECISIONS THAT AFFECT BOTH THE CITY AND THE PUBLIC.

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

NONE

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Martin Greenblatt  
Signature

8/20/02  
Date

pliance with Chapter 562, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Rev. 05-02

dd

<p>Mail completed application to: City of Plano City Secretary P.O. Box 860358 Plano, TX 75086-0358</p>	<p><u>ADS</u></p>
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# Amended CITY OF PLANO Reception BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

RECEIVED

Name: WILTON J. HOLLINS

JUL 24 2002

(Please print legal name and your name as you wish it to appear, if different.)

**CITY SECRETARY'S OFFICE**

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. COMMUNITY RELATIONS COMM 2. CIVIL SERVICE COMM. 3. PLANO HOUSING AUTHORITY

Yes, I would be interested in serving on subcommittees that may be formed.  
 (4) Cultural Affairs (5) TAC

PERSONAL INFORMATION	
Home Address:	<u>4512 ATLANTA DRIVE</u>
Telephone:	<u>972 943-9395</u> Fax: <u>469 241-2157</u>
E-mail:	<u>WILTONHOLLINS@MSN.COM</u>
Plano Resident for	<u>1</u> years County: <u>COLLIN</u>
Drivers License #:	<u>09350747</u>
*Voter Registration #:	<u>648378</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>LIFECARE HOSPITALS OF PLANO</u>
Occupation:	<u>DIRECTOR OF HUMAN RESOURCES</u>
Address:	<u>6800 PRESTON RD</u>
Telephone:	<u>469 241-2139</u> Fax: <u>469-241-2157</u>
E-mail:	<u>WILTONH@LIFECARE-HOSPITALS.COM</u>
Business owner?	yes: <input type="checkbox"/> no: <input checked="" type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>RIB BROTHERS / BIG SISTERS</u>	<u>DALLAS</u>	<u>3</u>
<u>HUMAN RESOURCES</u>	<u>PLANO</u>	<u>10</u>

How would you use this experience to benefit the City?

CONTINUED

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

NONE

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

[Signature]  
Signature

July 23, 2002  
Date

Compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Mail completed application to:

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

[Signature]  
[Signature]

Continued

My many years of experience in employee relations which include grievance settling, being an arbiter in wage and salary issues, policy interpretation and etc. translates well with work that would be accomplished while serving on the city's Community Relations, Housing Authority or Civil Service Commissions.

I have an extreme interest in seeing our community maximize its potential. Volunteering with Big Brothers and Big Sisters for a number of years has offered me an opportunity to serve those that need it the most, our kids.

My involvement with Alpha Phi Alpha Fraternity Inc. has given me many other avenues to serve our community whether it is from cleaning up certain areas to participating in food drives.

Plano is a great city to live, work and play in and I would like to do my part in making sure it remains that way.

A handwritten signature in black ink, consisting of stylized, cursive letters that appear to be 'ff'.

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

Name: Van W. Landrum

(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPBB)

Cultural Affairs       Technology      3. \_\_\_\_\_

Yes, I would be interested in serving on subcommittees that may be formed.

**RECEIVED**  
**AUG 08 2002**  
**CITY SECRETARY'S OFFICE**

PERSONAL INFORMATION	
Home Address: <u>7912 Pinkerton</u>	
Telephone: <u>972-517-0006</u> Fax: _____	
E-mail: <u>VLANDRUM@US.IBM.COM</u>	
Plano Resident for <u>6</u> years	County: <u>Collin</u>
Drivers License #: <u>10472294</u>	
*Voter Registration #: <u>491720</u>	

OCCUPATIONAL INFORMATION	
Business Name: <u>IBM</u>	
Occupation: <u>Tech Support - Mobile Computing</u>	
Address: <u>7912 Pinkerton Plano</u>	
Telephone: <u>972-280-2187</u> Fax: <u>972-280-2187</u>	
E-mail: <u>VLandrum@us.ibm.com</u>	
Business owner?      yes: _____	no: <u>5</u>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
① <u>Tuzer Ballet, Inc President</u>	<u>Richardson TX</u>	<u>2</u>
② <u>IBM Technical Support ebusiness, ecommerce, mobile computing</u>		<u>11</u>

How would you use this experience to benefit the City?

- ① I understand the needs of non profit arts groups
- ② Experience with Technology that would benefit the city

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

None

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Van Landrum \_\_\_\_\_  
Signature

Aug 4 - 2002 \_\_\_\_\_  
Date

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided application may be available to the public upon request.

I will attend the following meeting:

Thursday, August 8, 2002

Available City Secretary's Office

Thursday, August 11, 2002

\_\_\_\_\_

Plano Municipal Center  
Training Room 2  
5201 Rockledge Ln.

Mail completed application to:  
City of Plano  
City Secretary  
P.O. Box 860358  
Plano, TX 75087-0358

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

name: Mary F. Long

(Please print legal name and your name as you wish it to appear, if different.)

**RECEIVED**

**AUG 6 8 2002**

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable)

1. Parks & Recreation      2. Public Arts      3. Cultural Affairs

**CITY SECRETARY'S OFFICE**

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>5016 Andover Drive</u>
Telephone:	<u>972.423.3647</u> Fax: <u>      </u>
E-mail:	<u>bookmama@prodigy.net</u>
Plano Resident for:	<u>13+</u> years      County: <u>Collin</u>
Drivers License #:	<u>08781478</u>
*Voter Registration #:	<u>106867</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>Wilson Middle School PIS</u>
Occupation:	<u>Teacher - Librarian</u>
Address:	<u>1001 Custer Road</u>
Telephone:	<u>469.752.6727</u> Fax: <u>469.752.6827</u>
E-mail:	<u>mlong@pisd.edu</u>
Business owner?	yes: <u>   </u> no: <u>X</u>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>Library Advisory Board</u>	<u>Plano</u>	<u>5</u>
<u>on Plano Beautiful</u>	<u>Plano</u>	<u>3</u>

How would you use this experience to benefit the City?

I am always interested in the maintenance & improvement of our City.

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

N/A

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Mary F. Long  
Signature

07-29-02  
Date

In compliance with Chapter 552, Vernon's Texas Codes Annotated (Open Records Law), information provided in this application may be available to the public upon request.

Ref: 05-02  
*fh*

will attend the following meeting on the date and time indicated to the receptionist at applicant's office:

Thursday, August 8, 2002  
7:00 p.m.  
Maribel Davis Library  
2700 Independence Parkway

Saturday, August 10, 2002  
9:00 a.m.  
Plano Municipal Center  
Training Room A  
1520 Calverne

**Mail completed application to:**  
City of Plano  
City Secretary  
P.O. Box 860358  
Plano, TX 75086-0358

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

name: PATRICIA MADIGAN  
(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. Cultural Affairs      2. Planning and Zoning      3. Technology Commission

Yes, I would be interested in serving on subcommittees that may be formed.

**RECEIVED**

JUL 30 2002

PERSONAL INFORMATION	
Home Address: <u>1900 Smith Dr</u>	
Telephone: <u>972 517-1343</u> Fax: _____	
E-mail: <u>patricia.madigan@mindspring.com</u>	
Plano Resident for <u>12+</u> years      County: <u>Collin</u>	
Drivers License #: <u>12962968</u>	
*Voter Registration #: <u>171751</u>	

OCCUPATIONAL INFORMATION	
Business Name: <u>ADC Telecommunications</u>	
Occupation: <u>Manager</u>	
Address: <u>2422 Campbell Creek Richardson</u>	
Telephone: <u>972 680-6740</u> Fax: _____	
E-mail: <u>patricia-madigan@adc.com</u>	
Business owner?      yes: _____      no: <input checked="" type="checkbox"/>	

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>Plano Symphony</u>	<u>write program notes, pre-concert lectures</u>	<u>11 years</u>
<u>and Community Band</u>	<u>executive director</u>	<u>1995-2000</u>

How would you use this experience to benefit the City?

Encourage groups that want to make Plano a better place to be and be proud of the community.

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

None

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Patricia Madigan  
Signature

7-27-02  
Date

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
6-7 p.m.  
Maribelle Davis Library  
7501 Independence Parkway

Saturday, August 10, 2002  
2-3 p.m.  
Plano Municipal Center  
Training Room A  
1520 K Avenue

*Not sure which one she will attend yet*

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided in this application may be available to the public upon request.

Mail completed application to:  
City of Plano  
City Secretary  
P.O. Box 860358  
*\* Attached*

# CITY OF PLANO

## BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002 AUG 12 2002

Name: ROBERT W. Mitchell (Bob Mitchell) CITY SECRETARY'S OFFICE

(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. Keep Plano Beautiful 2. Parks + Rec Plng Bd 3. Cultural Affairs

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>3304 San Simeon Way</u>
Telephone:	<u>972-618-3040</u> Fax: _____
E-mail:	_____
Plano Resident for:	<u>25</u> years County: <u>Collin</u>
Drivers License #:	<u>10502800</u>
*Voter Registration #:	<u>216962</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>Hewlett-Packard</u>
Occupation:	<u>Business Development Mgr</u>
Address:	<u>3304 San Simeon Way</u>
Telephone:	<u>972-618-3040</u> Fax: _____
E-mail:	_____
Business owner?	yes: _____ no: <u>X</u>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>see attachment</u>		

How would you use this experience to benefit the City?

Stimulate positive activity among homeowners' assns;  
Utilize City resources to achieve results.

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

None

I will attend the following reception. Attendance is limited to one reception per applicant.

Thursday, August 8, 2002  
 6:00 PM  
 Marlene Davis Library  
 7501 Independence Parkway

Saturday, August 10, 2002  
 11:00 AM  
 Plano Municipal Center  
 Training Room A  
 1520 K Avenue

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

RMitchell  
 Signature

8-9-02  
 Date

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Mail completed application to:

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

RWS

August 9, 2002

## Attachment to Board or Commission Candidate Application

Previous Board, Commission, Civic, or Community Service:

Organization: Forest Creek Homeowners' Assn  
Location: Plano, TX  
Years: 1990 to Present

Organization: Plano Homeowners' Council  
Location: Plano, TX  
Years: 1997-1999

Organization: St. Elizabeth Ann Seton Church  
Location: High School Sunday school teacher  
Years: 1993 - Present

My resume is attached.

Bob Mitchell  
3304 San Simeon Way  
Plano, TX 75023  
972-618-3040

# Robert W. Mitchell

---

## Summary of qualifications

- Superior performance in national and regional sales, channel development, and staff positions with leading companies in the computer industry.
- Twelve years community service as a board member of a homeowners' association.
- Nine years volunteer service as a high school Sunday school teacher.

## Professional experience

- 2000-Present                      Compaq Computer Corporation                      Dallas, TX  
**Business Development Manager**  
Exceeded \$650M revenue goal in 2001. Designed & implemented sales programs for the small & medium business market in the central US. Developed a network of 70 value-added resellers in 13 states. Currently ranked #1 in US.
- 1997-2000                          Compaq Computer Corporation                          Dallas, TX  
**Workstation Account Manager**  
Exceeded revenue goals by generating demand through value-added resellers and end-user customers in Texas, Oklahoma, and Arkansas.
- 1997                                  Perot Systems Corporation                                  Dallas, TX  
**Senior Sales Executive**  
Sold technical consulting services to large and mid-sized companies in Dallas and San Antonio. Led service delivery teams.
- 1995 - 1997                          Sun Microsystems, Inc.                                  Dallas, TX  
**MCI National Account Manager**  
Managed Sun's relationship with MCI nationally. Developed and coordinated a computer sales and service team in 11 US buying locations.
- 1989 - 1995                          Sun Microsystems, Inc.                                  Dallas, TX  
**Sales Representative**  
Exceeded quota every year. Established new computer buying relationships with Fortune 1,000 companies.
- 1988 - 1989                          Apple Computer, Inc.                                  Dallas, TX  
**District Sales Manager**  
Led the corporate accounts team consisting of 8 sales and support personnel with an annual quota of \$34M. Ranked #2 nationally in 1988.
- 1987 - 1988                          Digital Equipment Corporation                          Dallas, TX  
**National Account Manager**  
Led a team of 5 computer sales representatives assigned to E-Systems in 6 buying locations.
- 1984 - 1987                          Digital Equipment Corporation                          Oklahoma City, OK  
**Sales Unit Manager**  
Led a team of computer sales reps selling to business, education, OEM, and

ll

government organizations. Grew the business from \$3M to \$10M annually.

1978 - 1984                      Digital Equipment Corporation                      Dallas, TX  
**Account Manager**

Developed new accounts in the cosmetics, food, electronics, and chemical industries.

1973 - 1978                      Digital Equipment Corporation                      Marlboro, MA  
**Inventory Planning Supervisor**

Developed inventory plans for a \$100M microcomputer, terminal, and computer accessory division.

1972                                      Breakthrough Corporation                                      Acton, MA  
**Purchasing Agent**

Purchased building materials for a modular housing manufacturer.

1971 - 1972                      Boise Cascade Corporation                      Shippensburg, PA  
**Purchasing Agent**

Planned and purchased components for production of recreational vehicles.

1969 - 1971                      RCA Computer Systems Division                      Marlboro, MA  
**Buyer**

Purchased maintenance, repair, and engineering supplies, equipment, and contractual services.

1967 - 1969                      US Army

**First Lieutenant, Infantry**

Various overseas and domestic assignments.

**Education**

1975 - 1980                      Worcester Polytechnic Institute                      Worcester, MA  
**MS, Management Science and Engineering**

1963 - 1967                      Loyola College                                      Baltimore, MD  
**BS, Economics**

**Community activities**

1993-Present – High School Sunday school teacher.

1990-Present – President and director positions for homeowners association.

1997-1999 – Director, Plano Homeowners Council.

**Awards received**

2000 – Gold Quest winner, Compaq Computer Corporation

1995 – Sales Rep of the Year for North America, Sun Microsystems.

1979-2001 – Recognized for exceeding annual sales goals 14 times.



# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

Name: SAMIR PATTNI O-D

(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. ANIMAL SHELTER      2. CULTURAL AFFAIRS      3. \_\_\_\_\_

**RECEIVED**  
**JUL 22 2002**

Yes, I would be interested in serving on subcommittees that may be formed.

**CITY SECRETARY'S OFFICE**

PERSONAL INFORMATION	
Home Address: <u>600 KITE CRT</u>	
Telephone: <u>972-977-6034</u>	Fax: _____
E-mail: _____	
Plano Resident for <u>5</u> years	County: <u>COLLIN</u>
Drivers License #: <u>12633753</u>	
*Voter Registration #: <u>666448 - effective 8-30-02</u>	

OCCUPATIONAL INFORMATION	
Business Name: <u>COLLIN OPTIC EYE CLINIC</u>	
Occupation: <u>OPTOMETRIST</u>	
Address: <u>2237 WILSON STREET</u>	
Telephone: <u>972-596-3800</u>	Fax: _____
E-mail: _____	
Business owner?	yes: <input checked="" type="checkbox"/> no: <input type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>PLANO COMMUNITY CHARITY</u>	<u>PLANO</u>	<u>5+</u>

How would you use this experience to benefit the City?

PROVIDE A PERSPECTIVE FROM AN ETHNIC BACKGROUND. ALSO PROFESSIONAL/BUSINESS OWNER.

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

N/A

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

\_\_\_\_\_  
Signature

07/17/02  
Date

Compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Rev. 05-02 [Signature]

I will attend the following reception (Attendance is limited to one reception per applicant)

Thursday, August 8, 2002  
6-7 p.m.  
Mamelle Davis Library  
7501 Independence Parkway

Saturday, August 10, 2002  
2-3 p.m.  
Plano Municipal Center  
Training Room A  
1520 K Avenue

Mail completed application to:  
City of Plano  
City Secretary  
P.O. Box 860358  
Plano, TX 75086-0358

**ADS**

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

**RECEIVED**

Name: Sherree Peng  
(Please print legal name and your name as you wish it to appear, if different.)

JUL 22 2002

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPBB) **CITY SECRETARY'S OFFICE**

1. Retirement Security Plan Committee 2. TIF Reinvestment Zones No.1 Board 3. Cultural Affairs Commission

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>5905 Sandhills Cir. Plano</u>
Telephone:	<u>2144033934</u> Fax: _____
E-mail:	<u>Pengsherree@yahoo.com</u>
Plano Resident for	<u>13</u> years County: <u>Collin</u>
Drivers License #:	<u>02375151</u>
*Voter Registration #:	<u>436061</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>GE Financial Assurance</u>
Occupation:	<u>PFS</u>
Address:	<u>2575 Dallas Parkway Suite 200 Frisco</u>
Telephone:	<u>2144033934</u> Fax: _____
E-mail:	_____
Business owner?	yes: _____ no: <input checked="" type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years

How would you use this experience to benefit the City?

\_\_\_\_\_

\_\_\_\_\_

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

N/A

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

\_\_\_\_\_  
Signature

7/18/02  
Date

I will attend the following reception. (Attendance is limited to one reception per applicant.)

**Thursday, August 8, 2002**  
6-7 p.m.  
Marbelle Davis Library  
7501 Independence Parkway

**Saturday, August 10, 2002**  
2-3 p.m.  
Plano Municipal Center  
Training Room A  
1520 K Avenue

in compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

**Mail completed application to:**  
City of Plano  
City Secretary  
P.O. Box 860358  
Plano, TX 75086-0358

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

nc: HILDA A. LOPEZ RODONI

(Please print legal name and your name as you wish it to appear, if different.)

**RECEIVED**

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPBA) **AUG 09 2002**

1. CULTURAL AFFAIRS Comm. 2. Community Relations Comm. 3. \_\_\_\_\_

**CITY SECRETARY'S OFFICE**

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address: <u>Area 3500 E. PARK BLVD, #2003A</u>	
Telephone: <u>(972) 943-0057</u> Fax: _____	
E-mail: <u>Chicazalea@aol.com</u>	
Plano Resident for <u>27</u> years County <u>COLLIN</u>	
Drivers License #: <u>19094897</u>	
*Voter Registration #: <u>587086</u>	

OCCUPATIONAL INFORMATION	
Business Name: <u>NATIONAL WRITE YOUR CONGRESSMAN</u>	
Occupation: <u>SALES REP.</u>	
Address: <u>9696 SKILLMAN STREET, DALLAS</u>	
Telephone: <u>SAME AS HOME</u> Fax: _____	
E-mail: <u>MY HOME IS MY OFFICE</u>	
Business owner? yes: _____ no: <input checked="" type="checkbox"/>	

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

<u>Organization</u>	<u>Location</u>	<u>Years</u>

How would you use this experience to benefit the City?

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

NONE

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote

Hilda A. Lopez Rodoni  
Signature

August 5, 2002  
Date

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
6-7 p.m.  
Maribelle Davis Library  
7501 Independence Parkway

Saturday, August 10, 2002  
1-3 p.m.  
Plano Municipal Center  
Training Room A  
1520 K Avenue

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided in this application may be available to the public upon request.

*pp*  
Rev. 05-02

Mail completed application to:  
City of Plano  
City Secretary  
P.O. Box 860358  
Plano, TX 75086-0358

*ADS*

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Name: JAMES (JIM) A. RUFF Applications are due August 22, 2002  
 (Please print legal name and your name as you wish it to appear, if different.)

**RECEIVED**  
AUG 22 2002

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPBJ)  
 1. PUBLIC ARTS COMM 2. CULTURAL AFFAIRS 3. HERITAGE COMM

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>1820 PLEASANT VALLEY</u>
Telephone: (972) <u>596-3568</u>	Fax: _____
E-mail:	_____
Plano Resident for <u>25</u> years	County: <u>25</u>
Drivers License #: <u>07257010</u>	<u>93291</u>
*Voter Registration #: <u>NOT WITHIN, BUT REGISTERED</u>	

OCCUPATIONAL INFORMATION	
Business Name:	<u>IDEA CONSTRUCTION</u>
Occupation:	<u>GENERAL CONTRACTOR</u>
Address:	<u>13650 FLOYD CIRCLE DALLAS</u>
Telephone: (972) <u>437-5146</u>	Fax: (972) <u>437-4659</u>
E-mail:	<u>JIMR@IDEACONSTRUCTION.COM</u>
Business owner?	yes: _____ no: <input checked="" type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>PLEASE SEE ATTACHED</u>		

How would you use this experience to benefit the City?

PLEASE SEE ATTACHED

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

CANNOT THINK OF ANY CONFLICTS - AS A CONTRACTOR WE TYPICALLY AVOID PUBLIC WORK.

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

[Signature]  
Signature

8/20/02  
Date

Mail completed application to:  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

Compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

**James A. Ruff**

1820 Pleasant valley  
Plano, Texas 75023

Home: (972)596-3568  
Office: (972)427-5746

---

I have always been involved with volunteer programs since moving to Texas in 1973, and to Plano in 1977. Approximately 14 years were spent volunteering on different The Associated General Contractors of America committees. As my children became of age, I change my focus to volunteering my time working with children in the community. I did this for approximately 12 years. My children are now in high school and college and I would like to volunteer my time working in community activities.

My 28 years in commercial general contracting and my architectural background bring experience that should benefit most committees.

**Education**

Kansas State University, Manhattan, Kansas  
Bachelor of Architecture  
Bachelor of Science Building Construction

**Involvement in Professional and Civic Activities**

Member for three years, Dallas Associated General Contractors (AGC) Specialty Management Programs Committee, serving two years as Chairman.

Member for four years, Dallas AGC Education Management Programs Committee, serving one year as Chairman.

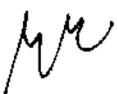
Member for seven years, AIA / AGC Joint Liaison Committee.

Taught Continuing Education courses sponsored by the Dallas County Community College District and the Dallas AGC.

Taught construction courses for National Association of Women in Construction (NAWIC).

Coached boys soccer and baseball, with over 28 seasons of play, for PYSA, PSA and PBA. Served for two seasons each as League Director for soccer and baseball for Plano Sports Authority.

Past Den Leader and Assistant Cubmaster for Pack 261, Plano, Texas.



**CITY OF PLANO**  
**BOARD OR COMMISSION CANDIDATE APPLICATION**

Applications are due August 22, 2002  
 ne: Cindy Shortnacy  
 (Please print legal name and your name as you wish it to appear, if different.)

**RECEIVED**  
**AUG 05 2002**

Please indicate Board(s) / Commission(s) preferences (abbreviated board/commission names are acceptable).

1. Planning + Zoning Commission 2. Plano Housing Authority Cultural Affairs Commission

Yes, I would be interested in serving on subcommittees that may be formed.

**PERSONAL INFORMATION**

Home Address: 3109 Appalachian Way  
 Telephone: 469-467-8082 Fax: 469-467-8022  
 E-mail: MC Shortnacy@AOL.com  
 Plano Resident for 1 years County: Collin  
 Drivers License #: 06926354  
 \*Voter Registration #: 642043

**OCCUPATIONAL INFORMATION**

Business Name: Tandem Mortgage  
 Occupation: Sr. Loan Officer  
 Address: 2530 W White St #200  
 Telephone: 972-569-9200 Fax: 972-569-9090  
 E-mail: TandemEquity.com  
 Business owner? yes: no

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>None</u>		

How would you use this experience to benefit the City?

the more I know the better I can help the City

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

None

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
 6-7 p.m.  
 Maribelle Davis Library  
 7501 Independence Parkway

Saturday, August 10, 2002  
 2-3 p.m.  
 Plano Municipal Center  
 Training Room A  
 1520 K Avenue

**Statement of Intent**

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Cindy Shortnacy  
 Signature

7-31-02  
 Date

\* In compliance with Chapter 352, Vernon's Texas Codes Annotated, (Open Records Law), information provided in this application may be available to the public upon request.

Mail completed application to:  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

*ADS*

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

RECEIVED

Name: Stephen Spisak

AUG 21 2002

(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KP8) **CITY SECRETARY'S OFFICE**

1. PARKS & RECREATION 2. CULTURAL AFFAIRS 3. Library Advisory Board

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>Stephen Spisak 2600 Preston Dr # 1206</u>
Telephone:	<u>9-964-0419</u> Fax: _____
E-mail:	<u>STEPHEN - SPISAK @ SCHIRMERENG.COM</u>
Plano Resident for	<u>4</u> years County: <u>Collin</u>
Drivers License #:	<u>032 00675</u>
*Voter Registration #:	<u>616631</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>Schirmer Eng. Corp</u>
Occupation:	<u>SE DRAFTER</u>
Address:	<u>1701 N Collins # 235 75088</u>
Telephone:	<u>9-234-1617</u> Fax: <u>9-234-2753</u>
E-mail:	<u>SAME</u>
Business owner?	yes: _____ no: <u>X</u>

Cell: 469-231-2520

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>Salvation Army</u>	<u>GRAYSON CO</u>	<u>7</u>
<u>2000 BEST/NT-BEST</u>	<u>Collins &amp; Grayson</u>	<u>4</u>

How would you use this experience to benefit the City?

HAVE A OPEN MIND ON SITUATIONS  
BE A TEAM PLAYER.

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

NONE KNOWN OF

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission, if appointed. I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

[Signature]  
Signature

8/21/02  
Date

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

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Mail completed application to:  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

ADS

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

**RECEIVED**

Name: Stella Mercedes Vea  
(Please print legal name and your name as you wish it to appear, if different.) AUG 21 2002

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KP) **CITY SECRETARY'S OFFICE**

1. Plano Transition + Revitalization 2. Planning + Zoning 3. Cultural Affairs

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address: <u>7805 Hamburg Court</u>	
Telephone: <u>(972) 527-9407</u>	Fax: <u>(972) 527-9407</u>
E-mail: <u>fitone@flash.net</u>	
Plano Resident for <u>8</u> years	County: <u>Collin</u>
Drivers License #: <u>09263342</u>	
*Voter Registration #: <u>I use my drivers license.</u>	

OCCUPATIONAL INFORMATION	
Business Name: <u>Collin County United Way</u>	
Occupation: <u>Collin County Assistant Director</u>	
Address: <u>1800 N. Lamar</u>	
Telephone: <u>(214) 978-0098</u>	Fax: <u>(972) 527-9407</u>
E-mail: <u>fitone@flash.net</u>	
Business owner? yes: <input type="checkbox"/>	no: <input checked="" type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>Community Relations Commission</u>	<u>Plano</u>	<u>2</u>
<u>Leadership Plano Executive Board</u>	<u>Plano</u>	<u>2</u>

How would you use this experience to benefit the City? After having spoken with several City Council members, I want to participate to further Plano's excellence by concentrating on maintaining our quality of life in a maturing city.

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

I have no conflicts of interest

I will attend the following reception (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
 6:30 p.m.  
 Maribelle Davis Library  
 7501 Independence Parkway

Saturday, August 10, 2002  
 7:30 p.m.  
 Plano Municipal Center  
 Training Room A  
 1370 K Avenue

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Stella M. Vea  
Signature

August 19, 2002  
Date

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

**Mail completed application to:**  
 City of Plano  
 City Secretary *MU*  
 P.O. Box 860358  
 Plano, TX 75086-0358 *ADS*

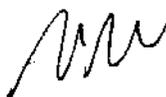
Stella Mercedes Vea

**Community Relations Board Commissioner**  
**Leadership Plano Class XVIII Executive Board**  
**Junior League of Plano**  
**Plano Symphony Guild**  
**Sister Cities**  
**Rotary Guest Speaker**

**(Curriculum Chair)**  
**(Chair, Susan Komen Pasta Dinner)**  
**(Chair, Valentine's Gala)**  
**(Chair, Brampton/Mexico )**

**DFW Asian American Citizens Council**  
**LULAC**  
**Metroplex Heritage Alliance**  
**Heritage Farmstead Museum Guild**  
**Leadership Odyssey**  
**Plano Futures PISD Intern**  
**HOSTS**  
**Plano Junior Achievement**  
**Literacy for Life Adult Literacy Mentor**  
**Legal Services of Dallas**

**Live from Plano**  
**Volunteer of the Year Nominee**  
**Women Who Make A Difference Nominee**  
**Plano Forum**  
**Children's Medical Center**  
**HFM Docent**  
**Plano VIP**  
**Plano Balloon Festival**  
**Senior Center Instructor**  
**Collin County Community College Instructor**  
**PISD Centennial Celebration**  
**PISD History Judge**  
**PISD Science Judge**  
**Teen Summit**  
**Race for the Cure**  
**March of Dimes**  
**Plano's Very Special Arts**  
**Kidsfest**  
**Plano International Preschool**



# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002  
 ne: Jerry A. Wells  
 (Please print legal name and your name as you wish it to appear, if different.)

**RECEIVED**

**AUG 09 2002**

Please indicate Board(s) / Commission(s) preferences; (abbreviated board/commission names are acceptable, eg. KPB)  
 1. Senior Citizens Advisory Board 2. Public Arts Committee 3. Cultural Affairs Comm

Yes, I would be interested in serving on subcommittees that may be formed.

**PERSONAL INFORMATION**

Home Address: 3313 MELANIE LAVE  
 Telephone: 972 618 4912 Fax: \_\_\_\_\_  
 E-mail: bj.wells@verizon.net  
 Plano Resident for 16 years County: Cotton  
 Drivers License #: 3170244 TX  
 \*Voter Registration #: 195528

**OCCUPATIONAL INFORMATION**

Business Name: Law Office of Jerry A Wells  
 Occupation: Attorney  
 Address: 1400 PRESUM RD STE 200 PLANO  
 Telephone: 972 867-0663 Fax: 972 867-8691  
 E-mail: Wellsjerrya@hotmail.com  
 Business owner? yes:  no: \_\_\_\_\_

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>Retirement Security Plan Committee</u>	<u>Plano</u>	<u>Late 1990's</u>
<u>1950 Board Issue - City of Plano Cochran Children's Museum</u>		<u>1989-90</u>
<u>and Homeowners Council</u>	<u>Plano</u>	<u>1986-88</u>
<u>3rd PISD Curriculum Committee</u>		

How would you use this experience to benefit the City?  
I have had many years experience handling city-citizen relationships

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.  
NONE

**Statement of Intent**

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.  
J. Wells  
 Signature

I will attend the following reception. Attendance is limited to one reception per applicant.

Thursday, August 8, 2002  
 Martine Davis Library  
 201 Independence Parkway

Saturday, August 10, 2002  
 10:30 am  
 Plano Municipal Center  
 Training Room A  
 1521 Avenue

HAVE ATTENDED SIMILAR RECEPTIONS FOR MY POST-SERVICE.  
8/6/02  
 Date

Mail completed application to:  
 City of Plano  
 City Secretary Wells  
 P.O. Box 860358  
 Plano, TX 75086-0358 AD

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided in this application may be available to the public upon request.

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

**RECEIVED**

AUG 16 2002

Name: Jeffrey Wilshire

(Please print legal name and your name as you wish it to appear, if different.)

**CITY SECRETARY'S OFFICE**

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. Technology Commission    2. Keep Plano Beautiful    3. Cultural Affairs Commission  
 4. Senior Citizens Advisory Board  
 5. Transportation Advisory Board

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address: <u>4449 White Rock Lane</u>	
Telephone: <u>972-277-2580</u> Fax: <u>972-280-5043</u>	
E-mail: <u>Wilshire@us.ibm.com</u>	
Plano Resident for <u>5</u> years	County: <u>Collin</u>
Drivers License #: <u>16035222</u>	
*Voter Registration #: <u>629524</u>	

OCCUPATIONAL INFORMATION	
Business Name: <u>IDM</u>	
Occupation: <u>Americus Market Intelligence Manager</u>	
Address: <u>1507 LBJ Freeway 4th Floor</u>	
Telephone: <u>972-280-6904</u> Fax: <u>972-280-5043</u>	
E-mail: <u>Wilshire@us.ibm.com</u>	
Business owner?	yes: <input type="checkbox"/> no: <input checked="" type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

<u>Organization</u>	<u>Location</u>	<u>Years</u>

How would you use this experience to benefit the City?

Have significant professional experience related to assessing technology and South America. Manage a team of professionals that provide business recommendations on emerging market and technology growth opportunities for hardware + software products. I believe this experience would be of value to benefit serving in the Technology Commission.

I also have significant International job experience and working with people from diverse business cultures.

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

\_\_\_\_\_  
*Jeffrey Wilshire*  
 Signature

August 14, 2002  
 \_\_\_\_\_  
 Date

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Mail completed application to:  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

*NK*

*AD*

## Jeffrey Wilshire

4449 White Rock Lane

Plano, Texas

(972) 280-6904 work

(972) 377-2580 home

wilshire@us.ibm.com

---

### PROFESSIONAL EXPERIENCE

#### **Americas Market Intelligence Manager - Software Group -- June 2002 to current IBM Corporation**

Responsibilities include:

- \_\_\_ Managing a team of 27 **market intelligence** professionals located throughout North America in the areas of database marketing, marketing research, competitive intelligence, marketplace assessment and statistical analytics.
- \_\_\_ Team supports IBM marketing/sales efforts for following Software/Middleware product portfolios (Websphere, Lotus, Tivoli, Data Management, and Linux).
- \_\_\_ Strategic focus on industry and customer-set (i.e. - large enterprise, medium business, small business) market intelligence.
- \_\_\_ Partner with SW product/industry/customer-set business units to develop strategic go-to-market plans including marketplace assessment, strategic business partner alliances, revenue objectives, audience definition, offer development, communications, channel enablement, response/lead management and fulfillment.
- \_\_\_ Development of marketing research proposals to gain key insights related to customers, prospects, industries, product development, etc. (i.e. - focus groups, surveys, customer workshops). Team manages approved proposals and summarizes learnings/insights for marketing organizations.
- \_\_\_ Subscription and monitoring of published research for applicability in SW marketing.
- \_\_\_ Active participation in overall marketing budget proposals.
- \_\_\_ Day to day management of departmental budget including program and headcount funding.
- \_\_\_ Ongoing career and skill development for employees.
- \_\_\_ Market Intelligence representative for internal "*breakthrough thinking*" committee.

#### **Americas Market Intelligence Manager - Hardware Group -- March 2000 to June 2002 IBM Corporation**

Similar responsibilities to current role within Software Group.

- \_\_\_ Managed a team of 20 market intelligence professionals based in both North American and South American geography's with overall market intelligence responsibility for 13 countries.
- \_\_\_ Team supported IBM marketing/sales efforts for Server products (i.e. - PC's, desktop/Intel, UNIX and Mainframe computers)
- \_\_\_ Standardizing direct marketing/ database marketing procedures and processes across Latin America.

55

**Market Intelligence Strategist (Latin America) -- January 1999 to March 2000**  
**IBM Corporation**

Responsibilities included:

- \_\_ Applying **market intelligence** in support of IBM marketing/sales efforts related to the Hardware product divisions (i.e. - database marketing, marketing research, and analytics/modeling).
- \_\_ Strategic marketing input into acquisition, customer expansion, and retention programs.
- \_\_ Development of target audience strategies and instructions for querying the database to build target audience data sets.
- \_\_ Experience working with direct mail, e-mail, telemarketing, direct response advertising, and a variety of web related communications.
- \_\_ External prospect list acquisition and negotiation.
- \_\_ Reporting and trending analysis to monitor the performance of marketing/sales campaigns

**Market Intelligence Strategist (North America) -- March 1997 to January 1999**  
**IBM Corporation**

Similar responsibilities to above with focus on supporting marketing/sales initiatives directed at companies within various manufacturing industries.

**(August 1985 to March 1997)** -- Experience with several major advertising/direct marketing agencies. Held several positions ranging from computer programmer to account executive in areas of advertising, direct marketing and database marketing. Strong financial, IT/computer and telecommunications industry experience.

**EDUCATION/ AWARDS/ MISC.**

**MBA, Marketing, Saint Louis University, Saint Louis, Missouri.**  
**Successfully completed 27 hours towards degree.**

**B.S.B.A., Management Information Systems, University of Arizona, Tucson, 1985**

**Guest lecturer at Southern Methodist University.**

**Public speaking experience to professional organizations.**

**Recipient of IBM Marketing Excellence Award - 1998 and IBM Vice President Marketing Award for the America's - 1999**

**References available upon request.**

*MB*

August 14, 2002

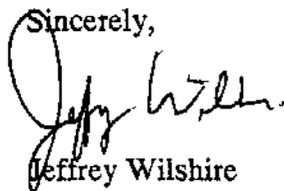
Thank you for reviewing my commission candidate application.

Having attended the reception last Saturday at the Plano Municipal Center, I can tell you that I am extremely interested in serving on a commission to benefit the city of Plano. My conversations with Scott Johnson and several of the commission members were both enjoyable and informational.

I believe that my experience at IBM would be very beneficial to the city. In my current role I manage a team of professionals that assess technology market conditions for both North and South America. We provide business recommendations on emerging markets and technology growth opportunities for both the hardware & software product brands.

The three commissions that I would be most interested in serving on would be the **Technology Commission**, **Keep Plano Beautiful Commission**, and the **Cultural Affairs Commission**. I would also be interested in participating in the **Senior Citizens Advisory Board** and **Transportation Advisory Board**.

Again thank you... and look forward to hearing from you.

Sincerely,  
  
Jeffrey Wilshire

*aaa*

## **INTERNATIONAL RELATIONS ADVISORY COMMISSION**

To be represented by the appointment of nine members, one each from the Chamber of Commerce, Plano Sister Cities, Plano Economic Development Board, and the Collin County Community College District and in addition five citizens.

A handwritten signature in cursive script, appearing to be the name "L. L. L.", located in the bottom left corner of the page.

**KEEP PLANO BEAUTIFUL COMMISSION**

(2 Year Terms/ 8 Members)

**Positions Available – 1 INTERIM**

(Resignation of Jason A. Teel – Term Expires 10-04)

1 INTERIM POSITION: \_\_\_\_\_

**SHORT LIST CREATED SEPTEMBER 3, 2002**

**Amy P. Morenz – Appointed to Library Advisory Board**

**ADDITIONAL APPLICANTS**

Johnye P. Cochran

Sandra “Sandy” Fletcher

Sherilyn Godfrey-Bening

Charles R. Nunemaker

David Simers

Wanda Stephens

Benjamin Westfried

James “Barry” B. Williams

**MEMBERS**

**TERM EXPIRES**

David James Gillespie

10-03

Robert “Bob” W. Mitchell

10-03

C. Edwin “Ed” Nalley

10-03

Barbara Gargiulo

10-04

Karen Minato

10-04

Jerrie Sue Orr

10-04

Jason Teel

10-04

Jeffrey Wilshire

10-04

**Elaine Bealke**

---

**From:** Robert Smouse  
**Sent:** Tuesday, January 28, 2003 15:41  
**To:** 'jim.mcgee1@worldnet.att.net'; 'Shep.Stahel@gte.net'  
**Cc:** Elaine Bealke; 'Karen Minato'; Jimmy Foster; Nancy Nevil; 'Minato, Karen (FLNA)'  
**Subject:** KPB Vacancy

I am sorry to inform you that Jason Teel has formally resigned from the Commission due to time constraints with his professional career as a real estate agent. Jason was not present for our annual training/planning meeting held Saturday, January 11<sup>th</sup> and sent an explanation for his absence and resignation. However, it has taken this long to try and determine if there was some way of working around his conflicts. Jason was assigned to the Business & Finance committee. Therefore, it would be very beneficial to replace his position with a candidate that has that specialty/experience to prevent additional setbacks with the other committees. Please let me know if you have any questions.

Robert Smouse  
Special Services Superintendent  
972-769-4199  
972-769-4219 (fax)  
roberts@plano.gov  
City of Plano  
P.O. Box 860358  
Plano, TX 75086-0358



1/29/2003

CITY BOARDS AND COMMISSIONS

DATE: October 2002

Keep Plano Beautiful Commission

Ordinance No. 87-1-18, 88-3-20, 92-6-20, 2002-4-20 (CO 16-206)

Terms: 2 years, 8 members  
 Meetings: 3rd Wednesday, 7:00 a.m. Keep Plano Beautiful, 4200 W. Plano Pkwy, Conference Room A  
 Staff: Jimmy Foster, Robert Smouse Council Liaison: Jim McGee and Shep Stahel  
 Chair: Karen Minato

<u>MEMBER</u>	<u>DATE ORIGINAL APPOINTMENT</u>	<u>DATE LAST REAPPOINTED</u>	<u>PRESENT TERM EXPIRES</u>
Jerrie Sue Orr 2905 Meadows Drive Plano, TX 75074 972-424-3624 (h) Replaced Kathryn A. Lehan	12-09-02		10-31-04
Karen E. Minato 2513 Sun Tree Lane Plano, TX 75025 972-491-5830 (h & f) 972-334-2107 (o) 972-334-6794 (o/f) e-mail(home): karenminato@hotmail.com e-mail(office): karen.minato@fritolay.com Replaced Cliff Chen Apptd Chair 10/02	12-18-00	07-22-02	10-31-04
Barbara Gargiulo 5000 Old Orchard Plano, TX 75023 972-424-9180 (h) 972-881-5790 (o) e-mail: barbaragargiulo@attbi.com Interim Appointment replacing Scott Jeffries	11-01-99	07-22-02	10-31-04
C. Edwin "Ed" Nalley 6517 Turtle Point Drive Plano, TX 75023 972-424-4714 (h/o) 972-424-5314 (f) e-mail: ed@esihbc.com Replaced Haworth	09-10-01		10-31-03
Robert "Bob" W. Mitchell 3304 San Simeon Way Plano, TX 75023 972-618-3040 Hm/Wk e-mail: bob.mitchell13@verizon.net Interim Appointment replacing Randall C. Roe	10-28-02		10-31-03
Jason A. Teel 4305 Hartford Drive Plano, TX 75093 972-769-9633 (h) 972-588-8238 (o) e-mail: <a href="mailto:jasoncteel@cbbv.com">jasoncteel@cbbv.com</a> Replaced Evelyn Sandberg	09-09-02	<b>RESIGNED 1/03</b>	10-31-04
Jeffrey Wilshire 4449 White Rock Lane Plano, TX 75024 972-377-2580 (h) 972-280-6904 (o) 972-280-5043 (f) e-mail: <a href="mailto:wilshire@us.ibm.com">wilshire@us.ibm.com</a> Replaced Corey Todres	09-09-02		10-31-04

*lll*

David James Gillespie      09-09-02  
4324 Stromboli Drive  
Plano, TX 75093  
972-985-8041 (h) 214-670-9085 (o)  
214-670-9102 (f)  
e-mail: dgillespie@totalshow.com

10-31-03

A handwritten signature in black ink, consisting of several loops and a long tail, located at the bottom left of the page.

# CITY OF PLANO

## BOARD OR COMMISSION CANDIDATE APPLICATION

**RECEIVED**

Applications are due August 22, 2002

AUG 22 2002

Name: Johnye P. Cochran  
(Please print legal name and your name as you wish it to appear, if different.)

**CITY SECRETARY'S OFFICE**

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPBB)

1. Building Standards      2. Parks & Recreation      3. Keep Plano Beautiful

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>2309 Bressington</u>
Telephone:	<u>972 578 8959</u> Fax: _____
E-mail:	<u>Johnyebank@aol.com</u>
Plano Resident for:	<u>34</u> years County: <u>Collin</u>
Drivers License #:	<u>09800842</u>
*Voter Registration #:	<u>223244</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>Wells Fargo Bank</u>
Occupation:	<u>Banking</u>
Address:	<u>4975 Preston Park #100, 75093</u>
Telephone:	<u>972 985 6975</u> Fax: <u>972 985 6813</u>
E-mail:	_____
Business owner?	yes: _____ no: <input checked="" type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

<u>Organization</u>	<u>Location</u>	<u>Years</u>

How would you use this experience to benefit the City?

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Johnye P. Cochran  
Signature

8/19/02  
Date

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
 8-7 p.m.  
 Maribelle Datas Library  
 7501 Independence Parkway

Saturday, August 10, 2002  
 2-3 p.m.  
 Plano Municipal Center  
 Training Room A  
 1520 K Avenue

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

**Mail completed application to:**  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

ADS

JPC

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

**RECEIVED**

Name: SANDRA FLETCHER "SANDY" AUG 10 2002  
(Please print legal name and your name as you wish it to appear, if different.)

**CITY SECRETARY'S OFFICE**

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPLM)

1. Plano Housing Aut. 2. Senior City Adv. 3. Keep Plano Beautiful

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address: <u>3312 LYNBROOK - Plano 75075</u>	
Telephone: <u>972-943-1512</u> Fax: <u>-</u>	
E-mail: <u>-</u>	
Plano Resident for <u>3</u> years	County: <u>Collin (27yr)</u>
Drivers License #: <u>02329881</u>	
*Voter Registration #: <u>60664</u>	

OCCUPATIONAL INFORMATION	
Business Name: <u>Expo Design Center</u>	
Occupation: <u>Project Super.</u>	
Address: <u>600 Accent</u>	
Telephone: <u>972-633-6500</u> Fax: <u>972-633-6506</u>	
E-mail: <u>-</u>	<u>x 3015</u>
Business owner? yes: <u>-</u> no: <u>X</u>	

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>People TEXAS with The City of Plano</u>	<u>Home DEPOT</u>	<u>4</u>
<u>Habitat for Humanity</u>	<u>CENTRAL Exp. - Plano</u>	<u>3</u>

How would you use this experience to benefit the City?  
Big Knowledge of CONSTRUCTION  
+ Remodel NEW

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.  
None

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
 6-7 p.m.  
 Maribelle Davis Library  
 7501 Independence Parkway

Saturday, August 10, 2002  
 2-3 p.m.  
 Plano Municipal Center  
 Training Room A  
 1520 K Avenue

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\*I affirm that I am qualified to vote.  
Sandy Fletcher  
Signature

8-10-02  
Date

Compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Rev. 06/02

**Mail completed application to:**  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

*ADS*

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

Name: SHERILYN GODFREY-BENING **RECEIVED**  
AUG 05 2002

(Please print legal name and your name as you wish it to appear, if different)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. CULTURAL      2. KEEP PLANO BEAUTIFUL      3. TALKS & RECREATION

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION	
Home Address:	<u>7008 JASPER DRIVE</u>
Telephone:	<u>972.433.9272 (same)</u>
E-mail:	<u>wmfort@attbi.com</u>
Plano Resident for:	<u>32</u> years      County: <u>COLLIN</u>
Drivers License #:	<u>04510002</u>
*Voter Registration #:	<u>256958</u>

OCCUPATIONAL INFORMATION	
Business Name:	<u>PARALEGAL</u>
Occupation:	<u>SELF-EMPLOYED</u>
Address:	_____
Telephone:	_____ Fax: _____
E-mail:	_____
Business owner?	yes: <input type="checkbox"/> no: <input type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>PLANO SYMPHONY BOO</u>	<u>PLANO</u>	<u>4 YRS</u>

How would you use this experience to benefit the City?

IN THE PAST, I SERVED IN BOARD POSITIONS W/ GIRL SCOUTS  
4-H; BOY SCOUTS; STARTED VOLUNTEER READING PROGRAM;  
JUNIOR LEAGUE

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

NONE

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Sherilyn Godfrey Bening  
Signature

August 3, 2002  
Date

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
6-7 p.m.  
Maribelle Davis Library  
7001 Independence Parkway

Saturday, August 10, 2002  
2-3 p.m.  
Plano Municipal Center  
Training Room A  
1520 K Avenue

In accordance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided in this application may be available to the public upon request.

**Mail completed application to:**  
City of Plano  
City Secretary  
P.O. Box 860358  
Plano, TX 75086-0358

*ASD*

*ML*

Amended @ Reception

CITY OF PLANO

BOARD OR COMMISSION CANDIDATE APPLICATION

Name: AMY J MORENZ

(Please print legal name and your name as you wish it to appear, if different.)

RECEIVED

JUN 25 2002

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

- 1. ~~PLANO HISTORICAL SOCIETY~~ 2. ~~PLANO~~ Keep Plano Beautiful Library Advisory

CITY SECRETARY'S OFFICE

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION
Home Address: 1044 SMO MICHEL
Telephone: 972 516 0175
E-mail: a.morenz.2002@yahoo.com
Plano Resident for 3 years County: Collin
Drivers License #: 05 114734
\*Voter Registration #: 539260

OCCUPATIONAL INFORMATION
Business Name:
Occupation: Freelance writer
Address: 1949 SMO MICHEL
Telephone: 972 516 0175
E-mail: morenz.2002@yahoo.com
Business owner? yes: [checked] no: [ ]

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):
Organization Location Years
Public relations, Connor Administration Republican women's club

Board, Friends Dallas Public Library, 2 yrs
Board, Addison Community Theatre, 2 years

How would you use this experience to benefit the City?
Volunteer, Dallas youth reporter for 10 years, covered Plano Schoolist Government, covered real estate, 5 yrs, Freelance writer, ART

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Signature: Amy J Morenz

Date: 6-25-02

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law). Information provided on this application may be available to the public upon request.

Mail completed application to: City of Plano, City Secretary, P.O. Box 860358, Plano, TX 75086-0358

Handwritten initials 'jss'

Handwritten initials 'ADJ'

Aug. 10, 2002

RECEIVED  
AUG 12 2002  
CITY SECRETARY'S OFFICE

City Secretary  
City of Plano  
PO Box 8603  
Plano, Tx 75086-0358

Thanks to the city council for hosting the meetings to gain candidates for boards and positions. I've completed a form and verbally indicated my interest in the Library Board as my top candidate. Here's some background:

I'm a former board member of the Friends of the Dallas Public Library  
I'm an active patron of Harrington Library, visiting weekly for my "load of books"  
I'm a lifelong reader and lover of the written word  
As a former journalist, I value the written word

Here's some of my past civic involvement

Board member, Friends of the Dallas Public Library  
Board member, Computer Literacy Program that rebuilt computers and gave them to the underprivileged  
Former board member, Addison Community Theater  
Volunteer, YWCA job training program for three years  
Member, Conner Harrington Republican Women

A resident of Plano for three years, I was also a reporter for the Plano Star Courier in the early 80s.

Thanks for your consideration.

Amy Morenz  
1949 San Miguel  
Plano, TX 75074  
972-516-0175



## **AMY MORENZ**

1949 San Miguel, Plano, Texas 75074  
972-516-0175, [morenz2001@yahoo.com](mailto:morenz2001@yahoo.com)

### **RESULTS-ORIENTED PUBLIC RELATIONS PROFESSIONAL**

Self-starter that implemented four public relations programs generating unprecedented media, trade analyst coverage. Interfaced with top executives to develop, shape delivery of key messages. Offers superior proven oral and written communications skills enhancing corporate positioning. Delivers financial services, telecommunications and public company experience.

### **MEDIA RELATIONS/INDUSTRY ANALYST RELATIONS EXPERTISE**

#### **FREELANCER**

**Dallas Area Rapid Transit, Dallas, TX**

**January 2002-Present**

- Implemented newsworthy press releases facilitating DART's expansion, the nation's largest light rail project.

**Ericsson, Plano TX**

**2001**

#### **Public Relations Manager**

- Initiated media relations function leading to coverage of wireless services group with Wireless Review, Information Week, tele.com and Billing World. Leveraged PR Anywhere.
- Refined messages for services group, leading to positive coverage in tele.com.
- Conducted executive media training programs to align messages with corporate brand and fulfill a Key Performance Indicator.

**Primedia Workplace Learning, Carrollton, TX**

**2000**

#### **Public Relations Director (Distance Learning, Interactive Media)**

- Originated media relations function, generating 16 bylines for cable television networks that expanded subscriber base up to 10 percent.
- Organized and delivered media training seminar, increasing media coverage by 20 percent and obtaining sales inquiries valued at \$100,000.
- Facilitated five live MSNBC interviews with Subject Matter Experts. Leveraged Bacon's On-Line.

**Alcatel USA, Inc., Plano, TX**

**1998-1999**

#### **Press Officer**

- Expanded interview placements with Telephony, Interactive Week, Telecommunications and others.
- Leveraged media to introduce products, drive sales and significantly enhance US brand.
- Built relations with RHK (industry analyst) that selected Alcatel as top DSL vendor leading to a tenfold sales increase.
- Enhanced product launches through analyst briefings creating improved rankings.
- Produced SuperComm press conference gaining 80+ attendees for first interviews on Alcatel's expansion plans.
- Leveraged MediaMap.

### **MARKETING COMMUNICATIONS/MEDIA RELATIONS EXPERTISE**

**PricewaterhouseCoopers, Dallas, TX**

**1988-1998**

#### **National Marketing Communications Manager**

- Generated \$15 million in leads through sales collateral, trade shows, media and analyst relations that helped expand practice 30 percent yearly.
- Conceived and produced award-winning capabilities brochure and sales collateral, contributing \$10 million in lead generation.

*lll*

**PricewaterhouseCoopers, Dallas, TX**  
**National Marketing Communications Manager**

**1988-1998**

- Originated award-winning client newsletter highlighting consulting expertise, winning IABC award and producing \$5 million in leads.
- Obtained \$10 million in leads yearly by packaging trade show presence, themes, signage, collateral and developing/managing follow-through programs.
- Collaborated with HR to produce employee orientation video, brochure and handbook, improving retention of IT consultants.
- Executed media relations programs, news releases, gaining front-page coverage with Information Week and others, leading to sales inquiries.

**Regional Marketing Communications Associate**

**1989-1992**

- Packaged business development programs, including client events, brochures, client surveys, newsletters and sales support leaders that created 2,000 sales leads annually.

**Regional Public Relations Manager**

**1988-1989**

- Launched regional Public Relations function, generating placements and establishing initial credibility and brand awareness in Dallas, Houston, Tulsa and Austin markets.
- Conceived and implemented media training program, enabling audit partners to overcome criticism during S&L crisis.

#### **RELATED PROFESSIONAL EXPERIENCE**

- Reporter, Dallas Business Journal, Dallas Downtown News and three suburban papers.

#### **PROFESSIONAL AWARDS & ACHIEVEMENTS**

Winner, Dallas IABC's Best Newsletter Award  
Finalist, Dallas Press Club Katie Award for capabilities brochure  
Winner, two Dallas Press Club Awards, Best local paper and as Women's Editor, Metrocrest News  
Finalist, Toastmasters divisional award for Table Topics (Impromptu Speaking)

#### **EDUCATION**

Valparaiso University, Valparaiso, Indiana  
Bachelor of Arts in Journalism

#### **ASSOCIATIONS**

PRSA  
Toastmasters  
Volunteer Instructor, YWCA



# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

**RECEIVED**

AUG 20 2002

Name: Charles R Nunemaker Applications are due August 22, 2002

**CITY SECRETARY'S OFFICE**

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg, KPB)

1. Technology Commission      2. Keep Plano Beautiful      3. Heritage

Yes, I would be interested in serving on subcommittees that may be formed.

## PERSONAL INFORMATION

Home Address: 1520 Farinydon  
 Telephone: 972.578.0489 Fax: \_\_\_\_\_  
 E-mail: C.NUN0606@AOL.COM  
 Plano Resident for 17 years County: Collin  
 Drivers License #: 13534380  
 \*Voter Registration #: 192493

## OCCUPATIONAL INFORMATION

Business Name: \_\_\_\_\_  
 Occupation: Management Consultant  
 Address: \_\_\_\_\_  
 Telephone: Same Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Business owner?      yes:       no: \_\_\_\_\_

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>Boy Scouts</u>	<u>Topeka, KS</u>	<u>5</u>
<u>PSA Coach</u>	<u>Plano</u>	<u>3</u>

How would you use this experience to benefit the City?

Attached

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

NONE

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Charles R Nunemaker  
Signature

August 14, 2002  
Date

I will attend the following reception. (Attendance is limited to one reception per applicant.)

- Thursday, August 8, 2002**  
 6-7 p.m.  
 Maribelle Davis Library  
 7501 Independence Parkway
- Saturday, August 10, 2002**  
 2-3 p.m.  
 Plano Municipal Center  
 Training Room A  
 1520 K Avenue

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

mm

Rev. 05-02

**Mail completed application to:**

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

*ADS*

I have lived in Plano over 17 years and simply believe it is time to give something back to the community.

I have extensive administrative and management experience, which will enable me to make a valuable contribution to the Technology Commission. I am not highly technical, but have managed IT staffs. I believe the balance between technical and knowing what is needed from administrative perspective would be valuable to the committee.

I am also very interested in serving on the Keep Plano Beautiful Commission. I am very dedicated to recycling and have been active in recycling since my Boy Scout days. My interest in this combined with my business background would bring value to this committee.

As my third choice, I would be interested in serving on the Heritage Commission. I have a degree in history and continue to be interested in historical issues. Again, the balance between my interest in this area and my business background would bring value to the committee.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, located in the bottom right corner of the page.

# CITY OF PLANO BOARD OR COMMISSION CANDIDATE APPLICATION

**RECEIVED**

Applications are due August 22, 2002

AUG 22 2002

Name: DAVID SIMERS  
(Please print legal name and your name as you wish it to appear, if different.)

**CITY SECRETARY'S OFFICE**

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPBB)

1. Animal Shelter      2. Parks & Recreation      3. Keep Plano Beautiful

Yes, I would be interested in serving on subcommittees that may be formed.

Home Address: 3350 LANARC  
 Telephone: 972 964 8803 Fax: \_\_\_\_\_  
 E-mail: ddsimers@yahoo.com  
 Plano Resident for 7 years County: Collin  
 Drivers License #: 01159701  
 \*Voter Registration #: 466734

Business Name: N/A  
 Occupation: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_  
 Business owner?      yes: \_\_\_      no: \_\_\_

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>First Methodist Church</u>	<u>Richardson</u>	<u>1988 - 2001</u>
<u>Management Consultant</u>	<u>Dallas</u>	<u>1988 - 2000</u>

How would you use this experience to benefit the City?

I have been on numerous boards, including Finance, Welcoming Ministries, Membership, Single Adult Council

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

NONE

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

David Simers  
Signature

8/21/02  
Date

I will attend the following reception. (Attendance is limited to one reception per applicant.)

Thursday, August 8, 2002  
6-7 p.m.  
Marbelle Davis Library  
7501 Independence Parkway

Saturday, August 10, 2002  
2-3 p.m.  
Plano Municipal Center  
Training Room A  
1520-K Avenue

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided on this application may be available to the public upon request.

Mail completed application to:  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

*ppp*

*ADS*

*Surreis*

Cont.

In addition, I ran the Blood Drives for three years. I also taught Disciple Bible class, as well as Sunday school for two years. I now attend Christ United Methodist Church and am an officer in my Sunday school class.

In my consulting work, I have facilitated Strategic Planning for major corporations, Productivity Improvement, Standards Adherence, Project Management, and Change Management. I have worked on GM/UAW negotiations, managed large accounts, and developed policies and procedures. I have developed and taught Effectiveness Teams and been on the Corporate Board for them.

I served on the board for an Impaired Learning Center while an Adjunct Professor at the University of Arkansas.

I have been an Account Manager for a large, international company, implementing and maintaining all computer systems, while also planning long and short term strategy.

I am a PTA member at Wells Elementary, where my daughter is in the 2<sup>nd</sup> grade, volunteering for most of the activities involving my daughter. I was also the Girl Scout Troop Cookie Leader last year.

I have lived in Plano for seven years and would like to contribute to the city. My daughter is in school here and I want to make sure she has every opportunity available while growing up.

*998*

# CITY OF PLANO

## BOARD OR COMMISSION CANDIDATE APPLICATION

Applications are due August 22, 2002

Name: WANDA STEPHENS **RECEIVED**  
AUG 20 2002  
(Please print legal name and your name as you wish it to appear, if different.)

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

1. KEEP PLANO BEAUTIFUL COMMISSION 2. TRANSPORTATION ADVISORY COMMITTEE 3. CITY SECRETARY'S OFFICE RELATIONS COMMISSION

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION
Home Address: <u>18100 CLEAR WELL LN, 75024</u>
Telephone: <u>214 618 0976</u> Fax: _____
E-mail: <u>SAME AS WORK</u>
Plano Resident for <u>1</u> year(s) <u>OCT 02</u> County: <u>COLIN</u>
Drivers License #: <u>Old 071625</u>
*Voter Registration #: <u>AWAITING VOTERS REG. FORM FOR PLANO</u>

OCCUPATIONAL INFORMATION
Business Name: <u>ARCH WIRELESS</u>
Occupation: <u>SENIOR MANAGEMENT</u>
Address: <u>3100 PREMIER SUITE 204 IRVING TX</u>
Telephone: <u>972 751 6851</u> Fax: _____
E-mail: <u>Wanda.Stephens@ARCH.COM</u>
Business owner? yes: _____ no: <input checked="" type="checkbox"/>

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>LEAS RIDGE HOMEOWNERS ASSOC</u>	<u>KING'S RIDGE EDITION, PLANO</u>	<u>LESS THAN 1 YEAR</u>
<u>ALPHA KAPPA ALPHA SOCIETY</u>	<u>ARLINGTON TX</u>	<u>3 YEARS</u>
<u>CONDOMINIUM OWNERS</u>	<u>PREVIOUS JOB SITE - DESOTO</u>	<u>1 YEAR</u>

How would you use this experience to benefit the City?

ACTIVELY INVOLVED IN NEW HOMEOWNERS ASSOC / SEEKING WAYS TO INVOLVE MY

COMMUNITY WITH THE CITY BEAUTIFICATION COM. + TRAFFIC/SIDE STREETS  
ALSO 15+ YEARS OF MANAGEMENT EXPERIENCE, PUBLIC SPEAKING, WORKING WITH  
 List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve. DIVERSE GROUPS OF PEOPLE.

N/A

### Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Wanda Stephens

Signature

8-12-02

Date

I will attend the following reception. (Attendance is limited to one reception per applicant.)

- Thursday, August 8, 2002  
6-7 p.m.  
Maribelle Davis Library  
7501 Independence Parkway
- Saturday, August 10, 2002  
2-3 p.m.  
Plano Municipal Center  
Training Room A  
1520-K Avenue

ATTENDED B/10

Mail completed application to:

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

ADS

WWS

# \*Amended CITY OF PLANO Reception BOARD OR COMMISSION CANDIDATE APPLICATION

to: BENJAMIN WESTERIED Applications are due August 22, 2002  
 (Please print legal name and your name as you wish it to appear, if different.)

**RECEIVED**

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB) AUG 01 2002

1. Planning & Zoning Commission 2. Plano Housing Authority 3. Plano Housing Authority  
 ① Library Advisory Board ② Keep Plano Beautiful ④ Planning & Zoning  
 CITY SECRETARY'S OFFICE

Yes, I would be interested in serving on subcommittees that may be formed.

**PERSONAL INFORMATION**

Home Address: 7413 Ridgemoor Lane, Plano  
 Telephone: 972-208-9744 Fax: 972-208-9744  
 E-mail: WESTERIED @ AOL.COM  
 Plano Resident for 5 years County: Collin  
 Drivers License #: 17479914  
 \*Voter Registration #: 486993

**OCCUPATIONAL INFORMATION**

Business Name: WESTERIED VENTURES Corporation  
 Occupation: ENTREPRENEUR  
 Address: 7413 Ridgemoor La Plano  
 Telephone: 972-208-9744 Fax: 972-208-9744  
 E-mail: WESTERIED @ AOL.COM  
 Business owner? yes:  no:

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Organization	Location	Years
<u>Experience in REAL ESTATE MANAGEMENT</u>		<u>10</u>
<u>&amp; Development</u>		

How would you use this experience to benefit the City?

\_\_\_\_\_

\_\_\_\_\_

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

\_\_\_\_\_

\_\_\_\_\_

**Statement of Intent**

I am aware of the requirements of the City regarding conflicts of interest of appointees to the City of Plano Boards and Commissions as noted in the General Information portion of this overview. I am aware of meeting dates and times of the Board/Commission for which I have applied, and that Board/Commission members are expected to attend a minimum of 75 percent of regularly scheduled meetings annually of their Board/Commission. If appointed, I agree to serve on the Board/Commission for which I have applied. Applications will remain on file for one year from the date of receipt.

\* I affirm that I am qualified to vote.

Signature

7-29-02 Date

I will attend the following reception. (Attendance is limited to one reception per applicant)

Thursday, August 8, 2002  
 6-7 p.m.  
 Maribelle Davis Library  
 7501 Independence Parkway

Saturday, August 10, 2002  
 2-3 p.m.  
 Plano Municipal Center  
 Training Room A  
 1520 K Avenue

in compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided in this application may be available to the public upon request.

**Mail completed application to:**  
 City of Plano  
 City Secretary  
 P.O. Box 860358  
 Plano, TX 75086-0358

AOS

\* Amended @

CITY OF PLANO Reception

BOARD OR COMMISSION CANDIDATE APPLICATION

RECEIVED

Applications are due August 22, 2002

JUL 25 2002

me: James B. Williams (Barry Williams)
(Please print legal name and your name as you wish it to appear, if different.)

CITY SECRETARY'S OFFICE

Please indicate Board(s) / Commission(s) preferences: (abbreviated board/commission names are acceptable, eg. KPB)

- 1. ERC KPB 2. KPB Heritage Comm. 3. PFAE TAC

Yes, I would be interested in serving on subcommittees that may be formed.

PERSONAL INFORMATION
Home Address: 912 Keenan Circle
Telephone: 972-422-7922
E-mail: bwilliam@NCH.COM
Plano Resident for 13 years
County: 13
Drivers License #: 00910562 (TEXAS)
\*Voter Registration #: 184167

OCCUPATIONAL INFORMATION
Business Name: NCH Corporation
Occupation: Division VP
Address: 2727 Chemsearch Blvd.
Telephone: 972-438-0641
E-mail: bwilliam@NCH.COM
Business owner? yes: no: X

Previous Board, Commission, Civic or Community, or Work Experience (if additional space is required attach additional listing):

Table with 3 columns: Organization, Location, Years. Includes Plano Fire & Rescue Associates, Plano Citizens Police Academy Alumni Assoc., and Citizens Handicap Patrol.

Quality of the Plano Community Life is paramount.

Focus on Safety, The Arts and Culture are critical. My experiences both professional & volunteer will be an asset.

List any business or personal relationships with the City, which might create a conflict of interest or affect your ability to serve.

- None -

I will attend the following meeting... Attendance is limited to one reception per applicant.

Barry Williams
Regional Vice President

ISO 9002 Approved
www.reliancesupply.com
2727 Chemsearch Blvd. • Irving, TX 75062



phone: 972-438-0641
mobile: 214-533-2693
toll-free: 800-527-9919, ext. 0641
fax: 972-721-6816
e-mail: bwilliam@nch.com

7/21/02
Date

Statement of Intent

I am aware of the requirements of the City regarding conflicts of interest of any Plano Boards and Commissions as noted in the General Information portion of this application...

\* I affirm that I am qualified to vote.

James B. Williams
Signature

In compliance with Chapter 552, Vernon's Texas Codes Annotated, (Open Records Law), information provided in this application may be available to the public upon request.

Mail completed application to:
City of Plano
City Secretary
P.O. Box 860358
Plano, TX 75086-0358

Handwritten initials 'tll'

Handwritten initials 'ADS'

## CITY COUNCIL APPOINTMENTS TO VARIOUS COMMITTEES AND ORGANIZATIONS

Chamber of Commerce Board of Directors	Mayor Pro tem Phil Dyer Deputy Mayor Pro tem Steve Stovall
Designation of Official North Central Texas Council of Governments Voting Representative	Mayor Evans
Regional Transportation Council - NCTCOG	Mayor Evans
TML & Other Legislative Action	Mayor Evans Mayor Pro tem Phil Dyer
Plano Cultural Arts Council	Sally Magnuson and Shep Stahel
North Texas Commission	Mayor Evans
Memorial Day Committee	Deputy Mayor Pro tem Steve Stovall Shep Stahel
Metroplex Mayors Committee	Mayor Evans
Economic Development Board	Mayor Evans Mayor Pro tem Phil Dyer
Liaison to Collin County Community College Board	Scott Johnson and Shep Stahel
Dallas Regional Mobility Coalition	Mayor Evans
Sunset Committee	Mayor Pro tem Phil Dyer Scott Johnson
Tax Abatement Council Committee	Mayor Pro tem Phil Dyer Deputy Mayor Pro tem Steve Stovall
North Central Texas Industrial Development Authority/Plano Health Facilities Development Corporation	Deputy Mayor Pro tem Steve Stovall Ken Lambert Scott Johnson
Family of the Year	
Sister Cities	Sally Magnuson
121 Task Force	Ken Lambert and Sally Magnuson

## **AD HOC CITY COUNCIL COMMITTEES**

Community Finance

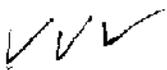
Mayor Pro tem Phil Dyer and Scott Johnson

Joint PISD/Council Committee

Mayor Pro tem Phil Dyer  
Deputy Mayor Pro tem Steve Stovall

## **ROUNTABLES**

Multi-Cultural Outreach Roundtable



## COUNCIL LIAISON TO BOARDS AND COMMISSIONS

Animal Shelter Advisory Committee	Scott Johnson and Shep Stahel
Board of Adjustment	Mayor Pro tem Phil Dyer and Sally Magnuson
Building Standards Commission	Ken Lambert and Shep Stahel
Civil Service Commission	City Manager Thomas Muehlenbeck
Collin County Appraisal District Board	Mayor Pro tem Phil Dyer and Ken Lambert
Community Relations Commission	Scott Johnson and Sally Magnuson
Cultural Affairs Commission	Mayor Pro tem Phil Dyer Deputy Mayor Pro tem Steve Stovall
DART Board of Directors	Robert Pope, Vice Chairperson
Heritage Commission	Sally Magnuson
International Relations Advisory Commission	
Keep Plano Beautiful Commission	Shep Stahel
Library Advisory Board	Deputy Mayor Pro tem Steve Stovall and Scott Johnson
North Texas Municipal Water District Board	Ken Lambert and Shep Stahel
Parks and Recreation Planning Board	Scott Johnson and Shep Stahel
Planning and Zoning Commission	Mayor Pro tem Phil Dyer
Plano Housing Authority	Deputy Mayor Pro tem Steve Stovall and Ken Lambert
Plano Transition & Revitalization Committee	Mayor Pro tem Phil Dyer and Sally Magnuson
Public Art Committee	Deputy Mayor Pro tem Steve Stovall and Sally Magnuson
Retirement Security Plan Committee	City Manager Thomas Muehlenbeck
Self Sufficiency Committee	Shep Stahel
Senior Citizens Advisory Board	Ken Lambert and Sally Magnuson
Tax Increment Financing Reinvestment Zone No. 1 Board	Shep Stahel
Tax Increment Financing Reinvestment Zone No. 2 Board	Mayor Pro tem Phil Dyer
Technology Commission	Deputy Mayor Pro tem Steve Stovall and Scott Johnson
Transportation Advisory Committee	Scott Johnson
Youth Advisory Commission	Shep Stahel

**Discussion/Action Items for Future Council Agendas  
(as of February 4, 2003)**

***Additional rescheduling of Council meetings may be necessary due to elections and the PISD calendar. These changes will be made as soon as the dates are confirmed.***

**2003**

*February 13 – District 1 Roundtable – Plano Municipal Center – Training Room A*

*February 15, 2003, Fire Banquet, Perot Systems Building*

*February 17 – 19 – Collin County Day – Austin*

**February 24**

Public Hearing to Discuss and Review the Update of the Land Use Assumptions,  
Capital Improvements Plan and Impact Fees  
Update on ACC Status – Robinson  
Comprehensive Monthly Financial Report  
Sales Tax Consultant Presentation

**March 3**

*March 10 -14 PISD Spring Break*

*March 8 – 11 – NLC – Washington DC*

**March 18** (rescheduled from March 10)

DART Status Report  
Mobility Report  
Election Contract  
Emergency Management Plan Review  
Discussion and Direction re Sunset Review Committee Meeting Results and  
Recommendations  
Discussion and Direction re Board and Commission Appointment Process

*March 22 – Police Department Awards Banquet – Perot Systems*

**March 24**

Comprehensive Monthly Financial Report

*March 25 – Volunteer Recognition – Courtyard Theater – Time TBD*

**April 7**

VIP Awards

**April 14**

DART Status Report  
Mobility Report  
Emergency Management Plan Review

*April 23 – Dedication of Police Headquarters – 10 a.m.*

*April 24 – District 3 Neighborhood Roundtable – Carpenter Rec. Center*

**April 28**

Comprehensive Monthly Financial Report

**May 6** (rescheduled from May 5)

**May 12**

DART Status Report  
Mobility Report  
Animal Shelter Update  
Emergency Management Plan Review

*May 19 – Joint Elected Officials Dinner – Place TBD*

**May 27** (rescheduled from May 26)

Comprehensive Monthly Financial Report

*May 26 – Memorial Day holiday*

*May 29, 30, 31 – 2003 Innovations Group National Conference, Plano Doubletree Hotel*

**June 2**

**June 9**

DART Status Report  
Mobility Report  
Emergency Management Plan Review

**June 23**

Comprehensive Monthly Financial Report

*June 26 – 30 – Texas City Management Association Conference*

*July 4 – Independence Day holiday*

**July 28**

Comprehensive Monthly Financial Report

**July 30**

Council receives 2003-2004 budget

**August 5**

**August 11**

DART Status Report  
Mobility Report  
Emergency Management Plan Review  
Vote on Tax Rate

*August 9 – Council Budget Worksession*

*August 14 - District 4 Roundtable – Vines High School*

*August 16 – Council Budget Worksession*

**August 25**

Comprehensive Monthly Financial Report  
Public Hearing on Tax Rate

**September 2 (rescheduled from September 1)**

*September 1 – Labor Day holiday*

**September 8**

DART Status Report  
Mobility Report  
Emergency Management Plan Review  
Council Adopts Budget, CIP and Sets Tax Rate

**September 22**

Comprehensive Monthly Financial Report

*September 21 – 24 – International City Management Association Conference*

**October 6**

*October 9 – 13 – PISD Fall Break*

**October 14 (rescheduled from October 13)**

DART Status Report  
Mobility Report  
Emergency Management Plan Review

*Vie*

**October 27**

Comprehensive Monthly Financial Report

**November 3**

**November 10**

DART Status Report  
Mobility Report  
Emergency Management Plan Review

*November 13 – District 2 Roundtable – PSA Stars Center*

*November 19 – 22 – TML Conference*

**November 24**

Comprehensive Monthly Financial Report

*November 27 – 28 – Thanksgiving holidays*

**December 1**

*December 3 – 7 – NLC Conference*

**December 8**

DART Status Report  
Mobility Report  
Emergency Management Plan Review

**December 16** (rescheduled from December 22)

Comprehensive Monthly Financial Report

*December 25 – 26 – Christmas holiday*

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
January 27, 2003**

**COUNCIL MEMBERS**

Pat Evans, Mayor  
Phil Dyer, Mayor Pro tem  
Steve Stovall, Deputy Mayor Pro tem  
Shep Stahel  
Scott Johnson  
Sally Magnuson  
Jim McGee  
Ken Lambert

**STAFF**

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

Mayor Evans called the meeting to order at 5:04 p.m., Monday, January 27, 2003, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Deputy Mayor Pro tem Stovall arrived at 5:15 p.m. Mayor Evans then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice, Section 551.071, and to discuss Real Estate, Section 551.072, for which a certified agenda is required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 6:20 p.m. in the Council Chambers for which the following matters were discussed:

**Consideration and Action Resulting From Executive Session Discussion**

No action was brought forward.

**Discussion and Direction Regarding Request for Extension of Line of Duty Leave – Firefighter Scott Boyd**

Fire Rescue Specialist Scott Boyd addressed the Council and reviewed his medical condition timeline history beginning in 1992 through present day. He spoke to sustained injuries and related surgeries and to requests to be reinstated in “the field.”

Mr. Boyd stated that his physician advised him that his medical condition prevents him from returning to “the field” but that he could work in another “8 – 5” capacity. He spoke to the usage of worker’s comp and sick leave, and to being unsuccessful in securing another (non-firefighter) position with the City of Plano or with other cities. Mr. Boyd stated that he is scheduled to be terminated from employment in the capacity of Fire Rescue/Paramedic with the City of Plano and requested that the Council consider a 90-day extension of leave. He stated that his application for disability was denied and is currently under appeal and further that he is waiting for a decision from the Attorney General. Mr. Boyd spoke to there not being “equal access” in the Fire Department.

Division Fire Chief Caldwell advised that he is speaking on behalf of Fire Chief Peterson and that Chief Peterson does not recommend offering an extension of sick leave based on the fact that the Plano Fire Department has met requirements in providing a one-year leave of absence away from the work place for Mr. Boyd. He stated that Mr. Boyd was able to accrue time during this leave of absence at full pay and that all requirements have been met in addition to offering Mr. Boyd the opportunity to work in a light duty capacity. Chief Caldwell advised Council Member Stahel that Mr. Boyd’s application for long-term disability has been denied on the first submittal but that his worker’s compensation claim went through. He advised Council Member Lambert that it is his understanding that Mr. Boyd’s first surgery was non-job related. Chief Caldwell advised that during the growth period of the department some Civil Service Firefighter positions were placed in Staff positions under similar requests and further that Mr. Boyd’s physician has stated that Mr. Boyd is not capable to fulfill the duties of a Firefighter Paramedic. He stated that the filling of previous Staff positions was based on position availability, and that some Firefighters previously injured were denied a Staff position and were then retired following denial. Chief Caldwell advised Mr. Lambert that Mr. Boyd is eligible for retirement and that there are no restrictions in his being employed elsewhere concurrently along with his retirement status with the City.

Plano Fire Captain Scott Kerr of the Plano Firefighter Association spoke to working on Mr. Boyd’s case for some time, his understanding with Chief Peterson regarding Mr. Boyd’s continuation of employment in a light duty capacity, and to the need to be retested when returning to a Civil Service position after having left. He stated that the Firefighter Association, which represents 96% of the Fire Department, has offered to donate time, sick time, “sub-for” or do whatever it takes to offset costs while waiting to resolve this issue. Captain Kerr stated that an answer from the Attorney General is expected to be received by March and further spoke to an upcoming resignation which will free up a position.

Plano Fire Captain Michael Shafter advised that Mr. Boyd worked under his supervision and spoke to an injury sustained by Mr. Boyd while performing duty for the Fire Department. He spoke to his communication with Chief Peterson regarding the filling of Staff positions and requests to have Mr. Boyd “swap” with individuals functioning in other Staff positions. Captain Shafter stated that no positions were offered to Mr. Boyd.

James Craft, a citizen of the City, spoke to Civil Service positions which were “civilianized” and which could have been filled by Mr. Boyd, other positions open which could have been filled by Mr. Boyd, the pending Attorney General ruling, and concerns as to why an Attorney General ruling was not requested earlier.

City Attorney Wetherbee requested that the Council convene into Executive Session to address the Attorney General ruling. Mayor Evans stated at 6:44 p.m. that the Council would convene into Executive Session in Training Room A in compliance with Chapter 551, Government Code, Vernon’s Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice, Section 551.071 regarding the item being addressed.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 6:56 p.m. in Training Room A and immediately recessed the meeting. Further discussion and direction regarding Preliminary Item II was continued during the Regular Meeting. Remaining Preliminary Items were discussed during the Regular Meeting. Nothing further was discussed.

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Pat Evans, **MAYOR**

ATTEST:

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Elaine Bealke, City Secretary

**PLANO CITY COUNCIL**  
**January 27, 2003**

**COUNCIL MEMBERS**

Pat Evans, Mayor  
Phil Dyer, Mayor Pro tem  
Steve Stovall, Deputy Mayor Pro tem  
Shep Stahel  
Scott Johnson  
Sally Magnuson  
Jim McGee  
Ken Lambert

**STAFF**

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

Mayor Evans convened the meeting into open session on Monday, January 27, 2003, at 7:04 p.m., in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Dr. Blair Ritchey of the Collin Creek Community Church.

The Pledge of Allegiance was led by Junior Girl Scout Troop 678.

Mayor Evans recognized Volunteer of the Month, Julia Grenier. Mayor Evans and Deputy Mayor Pro tem Stovall presented a certificate of appreciation to William Karnes for his service on the Technology Commission. Kathleen M. Barry and Victoria Francis were unable to attend to receive certificates of appreciation for their service on the Animal Shelter Advisory Committee.

The Council resumed discussion of items from the Preliminary Open Meeting.

**Discussion and Direction Regarding Request for Extension of Line of Duty Leave – Firefighter Scott Boyd Boyd** (Beginning discussion regarding this item is reflected in the meeting minutes of the Preliminary Open Meeting and continued here.)

City Manager Muehlenbeck responded to Council Member Lambert regarding the denial of a previous request by a Civil Service employee. City Attorney Wetherbee advised that while the Attorney General's opinion is expected in March, there is no specific time requirement for response and further stated that there many issues to be considered. Division Fire Chief Caldwell responded to Council Member Lambert that there is no indication that Civil Service Firefighters filling other Staff positions would be medically unable to return to duties in a fire station.

Council Member Stahel spoke regarding the similarities between Police/Fire occupations and service in the military including the high levels of risk and intensity as well as age limitations. He stated that even if the Attorney General's opinion were received in 90 days, it may not necessarily solve the problem and spoke regarding a motion to deny the request.

Council Member Lambert spoke to the importance of firefighters, stated that the initial illness was not job related and that he could not justify the expenditure or set a precedent of firefighters covering for one another.

Upon a motion by Council Member Stahel and seconded by Council Member Lambert, the Council voted 8-0 to deny a request for extension of line of duty leave for Firefighter Scott Boyd Boyd.

### **Update on Social Services Agency Funding**

Director of Budget and Research Rhodes stated that after discussion with agencies and City liaisons, the recommendation is to have Plano Forum requests reviewed by the Cultural Affairs Commission and advised that documents required by the City of Plano would include the IRS Letter of Determination of a 501c(3), State Certificate of Good Standing, Certificate of Insurance, and expenditure reports. She spoke to the differing expectations of each commission as the reason for a recommendation that expenditure reports be submitted on a quarterly basis.

Ms. Rhodes responded to Council Member Johnson, stating that several of the commissions prefer to receive quarterly reports. City Attorney Wetherbee responded to Mayor Pro tem Dyer, advising that the Certificate of Good Standing for Non-profits would indicate an organization is recognized as a non-profit by the State of Texas. Council Member Lambert spoke to filings required of non-profit organizations, problems that might be incurred if agencies relocate and do not provide notification, and to requiring only semi-annual reports. Council Member Stahel spoke to providing a reminder when reports are due. Deputy Mayor Pro tem Stovall spoke regarding the needs of reviewing committees. Mr. Stahel spoke to proceeding with the recommendation and having Staff come back before Council if amendments are necessary. Mayor Evans stated concurrence with this recommendation. Ms. Rhodes spoke to the Plano Forum following guidelines for funding in future years and advised that she would review the document's reference to budget dates.

### **Presentation of Facsimile Gun Report**

Police Chief Rushin reviewed the definition of a facsimile firearm and issues including their proliferation, the alarm and public concern caused, dangers when police confront these weapons and stated that children lack maturity to use them responsibly. He spoke regarding Carrollton's ordinance restricting the use and display of certain facsimile guns and the City of Plano Code of Ordinances' current prohibition of BB/pellet guns inside City limits. Chief Rushin provided information regarding conventional pellet, air soft and facsimile guns including their similarity to real firearms.

Chief Rushin spoke regarding the benefits of a facsimile gun ordinance to further reduce injury and property damage caused by BB/pellet guns, provide enforcement options to law enforcement, reduce disruption and threats by students possessing facsimile guns, and reduce the likelihood of deadly force encounters with police officers or armed citizens. He reviewed the disadvantages which include restricting the liberties of citizens who own and use facsimile guns responsibly and the requirement of a subjective evaluation on the part of officers to determine if a gun meets the definition of a facsimile firearm. Chief Rushin recommended amending the existing firearms ordinance (Section 14-5 of the Plano Code of Ordinances) by adding the following language:

- Facsimile Firearm Definition: Any device that so closely appears to be a firearm in size, shape, color, or design that it can only be distinguished from a real firearm through close inspection.
- Persons 18 years or older may not display or brandish a facsimile firearm in a public place in a manner likely to cause alarm.
- Persons younger than 18 may not possess a facsimile firearm in a public place; and
- Include exceptions to take into account functions such as parades, ceremonies, police training, ROTC, and performances.

Chief Rushin responded to Deputy Mayor Pro tem Stovall regarding transport of facsimile guns and the effect of the ordinance to prevent display in a reckless manner. He responded to Council Member Lambert and stated concern regarding community notification. Council Member Lambert stated concern regarding enforcement. Mayor Evans spoke regarding educating the public and Council Member McGee spoke to solving liability issues and in favor of taking a strong stance. Council Member Stahel spoke in support of the recommendations. Deputy Mayor Pro tem Stovall and Council Member Magnuson spoke regarding methods of providing education.

Mayor Pro tem Dyer spoke to utilizing recommendations presented during the Council meeting. Chief Rushin advised that Staff will work with the Legal Department to develop an ordinance for Council's consideration and responded to Council Member Lambert regarding the training of officers.

### **Discussion and Direction Regarding Continued Funding for the Plano City Briefs as Published in the Plano Star Courier and Dallas Morning News – Plano Section**

Director of Public Information Beckley spoke regarding the costs of publishing the *Plano City Briefs* in the *Dallas Morning News* and *Plano Star Courier* and savings that could be realized (\$60,000 annually) if the publication were on-line. Dr. Beckley reviewed plans for the on-line service to include e-news and press releases and providing the opportunity for quick dissemination of information to the public.

Council Member Stahel spoke to running a small ad for 90 days to provide a transition. Mayor Evans and Mayor Pro tem Dyer spoke to providing information regarding the web site. Council Member Lambert requested the web page offer a more direct link to agendas/minutes and in support of the proposal. Mayor Evans stated Council's consensus to move forward.

### **Discussion and Direction Regarding Preston Road Maintenance**

City Engineer Upchurch spoke to the large cost potential for maintenance of Preston Road and stated Staff recommendation that the City not assume maintenance and that TxDOT be notified. He spoke to COG (Council of Governments) funding for grade separations at Legacy/Preston and Spring Creek Parkway/Coit being reallocated for at-grade improvements with a 20% local match to 80% COG funds and stated that Staff will move forward with at-grade improvements at the various intersections as funding becomes available with improvements based on detailed engineering analysis for each intersection. The Council stated a consensus in support of the recommendations. Mayor Pro tem Dyer stated safety concerns at "split" intersections and Mr. Upchurch advised that Staff would look into the situation.

### **Personnel Appointments**

#### Technology Commission

Upon a motion made by Deputy Mayor Pro tem Stovall and seconded by Council Member Johnson, the Council voted 8-0 to appoint Dana Johnson to an interim position.

#### Transportation Advisory Committee

Upon a motion made by Council Member Johnson and seconded by Council Member McGee, the Council voted 8-0 to appoint L. Dean McGowan to an interim position.

### **Comprehensive Monthly Financial Report**

Mayor Evans advised that the Comprehensive Monthly Financial Report would be presented at the February 3, 2003 Council meeting.

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

Mayor Evans requested consideration of Council's policy regarding "buying tables" and other forms of participation at fundraising/banquet events. Council Member Stahel requested information on what has been done over the past year.

## **Consent and Regular Agenda**

Deputy Mayor Pro tem Stovall and Council Member Stahel advised that due to conflicts of interest, they would be stepping down on Consent Items "K," to authorize an expenditure for professional consulting services from Exodus Consulting Group, LLC and "L," to authorize an expenditure for additional professional consulting services from Checkmate Consulting, Inc.

City Secretary Bealke advised that a citizen has requested removal of Consent Item "B," Bid No. C016-03 for a fixed-price contract for Municipal Court Collection Services and Verification for individual consideration.

## **Council Reports**

No reports were made.

## **GENERAL DISCUSSION**

Carl Popoff, citizen of the City, stated concern regarding conditions at the Pecan Hollow Golf Course and delays in the construction of a clubhouse. Mayor Evans advised that City Manager Muehlenbeck would provide a response. Mr. Popoff stated that Ridgeview Ranch is being leased from the City.

Sharon Mausing, citizen of the City, stated concerns that she has not been contacted by Animal Control Staff regarding a dog bite incident she experienced and that was reported by an area hospital and spoke regarding concerns related to management of the animal shelter. Mayor Evans advised that Staff would look into the report.

## **CONSENT AGENDA**

Upon a motion made by Council Member Stahel and seconded by Mayor pro tem Dyer, the Council voted 8-0 to approve and adopt all remaining items on the agenda as recommended and as follows:

### **Approval of Minutes** [Consent Agenda Item (A)]

January 13, 2003

### **Award, Rejection of Bids/Proposals, Conditional Acceptance of Lowest Responsible Bid/Proposal and Designation of Alternate Lowest Responsible Bid/Proposal when applicable on the following:**

**Bid No. B028-03** for Haggard Park Improvements in the amount of \$1,112,176. [Consent Agenda Item (C)] (See Exhibit "A")

**Bid No. B027-03** for the Oak Point Park and Nature Preserve, Phase I in the amount of \$1,139,777. [Consent Agenda Item (D)] (See Exhibit "B")

**Bid No. B138-02** for Administration of the Community Notification System in the amount of \$49,870. [Consent Agenda Item (E)] (See Exhibit “C”)

**Bid No. B007-03** for a fixed-price contract for a Police Multipurpose/Investigative/Bomb Robot in the amount of \$101,428 plus additional options of \$12,829 for a total cost of \$114,257. [Consent Agenda Item (F)] (See Exhibit “D”)

### **Adoption of Ordinances**

**Ordinance No. 2003-1-13:** To amend Ordinance No. 2002-7-10 codified in the City of Plano Code of Ordinances under Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 12-102(e), to include a provision for the prohibition of stopping, standing, or parking of motor vehicles on school days between the hours of 9:00 a.m. and 3:00 p.m. along the west side of Wilma Lane from its intersection with Merriman Drive to its intersection with Karen Court; authorizing and directing the traffic engineer for the City of Plano to cause placement of traffic control devices to give notice of the restriction; and providing a repealer clause, a severability clause, a penalty clause, and an effective date. [Consent Agenda Item (G)]

### **Award of Contract**

To approve and authorize a contract with Jones & Boyd, Inc. to provide Engineering Services in conjunction with parking lot and plaza renovations at High Point Athletic Fields in an amount not to exceed \$86,500; and authorizing the City Manager to execute any and all documents necessary to effectuate the contract. [Consent Agenda Item (H)]

### **Reimbursement of Oversize Participation**

To approve and authorize reimbursement to Cougar Real Estate, Ltd. for oversize participation for paving and drainage improvements in Marsh Lane associated with the construction of Plano/544 Business Park in the amount of \$45,990. [Consent Agenda Item (I)]

To approve and authorize reimbursement to Hills of Indian Creek Association, Ltd. for oversize participation for paving improvements associated with construction of Marsh Lane in the amount of \$28,770. [Consent Agenda Item (J)]

### **END OF CONSENT**

**Bid No. C016-03** for a fixed-price contract for Municipal Court Collection Services and Verification of Financial Responsibility in the estimated annual amount of \$100,000. [Consent Agenda Item (B)] (See Exhibit “E”)

Larry Bergman representing American Municipal Service Corporation, spoke regarding the current level of City collections and the software being utilized. He spoke to his bid being the lowest and regarding its guarantee.

**Bid No. C016-03 (cont'd)**

Chief Administrative Judge Stevenson spoke regarding the Municipal Court Advisory Committee and independent evaluation of the contracts. He advised that all three evaluations selected Municipal Services Bureau based on information contained in the bids including their experience with cities the size of Plano. Judge Stevenson responded to the Council regarding the number of warrants handled in-house and his recommendation to move forward with the current agency.

Upon a motion made by Mayor Pro tem Dyer and seconded by Council Member McGee, the Council voted 8-0 to approve Bid No. C016-03 for a fixed-price contract for Municipal Court Collection Services and Verification of Financial Responsibility in the estimated annual amount of \$100,000.

Due to conflicts of interest, Deputy Mayor Pro tem Stovall and Council Member Stahel stepped down from the bench on the following two items.

**Approval of QISV** - To authorize an expenditure for professional consulting services from Exodus Consulting Group, LLC, a vendor listed on the State Purchasing and General Services Commission Qualified Information Services Vendor list at an hourly rate of \$150 per hour and for a total amount not to exceed \$50,000; and authorizing the City Manager to execute all documents necessary to effectuate the purchase (QISV#1752923695600) [Consent Agenda Item (K)]

Upon a motion made by Council Member Magnuson and seconded by Council Member Johnson, the Council voted 6-0 to authorize an expenditure for professional consulting services from Exodus Consulting Group, LLC, a vendor listed on the State Purchasing and General Services Commission Qualified Information Services Vendor list at an hourly rate of \$150 per hour and for a total amount not to exceed \$50,000; and authorizing the City Manager to execute all documents necessary to effectuate the purchase.

**Approval of Expenditure** - To authorize an expenditure for additional professional consulting services from Checkmate Consulting, Inc. in an amount not to exceed \$59,945; and authorizing the City Manager to execute all documents necessary to effectuate the purchase. [Consent Agenda Item (L)]

Upon a motion made by Council Member McGee and seconded by Mayor Pro tem Dyer, the Council voted 6-0 to authorize an expenditure for additional professional consulting services from Checkmate Consulting, Inc. in an amount not to exceed \$59,945; and authorizing the City Manager to execute all documents necessary to effectuate the purchase.

Deputy Mayor Pro tem Stovall and Council Member Stahel resumed their seats at the bench.

**Public Hearing and adoption of Ordinance No. 2003-1-14 as requested in Zoning Case 2002-65** – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Heritage Resource Designation H-27 to a 0.5± acre on the southeast corner of 17th Street and H Avenue at 900 East 17th Street, Joe Forman Addition, Lot 13A, an addition to the City of Plano, Collin County, Texas, presently zoned Urban Residential and Heritage Resource Designation H-20; 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. Neighborhood #59. Applicant: Jack and Cindy Boggs [Regular Agenda Item (1)]

Planner Watson reviewed the history of the house and criteria for designation and advised that the Heritage Commission/Planning and Zoning Commission recommend approval of the request as submitted.

Mr. Watson responded to Council Member Johnson regarding the levels of designation and stated that with individual/residential designation the property would be eligible for 100% exemption on the value of improvements. He advised that tax exemption is a separate process from designation, that all taxing entities are impacted, and spoke regarding designation as a planning tool. Mr. Watson spoke to reviewing the tax exemption ordinance separate from the designation process, the standards required by the Heritage Commission and stated that if these are not met, the designation may be revoked. He responded to Council Member Johnson regarding the number of properties receiving exemptions. Council Member Lambert requested future agenda items include information regarding the current valuation of the house and tax consequences.

Mayor Evans opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Stahel and seconded by Mayor Pro tem Dyer, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Heritage Resource Designation H-28 to a 0.5± acre on the north side of 18th Street, 208± feet east of H Avenue at 909 East 18th Street, Joe Forman Addition, Lot 17B, an addition to the City of Plano, Collin County, Texas, presently zoned Retail with Heritage Resource Designation H-20 as requested in Zoning Case 2002-66 and as recommended by the Planning and Zoning Commission; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2003-1-15.

**Public Hearing and adoption of Ordinance No. 2003-1-15 as requested in Zoning Case 2002-66** - To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Heritage Resource Designation H-28 to a 0.5± acre on the north side of 18th Street, 208± feet east of H Avenue at 909 East 18th Street, Joe Forman Addition, Lot 17B, an addition to the City of Plano, Collin County, Texas, presently zoned Retail with Heritage Resource Designation H-20; 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. Neighborhood #59. Applicant: Hallway, Inc. [Regular Agenda Item (2)]

Planner Watson reviewed the history of the house and criteria for individual designation and advised that the Heritage Commission/Planning and Zoning Commission recommend approval of the request as submitted.

Council Members Johnson and Stahel spoke regarding the owner's restoration efforts.

Mayor Evans opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Stahel and seconded by Council Member Johnson, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Heritage Resource Designation H-28 to a 0.5± acre on the north side of 18th Street, 208± feet east of H Avenue at 909 East 18th Street, Joe Forman Addition, Lot 17B, an addition to the City of Plano, Collin County, Texas, presently zoned Retail with Heritage Resource Designation H-20 as requested in Zoning Case 2002-66 and as recommended by the Planning and Zoning Commission; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2003-1-15.

**Public Hearing and an appeal of the Planning and Zoning Commission's Denial of Zoning Case 2002-30** – Request to rezone 10.0± acres on the southwest corner of Chase Oaks Boulevard and future Seabrook Drive from Planned Development-107-Office-2 (PD-107-O-2) to Planned Development-Single Family Attached (PD-SF-A) to accommodate the development of townhomes. Neighborhood #21. [Regular Agenda Item (3)]

Director of Planning Jarrell advised that the applicant has requested this item be tabled until the February 24, 2003 Council meeting.

Upon a motion made by Council Member Lambert and seconded by Council Member Stahel, the Council voted 8-0 to table the Public Hearing and an appeal of the Planning and Zoning Commission's Denial of Zoning Case 2002-30 – Request to rezone 10.0± acres on the southwest corner of Chase Oaks Boulevard and future Seabrook Drive from Planned Development-107-Office-2 (PD-107-O-2) to Planned Development-Single Family Attached (PD-SF-A) to accommodate the development of townhomes until February 24, 2003.

**Resolution No. 2003-1-16(R):** To approve the terms and conditions of a roadway assessment agreement by and between City of Plano, Texas and the Trustees of the Darla C. Brodsky Irrevocable Marital Deduction Trust dated May 23, 1988, Virginia Maxwell-Hale, Trustee for the benefit of the Charles J. Ziff 1977 Special Trust for Children, Ziff Investment Partners and Robert J. Ziff Associates LLC, for improvements to Spring Creek Parkway from approximately 370 feet east of Midway Road to the Dallas North Tollroad; authorizing its execution by the City Manager; and providing an effective date. Tabled 01-13-03[Regular Agenda Item (4)]

Upon a motion made by Council Member Stahel and seconded by Deputy Mayor Pro tem Stovall, the Council voted 8-0 to remove the item from the table.

Upon a motion made by Council Member Lambert and seconded by Council Member Stahel, the Council voted 8-0 to approve the terms and conditions of a roadway assessment agreement by and between City of Plano, Texas and the Trustees of the Darla C. Brodsky Irrevocable Marital Deduction Trust dated May 23, 1988, Virginia Maxwell-Hale, Trustee for the benefit of the Charles J. Ziff 1977 Special Trust for Children, Ziff Investment Partners and Robert J. Ziff Associates LLC, for improvements to Spring Creek Parkway from approximately 370 feet east of Midway Road to the Dallas North Tollroad; authorizing its execution by the City Manager; and providing an effective date; and further to adopt Resolution No. 2003-1-16(R).

**Public Hearing** to consider proposed assessments pertaining to the paving and improvement of a portion of Spring Creek Parkway from approximately 370 feet east of Midway Road to the Dallas North Tollroad; City Council discussion and direction on this matter. This Public Hearing was tabled on 12-09-02 and 01-13-03. [Regular Agenda Item (5)]

This item was withdrawn.

Council Member McGee spoke regarding his work for Senator John Cornyn, thanked his fellow Council members and the citizens of Plano, and tendered his resignation from the Council.

There being no further discussion, Mayor Evans adjourned the meeting at 9:04 p.m.

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Pat Evans, **MAYOR**

ATTEST:

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Elaine Bealke, City Secretary

**PLANO CITY COUNCIL  
PRELIMINARY AND REGULAR OPEN MEETING  
February 3, 2003**

**COUNCIL MEMBERS**

Pat Evans, Mayor  
Phil Dyer, Mayor Pro tem  
Steve Stovall, Deputy Mayor Pro tem  
Shep Stahel  
Scott Johnson  
Sally Magnuson  
Ken Lambert

**STAFF**

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

Mayor Evans called the meeting to order at 5:02 p.m., Monday, February 3, 2003, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Mayor Evans then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to discuss Personnel, Section 551.074, for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 5:14 p.m. in the Council Chambers for which the following matters were discussed:

**City Council Discussion and Action to Appoint a Person to Fill the Vacancy in Place 7**

Upon a motion made by Council Member Magnuson and seconded by Deputy Mayor Pro tem Stovall, the Council voted 7-0 to appoint John R. Roach, Jr. to fill a vacancy for Council Member, Place 7.

**Oaths of Office**

Technology Commission and Transportation Advisory Committee

Mayor Evans administered the oath of office to Dana Johnson as member to the Technology Commission and to L. Dean McGowan as member to the Transportation Advisory Committee.

## **Discussion Regarding Preservation Plan and Tax Exemption Program**

Planner Watson stated that the Preservation Plan provides for an inventory of buildings worthy of preservation, guiding of future decisions in promoting historic designation, and increasing public awareness and education. He stated that the Plan has no regulatory effect and does not establish or guarantee a tax exemption nor require any action or place any restriction on property owners. Mr. Watson stated that the Plan is an effective planning tool, and that being "designated" speaks to being culturally and architecturally significant and making "contributing" structures eligible for tax exemption. He stated that "contributing" structures add to the architectural and historical aspect of the district and are eligible for the Uniform Code for Building Conservation and tax exemptions.

Mr. Watson stated that the Tax Exemption Program was established in 1984, spoke to the value of the improvements to the land (structures), and stated that the intent of the money saved in taxes is that they are to go directly back into the building for preservation. He stated that the Program involves all four taxing entities, and while there is no time limit on the structures, all are subject to an annual review. Mr. Watson stated that the structures must be "contributing," adhere to a maintenance checklist, and be in the process of maintaining their required criteria. He reviewed the rating classes and stated that the current cost of the exemptions to the City is \$18,684 and further stated that if the complete program was carried out, the estimated cost to the City would be \$57,827 a year. Mr. Watson spoke to major conclusions of the program which include property value improvements, community rehabilitation, and incentives for historic properties to attract reinvestment. He stated that a "designation" can occur whether or not a tax exemption is given.

Mr. Watson advised the Council that as a neighborhood improves and becomes more desirable then so will the land and the structure become more valuable. Deputy Mayor Pro tem Stovall stated that the dollars are miniscule when compared to the total revenues of the City and stated that this is a very positive thing for the City and further commended Staff on the program. Mr. Watson advised that while there is a mixture, most restored homes are lived in by the owners and are designated in the ordinance as being used for residential purposes. City Attorney Wetherbee advised that a rental house would not be considered commercial under this program. Mr. Watson stated that the appraisal district is catching up to market value, that some of the homes are owned by seniors where taxes are frozen, spoke to the dollar amount of improvements placed in the homes, certified values being subject to change, and stated that there is no such thing as opting out.

Mr. Watson spoke to the Council regarding those properties receiving 100% tax exemption, properties listed in the Haggard Addition identified in the packet and stated that the number one criteria for these properties to meet is to be "designated" and meet the maintenance checklist and further stated that every property in the Haggard Addition is "contributing." He further advised Mayor Evans that in this addition there is no "set in stone" percentage number of properties for the neighborhood needed to agree on for "designation."

Mr. Watson advised the Mayor that there is no such thing as “opting out” for one of the homes in a district and spoke to a non-contributing structure (vacant lot, new building, or building which has been changed) as being the criteria to make a property non-historic. Mayor Evans spoke to entitlement to the tax exemption and to why there would ever be a circumstance when anyone would not accept the tax exemption. Mr. Watson stated that while this program provides an incentive to the property owner to “designate,” criteria must be met to maintain the property. He advised Mayor Evans that the designation has stopped at forty years in the past although this number is not set in stone. Mayor Evans spoke to the need to set a limit on the number of years a deduction can be received. Mr. Watson stated that it is agreed that a limit must be set at some point. He advised the Council that the other taxing entities can opt out but have never done this so far and further advised that these properties are held to a higher maintenance standard and that should properties deteriorate, the designation can then be removed. Mr. Watson advised the Council that “Old Town” and the “Douglass Community” are designated as Conservation Districts. Council Member Lambert spoke to spending these extra dollars and stated that this is a good program and assists with fixing up neighborhoods.

### **Comprehensive Monthly Financial Report**

Finance Director McGrane presented the Comprehensive Monthly Finance Report for the month of December, 2002 and spoke to General Fund revenues, stated that sales tax is down, and further reviewed expenditures. He stated that single family housing value is increasing back up from a previous dip, spoke to equity in the treasury pool, stated that the portfolio diversification has performed well.

### **Council Items for Discussion/Action on Future Agendas**

None were brought forward.

### **Consent Agenda**

Council Member Lambert requested that in future meetings the wording on Consent Item “B”, resolution to appoint investigators to determine Code of Conduct violations, be simplified to include language to more clearly define the intent.

### **Council Committee Reports**

Council Member Magnuson spoke regarding attendance at a Sister City’s meeting and to moving forward with plans for a visit to Hsinchu, Taiwan as well as plans for a soccer tournament which would involve all existing Sister Cities including Ivanovo, Russia; Enfield Adelaide, Australia; Brampton, Canada; and San Pedro, Garza Garcia. She stated that an event is planned for the Fall in October in Plano. Mayor Evans spoke to a letter received from the Mayor of Hsinchu inviting each Council Member to visit in March or April. She stated that while the City cannot afford to do this, it is important to keep any visits or educational exchanges open.

Council Member Magnuson stated that the School District and San Pedro, Garza Garcia are exchanging teachers in the near future. Council Member Lambert spoke to the Sister City board looking at reducing their budget 8-9% and that they are to be commended.

Council Member Stahel spoke to appointments to the steering committees of the National League of Cities and stated that Council Member Lambert has been reappointed to Transportation, Deputy Mayor Pro tem Stovall has been reappointed to Information and Technology Communication, Council Member Stahel was appointed to Community and Economic Development, and former Council Member McGee was appointed to Workforce and stated that this speaks well for Plano. Council Member Lambert stated that Mr. McGee is of course declining.

### **CONSENT AGENDA**

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

#### **Adoption of Resolutions**

**Resolution No. 2003-2- (R):** To appoint James P. Reid and William J. Roberts to serve as investigators in determining violations of the Code of Conduct of the City of Plano by a Councilmember and providing an effective date. (Consent Item "A")

#### **Adoption of Ordinances**

**Ordinance No. 2003-2- :** To annex to the City of Plano, Texas, a total of 0.59± acres of land located on the south side of Parker Road at Rainier Road, in the J. Beverly Survey, Abstract No. 78, Collin County, Texas, and extending the boundary limits of said City so as to include said hereinafter described property within said City Limits; adopting a service plan providing for the extension of municipal services to the area so annexed and granting to all inhabitants and owners of said property all of the rights and privileges of other citizens and binding all inhabitants by the acts, ordinances and regulations of said City; and providing a severability clause and an effective date. Public Hearings Held: 01-06-03 and 01-13-03. Annexation Case A2002-01 Applicant: City of Plano. (Consent Item "B")

#### **Approval of Purchase Off Existing Contract**

To authorize City participation in the Houston-Galveston Area Council of Governments (HCAG) Inter-Local Contract Agreement (Contract No. EM00-91) for the purchase of two (2) 70 H.P. tractor loaders with backhoes and authorizing the City Manager to execute all documents necessary to effectuate these purchases in the amount of \$93,804. (Consent Item "C")

**END OF CONSENT**

Nothing further was discussed. Mayor Evans recessed the meeting at 6:11 p.m.

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Pat Evans, **MAYOR**

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Elaine Bealke, **City Secretary**



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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>5</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: <b>2/10/03</b>		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Purchasing		Initials	Date	
Department Head	Mike Ryan		Executive Director		
Dept Signature:	<i>M. Ryan</i>		City Manager	<i>DR</i> <b>1/30/03</b>	
Agenda Coordinator (include phone #): <b>Jean Stelatella X7248</b>					
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					
<b>CAPTION</b>					
Award, rejection of Bids/Proposals, Conditional acceptance of Best Value Bid for a fixed price contract for Lease of a Microfilm Reader/Printer in the amount of \$6,337.80 for the first year of lease. (C020-03)					
<b>FINANCIAL SUMMARY</b>					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	<b>2002-03</b>	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	33,544	0	33,544
Encumbered/Expended Amount		0	0	0	0
This Item		0	-6,337	0	-6,337
BALANCE		0	27,207	0	27,207
FUND(S): <b>WATER &amp; SEWER FUND</b>					
COMMENTS: This item is included in the approved FY 2002-03 Budget.					
STRATEGIC PLAN GOAL #5: The lease of a microfilm reader printer relates to the City's goal of Service Excellence.					
<b>SUMMARY OF ITEM</b>					
Staff recommends bid of Lason, Inc. of Farmers Branch, Texas 75234 be accepted as the Best Value bidder meeting the specifications for the leasing of a Microfilm Reader-Printer in the amount of \$6,337.80 for the first year of a five (5) year lease.					
List of Supporting Documents: Bid Summary			Other Departments, Boards, Commissions or Agencies		

**CITY OF PLANO BID NO. C020-03**

**MICROFILM READER-PRINTER**

**BID RECAP**

**Bid Opening Date/Time: December 3, 2002 @ 3:00 p.m.**

**Number of Bid Notices Mailed/Faxed: 299**

**Vendors Submitting "NO BIDS": One**

**Vendors Non-Responsive to Specification: None**

**Responsive Bidders: Two (2)**

*b-2*



P.O. Box 860358  
Plano, Texas 75086-0358  
972-941-7152  
Fax No. 972-941-7397



## **MEMORANDUM**

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**DATE:** January 29, 2003  
**TO:** Jean Stellatella, Purchasing Specialist  
**FROM:** Ricky Lindley, Mapping/Information Supervisor  
**SUBJECT:** Bid No. C020-03 Microfilm Reader-Printer Recommendation

Lason, Inc. is the recommended vendor for the Microfilm Reader-Printer System (Minolta 609Z) in the amount of \$41,693.00. This amount includes the five year lease of the equipment and the cost of a maintenance plan over the five year period. The selection was based upon the evaluation criteria submitted with the Best Value Bid by each vendor.

The same five year total cost for the nearest competitor, Horizon Micrographics, Inc., totals \$56,290.20, a price difference and overall cost savings of \$14,597.20 (see attachment).

Both purchasing and leasing options were considered for the equipment, while purchasing would result in a savings of \$7,249.00 over a five year period, leasing the equipment is recommended. This decision was based upon two factors; one, the amount of monies approved in FY 2002-03 budget was only enough to continue leasing for one year; and two, we would be purchasing equipment and technology that may become obsolete in the near future with no updates or support.

This equipment will replace the existing older microfilm reader-printer equipment currently on lease until January 20, 2003. The current system is used to provide copies of existing development information, plans, plats, and general correspondence files which reside on microfilm to the public and city staff.

If you have any questions or concerns, please contact me at extension 5200.

xc: Diane Allison, Purchasing Agent  
Phyllis Jarrell, Director of Planning  
Lynn Woodall, Administrative Support Supervisor

*B-3*

## MICROFILM READER-PRINTER SYSTEM EVALUATION MATRIX

Vendor	Equipment	Meets Min Req	Purchase Cost	Maint. Plan Cost	Purchase + Maint Plan (5 yrs)
Lason	Minolta 609Z	Yes	\$24,440.00	Year One = incl. w/purchase Year 2&3 = \$2440.00 Year 4&5 = \$2562.00	\$34,444.00
Horizon	Minolta 609Z	Yes	\$28,115.00	\$3675.00 per Year	\$46,490.00
Horizon	Canon MS-800	No	\$17,647.00	\$2300.00 per Year	\$29,147.00

Lease Costs (monthly)	Lease Cost (5 yrs)	Supply Cost	Response Time	Qualified Service
Without MP = \$528.15	Without MP = \$31,689.00	Toner = \$71.50 case	Under 24 Hours	Yes
With MP (Yr 2&3) = \$731.48	With MP = \$41,693.00	Developer =		
With MP (Yr 4&5) = \$741.65		Other =		
With MP = \$938.17	With MP = \$56,290.20	No Response	No Response	No Response
With MP = \$594.02	With MP = \$35,641.20	No Response	No Response	No Response

Repair Parts	Space Req.	Install. Cost	Training	Update Cost	Warranty
Yes	Meets	Included	Included	n/a	90 Days
No Response	Meets	No Response	No Response	No Response	No Response
No Response	Meets	No Response	No Response	No Response	No Response

Note: MP = Maintenance Plan.

B-4

## MICROFILM READER-PRINTER SYSTEM EVALUATION CRITERIA SCORING MATRIX

Vendor	Equipment	Meets Min Req	Purchase Cost	Lease Costs (monthly) With Maintenance Plan	Lease Costs (monthly) With Out Maintenance Plan
Lason	Minolta 609Z	5	4	4	4
Horizon	Minolta 609Z	5	3	3	3
Horizon	Canon MS-800	1	1	1	1

Maint. Plan Cost	Supply Cost	Qualified Service	Repair Parts	Install. Cost
4	5	4	4	5
3	1	1	1	1
1	1	1	1	1

Training	Update Cost	Warranty	TOTAL SCORE
5	5	4	53
1	1	1	24
1	1	1	12

Scoring Values = 1 - 5 (with 1 being Least Value and 5 being Most)

## MICROFILM READER-PRINTER SYSTEM 5 YEAR COST MATRIX

Vendor	1ST YEAR COST Equip. & Maintenance Plan	2ND YEAR COST Equip. & Maintenance Plan	3RD YEAR COST Equip. & Maintenance Plan	4TH YEAR COST Equip. & Maintenance Plan	5TH YEAR COST Equip. & Maintenance Plan	TOTAL SYSTEM COST
Lason	\$6,337.80	\$8,777.80	\$8,777.80	\$8,899.80	\$8,899.80	\$41,693.00
Horizon	\$11,258.04	\$11,258.04	\$11,258.04	\$11,258.04	\$11,258.04	\$56,290.20

### Purchasing

Vendor	1ST YEAR COST Equipment, Maintenance Plan	2ND YEAR COST Maintenance Plan	3RD YEAR COST Maintenance Plan	4TH YEAR COST Maintenance Plan	5TH YEAR COST Maintenance Plan	TOTAL SYSTEM COST
Lason	\$24,440.00	\$2440.00	\$2440.00	\$2562.00	\$2562.00	\$34,444.00
Horizon	\$31,790.00	\$3675.00	\$3675.00	\$3675.00	\$3675.00	\$46,490.00

b-5



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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:	<b>2/10/03</b>	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Purchasing	Initials	Date		
Department Head	Mike Ryan	Executive Director			
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	<i>[Signature]</i>	
Agenda Coordinator (include phone #): <b>Jean Stelatella X7248</b>					
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					
<b>CAPTION</b>					
Award, rejection of Bids/Proposals, Conditional acceptance of lowest responsible Bid/Proposal for a fixed price contract for Traffic Signal Items (C018-03).					
<b>FINANCIAL SUMMARY</b>					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	<b>02-03</b>	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): <b>WAREHOUSE</b>					
<b>COMMENTS:</b> This item approves price quotes. Expenditures will be made in the Warehouse fund within the approved budget appropriations for traffic signal heads. The estimated annual amount is \$62,358.05.					
<b>STRATEGIC PLAN GOAL:</b> Traffic Signal Items relate to the City's Goal of Safe and Efficient Travel.					
<b>SUMMARY OF ITEM</b>					
<b>ANNUAL CONTRACT WITH RENEWALS</b>					
Staff recommends bids of Traffic Parts, Inc., Hi-Tech Signals, Inc., and U.S. Traffic Corporation in the estimated annual amount of \$62,358.05 be accepted as lowest responsible bids conditioned upon timely execution of any necessary contract documents. This contract will be utilized for the purchase and maintenance of vehicle traffic signal heads.					
List of Supporting Documents: Bid Summary		Other Departments, Boards, Commissions or Agencies			

*C-1*

**CITY OF PLANO BID NO. C018-03**

**TRAFFIC SIGNAL ITEMS**

**BID RECAP**

**Bid Opening Date/Time:** December 2, 2002 @ 3:00 p.m.

**Number of Bid Notices Mailed/Faxed:** 617

**Vendors Submitting "NO BIDS":** None

**Vendors Non-Responsive to Specification:** None

**Responsive Bidders:** Five (5)

C-2



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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: <b>2/10/03</b>		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Engineering		Initials	Date	
Department Head	Upchurch		Executive Director	<i>[Signature]</i> 2/4/03	
Dept Signature:	<i>[Signature]</i>		City Manager	<i>[Signature]</i> 2/4/03	
Agenda Coordinator (include phone #): <b>Irene Pegues (7198)</b>			Project No. <b>5132</b>		
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					
<b>CAPTION</b>					
Award, rejection of Bids, Conditional Acceptance of lowest responsible Bid of the Primary vendor and an Alternate Vendor for construction of the South Cedar Elm Channel Improvements (Bid No. B030-03).					
<b>FINANCIAL SUMMARY</b>					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP					
FISCAL YEAR: <b>2002-03</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>	
Budget	45,432	468,568	0	<b>514,000</b>	
Encumbered/Expended Amount	-45,432	-26,894	0	<b>-72,326</b>	
This Item	0	-235,219	0	<b>-235,219</b>	
<b>BALANCE</b>	0	206,455	0	<b>206,455</b>	
<b>FUND(S): MUNICIPAL DRAINAGE CIP, SEWER CIP</b>					
<b>COMMENTS:</b> Funds are available in the 2002-03 Municipal Drainage and Sewer CIP. This item, in the amount of \$235,219 will leave a current year balance of \$206,455 for the South Cedar Elm project.					
<b>STRATEGIC PLAN GOAL:</b> This item relates to the City's Goal of Safe, Livable Neighborhoods.					
<b>SUMMARY OF ITEM</b>					
Staff recommends bid of Craig Olden, inc., in the amount of \$235,219 be accepted as lowest responsible bid conditioned upon timely execution of any necessary contract documents.					
The second vendor being recommended is Mark North Erosion Systems, Inc., in the amount of \$275,188.50.					
Engineer's estimate was \$361,000.					
The project consists of construction of approximately 400 L.F. of gabion lined channel, related landscaping improvements, and 721 L.F. of 8" sanitary sewer line rehabilitation by open cut and trenchless methods.					
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies			
Bid Summary		N/A			
Location Map					

*d-1*

**BID SUMMARY**  
**SOUTH CEDAR ELM CHANNEL IMPROVEMENTS**  
**PROJECT NO. 5132**  
**PLANO, TEXAS**

PREPARED BY  
JERRY PARCHE' CONSULTING ENGINEERS  
1301 S. BOWEN ROAD, SUITE 300  
ARLINGTON, TEXAS 76013

CITY OF PLANO - CIP No. 34-46684 AND 26-71117  
BIDS OPENED JANUARY 23, 2003

<u>BIDDER'S NAME</u>	<u>AMOUNT OF BID</u>
CRAIG OLDEN, INC.	\$ 235,219.00
MARK NORTH EROSION SYSTEMS	\$ 275,188.50

d-2





**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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: <b>2/10/03</b>		Reviewed by Legal <i>SSG</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Purchasing		Initials	Date
Department Head	Mike Ryan	Executive Director	<i>[Signature]</i>	<i>2/4/03</i>
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	<i>2/5/03</i>
Agenda Coordinator (include phone #): <b>Jean Stelatella X7248</b>				
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				
<b>CAPTION</b>				
Award, rejection of Bids/Proposals. Conditional acceptance of Best Value Bid/Proposal of \$10.04 per hour for Professional Kitchen Personnel for Food Service at the Plano Centre (C023-03).				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>02-03</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	418,000	0	418,000
Encumbered/Expended Amount	0	-67,999	0	-67,999
This Item	0	-35,000	0	-35,000
<b>BALANCE</b>	0	315,001	0	315,001
FUND(S): <b>CONVENTION &amp; TOURISM</b>				
<b>COMMENTS:</b> This item approves price quotes. Expenditures will be made in Civic Center Operations from the total Contractual Labor budget appropriation. The estimated annual amount is \$35,000.00				
<b>STRATEGIC PLAN GOAL:</b> Staffing the kitchen for food service at the Plano Centre relates to the City's Goal of "Service Excellence."				
<b>SUMMARY OF ITEM</b>				
Staff recommends bid of Dixie Staffing Services, Dallas, Texas, 75243 be accepted as the Best Value bidder meeting the specifications for Professional Kitchen Personnel for Food Service at the Plano Centre in the amount of \$10.04 per hour for Dishwashers and Prep Cooks.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Bid Recap				
Bid Evaluation				

**CITY OF PLANO**

**BID NO. C023-03**

**PROFESSIONAL KITCHEN PERSONNEL FOR FOOD SERVICE AT  
PLANO CENTRE**

**BID RECAP**

**Bid opening Date/Time:** 12-18-02 @ 3:00 PM

**Number of Bid Notices Mailed/Faxed:** 538

**Vendors Submitting "NO BIDS":**

NONE

**Vendors Non-Responsive to Specification:**

NONE

**Responsive Bidders:**

<b><u>BIDDER</u></b>	<b><u>\$/Hour Dishwashers</u></b>	<b><u>\$/Hour Prep Cooks</u></b>
Labor Ready	9.95	9.95
Dixie Staffing Services	10.04	10.04
Enterprise Staffing Agency	10.15	10.15
Majesty Hospitality Staffing, Inc.	10.10	13.60

e-2

# MEMO

TO: JIM STROUP  
FROM: STEVE MCLAINE  
DATE: FEBRUARY 3, 2003  
SUBJECT: KITCHEN STAFFING BID C023-03

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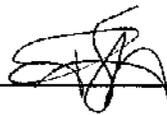
Jim, after interviewing the prospective bidders I would like to make the following award recommendation.

(1) Award all described services to Dixie Staffing Services

Please indicate your approval and return to the purchasing department.

Thanks



Approved:  \_\_\_\_\_

Date: 2-3-03

e-4

# Plano Centre

## Kitchen Personnel Bid Evaluation

### EVALUATION TOTALS

VENDOR EVALUATION CRITERIA	ENTERPRISE	DIXIE	MAJESTY	LABOR READY
<b>Timeliness of delivery</b>				
Employee requests	16	18	18	17
Employee guarantees	19	23	20	21
<b>Qualifications of personnel</b>				
Employee recruiting process	20	24	13	16
Screening Process	18	24	25	20
<b>Experience</b>				
Company background	14	24	27	18
Client work history	13	19	13	15
<b>Total points (max possible 180) 10= fully complete, 5=partially complete, 0= incomplete</b>	<b>100</b>	<b>132</b>	<b>116</b>	<b>107</b>

### SUMMARY OF ALL EVALUATIONS

EVALUATED BY :

Ratings  
5 = partially complete

10= fully complete

0= incomplete

Jan-03

VENDOR EVALUATION CRITERIA	ENTERPRISE	DIXIE	MAJESTY	LABOR READY
<b>Timeliness of delivery</b>				
Employee requests	6	8	8	7
Employee guarantees	4	8	8	6
<b>Qualifications of personnel</b>				
Employee recruiting process	5	9	8	6
Screening Process	5	9	8	5
<b>Experience</b>				
Company background	7	9	9	5
Client work history	6	9	8	5
<b>Total points (max possible 60) 10= fully complete, 5=partially complete, 0= incomplete</b>	<b>33</b>	<b>52</b>	<b>49</b>	<b>34</b>

EVALUATED BY : Jim Stroup

0-5

e-6

Jan-03

VENDOR EVALUATION CRITERIA	ENTERPRISE	DIXIE	MAJESTY	LABOR READY
<b>Timeliness of delivery</b>				
Employee requests	5	5	5	5
Employee guarantees	5	5	7	5
<b>Qualifications of personnel</b>				
Employee recruiting process	10	10	5	5
Screening Process	3	5	7	5
<b>Experience</b>				
Company background	2	5	8	3
Client work history	2	0	5	5
<b>Total points (max possible 60) 10= fully complete, 5=partially complete, 0= incomplete</b>	<b>27</b>	<b>30</b>	<b>37</b>	<b>28</b>

EVALUATED BY : Steve McLaine

Jan-03

VENDOR	ENTERPRISE	DIXIE	MAJESTY	LABOR READY
<b>EVALUATION CRITERIA</b>				
<b>Timeliness of delivery</b>				
Employee requests	5	5	5	5
Employee guarantees	10	10	5	10
<b>Qualifications of personnel</b>				
Employee recruiting process	5	5	0	5
Screening Process	10	10	10	10
<b>Experience</b>				
Company background	5	10	10	10
Client work history	5	10	0	5
<b>Total points (max possible 60)</b> 10= fully complete, 5=partially complete, 0= incomplete	<b>40</b>	<b>50</b>	<b>30</b>	<b>45</b>

EVALUATED BY : Alain Charles

e-7



## CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		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:	<b>2/10/03</b>	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Purchasing	Initials	Date		
Department Head	Mike Ryan	Executive Director	<i>[Signature]</i>	2/14/03	
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	2/15/03	
Agenda Coordinator (include phone #):		<b>Jean Stellatella X7248</b>			
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					
<b>CAPTION</b>					
Award, rejection of Bids/Proposals, Conditional acceptance of Lowest Responsible Bid/Proposal for a fixed price contract for Nitrile Emergency Medical Gloves in the estimated annual amount of \$28,891.00 (C026-03).					
<b>FINANCIAL SUMMARY</b>					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	02-03	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget			1,099,973	0	1,099,973
Encumbered/Expended Amount		0	-497,608	0	-497,608
This Item		0	-28,891	0	-28,891
BALANCE		0	573,474	0	573,474
FUND(S): <b>WAREHOUSE FUNDS</b>					
COMMENTS: This item approves price quotes. Expenditures will be made in the Warehouse Fund from the total Warehouse Stock Purchase budget appropriation.. The estimated annual amount is \$28,891.00					
STRATEGIC PLAN GOAL: The Emergency Medical Gloves relate to the City's Goal of "Service Excellence."					
<b>SUMMARY OF ITEM</b>					
Staff recommends bid of Emergency Medical Products, Inc., Waukesha, Wi 53186 in the estimated annual amount of \$28,891.00. Lower bidders for alternate gloves were non responsive to the specifications. Samples were sent to the Fire Department for evaluation and determined to be not acceptable. This will establish an annual contract with two optional one year renewals.					
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies			
Bid Recap					

f-1

**CITY OF PLANO**

**BID NO. C026-03**

**NITRILE EMERGENCY MEDICAL GLOVES**

**Bid opening Date/Time: 1-03-03 @ 3:00 PM**

**Number of Bid Notices Mailed/Faxed: 39**

**Vendors Submitting "NO BIDS": None**

**Vendors Non-Responsive to Specification: 20**

**Vendors Bids Withdrawn: One**

**Responsive Bidders: 15**

8-2



## CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		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:	<b>2/10/03</b>	Reviewed by Legal <i>W</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	City Secretary	Initials	Date	
Department Head	Elaine Bealke	Executive Director		
Dept Signature:	<i>Elaine Bealke</i>	City Manager	<i>EM</i>	<i>2/3/03</i>
Agenda Coordinator (include phone #):		Di Zucco - X7551		
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, AUTHORIZING THE CITY MANAGER, OR IN HIS ABSENCE AN EXECUTIVE DIRECTOR, TO ENTER INTO AN AGREEMENT WITH THE PLANO INDEPENDENT SCHOOL DISTRICT AND FRISCO INDEPENDENT SCHOOL DISTRICT FOR THE PURPOSE OF CONDUCTING A JOINT GENERAL ELECTION ON MAY 3, 2003; AND PROVIDING AN EFFECTIVE DATE				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(s):				
<b>COMMENTS:</b> FINANCIAL SUMMARY WILL BE PROVIDED ON THE AGENDA ITEM FOR THE CONTRACT WITH THE COUNTY ELECTION'S ADMINISTRATOR.				
<b>SUMMARY OF ITEM</b>				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, AUTHORIZING THE CITY MANAGER, OR IN HIS ABSENCE AN EXECUTIVE DIRECTOR, TO ENTER INTO AN AGREEMENT WITH THE PLANO INDEPENDENT SCHOOL DISTRICT AND FRISCO INDEPENDENT SCHOOL DISTRICT FOR THE PURPOSE OF CONDUCTING A JOINT GENERAL ELECTION ON MAY 3, 2003; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Plano, the Plano Independent School District and the Frisco Independent School District have determined that, for the convenience of the citizens of Plano the General Elections of the City the School Districts, to be held on May 3, 2003, should be combined; and

**WHEREAS**, it is necessary to enter into a Joint Election Agreement (hereinafter referred to as the "Agreement") designating responsibilities for the conduct and costs of this election, a copy of which is attached hereto as Exhibit "A" and made a part hereof; and

**WHEREAS**, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the City Manager, or in his absence, an Executive Director should be authorized to execute the Agreement 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 interest of the City, are hereby in all things approved.

**Section II.** The City Manager, or in his absence an Executive Director, is hereby authorized to enter into and execute the Agreement on behalf of the City of Plano.

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

**DULY PASSED AND APPROVED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.**

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane Wetherbee, CITY ATTORNEY



JOINT ELECTION AGREEMENT

between

The City Council of the City of Plano (the City), the Board of Trustees of the Plano Independent School District (PISD) and the Board of Trustees of the Frisco Independent School District (FISD) known as the Schools.

BY THE TERMS OF THIS AGREEMENT, the City and the Schools do hereby agree, pursuant to the provisions of the Texas Election Code, to hold a joint election for the General Elections of the City and the School Districts to be held on Saturday, May 3, 2003. The entities have contracted with the Collin County Elections Administrator (Election Administrator) to perform various duties and responsibilities on their behalf.

The three entities shall share equally in shared expenses applicable to all early voting locations utilized by the City and, in addition, three election day polling locations which are Brinker Elementary School, Bethany Elementary School, and Robinson Middle School; and the two entities (City/PISD) shall also share equally in shared expenses for all election day polling locations used by the City which include: polling location expenses, election officials, supplies, ballots and any other and all necessary expenses for the election upon receipt of satisfactory billing and invoices reflecting the total of such election. Expenses unique to one entity shall be billed solely to that entity.

Tabulation and centralized costs shall be shared equally between the number of entities holding an election on May 3, 2003. An entity canceling an election pursuant to Section 2.053 of the Texas Election Code will not be liable for costs incurred by the Elections Administrator in conducting the May 3, 2003, Joint General Election; they will be liable only for the contract preparation fee of \$75.00

APPROVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS in its meeting held the \_\_\_\_ day of \_\_\_\_\_, 2003, and executed by its authorized representative.

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

Attest: \_\_\_\_\_  
Elaine Bealke, City Secretary

APPROVED BY THE TRUSTEES OF THE FRISCO INDEPENDENT SCHOOL DISTRICT in its meeting held the \_\_\_\_\_ day of \_\_\_\_\_, 2003, and executed by its authorized representative.

By: \_\_\_\_\_  
Dr. Rick Reedy, Superintendent

Attest: \_\_\_\_\_  
Daniel K. Presley, President  
Board of Trustees

APPROVED BY THE TRUSTEES OF THE PLANO INDEPENDENT SCHOOL DISTRICT in its meeting held the \_\_\_\_\_ day of \_\_\_\_\_, 2003, and executed by its authorized representative.

By: \_\_\_\_\_  
Douglas W. Otto, Superintendent

Attest: \_\_\_\_\_  
Becky Taylor, Executive  
Assistant to the Superintendent

9-3



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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:	<b>02/10/03</b>		Reviewed by Legal <i>JSG</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not Applicable
Department:	Customer & Utility Services/Tax Administration		Initials	Date
Department Head	Linda Keylon		Asst City Manager	<i>[Signature]</i> 1-31-03
Dept Signature:	<i>[Signature]</i>		City Manager	<i>[Signature]</i> 1/31/03
Agenda Coordinator (include phone #):	Angela Gurley x-7352			
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				
<b>CAPTION</b>				
Approving and authorizing refunds of property tax overpayments.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	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 disbursed by the Collin County Tax Office.				
<b>SUMMARY OF ITEM</b>				
Attached for your approval are property tax refunds totalling \$1,057.71				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Refund request listing provided by Collin County Tax Office				

*A-1*

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS,  
APPROVING AND AUTHORIZING REFUNDS OF PROPERTY TAX  
OVERPAYMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 31.11 of the Texas Property Tax Code authorizes refunds of certain payments of taxes upon application to the City; and

**WHEREAS**, under said Section 31.11 of the Texas Property Tax Code, refunds must be presented to the governing body of the taxing unit for approval; and

**WHEREAS**, the City Council has been presented a list of tax payments made, a copy of which is attached hereto, made a part hereof and marked Exhibit "A", which payments are requested to be refunded because such payments were erroneous or excessive; and

**WHEREAS**, upon full review and consideration of the above, and all matters attendant and related thereto, the City Council is of the opinion that the tax payments should be refunded,

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

Section I. The City Council of the City of Plano, Texas, finds and determines that the tax payments listed in Exhibit "A" were paid erroneously or were in excess of taxes due and shall be refunded in accordance with Section 31.11 of the Texas Property Tax Code.

Section II. The Director of Tax Collections for the City of Plano, Texas, or her designee, is hereby authorized to take the necessary action to effectuate the refunds approved under this Resolution.

*h-2*

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

DULY PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_,  
2003.

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

ATTEST:

\_\_\_\_\_  
Elaine Bcalke, CITY SECRETARY

APPROVED AS TO FORM:

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

h-3

h-4

Resolution No. \_\_\_\_\_  
Attachment "A" Page 1 of 4

VARIANCE/REFUND-REQ#2  
OVERPAYMENT/ALREADY PAID

January 14, 2003

FIDO	NAME & ADDRESS	ACCOUNT #	YEAR	BATCH #	REFUND TYPE	REFERENCE	PLANO CITY	ACCOUNT TOTAL	TOTAL OF REFUND
329677	PRIME PROPERTIES 17177 PRESTON RD STE 190 DALLAS TX 75248	R-2829-00B-0040-1	2002	T02C17G2	OP	36409	739.23	739.23	739.23
<b>TOTAL</b>							<b>739.23</b>	<b>739.23</b>	<b>739.23</b>

Resolution No. \_\_\_\_\_  
Attachment "A" Page 2 of 4

January 14, 2003 VARIANCE/REFUND-REQ#2  
OVERPAYMENT/ALREADY PAID

	23	PLANO	ACCOUNT	TOTAL OF
	CITY	TOTAL	TOTAL	REFUND
PAGE 1	739.23	739.23	739.23	739.23
<b>GRAND TOTALS</b>	<b>739.23</b>	<b>739.23</b>	<b>739.23</b>	<b>739.23</b>

*h-5*



Resolution No. \_\_\_\_\_  
Attachment "A" Page 4 of 4

VARIANCE/REFUND-REQ#2  
OVERPAYMENT/ALREADY PAID

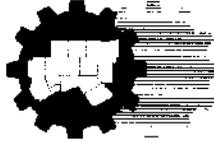
#REF!	23 PLANO CITY	ACCOUNT TOTAL	TOTAL OF REFUND
PAGE 1	318.48	318.48	318.48
<b>GRAND TOTALS</b>	<b>318.48</b>	<b>318.48</b>	<b>318.48</b>

h-7



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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: <b>2/10/03</b>		Reviewed by Legal <i>dk</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Development Business Center		Initials	Date
Department Head	Frank F. Turner	Executive Director	<i>[Signature]</i>	1/31/03
Dept Signature:		City Manager	<i>[Signature]</i>	1/31/03
Agenda Coordinator (include phone #): <b>Sherry Noles - Ext. 7122</b>				
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				
<b>CAPTION</b>				
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, URGING THE 78 <sup>TH</sup> TEXAS LEGISLATURE TO ADOPT INITIATIVES TO PRESERVE TEXAS AIR QUALITY, ENHANCE PUBLIC HEALTH, AND PROMOTE ECONOMIC PROSPERITY; AND PROVIDING AN EFFECTIVE DATE.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
<b>BALANCE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
FUND(S):				
COMMENTS:				
<b>SUMMARY OF ITEM</b>				
Support of legislation adopting initiatives to preserve Texas air quality, enhance public health, and promote economic prosperity.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		



## North Central Texas Council Of Governments

TO: Mayors and City Managers

DATE: December 2, 2002

FROM: Ron Harris  
Collin County Judge and Chair –  
North Texas Clean Air Steering Committee

SUBJECT: Legislative Issue Regarding Air Quality

The enclosed resolution is being forwarded to you with the request that it be adopted by your city council and forwarded to the members of your legislative delegation. It deals with air quality issues which are of extreme importance to North Central Texas and the entire State of Texas. The language of the resolution was drafted by representatives of government, business, and environmental interests who are members of the Texas Clean Air Working Group (TCAWG). Members of TCAWG come from those regions in Texas which are currently in nonattainment status of the federal ozone standard or which expect to soon be designated with nonattainment status.

The primary thrust of the resolution is to urge our legislators to provide full funding for the Texas Emission Reduction Plan (TERP) or Senate Bill 5 which was enacted during the last legislative session. TERP provides incentives for owners and operators of heavy construction equipment to replace or retrofit this equipment with new technology which will drastically cut polluting emissions. The resolution also requests a few modifications to TERP that will make it easier and more conducive for people to participate in the program. Other provisions call for more scientific research to be done on the air quality problem so that its cause can be better defined and so the most effective and cost efficient methods for remedying the problem can be determined. Finally the resolution promotes a few other methods for reducing ozone producing emissions which are designed to provide an additional cushion to the plan for attaining compliance with the federal standard.

The State of Texas has submitted a State Implementation Plan (SIP) to the Environmental Protection Agency (EPA) for approval. The SIP contains the various control strategies that are to be implemented to reduce nitrogen oxide emissions from 500 to 320 tons per day and thereby bring this region into attainment of the federal ozone standard. The TERP alone, provides 16.3 tons per day in reductions for this region. No other single strategy or group of strategies have been identified which can reach this level of reductions. Thus, EPA has notified the State of Texas that failure to fully fund the TERP will most likely result in the Dallas/Fort Worth SIP not being approved and the start of a sanctions clock which will threaten economic development and the flow of federal transportation funds to this region.

If you have any questions regarding this matter, please contact either me at (972) 548-4635 or Mike Eastland, Executive Director of the North Central Texas Council of Governments, at (817) 695-9101.

ME:lr  
Enclosure

*J-2*

## RESOLUTION

**WHEREAS**, air quality impacts the public health as well as the economic health of our entire state; and,

**WHEREAS**, federally designated nonattainment areas and near-nonattainment areas of Texas include thirty-eight counties, and all of the largest cities which represent 70% of the state's population; and,

**WHEREAS**, attaining compliance with the federal Clean Air Act is essential for Texas to achieve long-term growth and prosperity and to continue to provide a high quality of life for its citizens, and,

**WHEREAS**, air quality compliance continues to be among the most important and difficult challenges facing Texas; and,

**WHEREAS**, given the integrated nature of the Texas economy, all parts of the state will benefit when air quality compliance is achieved or will suffer if it is not; and,

**WHEREAS**, the Texas Legislature in 2001 enacted the Texas Emissions Reduction Plan (Senate Bill 5 – TERP) to provide incentives to induce the voluntary replacement or retrofitting of older and high polluting diesel and gasoline engines with newer and cleaner ones; and,

**WHEREAS**, the Environmental Protection Agency (EPA) accepted this strategy to substitute for a construction time shift that would have kept heavy-duty construction equipment from operating until 10:00 a.m. from May to October of each year and to also substitute for a requirement that owners of heavy-duty equipment would have to completely modernize their fleet by 2007 with new engines being introduced in 2005 and 2007; and,

**WHEREAS**, for the Dallas/Fort Worth area, the TERP was to be given credit for reducing 16.3 tons per day of ozone causing emissions; and,

**WHEREAS**, no alternative strategy (ies) has been identified which could feasibly or economically achieve this same level of reductions; and,

**WHEREAS**, the major funding source of the TERP was successfully challenged in legal proceeding and therefore resulted in this strategy not reaching its full potential and thereby not creating the emissions reductions intended; and,

**WHEREAS**, without the reductions, EPA has given notice that it will not approve the Dallas/Fort Worth attainment demonstration SIP, will find that the previously approved Houston SIP has failed, and will eliminate a future source of reductions in the near nonattainment areas; and,

**WHEREAS**, failure of these SIPs and the lack of potential reductions in the near nonattainment areas will trigger several sanctions in those affected areas that will negatively impact the entire Texas economy.

**NOW, THEREFORE BE IT RESOLVED** by the \_\_\_\_\_ that the 78<sup>th</sup> Texas Legislature is hereby urged to adopt the following initiatives, in priority order, to preserve Texas air quality, enhance public health, and promote economic prosperity:

1. First and foremost, provide full funding for the next biennium for the Texas Emissions Reduction Plan to make up for the shortfall in the anticipated funding from last session;

1-3

2. Maintain the integrity of the Texas Emissions Reduction Plan (TERP) by ensuring that clean up legislation improves the effectiveness of the TERP programs by accepting the Recommendations included in the Texas Commission on Environmental Quality's TERP Report to the Legislature and authorize the following provisions:
  - Enable gasoline, propane, and natural gas engines to participate in the Emissions Reduction Incentive Grant program
  - Include a simplified rebate program for low cost emissions control technologies in the TERP programs
  - Enable stationary engines to participate in the Emissions Reduction Incentive Grant program
  - Remove the funding floor in the Light Duty Purchase and Lease Incentive program
  - Establish one primary and four satellite regional emission testing centers for heavy-duty vehicles and machines
3. Support state funding for research and air planning activities:
  - Approve the Texas Commission on Environmental Quality's Legislative Appropriations Request for the 2003-2004 biennium, for 1) ozone modeling research in the state's nonattainment areas; and 2) air quality planning activities in the state's near nonattainment areas, including those activities necessary to support voluntary SIP submittals, ozone flex programs and early action compacts.
  - Approve legislative appropriations to the Houston-Galveston-Brazoria and Dallas/Fort Worth Air Quality Research Initiative to carry out air quality research in support of the mid-course review with regard to these regions' SIPs and to support the development of early attainment plans in these regions for the new ozone and particulate standards.
4. Affect a change in building codes relative to roofing standards in urban areas in order to improve the state's "urban heat islands."
5. Support an investigation of and, if merited, development of a pilot "pay as you save" program to encourage implementation of permanent energy efficiency improvements.
6. In light of existing emission reduction gaps and the advent of the new federal 8-hour and fine particulate standards, consider other measures as they are developed that have emission reduction potential. Some may include increased energy efficiency programs, fuel cell programs and clean fleet and engine improvements.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2002 BY THE \_\_\_\_\_.

i-4

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, URGING THE 78<sup>TH</sup> TEXAS LEGISLATURE TO ADOPT INITIATIVES TO PRESERVE TEXAS AIR QUALITY, ENHANCE PUBLIC HEALTH, AND PROMOTE ECONOMIC PROSPERITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, air quality impacts the public health as well as the economic health of our entire state; and

**WHEREAS**, federally designated nonattainment areas and near-nonattainment areas of Texas include thirty-eight counties, and all of the largest cities which represent 70% of the state's population; and

**WHEREAS**, attaining compliance with the federal Clean Air Act is essential for Texas to achieve long-term growth and prosperity and to continue to provide a high quality of life for its citizens, and

**WHEREAS**, given the integrated nature of the Texas economy, all parts of the state will benefit when air quality compliance is achieved or will suffer if it is not; and

**WHEREAS**, the Texas Legislature in 2001 enacted the Texas Emissions Reduction Plan (Senate Bill 5 – TERP) to provide incentives to induce the voluntary replacement or retrofitting of older and high polluting diesel and gasoline engines with newer and cleaner ones; and

**WHEREAS**, the Environmental Protection Agency (EPA) accepted this strategy to substitute for a construction time shift that would have kept heavy-duty construction equipment from operating until 10:00 a.m. from May to October of each year and to also substitute for a requirement that owners of heavy-duty equipment would have to completely modernize their fleet by 2007 with new engines being introduced in 2005 and 2007; and

**WHEREAS**, for the Dallas/Fort Worth area, the TERP was to be given credit for reducing 16.3 tons per day of ozone causing emissions; and

**WHEREAS**, no alternative strategy(ies) has been identified which could feasibly or economically achieve this same level of reductions; and

**WHEREAS**, the major funding source of the TERP was successfully challenged in legal proceeding and, therefore, resulted in this strategy not reaching its full potential and thereby not creating the emissions reductions intended; and

*i-5*

**WHEREAS**, without the reductions, EPA has given notice that it will not approve the Dallas/Fort Worth attainment demonstration SIP, will find that the previously approved Houston SIP has failed, and will eliminate a future source of reductions in the near nonattainment areas; and

**WHEREAS**, failure of these SIPs and the lack of potential reductions in the near nonattainment areas will trigger several sanctions in those affected areas that will negatively impact the entire Texas economy.

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

**Section I.** The 78<sup>th</sup> Texas Legislature is hereby urged to adopt the following initiatives, in priority order, to preserve Texas air quality, enhance public health, and promote economic prosperity:

1. First and foremost, provide full funding for the next biennium for the Texas Emissions Reduction Plan to make up for the shortfall in the anticipated funding from last session;
2. Maintain the integrity of the Texas Emissions Reduction Plan (TERP) by ensuring that clean up legislation improves the effectiveness of the TERP programs by accepting the Recommendations included in the Texas Commission on Environmental Quality's TERP Report to the Legislature and authorize the following provisions:
  - Enable gasoline, propane, and natural gas engines to participate in the Emissions Reduction Incentive Grant program
  - Include a simplified rebate program for low cost emissions control technologies in the TERP programs
  - Enable stationary engines to participate in the Emissions Reduction Incentive Grant program
  - Remove the funding floor in the Light Duty Purchase and Lease Incentive program
  - Establish one primary and four satellite regional emission testing centers for heavy-duty vehicles and machines.
3. Support state funding for research and air planning activities:
  - Approve the Texas Commission on Environmental Quality's Legislative Appropriations Request for the 2003-004 biennium, for 1) ozone modeling research in the state's nonattainment areas; and 2) air quality planning activities in the state's near nonattainment areas, including those activities necessary to

J-6

support voluntary SIP submittals, ozone flex programs and early action compacts.

- Approve legislative appropriations to the Houston-Galveston-Brazori and Dallas/Fort Worth Air Quality Research initiative to carry out air quality research in support of the mid-course review with regard to these regions' SIPs and to support the development of early attainment plans in these regions for the new ozone and particulate standards.

- 4 Affect a change in building codes relative to roofing standards in urban areas in order to improve the state's "urban heat islands."
- 5 Support an investigation of and, if merited, development of a pilot "pay as you save" program to encourage implementation of permanent energy efficiency improvements.
6. In light of existing emission reduction gaps and the advent of the new federal 8-hour and fine particulate standards, consider other measures as they are developed that have emission reduction potential. Some may include increased energy efficiency programs, fuel cell programs and clean fleet and engine improvements.

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

DULY PASSED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_ 2003.

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM

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



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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: <b>2/10/03</b>		Reviewed by Legal <i>MS</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Library Administration		Initials	Date	
Department Head	Joyce Baumbach	Executive Director			
Dept Signature:	<i>Joyce Baumbach</i>	City Manager	<i>MS</i>	<i>2/3/03</i>	
Agenda Coordinator (include phone #): <b>Mary Ann Dunnavant (Ext. 4208)</b>					

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

**CAPTION**

A resolution of the City Council of the City of Plano, Texas, authorizing the purchase of two model 6210 self check units in the amount of \$46,475, from 3M Safety and Security Systems, the sole source supplier of such equipment; authorizing the city manager or his designee to take such action and execute such documents as necessary to effectuate the purchase; and providing an effective date.

**FINANCIAL SUMMARY**

NOT APPLICABLE     OPERATING EXPENSE     REVENUE     CIP

FISCAL YEAR: <b>02-03</b>	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	75,593	0	75,593
Encumbered/Expended Amount	0	0	0	0
This Item	0	-46,475	0	-46,475
<b>BALANCE</b>	0	29,118	0	29,118

**FUND(s):**    **LOAN STAR LIBRARIES GRANT FUND**

**COMMENTS:** This item approves price quotes. Expenditures will be made within the Loan Star Libraries Fund grant appropriation. The estimated amount is \$46,475.

**STRATEGIC PLAN GOAL:** Authorizing the purchase of two self-check workstations relates to the City's goal of Service Excellence.

**SUMMARY OF ITEM**

This request is to purchase two model 6210 self check units (\$46,475) from 3M Safety and Security Systems, a sole source supplier of equipment to work with the existing security systems at the Plano libraries. Sole source purchases are exempt from the competitive bid process as provided in V.T.C.A., Local Government Code, Section 252.022 (a) (7).

List of Supporting Documents: 1. Sole source letter from 3M dated 1/17/03	Other Departments, Boards, Commissions or Agencies
------------------------------------------------------------------------------	----------------------------------------------------



Fax: 972-964-4269

January 17, 2003

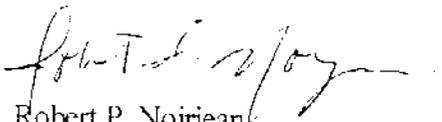
Michael Branch  
Plano Public Library System  
2501 Coit Road  
Plano, TX 75075

Dear Mr. Branch:

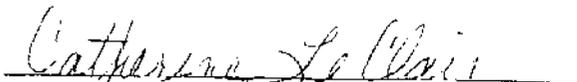
3M is the developer and manufacturer of the 3M<sup>TM</sup> SelfCheck<sup>TM</sup> System, and as such, we are also the sole source for these systems. We have patents on certain parts of the system technology, including the ability to detect and process material protected by 3M<sup>TM</sup> Tattle-Tape<sup>TM</sup> Strips. We are not aware of any manufacturer that sells self-checkout systems operating within the scope of 3M's patents. Service contracts and warranties are based on the correct usage with 3M Tattle-Tape Strips. Our representative for your area is Mike Fleming and he can be contacted at 800/328-0067.

Thank you for your interest in the 3M SelfCheck and Detection Systems and if there are any further questions or problems, please feel free to contact us.

Sincerely,

  
Robert P. Noirjean  
National Sales and Marketing Manager

lrr

  
(Notary Public)

My commission expires:



cc: M. Fleming – Account Representative  
M. Keefe – Regional Sales Manager

J-2

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, AUTHORIZING THE PURCHASE OF TWO MODEL 6210 SELF CHECK UNITS IN THE AMOUNT OF \$46,475, FROM 3M SAFETY AND SECURITY SYSTEMS, THE SOLE SOURCE SUPPLIER OF SUCH EQUIPMENT; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE SUCH ACTION AND EXECUTE SUCH DOCUMENTS AS NECESSARY TO EFFECTUATE THE PURCHASE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Plano, Texas desires to purchase two model 6210 self check units, and;

**WHEREAS**, 3M Safety and Security Systems is the sole source for model 6210 self-check units. 3M Safety and Security Systems is the only equipment that will interface with the current materials security system in place at the Plano Public Library System; and

**WHEREAS**, the City Council is of the opinion that the equipment to be purchased by the City is available only from one source, 3M Safety and Security Systems, and therefore the purchase is exempt from competitive bid as provided for in V.T.C.A., Local Government Code, Section 252.022 (a) (7); and

**WHEREAS**, upon full review and consideration of the proposed purchase and all matters attendant and related thereto, the City Council is of the opinion that the purchase should be approved, and that the City Manager or his designee should be authorized to take such action and execute such documents as necessary to effectuate the purchase.

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

**Section I.** The City Council hereby finds and determines that 3M Safety and Security Systems is the sole source for two check-in workstations to be purchased by the City, and, thus, the purchase of such equipment is exempt from competitive bid as provided for in V.T.C.A., Local Government Code, Section 252.022 (a) (7).

J-3

**Section II.** The City Manager or his designee is hereby authorized to take such action and execute such documents as necessary to effectuate the purchase of two self-check workstations in an amount not to exceed \$46,475 from 3M Safety and Security Systems, as shown on Exhibit "A" attached hereto and incorporated by reference, the sole source supplier of such equipment.

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

**DULY PASSED AND APPROVED THIS THE \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2003.**

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane Wetherbee, CITY ATTORNEY

J-4





## CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		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:	<b>2/10/03</b>	Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Engineering	Initials	Date	
Department Head	Alan L. Upchurch	Executive Director	2/3/03	
Dept Signature:	<i>Alan L. Upchurch</i>	City Manager	<i>[Signature]</i>	
Agenda Coordinator (include phone #):		Irene Pegues (7198) <i>[Signature]</i>		

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

### CAPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING AND GRANTING A 15 FOOT SANITARY SEWER EASEMENT ON CITY PROPERTY APPROXIMATELY 40 FEET NORTH OF PARKER ROAD AND EXTENDING EAST FROM SPRING CREEK PARKWAY APPROXIMATELY 460 FEET, IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, AUTHORIZING ITS EXECUTION BY THE CITY MANAGER, OR IN HIS ABSENCE HIS DESIGNEE, AND PROVIDING AN EFFECTIVE DATE.

### FINANCIAL SUMMARY

NOT APPLICABLE     OPERATING EXPENSE     REVENUE     CIP

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

**FUND(S):**

**COMMENTS:**

### SUMMARY OF ITEM

The sanitary sewer easement is for the construction of a sanitary sewer main crossing undeveloped Park property north of Parker Road and east of Spring Creek Parkway. The sanitary sewer main will serve the Hills of Spring Creek Addition.

Parks and Recreation Department staff has reviewed the easement location and has recommended approval.

List of Supporting Documents:  
Location Map

Other Departments, Boards, Commissions or Agencies  
n/a

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING AND GRANTING A 15 FOOT SANITARY SEWER EASEMENT ON CITY PROPERTY APPROXIMATELY 40 FEET NORTH OF PARKER ROAD AND EXTENDING EAST FROM SPRING CREEK PARKWAY APPROXIMATELY 460 FEET, IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, AUTHORIZING ITS EXECUTION BY THE CITY MANAGER, OR IN HIS ABSENCE HIS DESIGNEE, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the sanitary sewer easement is for construction of a sanitary sewer main crossing the undeveloped park property north of Parker Road and east of Spring Creek Parkway, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter the "Easement"); and,

**WHEREAS**, upon full review and consideration of the Easement, 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 his designee, shall be authorized to execute the Easement 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 City Council hereby authorizes the dedication of the Easement and determines that the Easement is acceptable and is hereby in all things approved.

**Section II.** The City Manager or in his absence his designee is hereby authorized to execute the Easement and all other documents in connection with said Easement on behalf of the City of Plano.

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

**DULY PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

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

*R-2*

**Exhibit "A"**

**SANITARY SEWER EASEMENT  
Hills of Spring Creek**

**THE STATE OF TEXAS    §  
                                  §        **KNOW ALL MEN BY THESE PRESENTS**  
COUNTY OF COLLIN    §**

THAT, the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, hereinafter called "Grantor," for and in consideration of the sum of **TEN DOLLARS (\$10.00)** and other good and valuable consideration to Grantor in hand paid by the **CITY OF PLANO, TEXAS**, a home rule municipal corporation, hereinafter called "Grantee", the receipt and sufficiency of which is hereby acknowledged, does hereby GIVE, GRANT, and CONVEY to the Grantee, its successors and assigns, the easement and right to construct, reconstruct and perpetually maintain Sanitary Sewer facilities (the "Facilities"), together with all incidental improvements and all necessary laterals in, upon and across the real property located in Collin County, Texas, as more particularly described in Exhibit "A", which is attached hereto and incorporated herein by reference as if fully set forth herein (the "Easement Property").

**TO HAVE AND TO HOLD** the same perpetually unto the Grantee, its successors and assigns, together with the right and privilege at all times to enter the Easement Property, or any part thereof, with the right of access across Grantor's adjacent property, for the purpose of constructing, reconstructing and maintaining the Facilities, and all incidental improvements and for making connections therewith. The Grantee, its successors and assigns, shall have the right to construct, reconstruct and perpetually maintain additional Facilities at all times in the future within the Easement Property.

In the event that an alternate easement is dedicated by a plat, and alternate infrastructure facilities are provided which comply with City of Plano specifications and

**Exhibit "A"**

are acceptable to the Grantee, the Grantee agrees, that by accepting this easement and upon approval by the City Council, to abandon all right, title and interest of the Grantee, in and to the easement provided herein, or any portion thereof, and to quitclaim such right, title, and interest to the abutting property owner(s) in accordance with its (their) respective interest(s).

The captions, titles, or headings used in this document are for convenience only and shall not be deemed to construe or limit the meaning of the language of this easement.

This easement may be assigned in whole or in part.

**SIGNED** my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

**CITY OF PLANO, TEXAS**

By: \_\_\_\_\_  
Thomas H. Muehlenbeck  
CITY MANAGER

APPROVED AS TO FORM:

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

*R-4*

Exhibit "A"

ACKNOWLEDGMENT

STATE OF TEXAS       §  
                                  §  
COUNTY OF COLLIN   §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2003, by **Thomas H. Muehlenbeck**, City Manager of the **CITY OF PLANO, TEXAS**. a home-rule municipal corporation for and on behalf of said corporation.

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

**After Recording Return To:**  
Charles M. Davis, P.E.  
Engineering Department  
P. O. Box 860358  
Plano, TX 75086-0358

*R-5*

EXHIBIT A  
15 FOOT WIDE  
SANITARY SEWER EASEMENT

BEING A 15 FOOT WIDE SANITARY SEWER EASEMENT SITUATED IN THE JNO. M. SALMONS SURVEY, ABSTRACT NO. 815 IN THE CITY OF PLANO, COLLIN COUNTY TEXAS AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF PLANO RECORDED IN VOLUME 3288, PAGE 873 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS (D.R.C.C.T.), SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF SPRING CREEK PARKWAY (A160 FOOT R.O.W.) RECORDED IN VOLUME 3288, PAGE 881 D.R.C.C.T., FROM WHICH THE SOUTHWEST CORNER OF SAID CITY OF PLANO TRACT BEARS SOUTH 06 DEGREES 54 MINUTES 33 SECONDS EAST, A DISTANCE OF 44.69 FEET;

THENCE ALONG THE EAST R.O.W. LINE OF SAID SPRING CREEK PARKWAY AND THE COMMON WEST LINE OF SAID CITY OF PLANO TRACT AND ALONG A CURVE TO THE LEFT HAVING RADIUS OF 1480.00 FEET, A DELTA ANGLE OF 00 DEGREES 34 MINUTES 53 SECONDS, A LONG CHORD THAT BEARS NORTH 08 DEGREES 03 MINUTES 16 SECONDS WEST, A DISTANCE OF 15.02 FEET AND AN ARC LENGTH OF 15.02 FEET TO A POINT FOR CORNER;

THENCE OVER AND ACROSS SAID CITY OF PLANO TRACT THE FOLLOWING COURSES AND DISTANCES;

NORTH 79 DEGREES 09 MINUTES 25 SECONDS EAST A DISTANCE OF 74.98 FEET TO A POINT FOR CORNER;

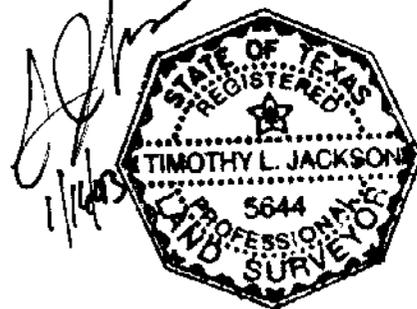
THENCE SOUTH 79 DEGREES 39 MINUTES 06 SECONDS EAST A DISTANCE OF 378.98 FEET TO A POINT FOR CORNER;

SOUTH 40 DEGREES 22 MINUTES 30 SECONDS EAST A DISTANCE OF 23.69 FEET TO A POINT FOR CORNER;

NORTH 79 DEGREES 39 MINUTES 06 SECONDS WEST A DISTANCE OF 394.51 FEET TO A POINT FOR CORNER;

SOUTH 79 DEGREES 09 MINUTES 25 SECONDS WEST A DISTANCE OF 72.91 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.159 ACRES OF LAND MORE OR LESS;

*pk-6*





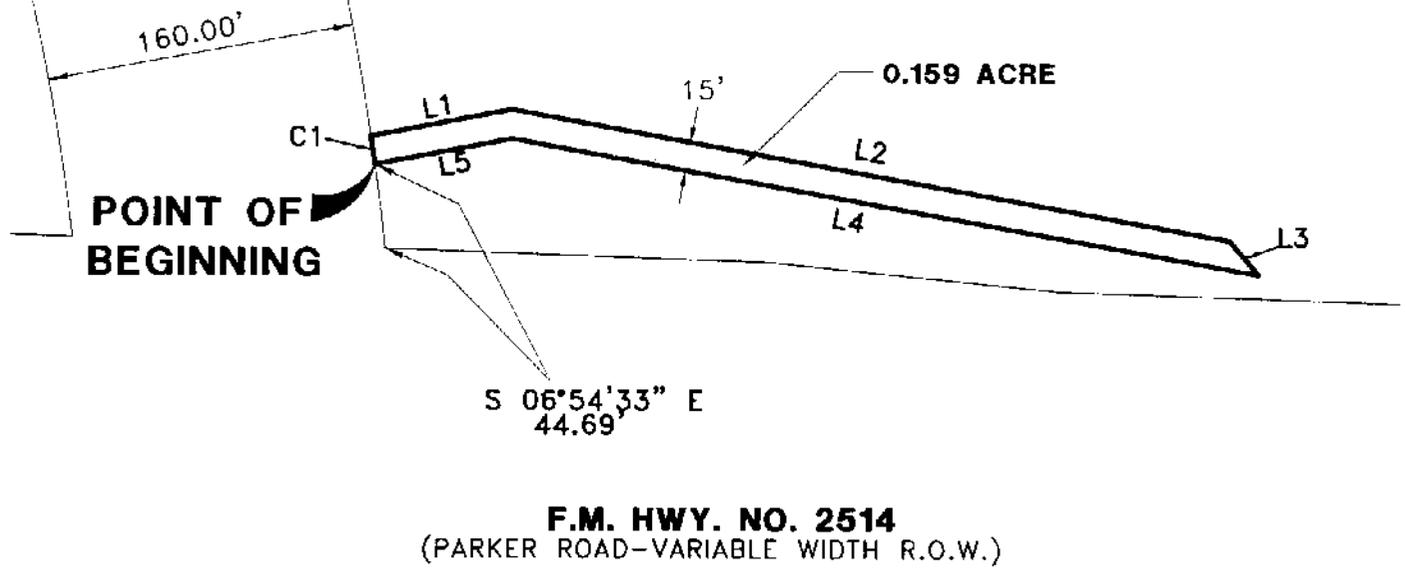
SCALE: 1" = 100'

LINE	BEARING	DISTANCE
L1	N 79°09'25" E	74.98'
L2	S 79°39'06" E	378.98'
L3	S 40°22'30" E	23.69'
L4	N 79°39'06" W	394.51'
L5	S 79°09'25" W	72.90'

SPRING CREEK RD.  
 VOLUME 3288, PAGE 881  
 D.R.C.C.T.  
 (160' RIGHT-OF-WAY)

CITY OF PLANO  
 VOLUME 3288, PAGE 873  
 D.R.C.C.T.

JNO. M. SALMONS SURVEY  
 ABSTRACT NO. 815



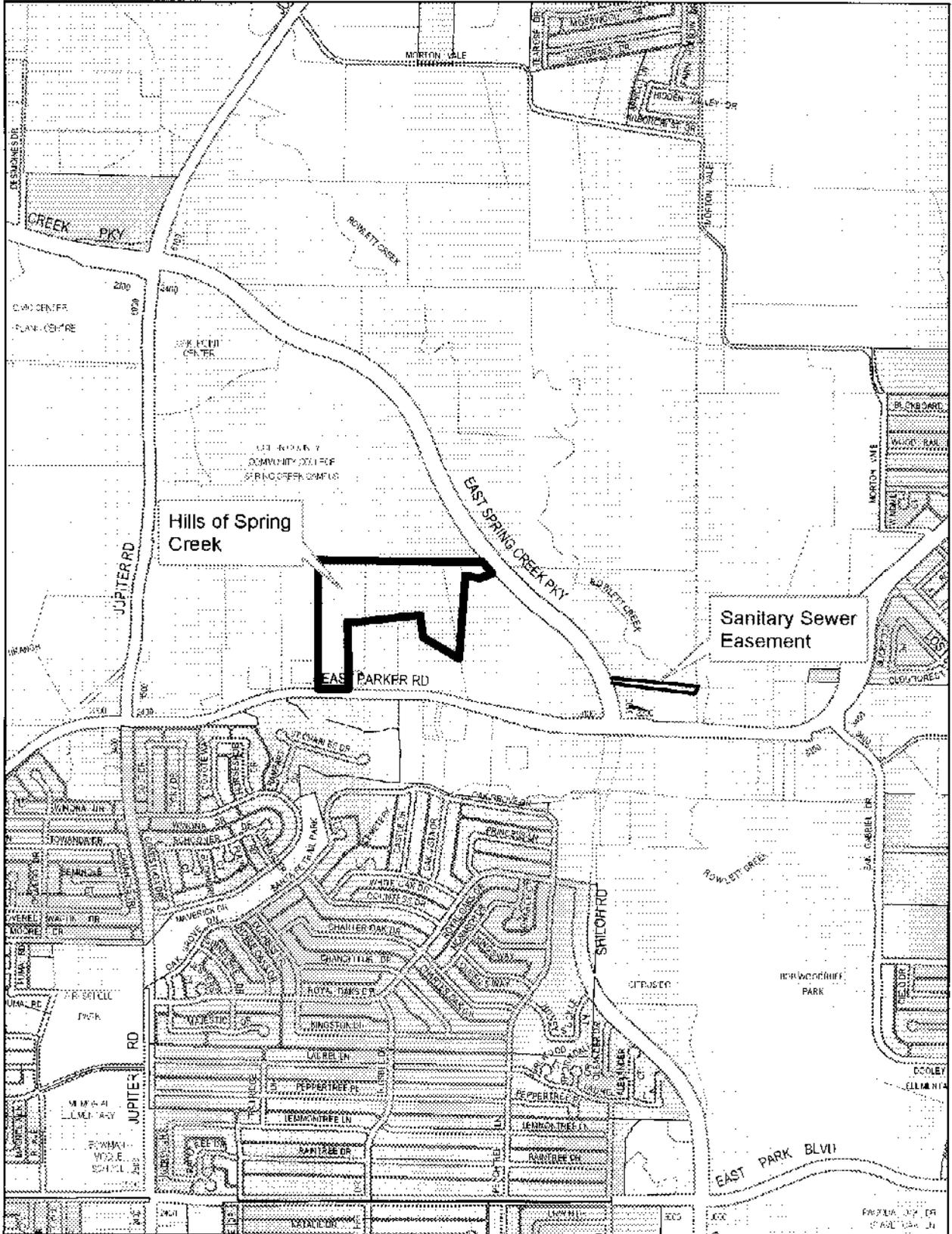
CURVE	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	1480.00'	00°34'53"	N 08°03'16" W	15.02'	15.02'

SHEET  2 OF 2	DATE: 01/22/03
	SCALE: 1" = 100'
	DRAWN BY: T. GUSSELL
	CHECKED BY: T. JACKSON

**EXHIBIT A**  
**15' SANITARY SEWER EASEMENT**  
 OUT OF THE  
 JNO. M. SALMONS SURVEY ABSTRACT NO. 815  
 IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS

**Carter::Burgess**  
 CARTER & BURGESS, INC.  
 7850 ELMBROOK DRIVE, SUITE 250  
 DALLAS, TX 75247-4981  
 (214) 838-0145

# Location Map



k-8



## CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		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: <b>2/10/03</b>		Reviewed by Legal <i>JS</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Legal		Initials	Date
Department Head	Diane C. Wetherbee		Executive Director <i>[Signature]</i>	2/5/03
Dept Signature:	<i>[Signature]</i>		City Manager <i>[Signature]</i>	2/10/03
Agenda Coordinator (include phone #): <b>Carol Jasien</b>				
<b>ACTION REQUESTED:</b> <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				
<b>CAPTION</b>				
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING A LICENSE AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS, AND K & C CAPITAL PARTNERS, LTD., FOR USE OF A NINE BY TWENTY FOOT PORTION OF THE PUBLIC RIGHT-OF-WAY SITUATED IN FRONT OF THE PROPOSED RESTAURANT USE LOCATED AT 1422 AVENUE K.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	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): <b>NO FINANCIAL IMPACT</b>				
COMMENTS:				
<b>SUMMARY OF ITEM</b>				
K & C Capital Partners, Ltd. requested a license from the City to add a 9'x20' patio dining area in front of their restaurant at 1422 Avenue K. The License Agreement requires Licensee to indemnify the City of Plano against any injury or damage which occurs in the license area and requires Licensee to carry the City of Plano as an additional insured on their general liability insurance policy.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING A LICENSE AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS, AND K & C CAPITAL PARTNERS, LTD., FOR USE OF A NINE BY TWENTY FOOT PORTION OF THE PUBLIC RIGHT-OF-WAY SITUATED IN FRONT OF THE PROPOSED RESTAURANT USE LOCATED AT 1422 AVENUE K.**

**WHEREAS**, the City Council has been presented a License Agreement by and between the City of Plano, Texas, and K & C Capital Partners, Ltd., ("Licensee") governing Licensee's usage of a nine by twenty foot (9'x20') area in the public right-of-way situated directly in front of Licensee's Restaurant at 1422 Avenue K for purposes of patio dining, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and;

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

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

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

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

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

**DULY PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2003.

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

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

**LICENSE AGREEMENT**

STATE OF TEXAS           §  
                                           §       **KNOW ALL MEN BY THESE PRESENTS:**  
 COUNTY OF COLLIN       §

**THIS LICENSE AGREEMENT** is made and entered into by and between the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, hereinafter called Licensor and **K & C Capital Partners, Ltd., a Texas Limited Partnership**, hereinafter called Licensee. In consideration of the mutual covenants and agreements set forth herein, and other good and valuable consideration, Licensor does hereby grant to Licensee, a revocable nonexclusive license to use a 9' x 20' area of the public sidewalk directly in front of Licensee's restaurant, located at 1422 Avenue K, Plano, Texas 75074, more particularly described by metes and bounds in Exhibit "A" which is attached hereto and made a part hereof for all intents and purposes (hereinafter "Premises").

This License is granted subject to the terms and conditions set out below:

1. License Term. The term of this License shall continue in force for a period of seven (7) years from the last date of execution of this Agreement indicated below and may thereafter be renewed and extended for successive terms of three (3) years subject to Licensor's written agreement to renew and extend the term.

2. Permitted Use. Licensee's use of the Premises is limited to patio dining, the serving of food and beverages in compliance with Licensee's Certificate of Occupancy, applicable zoning regulations, applicable City ordinances and permits and all State and Federal laws and regulations. In no event shall Licensee obstruct or interfere with the public's use of any sidewalk or public right-of-way, except as specifically permitted by this License Agreement.

3. Nonexclusive License. This License is nonexclusive and is subject to (i) any existing utility, drainage, or communication facility located in, under, or upon the Premises; (ii) to any existing license, easement or other similar interest in the Premises granted by Licensor to any individual, corporation or other entity, public or private; and (iii) to all other matters of record.

4. Superior Right. This License is subject and subordinate to the prior and continuing right of Licensor, its successors and assigns to use all of the public property for the public benefit. Licensor, for itself and other permitted users, reserves full rights, consistent with the rights herein granted to construct, reconstruct, locate, relocate, maintain and operate existing and additional facilities upon, across, over and beneath the Premises.

6-3

5. Revocable. This License is revocable and may be terminated by either party for convenience upon thirty (30) days written notice.

6. License Fee. Licensee shall pay Licensor the sum of **TWO HUNDRED AND NO/100 DOLLARS (\$200.00)** per year, during the first two (2) years of this Agreement and **TWO HUNDRED AND FIFTY AND NO/100 DOLLARS (\$250.00)** during each year thereafter. The first payment shall be due and payable within ten (10) days of Licensee executing this Agreement, and with all subsequent payments being due and payable on or before February 1st of each succeeding year.

All annual license payments shall reference this License Agreement on the check and shall be paid to Licensor at the following address:

City of Plano, Texas  
Attention: Accounting Department  
P. O. Box 860279  
Plano, TX 75086-0358

Annual License payments unpaid for thirty (30) days after their due date shall bear interest at the rate of eighteen percent (18%) per annum.

7. Liability Insurance. During the license term Licensee shall maintain a policy of general liability insurance at Licensee's expense insuring Licensee against liability assumed by Licensee hereunder and insuring Licensee and Licensor against liability arising out of or in any way incident to ownership, use, occupancy or maintenance of the Premises made the subject of this License. Such policy or policies shall also provide that the policy is primary and shall apply without regard to other policies separately carried. The initial amount of required insurance shall be at least \$1,000,000.00 Combined Single Limit for Personal Injury, Bodily Injury including death and Property Damage and shall be subject to period increases based upon inflation, recommendation of professional insurance advisors, and other relevant factors.

Licensor, its elected officials, officers, agents and employees must be named as an additional insured under all liability insurance policies required by this Agreement. All policies shall be endorsed to provide a waiver of subrogation in favor of the Licensor. All policies shall be endorsed to include the following provision: "It is agreed that this policy is not subject to cancellation, nonrenewal, material change, or reduction in coverage until ten (10) days prior written notice has been given to the City Manager of the City of Plano. The Insurance carrier must be authorized to do business in the State of Texas and the City prefers that the insurance company be rated B VII or better by AM Best rating. A certificate of insurance reflecting the required coverage shall be presented to Licensor prior to Licensor's approval and execution of this Agreement. Subsequent certificates

of insurance shall be provided to Licensor whenever Licensee renews, changes or amends their insurance policies or upon request by Licensor.

8. **Indemnity.** Licensee shall defend, indemnify, protect and hold Licensor, its officers, directors, parents, subsidiaries, affiliates, agents, servants and employees harmless from and against any and all claims, expenses (including but not limited to attorney's fees), demands, judgments and causes of action of every kind and character, including but not limited to claims in contract, tort, including negligence, or strict liability arising in favor of any person (including but not limited to employees, servants, agents, customers or invitees of Licensee) or entity for personal injury, bodily injury, including death, or damage to property whether or not arising from the sole or concurrent negligence or fault of Licensor or employees or independent contractors directly responsible to Licensor arising out of, incident to, or in anyway connected with Licensee's exercise of rights herein granted or obligations pursuant thereto, including but not limited to separate operations being performed on the property or any condition of the property.

9. **Compliance With Law.** Licensee shall, at its own cost and expense, comply with all applicable laws, including but not limited to existing zoning ordinances, governmental rules and regulations enacted or promulgated by any governmental authority and shall promptly execute and fulfill all orders and requirements imposed by such governmental authorities for the correction, prevention and abatement of nuisances in or upon or connected with said premises because of Licensee's use thereof. Licensee shall also comply with all laws and regulations pertaining to hazardous waste, hazardous materials and the environment.

10. **Condition Upon Termination.** Upon termination or revocation of this Agreement, Licensee shall immediately vacate the subject premises, removing all improvements and personal property so as to return the Premises to the condition in which they existed on the date this Agreement was executed. All personal property not removed at Licensor's request shall become Licensor's property at no cost or expense to Licensor.

11. **Assignment and Subletting.** This Agreement is personal to Licensee and may not be sold, transferred, assigned or sublet without prior written approval by an authorized representative of Licensor.

12. **Lien on Property.** During the period that this Agreement is in effect, Licensee shall take whatever steps are necessary to prevent any liens, including but no limited to, mechanics liens and materialmen's liens, from attaching to Licensor's property. Licensee shall immediately pay such sums as may be necessary to discharge liens and encumbrances filed with respect to all or any

portion of the Licensor's property resulting from the construction, maintenance or presence of any of Licensee's property.

13. Maintenance of Property. Licensee, at its own cost and expense, shall at all times during the term of this Agreement keep clean and maintain or cause to be kept clean and maintained, the Premises and all property which may be placed on the Premises by Licensee with Licensor's consent, in a good state of appearance and repair.

14. Notices. All written notices required under this License must be hand delivered or sent by certified mail, return receipt requested, and addressed to the proper party at the following addresses:

**LICENSOR**

City of Plano, Texas  
Attention: City Manager  
P. O. Box 860358  
Plano, TX 75086-0358

with copy to:

City of Plano, Texas  
Attention: City Attorney  
P. O. Box 860358  
Plano, TX 75086-0358

**LICENSEE**

Mr. Tim Kelly  
K & C Capital Partners, Ltd.  
1422 Avenue K  
Plano, Texas 75074

Each party may change the address to which notices are to be sent by giving the other party notice, within ten (10) days, of the new address in the manner provided by this paragraph.

15. Default. It is understood and agreed that, in case of default by Licensee in any of the terms and conditions herein stated and such default continues for a period of ten (10) calendar days after Licensor notifies Licensee of such default, Licensor may, at its election, terminate this Agreement and upon such termination all rights of the Licensee hereunder shall cease and come to an end. If such termination results from Licensee's default there shall be no prorata refund to Licensee of the unearned portion of the license fee for the then current

term; however, in the event that termination of this Agreement is for the convenience Licensor, Licensor shall refund to Licensee the prorated portion of the rental fee for the then current term.

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

17. Texas Law. This Agreement shall be construed under, and in accordance with, the laws of the State of Texas. Venue shall lie in Collin County, Texas.

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

**EXECUTED** as of the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

LICENSOR

**CITY OF PLANO, TEXAS**  
**a home-rule municipal corporation**

By: \_\_\_\_\_  
Thomas H. Muehlenbeck  
CITY MANAGER

LICENSEE

**K & C Capital Partners, Ltd.,  
a Texas Limited Partnership**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**ACKNOWLEDGMENTS**

STATE OF TEXAS       §  
                                  §  
COUNTY OF COLLIN   §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2003, by **Thomas H. Muehlenbeck**, City Manager of the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.

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

STATE OF TEXAS       §  
                                  §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2003, by \_\_\_\_\_, \_\_\_\_\_ of \_\_\_\_\_, a Texas \_\_\_\_\_ on behalf of said \_\_\_\_\_.

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

18

**EXHIBIT "A"**  
**Description of Area**

19



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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:	<b>02/10/03</b>	Reviewed by Legal <i>sw</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	City Secretary	Initials	Date	
Department Head	Elaine Bealke	Executive Director		
Dept Signature:	<i>Elaine Bealke</i>	City Manager	<i>ADL</i>	<i>2/3/03</i>
Agenda Coordinator (include phone #): <b>Di Zucco - x7551</b>				
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				
<b>CAPTION</b>				
<p><b>AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, ORDERING AN ELECTION TO BE HELD ON MAY 3, 2003 FOR THE PURPOSE OF ELECTING FOUR (4) MEMBERS OF COUNCIL, PLACE NO. 1 (DISTRICT 1), PLACE NO. 3 (DISTRICT 3), PLACE NO. 5, AND PLACE NO. 7, TO THE CITY COUNCIL TO HOLD OFFICE FOR A PERIOD OF TWO YEARS; DESIGNATING LOCATIONS OF POLLING PLACES; AND ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; AND PROVIDING AN EFFECTIVE DATE.</b></p>				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
<b>BALANCE</b>	0	0	0	0
<b>FUND(S):</b>				
<b>COMMENTS:</b> Fiscal impact will be placed on the agenda with resolution authorizing a contract with the Collin County Election Administrator.				
<b>SUMMARY OF ITEM</b>				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		

*M-1*

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, ORDERING AN ELECTION TO BE HELD ON MAY 3, 2003 FOR THE PURPOSE OF ELECTING FOUR (4) MEMBERS OF COUNCIL, PLACE NO. 1 (DISTRICT 1), PLACE NO. 3 (DISTRICT 3), PLACE NO. 5, AND PLACE NO. 7, TO THE CITY COUNCIL TO HOLD OFFICE FOR A PERIOD OF TWO YEARS; DESIGNATING LOCATIONS OF POLLING PLACES; AND ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT;**

**Section I.** A General election be and is hereby ordered to be held on Saturday, May 3, 2003, for the purpose of electing four (4) City Council Members to fill the following expiring terms on the Plano City Council: Place No. 1 (District 1), Place No. 3 (District 3), Place No. 5, and Place No. 7 each such term being for a period of two (2) years.

**Section II.** The filing deadline for candidates for Place No. 1 (District 1), Place No. 3 (District 3), Place No. 5, and Place No. 7 shall be March 19, 2003.

**Section III.** The polling places and the county election precincts whose qualified voters shall cast ballots at such locations in the City of Plano for the 2003 General election are as follows:

- (1) Armstrong Middle School, 3805 Timberline Drive  
Collin County Election Precincts numbered 25-06, 52, 61, 68, 94-01, 103, 141 and 144-07;
- (2) Bethany Elementary School, 2418 Micarta Drive  
Collin County Election Precincts numbered 34, 107, 119, 121, 135, and 139;
- (3) Bowman Middle School, 2501 Jupiter Road  
Collin County Election Precincts numbered 23, 46, 47, 50, 51, 60, and 152;
- (4) Brinker Elementary School, 3800 John Clark Parkway  
Collin County Election Precincts numbered 90, 109, 116, 123, 137 and  
Denton County Election Precinct numbered 229;

-M-2

- (5) Carlisle Elementary School, 6525 Old Orchard Drive  
Collin County Election Precincts numbered 64 and 69;
- (6) Carpenter Middle School, 1501 Cross Bend Road  
Collin County Election Precincts numbered 21, 54,  
62, and 66;
- (7) Haggard Middle School, 2401 Westside Drive  
Collin County Election Precincts numbered 15, 19,  
53, 65, 70, and 71;
- (8) Hendrick Middle School, 7400 Red River Drive  
Collin County Election Precincts numbered 58, 77, and 91;
- (9) Hughston Elementary School, 2601 Cross Bend Road  
Collin County Election Precincts numbered 31, 32,  
63, and 76;
- (10) Robinson Middle School, 6701 Preston Meadow Drive  
Collin County Election Precincts numbered 14, 81, 86,  
89, 108, 112 and 124;
- (11) Shepton High School, 5505 Plano Parkway  
Collin County Election Precincts numbered 28, 75,  
105 and 143;
- (12) Thomas Elementary School, 6537 Blue Ridge Trail  
Collin County Election Precincts numbered 39 and 85; and
- (13) Wilson Middle School, 1001 Custer Road  
Collin County Election Precincts numbered 26,  
49, 67, 72, and 138.

Polling places on May 3, 2003 shall be open from 7:00 a.m. until 7:00 p.m.

**Section IV.** Votes on election day at said election shall be cast by use of punch-cards and automatic tabulating equipment. The City Council does determine hereby that the same method shall be used for casting early votes by personal appearance and by mail in this election.

**Section V.** The early voting by personal appearance for the above-designated election shall be conducted in the following locations:

Main Early Voting Location

Collin County SubCourthouse  
920 East Park Boulevard  
Suite 251  
Plano, Texas 75074

Branch Early Voting Locations

Carpenter Park Recreation Center  
6701 Coit Road  
Plano, Texas 75024

Haggard Library  
2501 Coit Road  
Plano, Texas 75075

Harrington Library  
1501 18th Street  
Plano, Texas 75074

Plano Independent School District Administration Center  
2700 West 15th Street  
Plano, Texas 75075

Christopher A. Parr Library  
6200 Windhaven Parkway  
Plano, Texas 75093

Collin County Community College – Spring Creek Campus  
2800 East Spring Creek Parkway  
Plano, Texas 75074

Beginning on April 16, 2003, and continuing through April 29, 2003, said places of early voting shall remain open for at least eight (8) hours of early voting of each day which is not a Saturday, except for Saturday, April 26, 2003. No early voting shall be conducted on any Sunday, official State holiday, or Friday, April 18, 2003 during this period. Said places of voting shall remain open between the hours of 8:00 a.m. and 5:00 p.m. The main early polling place and the branch polling places shall also be open on Thursday, April 24, 2003, from 8:00 a.m. to 7:00 p.m.

M-4

Application for ballot by mail shall be mailed to:

Sharon Rowe, Elections Administrator  
Collin County SubCourthouse  
920 East Park Boulevard  
Suite 120  
Plano, Texas 75074

Application for ballot by mail must be received no later than the close of business on Friday, April 25, 2003.

**Section VI.** The recommendations of the City and the School District(s) will be the accepted guidelines of four (4) clerks to be secured to work in each polling place. The presiding election judge of each polling place, however, will use his/her discretion to determine when additional manpower is needed during peak voting hours.

**Section VII.** The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this election.

**Section VIII.** This ordinance shall become effective immediately upon its passage.

Passed and approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane Wetherbee, CITY ATTORNEY



## CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		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: <b>02/10/03</b>		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Engineering		Initials	Date
Department Head	Alan J. Upchurch		Executive Director	2/3/03
Dept Signature:	<i>Alan J. Upchurch</i>		City Manager	<i>AW</i> 2/3/03
Agenda Coordinator (include phone #): <b>Irene Pegues (7198)</b>				
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 THAT CERTAIN 50-FOOT RIGHT-OF-WAY CALLED M AVENUE BETWEEN 18<sup>TH</sup> STREET AND 19<sup>TH</sup> STREET BEING SITUATED IN THE STANFORD BECK SURVEY, ABSTRACT NUMBER 73, WHICH IS LOCATED WITHIN THE CITY LIMITS OF PLANO, COLLIN COUNTY, TEXAS; QUITCLAIMING ALL RIGHT, TITLE AND INTEREST OF THE CITY IN SUCH RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNER, PLANO INDEPENDENT SCHOOL DISTRICT, TO THE EXTENT OF ITS INTEREST; AUTHORIZING THE CITY MANAGER, OR IN HIS ABSENCE AN EXECUTIVE DIRECTOR, TO EXECUTE ANY DOCUMENTS DEEMED NECESSARY; AND PROVIDING AN EFFECTIVE DATE.

### FINANCIAL SUMMARY

NOT APPLICABLE     OPERATING EXPENSE     REVENUE     CIP

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

FUND(S):

COMMENTS:

### SUMMARY OF ITEM

The Plano Independent School District is requesting the abandonment of M Avenue between 18<sup>th</sup> Street and 19<sup>th</sup> Street. They are the owners of the two adjoining properties. With the right-of-way abandonment, safer access and better traffic control could be provided between the two properties.

List of Supporting Documents:

Location Map

Other Departments, Boards, Commissions or Agencies

n/a

7-1

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PLANO, TEXAS, ABANDONING ALL RIGHT, TITLE AND INTEREST OF THE CITY, IN AND TO THAT CERTAIN 50-FOOT RIGHT-OF-WAY CALLED M AVENUE BETWEEN 18<sup>TH</sup> STREET AND 19<sup>TH</sup> STREET BEING SITUATED IN THE STANFORD BECK SURVEY, ABSTRACT NUMBER 73, WHICH IS LOCATED WITHIN THE CITY LIMITS OF PLANO, COLLIN COUNTY, TEXAS; QUITCLAIMING ALL RIGHT, TITLE AND INTEREST OF THE CITY IN SUCH RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNER, PLANO INDEPENDENT SCHOOL DISTRICT, TO THE EXTENT OF ITS INTEREST; AUTHORIZING THE CITY MANAGER, OR IN HIS ABSENCE AN EXECUTIVE DIRECTOR, 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 that certain 50-foot right-of-way called M Avenue between 18<sup>th</sup> Street and 19<sup>th</sup> Street (hereinafter called "Right-of-Way") being situated in the Stanford Beck Survey, Abstract Number 73 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" (without attached Exhibits) 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 Right-of-Way is abandoned and quitclaimed to the abutting Property Owner; and has advised that the Right-of-Way 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 Right-of-Way is hereby abandoned, and all right, title and interest of the City in and to the Right-of-Way 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 in his absence an Executive Director, is hereby authorized to execute on behalf of the City of Plano, Texas, any instruments necessary to complete the abandonment and quitclaim of the Right-of-Way 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 Right-of-Way. Any such utility to have the continued right to locate, maintain, repair, reconstruct, preserve or relocate improvements, facilities, equipment or lines in such portion of the Right-of-Way.

M-2

**Section III.** The City Council hereby finds and determines that the abandonment of the Right-of-Way 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 \_\_\_\_\_ day of \_\_\_\_\_, 2003.

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

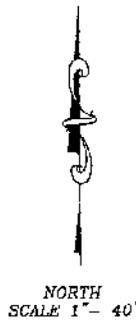
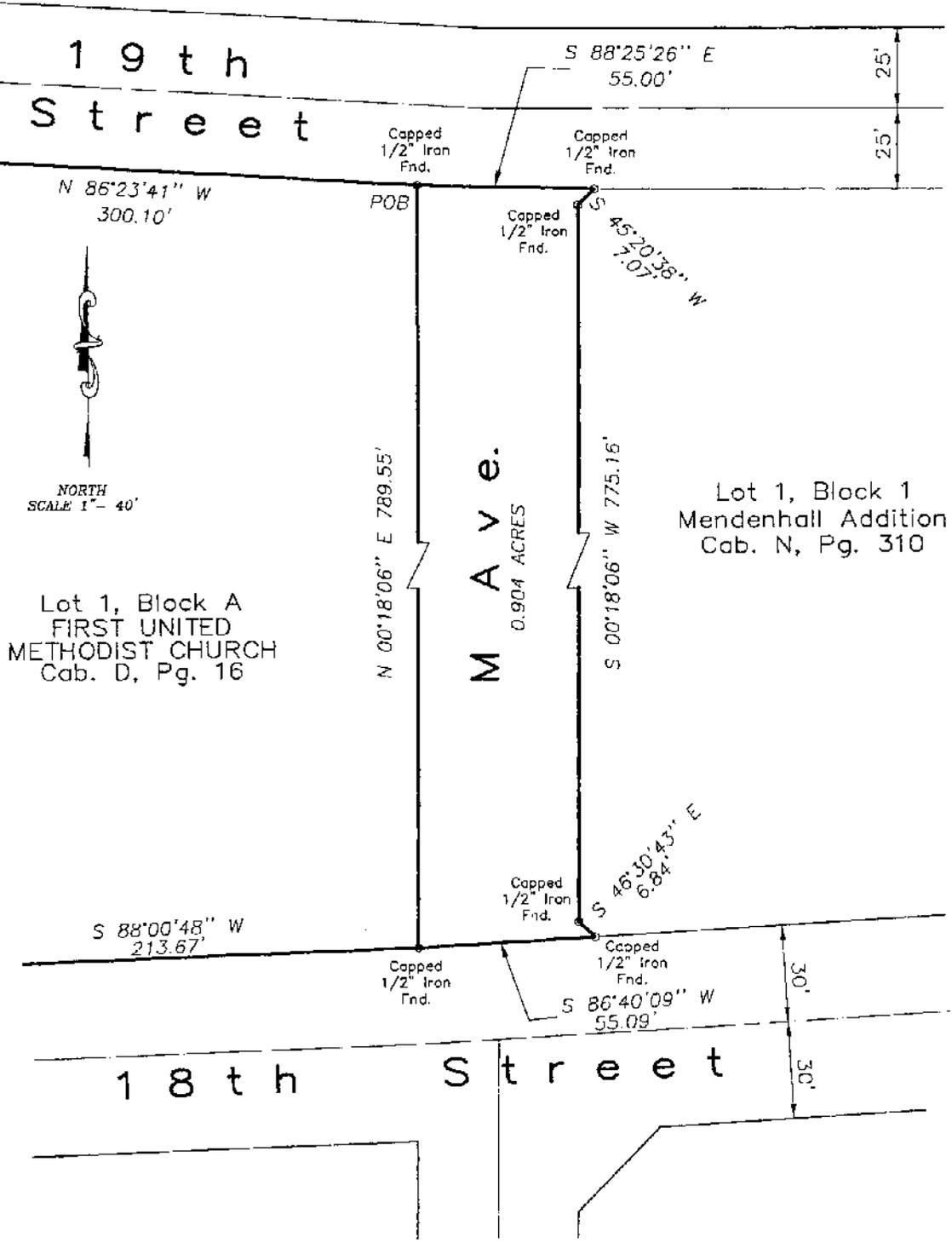
APPROVED AS TO FORM:

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

NOTES:

BEARING SHOWN ARE BASED ON THE FINAL  
PLAY OF MENDENHALL ADDITION

Exhibit "A"



M-4

**SURDUKAN SURVEYING, INC.**  
5120 NORTH COLONY BLVD.  
THE COLONY, TEXAS 75055  
(214) 625-0206

**SURVEY EXHIBIT**  
**"M" Avenue**  
SANFORD BECK SURVEY  
ABSTRACT NO. 73  
CITY OF PLANO  
COLLIN COUNTY, TEXAS

**Exhibit "A"**

**LEGAL DESCRIPTION**

BEING M Avenue between 18th Street and 19th Street and also being in the Sanford Beck Survey, Abstract No. 73, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner at the northeast corner of Lot 1, Block A, First United Methodist Church Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet D, Page 16 of the Plat Records of Collin County, Texas, said iron rod also being at the intersection of the south Right Of Way line 19th Street and then west Right Of Way line of M Avenue;

THENCE South 88 degrees 25 minutes 26 seconds East a distance of 55.00 feet to a 1/2 inch iron rod found for corner at the intersection of the South ROW line of 19th Street and the east ROW line of M Avenue, said iron rod also being at the most northerly northwest corner of Lot 1, Block 1 of Mendenhall Addition, an addition to the City of Plano, Texas, according to the plat thereof recorded in Cabinet N, Page 310, Plat Records, Collin County, Texas;

THENCE South 45 degrees 20 minutes 38 seconds West following the east ROW line of M Avenue a distance of 7.07 feet to a 1/2 inch iron rod found for corner;

THENCE South 00 degrees 18 minutes 06 seconds West following the east ROW line of M Avenue a distance of 775.16 feet to a 1/2 inch iron rod found for corner;

THENCE South 46 degrees 30 minutes 43 seconds East following the east ROW line of said M Avenue a distance of 6.84 feet to a capped 1/2 inch iron rod found for corner in the North Right Of Way line of 18th Street, said iron rod also being at the most southerly southwest corner of said Lot 1, Block 1;

THENCE South 86 degrees 40 minutes 09 seconds West following the north ROW line of 18th Street a distance of 55.09 feet to a capped 1/2 inch iron rod found for corner at the southeast corner of said Lot 1, Block A;

Thence North 0 degrees 18 minutes 06 seconds East following the west ROW line of said M Avenue a distance of 789.55 feet to the POINT OF BEGINNING and containing 39,385 square feet or 0.904 acres of land.

**EXHIBIT "B"**  
**PETITION FOR ABANDONMENT**

---

We, the undersigned, (called "Owners"), being all of the owners of real property abutting on that portion of **Avenue "M" between 18<sup>th</sup> Street and 19<sup>th</sup> Street** (called "Right-of-Way" or "Easement"), more particularly described in the field note description attached as Petition Exhibit "A", do hereby request that the City of Plano, Texas (called "City") abandon the Right-of-Way/Easement.

1. The Owners are requesting the abandonment of the Right-of-Way/Easement for the following reasons:

**SAFER ACCESS BETWEEN THE TWO ADJACENT PISD PROPERTIES.**

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

**BETTER TRAFFIC CONTROL FOR BOTH THE CITY AND PISD.**

3. The Owners hereby release and hold harmless the City from and against any and all claims or causes of action for damages or injury that each may have by reason of the abandonment and closing of the Right-of-Way/Easement.

4. The Owners represent that no other property owner uses the Right-of-Way/Easement for access to their property. The owners hereby indemnify and hold harmless the City from and against any and all claims or causes of action for damage or injury that any other property owner may have against the City by reason of the abandonment and closing of the Right-of-Way/Easement.

5. ~~Unless the provisions of Paragraph 6 apply, the Owners agree to pay to the City the fair market value of the Right of Way/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 costs 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 City Council of the City not abandon the Right of Way/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.~~

6. ~~The provisions of Paragraph 5 shall not apply if the owners have dedicated other right-of-way to replace that which is to be abandoned, in order to construct a new street which shall take the place of the right-of-way/easement (called "Replacement Right of Way"). If the Owners have or will provide Replacement Right of Way attached as Petition Exhibit "B" a drawing showing the Replacement Right of Way in relation to the Right of Way/Easement.~~

EXHIBIT "B"

7. The Owners understand and agree that the abandonment is in the sole discretion of the City Council of the City. The Owners understand and agree that if the Right-of-Way/Easement is abandoned, the City will quitclaim a portion of the Right-of-Way/Easement in proportion to their abutting ownership. Their abutting ownership will be determined by the number of linear feet of frontage adjacent to the Right-of-Way/Easement owned by each property owner. Based on the foregoing, the abutting ownership is in the following proportions:  
**PLANO ISD, 100%**

8. Attached to this Petition as Petition Exhibit "C" is a map or drawing showing the Right-of-Way/Easement along with the designation of the abutting ownership.
9. Attached as Petition Exhibit "D" are separate field note descriptions for each portion of the Right-of-Way or Easement to be quitclaimed to each property owner.

**Dated:** January 6, 2003

Plano Independent School District  
**Typed Name of Owner**

2700 West 15<sup>th</sup> Street  
**Address**

Plano, Texas 75075  
**City, State and Zip**

*Richard Matkin*  
 \_\_\_\_\_  
**Signature of Owner**

Richard Matkin  
 Associate Superintendent Business Services  
**Typed Name of Owner**

**Dated:** 1/21/03

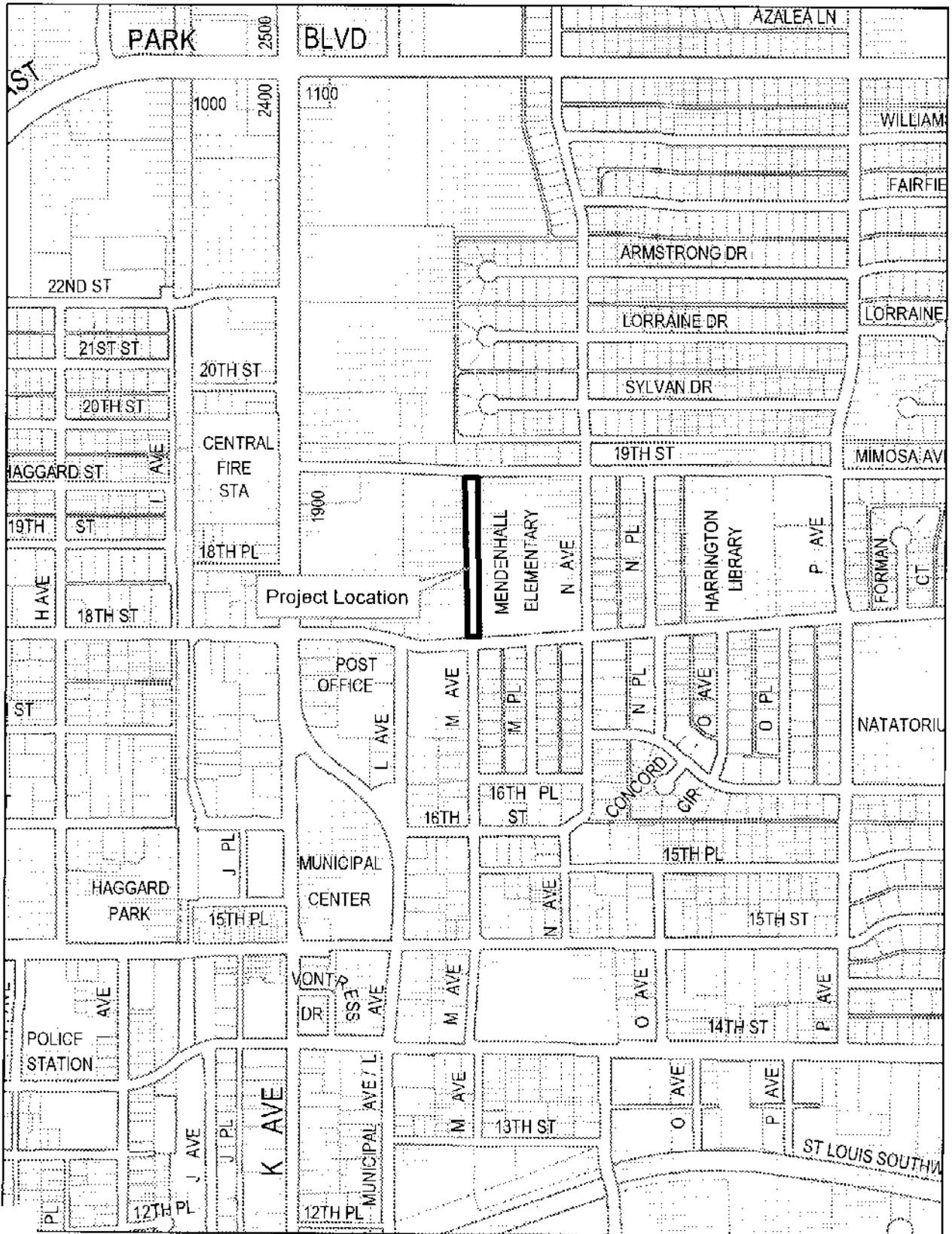
**Contact Person for Property Owners:**

**Name:** Ronny Klingbeil, RLK Engineering

**Phone No:** 972/359-1733

71-7

# Location Map M Ave.



71-8

C



## CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>		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: <b>02/10/03</b>		Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Planning		Initials	Date	
Department Head	Phyllis Jarrell		Executive Director	<i>[Signature]</i> 1/23/03	
Dept Signature:	<i>[Signature]</i>		City Manager	<i>[Signature]</i> 1/23/03	
Agenda Coordinator (include phone #): <b>Lanae Jobe, ext. 7165</b>					
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input checked="" type="checkbox"/> AGREEMENT					
<input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER					
<b>CAPTION</b>					
Payment of Geographic Information Systems Annual Maintenance and upgrades fees for software and core systems to Environmental Systems Research Institute (ESRI) in the amount of \$44,255.14.					
<b>FINANCIAL SUMMARY</b>					
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	<b>2001-2002</b>	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	62,705	0	62,705
Encumbered/Expended Amount		0	-2,520	0	-2,520
This Item		0	-44,255		-44,255
BALANCE		0	15,930	0	15,930
FUND(S):					
COMMENTS: Funds are available in the 2002-2003 Operating Budget for this item. The remaining balance will be used for other GIS maintenance expenditures throughout the year.					
<b>SUMMARY OF ITEM</b>					
The item is a sole source vendor item in the amount of \$44,255.14. The GIS software developer/vendor, Environmental Systems Research Institute, holds all contracts and licensing of the use of their software. The item covers annual maintenance, right to use licensing, and upgrades for the City's core Geographic Information System software. The annual maintenance contract covers all GIS software in use within the City with the exception of Public Works, which is covered within their departmental budget.					
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies			
Quotation from ESRI, #25070345.					

*0-1*



Company address, please maintain

**SUBJECT: MAINTENANCE QUOTE**

DATE: 12/09/2002  
TO: RON REYNOLDS  
ORGANIZATION: CITY OF PLANO  
DEVELOPMENT SERVICES  
FAX #: 972 941-7397      PHONE #: 972-941-7242  
  
FROM: Julie Cariota  
FAX #: 909-307-3083      PHONE #: 888-377-4575 Ext. 1944  
EMAIL: jpaul@esri.com

Number of pages transmitted  
(including this cover sheet): 6

QUOTATION #25070345

0-2



Phone: 888-377-4575/1944  
Fax #: 909-307-3083

## Quotation

Date: 12/09/2002

Quotation Number: 25070345

CITY OF PLANO  
DEVELOPMENT SERVICES  
1520 AVE K STE 250  
PLANO TX 75074  
Attn: RON REYNOLDS

Customer Number: 6245

**Send Purchase Orders To:**

ESRI, Inc.  
380 New York Street  
Redlands, CA 92373-8100  
Attn: Julie Cariota

**Please include the following  
remittance address on your**

**Purchase Order:**

ESRI Inc.  
File #54630  
Los Angeles, CA 90074-4630

Item	Qty	Product#	Description	Unit Price	Extended Price
10	1	52384	MAINT,PRIM,AI,FL ArcInfo Floating Primary Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: WINDOWS NT-INTEL	3,000.00	3,000.00
20	1	52384	MAINT,PRIM,AI,FL ArcInfo Floating Primary Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: SUN 4/SUN SPARC	3,000.00	3,000.00
30	8	52385	MAINT,SCNDRY,AI,FL ArcInfo Floating Secondary Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: SUN 4/SUN SPARC	1,200.00	9,600.00
40	2	52385	MAINT,SCNDRY,AI,FL ArcInfo Floating Secondary Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: WINDOWS NT-INTEL	1,200.00	2,400.00

This quotation is valid for 90 days. The quotation information is proprietary and may not be copied or released other than for the express purpose of system selection and purchase/license. This information may not be given to outside parties or used for any other purpose without consent from Environmental Systems Research Institute, Inc. (ESRI).

Any estimated sales and/or use tax has been calculated as of the date of this quotation and is merely provided as a convenience for your organization's budgetary purposes. ESRI reserves the right to adjust and collect sales and/or use tax at the actual date of invoicing. If your organization is tax exempt or pays state taxes directly, then prior to invoicing, your organization must provide ESRI with a copy of a current tax exemption certificate issued by your state's taxing authority for the given jurisdiction.

Issued By: Julie Cariota Ext: 1944

[CARIOTAJ]

To expedite your order, please reference your customer number and this quotation number on your purchase order.

Q-3



Phone: 888-377-4575/1944  
Fax #: 909-307-3083

## Quotation

Page 2

Date: 12/09/2002 Quotation Number: 25070345

Item	Qty	Product#	Description	Unit Price	Extended Price
50	1	52390	MAINT,PRIM,NET,FL Network Floating Primary Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: SUN 4/SUN SPARC	500.00	500.00
60	1	52391	MAINT,SCNDRY,NET,FL Network Floating Secondary Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: WINDOWS NT-INTEL	200.00	200.00
70	1	52396	MAINT,PRIM,COGO,FL ArcCOGO Floating Primary Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: SUN 4/SUN SPARC	500.00	500.00
80	2	64820	MAINT,APRS FOR AG ArcPress for ArcGIS Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: SUN 4/SUN SPARC	200.00	400.00
120	1	85057	MAINT,AIMS STD ED,SRVR/CPU LIC ArcIMS Standard Edition Server CPU Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: WINDOWS NT-INTEL	1,500.00	1,500.00
130	1	86497	MAINT,PRIM,ARCEDITOR,CU ArcEditor Concurrent Use Primary Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: WINDOWS NT-INTEL	1,500.00	1,500.00
140	2	86500	MAINT,SCNDRY,ARCEDITOR,CU ArcEditor Concurrent Use Secondary Maintenance	1,200.00	2,400.00

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Issued By: Julie Cariota Ext: 1944

[CARIOTAJ]

To expedite your order, please reference your customer number and this quotation number on your purchase order.

0-4



Phone: 888-377-45751944  
Fax #: 909-307-3083

## Quotation

Page 3

Date: 12/09/2002 Quotation Number: 25070345

Item	Qty	Product#	Description	Unit Price	Extended Price
			Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: WINDOWS NT-INTEL		
170	3	87194	MAINT,PRIM,AV,8X,CU ArcView 8.x Concurrent Use Primary Maintenance Start Date: 03/15/2003 End Date: 12/21/2003 Hardware Platform: WINDOWS NT-INTEL	541.44	1,624.32
180	22	87195	MAINT,SCNDRY,AV,CU ArcView Concurrent Use Secondary Maintenance Start Date: 03/15/2003 End Date: 12/21/2003 Hardware Platform: WINDOWS NT-INTEL	386.34	8,499.48
210	1	87198	MAINT,PRIM,AG 3D,CU ArcGIS 3D Analyst Concurrent Use Primary Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: SUN 4/SUN SPARC	500.00	500.00
230	1	87213	MAINT,DSG,ASDE,SRVR,2PROC ArcSDE Developer Support Group (DSG) Maintenance for 1 Server and up to 2 CPUs Includes 5 Read and Write Connects Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: SUN 4/SUN SPARC	3,000.00	3,000.00
240	15	87216	MAINT,DSG,ASDE,RD/WR CONN ArcSDE Developer Support Group (DSG) Priority Maintenance with Read Write Connect Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: SUN 4/SUN SPARC	150.00	2,250.00
260	1	87232	MAINT,PRIM,AG SA,CU ArcGIS Spatial Analyst Concurrent Use Primary Maintenance Start Date: 03/15/2003 End Date: 12/21/2003	386.34	386.34

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Issued By: Julie Cariota Ext: 1944

(CARIOTAJ)

To expedite your order, please reference your customer number and this quotation number on your purchase order.

*J.S.*



Phone: 888-377-4575/1944  
Fax #: 909-307-3083

## Quotation

Page 4

Date: 12/09/2002

Quotation Number: 25070345

Item	Qty	Product#	Description	Unit Price	Extended Price
Hardware Platform: WINDOWS NT-INTEL					
270	1	87232	MAINT,PRIM,AG SA,CU ArcGIS Spatial Analyst Concurrent Use Primary Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: SUN 4/SUN SPARC	500.00	500.00
280	1	87768	MAINT,ALR,W OUT DATA ArcLogistics Route without Data Annual Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: GENERIC DESKTOP	1,000.00	1,000.00
290	1	85232	SUPP I,DSG,PRIORITY,AIMS ArcIMS Developer Support Group (DSG) Priority Maintenance Start Date: 12/22/2002 End Date: 12/21/2003 Hardware Platform: WINDOWS NT-INTEL	1,495.00	1,495.00
<b>Subtotal</b>					44,255.14
<b>Shipping &amp; Handling</b>					0.00
<b>Estimated Tax</b>					0.00
<b>Total</b>					<b>\$ 44,255.14</b>

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Issued By: Julie Cariota Ext: 1944

(CARIOTAJ)

To expedite your order, please reference your customer number and this quotation number on your purchase order.

0-6



Phone: 888-377-45751944  
Fax #: 909-307-3083

# Quotation

Page 5

Date: 12/09/2002 Quotation Number: 25070345

Item	Qty	Product#Description	Unit Price	Extended Price
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BY SIGNING BELOW, YOU ARE INDICATING THAT YOU ARE AUTHORIZED TO OBLIGATE FUNDS FOR YOUR ORGANIZATION. DO NOT USE THIS FORM FOR ORDER ACTIVATION IF YOUR ORGANIZATION WILL NOT HONOR AND PAY AN INVOICE THAT HAS BEEN ISSUED AT YOUR DIRECTION WITHOUT ADDITIONAL AUTHORIZING PAPERWORK.

To expedite your order, either attach a copy of this quotation to your purchase order when it is remitted to ESRI, or sign below and return this quotation to indicate your acceptance. ESRI's address and fax number are provided on the first page of this quotation.

If your organization is a US Federal, state, or local government agency; an educational facility; or a company that will not pay an invoice without having issued a formal purchase order, a signed quotation will not be accepted unless it is accompanied by your purchase order.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Title

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Issued By: Julie Cariota Ext: 1944

(CARIOTAJ)

To expedite your order, please reference your customer number and this quotation number on your purchase order.

0-7



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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: <b>02/10/03</b>		Reviewed by Legal <i>KLL</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Intergovernmental Relations			Initials: <i>[Signature]</i>	
Department Head	Julie Johnston	Executive Director	Date: <b>1.31.03</b>		
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i> <b>2/3/03</b>		
Agenda Coordinator (include phone #)	<b>Nancy Rodriguez x7510</b>				

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

**CAPTION**

AMENDING ORDINANCE NO. 92-11-50, THE EXISTING GAS FRANCHISE BETWEEN THE CITY OF PLANO AND TXU GAS COMPANY, TO CLARIFY REVENUES SUBJECT TO THE FRANCHISE FEE, TO PROVIDE FOR PAYMENT DUE DATES, AND TO AUTHORIZE THE LEASE OF FACILITIES WITHIN THE CITY'S RIGHTS-OF-WAY; PROVIDING FOR ACCEPTANCE BY TXU GAS COMPANY; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE. (SECOND READING)

**FINANCIAL SUMMARY**

NOT APPLICABLE     OPERATING EXPENSE     REVENUE     CIP

FISCAL YEAR: <b>02-03</b>	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	1,709,163	0	1,709,163
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
<b>BALANCE</b>	0	1,709,163	0	1,709,163

**FUND(S):**    GENERAL FUND

**COMMENTS:** The FY 2002-03 Budget includes \$1,709,163 in Gas Franchise revenue. The financial impact of amending the existing Gas Franchise Agreement will result in increased revenue for the City. The exact increased amount is unknown at this time.

**SUMMARY OF ITEM**

This ordinance amends the existing gas franchise ordinance between the City and TXU Gas Company to clarify revenues subject to the franchise fee and to allow TXU Gas to lease their facilities that are located in the public rights-of-way to other companies. Specifically, the ordinance clarifies what revenues comprise "gross revenues" and includes in that definition both contributions in aid of construction (CIAC) and revenues received from the leasing of their facilities in the rights-of-way. Passage of this ordinance is required as part of the settlement agreement related to the Denton/TXU litigation that Council accepted in December of 2002. This is the second reading of this ordinance.

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

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING ORDINANCE NO. 92-11-50, THE EXISTING GAS FRANCHISE BETWEEN THE CITY OF PLANO AND TXU GAS COMPANY, TO CLARIFY REVENUES SUBJECT TO THE FRANCHISE FEE, TO PROVIDE FOR PAYMENT DUE DATES, AND TO AUTHORIZE THE LEASE OF FACILITIES WITHIN THE CITY'S RIGHTS-OF-WAY; PROVIDING FOR ACCEPTANCE BY TXU GAS COMPANY; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.**

**WHEREAS**, TXU Gas Company ("TXU Gas"), through its TXU Gas Distribution Division, engages in the business of furnishing and supplying gas to the general public in the City of Plano, Texas;

**WHEREAS**, in the course of its business, TXU Gas uses the public streets, alleys, grounds and rights-of-way within the City for the transportation, delivery, sale, and distribution of gas in, out of, and through the City under the terms of Ordinance No. 92-11-50, duly passed by the City Council of the City of Plano on November 23, 1992, and duly accepted by TXU Gas ("Franchise Ordinance");

**WHEREAS**, the City and TXU Gas desire to amend said Franchise Ordinance to clarify the revenues subject to the franchise fee, to provide payment due dates, and to authorize the lease of facilities within the City's rights-of-way; and

**WHEREAS**, the City Council finds that such amendments to said Franchise Ordinance would benefit the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, ORDAINS THAT:**

**Section I.** The City Council hereby amends Section IX of Ordinance No. 92-11-50 to include the following language verbatim:

- A. Effective January 1, 2002, the consideration payable by TXU Gas for the rights and privileges granted to TXU Gas by Ordinance No. 92-11-50 is four percent (4%) of the Gross Revenues, as defined in Section B below, received by TXU Gas.
- B. "Gross Revenues" is all revenue derived or received, directly or indirectly, by TXU Gas from or in connection with the operation of the System within the corporate limits of the City, including without limitation:
  - (1) all revenues received by TXU Gas from the sale of gas to all classes of customers within the City;

- (2) all revenues received by TXU Gas from the transportation of gas through the pipeline system of TXU Gas within the City to customers located within the City;
  - (3) the value of gas transported by TXU Gas for Transport Customers through the system of TXU Gas within the City ("Third Party Sales"), with the value of such gas to be reported by each Transport Customer to TXU Gas, provided, however, that should a Transport Customer refuse to furnish TXU Gas its gas purchase price, TXU Gas shall estimate same by utilizing TXU Gas Distribution's monthly industrial Weighted Average Cost of Gas, as reasonably near the time as the transportation service is performed; and
  - (4) other revenues derived from the following 'miscellaneous charges':
    - i. charges to connect, disconnect, or reconnect gas within the City;
    - ii. charges to handle returned checks from consumers within the City;
    - iii. such other service charges and charges as may, from time to time, be authorized in the rates and charges on file with the City; and
    - iv. contributions in aid of construction ("CIAC");
  - (5) revenues billed but not ultimately collected or received by TXU Gas; and
  - (6) gross receipts fees.
- C. "Gross revenues" shall not include:
- (a) the revenue of any Person, including an affiliate, to the extent that such revenue is also included in Gross Revenues of the TXU Gas;
  - (b) sales taxes;
  - (c) any interest income earned by TXU Gas; and

- (d) all monies received from the lease or sale of real or personal property, provided, however, that this exclusion does not apply to the lease of facilities within the City's rights-of-way.

D. Calculation and Payment of Franchise Fees Based on CIAC

- (1) The franchise fee amounts based on "Contributions in Aid of Construction" ("CIAC") shall be calculated on an annual calendar year basis, i.e., from January 1 through December 31 of each calendar year.
- (2) The franchise fee amounts that are due based on CIAC shall be paid at least once annually on or before April 30 each year based on the total CIAC recorded during the preceding calendar year.

E. Effect of Other Municipal Franchise Ordinance Fees Accepted and Paid by TXU Gas

- (1) If after the effective date of this Ordinance TXU Gas enters into a new municipal franchise agreement or renews an existing municipal franchise agreement with another municipality, which agreement provides for a calculation of franchise fees for use of the public rights-of-way that, if applied to the City, would result in a greater amount of franchise fees owed the City than under this franchise ordinance, then TXU Gas agrees to increase the franchise fee paid to the City to equal the amount due and payable under the franchise fee provisions of the more favorable franchise agreement.
- (2) The provisions of this Subsection E apply only to the amount of the franchise fee to be paid and do not apply to other franchise fee payment provisions, such as the timing of such payments.

F. TXU Gas Franchise Fee Recovery Tariff

- (1) TXU Gas may file with the City a tariff amendment(s) to provide for the recovery of the franchise fees under this amendment.
- (2) City agrees that (i) as regulatory authority, it will adopt and approve the ordinance, rates or tariff which provide for 100% recovery of such franchise fees as part of TXU Gas' rates; (ii) if the City intervenes in any regulatory proceeding before a federal or state agency in which the recovery of TXU Gas' franchise fees is an issue, the City will take an affirmative position supporting 100% recovery of such franchise fees by TXU Gas and; (iii) in the event of an appeal of any such regulatory proceeding in which the City has

intervened, the City will take an affirmative position in any such appeals in support of the 100% recovery of such franchise fees by TXU Gas.

- (3) City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by TXU Gas.

G. Lease of Facilities Within City's Rights-of-Way.

TXU Gas will have the right to lease, license, or otherwise grant to a party other than TXU Gas the use of its facilities within the City's public rights-of-way provided: (i) TXU Gas first notifies the City of the name of the lessee, licensee or user; the type of service(s) intended to be provided through the facilities; and the name and telephone number of a contact person associated with such lessee, licensee or user and (ii) TXU Gas makes the franchise fee payment due on the revenues from such lease pursuant to Sections A and B of this Ordinance. This authority to lease facilities within the City's rights-of-way shall not affect any such lessee, licensee or user's obligation, if any, to pay franchise fees.

**Section II.** Except as specifically and expressly amended by this Ordinance, Ordinance No. 92-11-50 will remain in full force and effect according to its terms until said Ordinance terminates as provided therein.

**Section III.** The City Council hereby repeals all provisions of the ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance. All other provisions of City of Plano ordinances, codified or uncodified, not in conflict with the provisions of this Ordinance, remain in full force and effect.

**Section IV.** The City Council intends that this Ordinance, and every provision hereof, is severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance will not affect the validity or constitutionality of any other portion of this Ordinance.

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

**PASSED AND APPROVED ON FIRST READING** by the City Council of the City of Plano, Texas, on the \_\_\_\_ day of \_\_\_\_\_, 2003.

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane Wetherbee, CITY ATTORNEY

**FINALLY PASSED AND APPROVED ON SECOND READING** by the City Council of the City of Plano, Texas, on the \_\_\_\_ day of \_\_\_\_\_, 2003.

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane Wetherbee, CITY ATTORNEY

DATED:

First Reading: January \_\_\_\_, 2003

Second Reading: February \_\_\_\_, 2003

1-6

**ACCEPTANCE**

**WHEREAS**, the City Council of the City of Plano, Texas, did on the \_\_\_\_ day of \_\_\_\_\_, 2003, enact an Ordinance entitled:

**AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING ORDINANCE NO. 92-11-50, THE EXISTING GAS FRANCHISE BETWEEN THE CITY OF PLANO AND TXU GAS COMPANY, TO CLARIFY REVENUES SUBJECT TO THE FRANCHISE FEE, TO PROVIDE FOR PAYMENT DUE DATES, AND TO AUTHORIZE THE LEASE OF FACILITIES WITHIN THE CITY'S RIGHTS-OF-WAY; PROVIDING FOR ACCEPTANCE BY TXU GAS COMPANY; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE; and**

**WHEREAS**, said Ordinance was on the \_\_\_\_ day of \_\_\_\_\_, 2003, duly approved by the Mayor of said City and, the Seal of said City was thereto affixed and attested by the City Secretary.

**NOW THEREFORE**, in compliance with the terms of said Ordinance as enacted, approved and attested, TXU Gas Distribution, a division of TXU Gas Company, hereby accepts said Ordinance and files this written acceptance with the City Secretary of Plano, Texas in her office.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

TXU Gas Distribution  
A division of TXU Gas Company

**BY:** \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(Title)

Acceptance filed in the office of the City Secretary of Plano, Texas this day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
City Secretary

1-7



## CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY			Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: <b>2/10/03</b>			Reviewed by Legal <i>KLL</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Intergovernmental Relations			Initials	Date
Department Head	Julie M. Johnston		Executive Director	<i>[Signature]</i>	1.21.03
Dept Signature:	<i>[Signature]</i>		City Manager	<i>[Signature]</i>	2/3/03
Agenda Coordinator (include phone #):		Nancy Rodriguez x7510			
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					
AMENDING ORDINANCE NO. 93-7-24, THE EXISTING ELECTRIC FRANCHISE BETWEEN THE CITY OF PLANO AND ONCOR ELECTRIC DELIVERY COMPANY, TO PROVIDE FOR A DIFFERENT METHOD OF CALCULATING FRANCHISE FEES; PROVIDING FOR ACCEPTANCE BY ONCOR ELECTRIC DELIVERY COMPANY; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE. (SECOND READING)					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	02-03	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	10,609,055	0	10,609,055
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	10,609,055	0	10,609,055
FUND(s): GENERAL FUND					
COMMENTS: The FY 2002-03 budget includes \$10,609,055 in Electrical Franchise revenue. The financial impact of amending the existing Electric Franchise will result in increased revenue for the City. The exact increased amount is unknown at this time.					
SUMMARY OF ITEM					
<p>This ordinance amends the existing electric franchise ordinance between the City and Oncor Electric Delivery Company to provide for a different method of calculating franchise fees. Specifically, the ordinance provides that Oncor will remit to the City franchise fees comprised of both the charge per kilowatt hour authorized by Section 33.008(b) of the Public Utilities Regulatory Act and 4% of gross revenues received from services identified as "discretionary service charges" in Oncor's tariff for retail delivery service. Passage of the ordinance is required as part of the settlement agreement related to the Denton/TXU litigation that Council accepted in December of 2002. This is the second reading of this ordinance.</p>					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
n/a			n/a		

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING ORDINANCE NO. 93-7-24, THE EXISTING ELECTRIC FRANCHISE BETWEEN THE CITY OF PLANO AND ONCOR ELECTRIC DELIVERY COMPANY, TO PROVIDE FOR A DIFFERENT METHOD OF CALCULATING FRANCHISE FEES; PROVIDING FOR ACCEPTANCE BY ONCOR ELECTRIC DELIVERY COMPANY; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.**

**WHEREAS**, Oncor Electric Delivery Company, successor in interest to TXU Electric Company ("Oncor"), engages in the business of providing electric utility service within the City of Plano ("City");

**WHEREAS**, in the course of its business, Oncor Electric Delivery Company uses the public streets, alleys, grounds and rights-of-way within the City, as provided by the terms of Ordinance No. 93-7-24, duly passed by the City Council of the City of Plano on July 26, 1993, and duly accepted by Oncor ("Franchise Ordinance"); and

**WHEREAS**, the City and Oncor desire to amend said Franchise Ordinance to provide for a different method of calculating franchise fees; and

**WHEREAS**, the City Council finds that such amendment to said Franchise Ordinance would benefit the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, ORDAINS THAT:**

**Section I.** The City Council amends Section I of Ordinance No. 93-7-24 to include the following language verbatim:

- A. Effective January 1, 2002, the franchise fee due from Oncor shall be a sum comprised of the following:
  - (1) a charge, as authorized by Section 33.008(b) of PURA, based on the product of a factor of .002730 multiplied by each kilowatt hour of electricity delivered by Oncor to each retail customer whose consuming facility's point of delivery is located within the City of Plano's municipal boundaries.
    - (a) The franchise fee due pursuant to Section 33.008(b) of PURA shall be payable in accordance with the existing electric franchise; and

2-2

- (2) a sum equal to four percent (4%) of gross revenues received by Oncor from services identified in its "Tariff of Retail Delivery Service," Section 6.1.2, "Discretionary Service Charges," Items DD1 through DD24, that are for the account or benefit of an end-use retail electric consumer.
    - (a) The franchise fee amounts based on "Discretionary Service Charges" shall be calculated on an annual calendar year basis, i.e., from January 1 through December 31 of each calendar year.
    - (b) The franchise fee amounts that are due based on "Discretionary Service Charges" shall be paid at least once annually on or before April 30 each year based on the total "Discretionary Service Charges" received during the preceding calendar year.
- B. Oncor Franchise Fee Recovery
- (1) Oncor may file a tariff amendment(s) to provide for the recovery of the franchise fee on Discretionary Service Charges.
  - (2) City agrees (i) to the extent the City acts as regulatory authority, to adopt and approve that portion of any tariff which provides for 100% recovery of the franchise fee on Discretionary Service Charges; (ii) in the event the City intervenes in any regulatory proceeding before a federal or state agency in which the recovery of the franchise fees on such Discretionary Service Charges is an issue, the City will take an affirmative position supporting the 100% recovery of such franchise fees by Oncor; and (iii) in the event of an appeal of any such regulatory proceeding in which the City has intervened, the City will take an affirmative position in any such appeal in support of the 100% recovery of such franchise fees by Oncor.
  - (3) City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by Oncor.

**Section II.** Except as specifically and expressly amended by this Ordinance, Ordinance No. 93-7-24 shall remain in full force and effect according to its terms until said Ordinance terminates as provided therein.

**Section III.** The City Council hereby repeals all provisions of the City of Plano ordinances, codified or uncodified, in conflict with the provisions of this Ordinance. All other provisions of the ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance, remain in full force and effect.

**Section IV.** The City Council intends that this Ordinance, and every provision hereof, is severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance will not affect the validity or constitutionality of any other portion of this Ordinance.

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

**PASSED AND APPROVED ON FIRST READING** by the City Council of the City of Plano, Texas, on the \_\_\_\_ day of \_\_\_\_\_, 2003.

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane Wetherbee, CITY ATTORNEY

2-4

**FINALLY PASSED AND APPROVED ON SECOND READING** by the City Council of the City of Plano, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane Wetherbee, CITY ATTORNEY

DATED:

First Reading: January \_\_\_\_, 2003

Second Reading: February \_\_\_\_, 2003

2-5

**ACCEPTANCE**

**WHEREAS**, the City Council of the City of Plano, Texas, did on the \_\_\_\_ day of \_\_\_\_\_, 2003, enact an Ordinance entitled:

**AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING ORDINANCE NO. 93-7-24, THE EXISTING ELECTRIC FRANCHISE BETWEEN THE CITY OF PLANO AND ONCOR ELECTRIC DELIVERY COMPANY, TO PROVIDE FOR A DIFFERENT METHOD OF CALCULATING FRANCHISE FEES; PROVIDING FOR ACCEPTANCE BY ONCOR ELECTRIC DELIVERY COMPANY; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE; and**

**WHEREAS**, said Ordinance was on the \_\_\_\_ day of \_\_\_\_\_, 2003, duly approved by the Mayor of said City and, the Seal of said City was thereto affixed and attested by the City Secretary.

**NOW THEREFORE**, in compliance with the terms of said ordinance as enacted, approved and attested, Oncor Electric Delivery Company hereby accepts said Ordinance and files this its written acceptance with the City Secretary of Plano, Texas in her office.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

Oncor Electric Delivery Company

**BY:** \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(Title)

Acceptance filed in the office of the City Secretary of Plano, Texas this day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
City Secretary

2-6



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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:	<b>2/10/03</b>	Reviewed by Legal <i>WJ</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Planning		Initials	Date
Department Head	Phyllis Jarrell	Executive Director	<i>[Signature]</i>	<b>2/5/03</b>
Dept Signature:	<i>P. Jarrell</i>	City Manager	<i>[Signature]</i>	<i>[Signature]</i>
Agenda Coordinator (include phone #):		<b>L. Jobe ext. 7165</b>		
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				
<b>CAPTION</b>				
AN ORDINANCE OF THE CITY OF PLANO AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 86-3-14, AS HERETOFORE AMENDED, GRANTING SPECIFIC USE PERMIT NO. 485 SO AS TO ALLOW THE ADDITIONAL USE OF A PRIVATE CLUB ON 0.2+ ACRE OF LAND OUT OF THE HENRY COOK SURVEY, ABSTRACT NO. 183, LOCATED ON THE NORTHWEST CORNER OF BISHOP ROAD AND MARTIN ROAD IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, PRESENTLY ZONED PLANNED DEVELOPMENT-65-CENTRAL BUSINESS-1; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; AND PROVIDING A PENALTY CLAUSE, A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	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:				
<b>SUMMARY OF ITEM</b>				
This zoning request appeared as an agenda item on the January 13, 2003, City Council meeting; however, due to an error in the notice of the public hearing, no action was taken and the item was re-noticed for the February 3, 2003, Planning & Zoning Commission meeting, and February 10, 2003, City Council meeting.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Staff report and Ordinance				

February 4, 2003

**TO:** Honorable Mayor & City Council  
**FROM:** Lee Dunlap, Chairman, Planning & Zoning Commission   
**SUBJECT:** Results of Planning & Zoning Commission Meeting of February 3, 2003

At its meeting of February 3, the Planning & Zoning Commission took action on the following:

**Public Hearing:** Zoning Case 2002-57

**Applicant:** The Shops at Legacy, LP

**DESCRIPTION:**

A request for a Specific Use Permit (SUP) for a Private Club at a proposed restaurant on 0.2± acre on the northwest corner of Bishop Road and Martin Road. Zoned Planned Development-65-Central Business-1 (PD-65-CB-1). Neighborhood #16.

**APPROVED:** 7-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

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

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

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

**STIPULATIONS:**

Recommended for approval as submitted.

**FOR CITY COUNCIL MEETING OF:** February 10, 2003 (To view the agenda for this meeting, see [www.planotx.org](http://www.planotx.org))

**PUBLIC HEARING - ORDINANCE**

CDD/lj

xc: Fehmi Karahan, The Shops At Legacy LP, K/S Legacy, LLC.  
Charles Stephenson, 4511 Restaurant Group, 4511 McKinney, LLC.  
Lanae Jobe, Sr. Administrative Assistant

3-2

CITY OF PLANO  
PLANNING & ZONING COMMISSION

February 3, 2003

**Agenda No. 5**

**Public Hearing:** Zoning Case 2002-57

**Applicant:** The Shops at Legacy, LP

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**DESCRIPTION:**

A request for a Specific Use Permit (SUP) for a Private Club at a proposed restaurant on 0.2± acre on the northwest corner of Bishop Road and Martin Road. Zoned Planned Development-65-Central Business-1 (PD-65-CB-1). Neighborhood #16.

**REMARKS:**

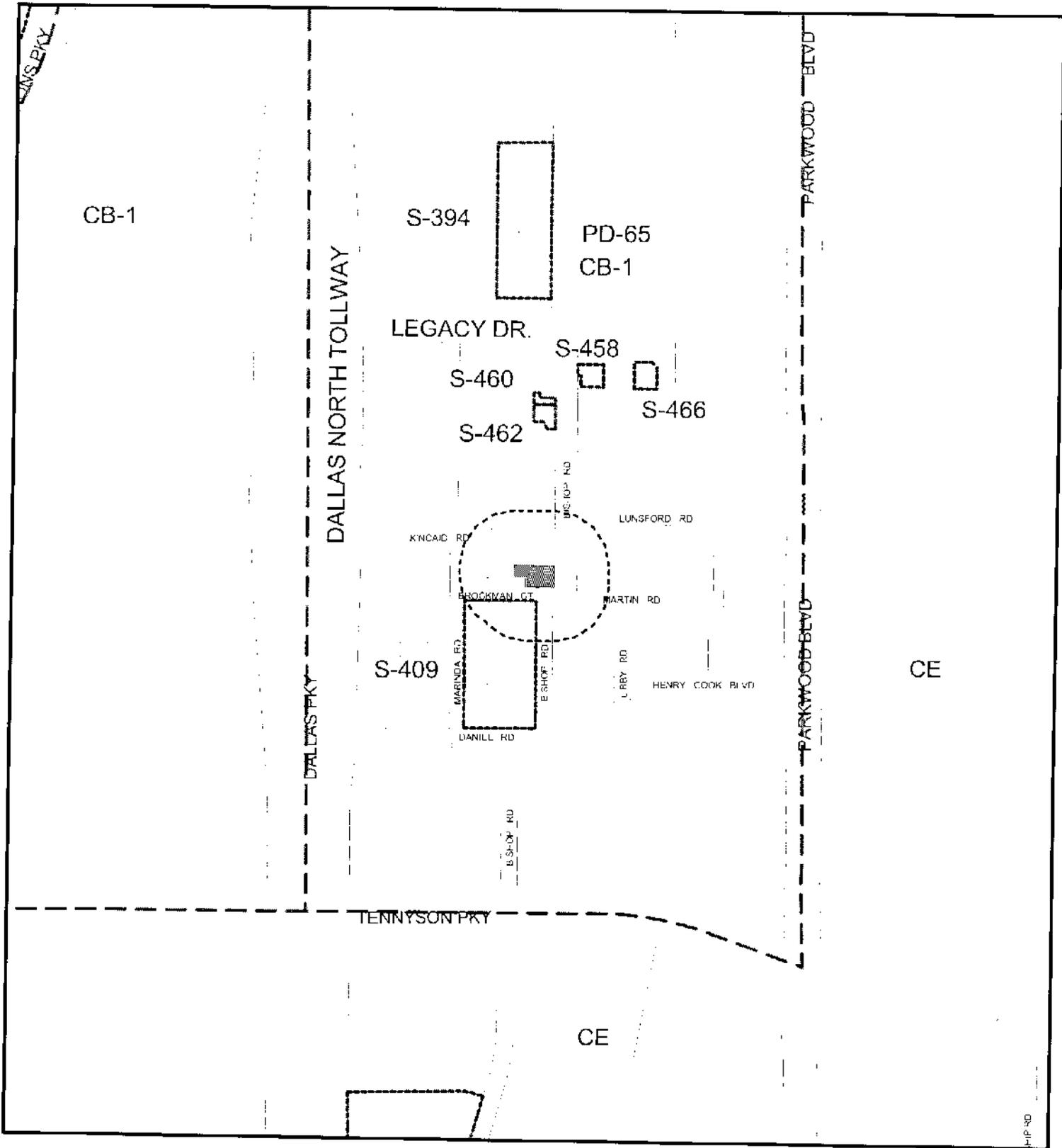
This zoning request was originally considered at the December 2, 2003, Planning & Zoning Commission meeting. Staff, however, discovered an error in the public hearing notification and re-notified the case for the February 3, 2003, Planning & Zoning Commission meeting.

The requested zoning is for an SUP for a Private Club to serve alcoholic beverages in conjunction with the operation of a restaurant. The restaurant is located within The Shops at Legacy.

The front door of the proposed restaurant is not within 1,000 feet of a church, school, or publicly owned park and is not within 300 feet of the nearest residential district. The property meets the parking standards of PD-65-CB-1 for a restaurant with a private club.

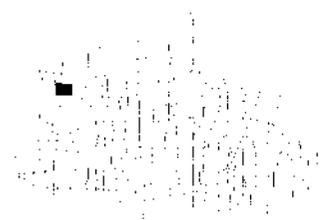
**RECOMMENDATIONS:**

Recommended for approval as submitted.

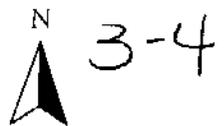


**ZONING CASE  
# 2002-57**

**EXISTING ZONING:  
PD-65-CB-1**



200' Notification  
Buffer





**ORDINANCE NO. \_\_\_\_\_**  
**(Zoning Case 2002-57)**

AN ORDINANCE OF THE CITY OF PLANO AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 86-3-14, AS HERETOFORE AMENDED, GRANTING SPECIFIC USE PERMIT NO. 485 SO AS TO ALLOW THE ADDITIONAL USE OF A PRIVATE CLUB ON 0.2± ACRE OF LAND OUT OF THE HENRY COOK SURVEY, ABSTRACT NO. 183, LOCATED ON THE NORTHWEST CORNER OF BISHOP ROAD AND MARTIN ROAD IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, PRESENTLY ZONED PLANNED DEVELOPMENT-65-CENTRAL BUSINESS-1; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; AND PROVIDING A PENALTY CLAUSE, A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

**WHEREAS**, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 10th day of February, 2003, for the purpose of considering granting Specific Use Permit No. 485 for a Private Club on 0.2± acre of land out of the Henry Cook Survey, Abstract No. 183, located on the northwest corner of Bishop Road and Martin Road in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1; and

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

**WHEREAS**, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 10th day of February, 2003; and

**WHEREAS**, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 485 for a Private Club on 0.2± acre of land out of the Henry Cook Survey, Abstract No. 183, located on the northwest corner of Bishop Road and Martin Road 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

3-6

**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. 86-3-14, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 485, allowing the additional use of a Private Club on 0.2± acre of land out of the Henry Cook Survey, Abstract No. 183, located on the northwest corner of Bishop Road and Martin Road in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1; 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.**

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

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

3-8

EXHIBIT "A"  
LEGAL DESCRIPTION

BEING a tract of land out of the Henry Cook Survey, Abstract No. 183, in the City of Plano, Collin County, Texas, being part of Lot 1, Block D of Legacy Town Center (South), an addition to the City of Plano according to the plat thereof recorded in Cabinet M, Page 47 of the Map Records of Collin County, Texas and being more particularly described as follows:

Commencing at a point for the intersection of the west right-of-way line of Bishop Road (82 feet right-of-way) and the north right-of-way line of Brockman Court (50 feet right-of-way at this point), said point being the southeast corner of said Lot 1;

THENCE with said west right-of-way line, North, a distance of 3.89 feet;

THENCE leaving said west right-of-way line, West, a distance of 3.42 feet to the POINT OF BEGINNING;

THENCE the following courses and distances to wit:

West, a distance of 101.77 feet to a point for corner;

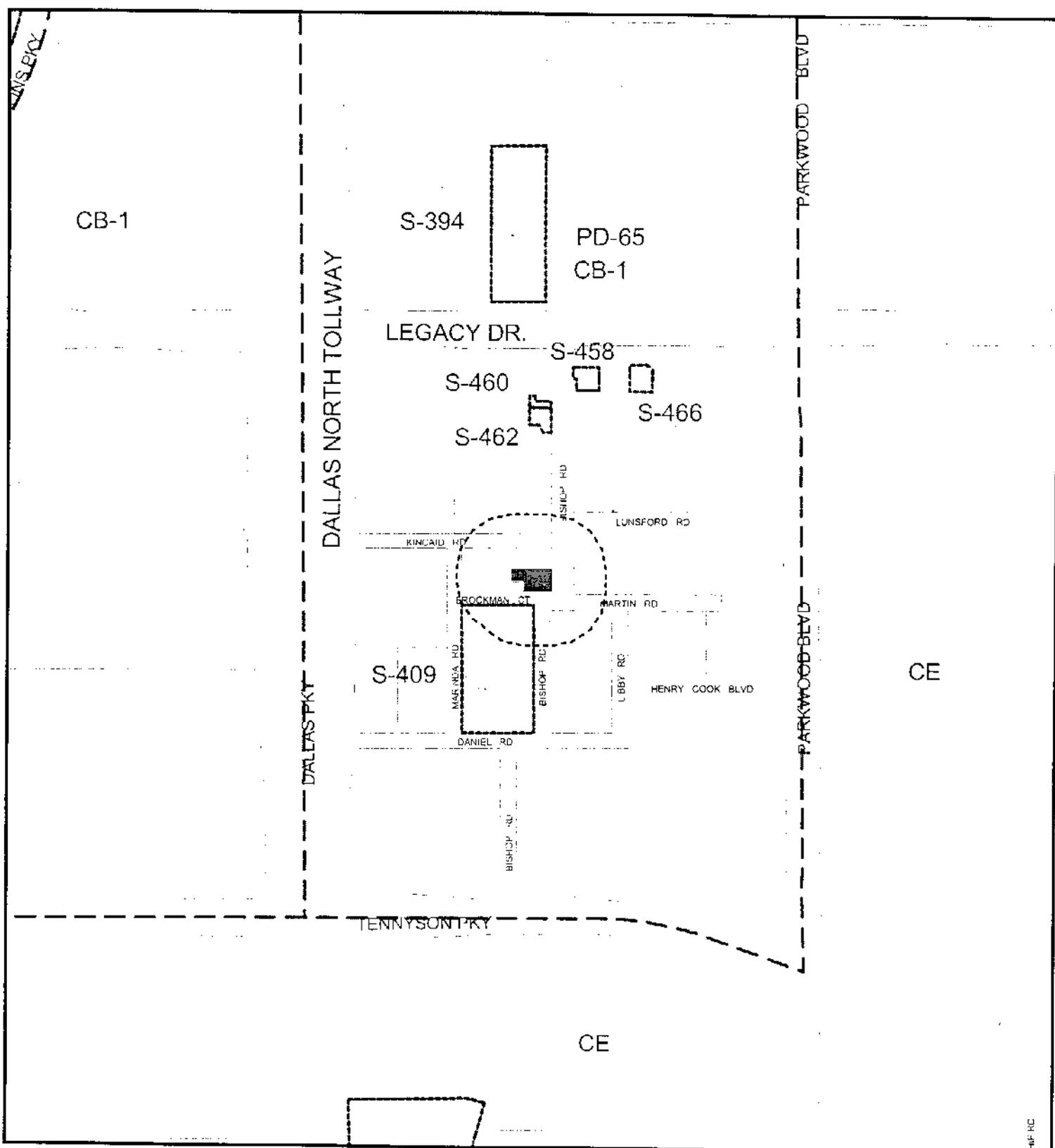
North, a distance of 38.99 feet to a point for corner;

West, a distance of 47.88 feet to a point for corner;

North, a distance of 42.46 feet to a point for corner;

East, a distance of 149.65 feet to a point for corner;

South, a distance of 81.45 feet to the POINT OF BEGINNING and containing 0.237 acre of land.



**ZONING CASE  
# 2002-57**

**EXISTING ZONING:  
PD-65-CB-1**



200' Notification  
Buffer



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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:	2/10/03		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Planning		Initials	Date	
Department Head	Phyllis Jarrell		Executive Director	2/5/03	
Dept Signature:	<i>P. Jewell</i>		City Manager	<i>[Signature]</i> 2/5/03	
Agenda Coordinator (include phone #): L. Jobe ext. 7165					

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

**CAPTION**

AN ORDINANCE OF THE CITY OF PLANO AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 86-3-14, AS HERETOFORE AMENDED, GRANTING SPECIFIC USE PERMIT NO. 486 SO AS TO ALLOW THE ADDITIONAL USE OF A USED CAR DEALER ON 2.7+ ACRES OF LAND OUT OF THE SANFORD BECK SURVEY, ABSTRACT NO. 73, LOCATED ON THE EAST SIDE OF K AVENUE, 150+ FEET NORTH OF 11TH STREET IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, PRESENTLY ZONED LIGHT 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.

**FINANCIAL SUMMARY**

NOT APPLICABLE     OPERATING EXPENSE     REVENUE     CIP

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

FUND(S):

COMMENTS:

**SUMMARY OF ITEM**

This zoning request appeared as an agenda item on the January 13, 2003, City Council meeting; however, due to an error in the notice of the public hearing, no action was taken and the item was re-noticed for the February 3, 2003, Planning & Zoning Commission meeting, and February 10, 2003, City Council meeting.

List of Supporting Documents: Staff report and Ordinance	Other Departments, Boards, Commissions or Agencies
-------------------------------------------------------------	----------------------------------------------------

February 4, 2003

**TO:** Honorable Mayor & City Council  
**FROM:** Lee Dunlap, Chairman, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of February 3, 2003

At its meeting of February 3, the Planning & Zoning Commission took action on the following:

**Public Hearing:** Zoning Case 2002-59

**Applicant:** Andrew Schultz

**DESCRIPTION:**

A request for a Specific Use Permit (SUP) for a Used Car Dealer on two lots on 2.7± acres on the east side of K Avenue, 150± feet north of 11th Street. Zoned Light Commercial. Neighborhood #67. Tabled 12/02/02.

**APPROVED:** 5-2 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

**LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA:** **FAVOR:** 0 **OPPOSE:** 4

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

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

**STIPULATIONS:**

Recommended for approval as submitted.

The two Planning & Zoning Commissioners voting in opposition stated it was not a benefit to the area, voiced safety concerns regarding traffic, and felt that this use was not compatible or consistent with the vision for the area.

**FOR CITY COUNCIL MEETING OF:** February 10, 2003 (To view the agenda for this meeting, see [www.planotx.org](http://www.planotx.org))

**PUBLIC HEARING - ORDINANCE**

CHL/lj

xc: Andy Schultz, Schultz Properties, Ltd.  
Raymond S. Lambert, RSL & A Architects-Planners  
Lanae Jobe, Sr. Administrative Assistant

4-2

CITY OF PLANO  
PLANNING & ZONING COMMISSION

February 3, 2003

**Agenda No. 6**

**Public Hearing:** Zoning Case 2002-59

**Applicant:** Andrew Schultz

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**DESCRIPTION:**

A request for a Specific Use Permit (SUP) for a Used Car Dealer on two lots on 2.7± acres on the east side of K Avenue, 150± feet north of 11th Street. Zoned Light Commercial. Neighborhood #67.

**REMARKS:**

This zoning case was considered by the Planning & Zoning Commission on December 17, 2002. Staff, however, discovered an error in the public hearing notification and re-notified the case for the February 3, 2003, Planning & Zoning Commission meeting.

The applicant is requesting an SUP for a Used Car Dealer on two lots. The current zoning is Light Commercial (LC). The LC district is intended to provide for regional and community retail, office, and commercial uses and should generally be located along expressways, tollways, and other designated high-volume thoroughfares. In addition to those uses permitted in office and retail districts, LC districts include most automotive-related sales and service uses, other contracting services, and storage and warehousing uses. An SUP authorizes and regulates a use not normally permitted in a district, which could benefit in a particular case the general welfare, provided adequate development standards and safeguards are established.

Existing Land Use and Zoning - This property is located on an undeveloped tract of land within the split of the couplet between Municipal Avenue and K Avenue. The northern boundary of the property is the St. Louis/Southwest Railroad in active use for transportation of freight. The current use of the property is the open storage of boats, materials, and equipment.

Surrounding Land Use and Zoning - North and northwest of the railroad, the properties are zoned LC and are being used as a major automotive repair, a storage yard for a utility company, contract construction, pawn shops, and retail uses. To the northeast, across Municipal Avenue, the property is zoned Light Industrial-1 and is being used as an automotive wrecker service and storage. To the east and southeast, the property is zoned Single-Family-6 (SF-6), LC, Two-Family Residence (2F), and Light Industrial-2 (LI-2). The SF-6 properties and most of the 2F properties are being used for residences. Some of the residential structures within the LC district that side to Municipal Avenue are being used for non-residential uses. The LI-2 properties are being used for industrial and retail uses. The property to the west is zoned Light Industrial-1 and is used for recreational marine and boat sales, services, and storage.

#### **ISSUES:**

Zoning Ordinance Discrepancy - In October 1999, City Council adopted amendments to the LC district. Among these amendments, the Used Car Dealer use was changed from "permitted" (allowed by right) to "with approval of an SUP". This change, however, was not reflected on the use charts of subsequent printings of the Zoning Ordinance.

In August 22, 2002, the applicant submitted a preliminary site plan and concept plan for review. The preliminary site plan was for the southernmost lot, and indicated a used car dealer. Staff's recommendation for approval of the preliminary site plan and concept plan was based on the incorrect designation of Used Car Dealer as a permitted use on the use charts. The Planning & Zoning Commission approved the preliminary site plan and concept plan on September 16, 2002.

Staff discovered the error after approval of the site plan and notified the applicant that an SUP was required for a Used Car Dealer. The applicant already had submitted an application for a preliminary plat and conveyance plat for the property, and subsequently submitted an application for an SUP for a Used Car Dealer on the southernmost lot. The applicant requested that the plat review move forward. Staff recommended approval of the preliminary plat and conveyance plat because lotting, access, and utility easements were sufficient for development of the lots regardless of use. The Planning & Zoning Commission approved the preliminary plat and conveyance plat at their December 2, 2002, meeting.

Entry Feature and Area Enhancements - Adjacent to the property, along Municipal Avenue, there is a series of street trees that was planted as an aesthetic enhancement during construction of the couplet. Recently, a stone entry feature and landscaping were installed by the City of Plano immediately south of the property. The required trees and landscaping for development of the site will enhance the appearance of the property, and will be consistent with existing public aesthetic improvements.

**SUMMARY:**

The approval of the preliminary site plan and concept plan for a used car dealer was based upon a discrepancy in the Zoning Ordinance. The majority of the properties within the vicinity of the request have industrial uses. The Zoning Ordinance recognizes the compatibility of used car dealers with industrial uses in that they are allowed by right in the Light Industrial-1 and Light Industrial-2 zoning districts. The required trees and landscaping will improve the appearance of the property, and will be an extension of the enhancements of the adjoining City of Plano entry feature and existing street trees.

**RECOMMENDATIONS:**

Recommended for approval as submitted.

S-406

LC

AREA OF NOTIFICATION

LI-1

J AVE

J PL

K AVE

12TH PL

MUNICIPAL AVE

12TH ST

PROPERTY TO BE REZONED



12TH ST

SF-6

K AVE

MUNICIPAL AVE

11TH ST

DART PACIFIC

J PL

ST

PD-53

2F

L AVE

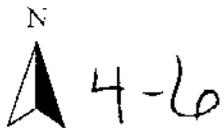
10TH ST

MH



ZONING CASE # 2002-59

EXISTING ZONING: LC

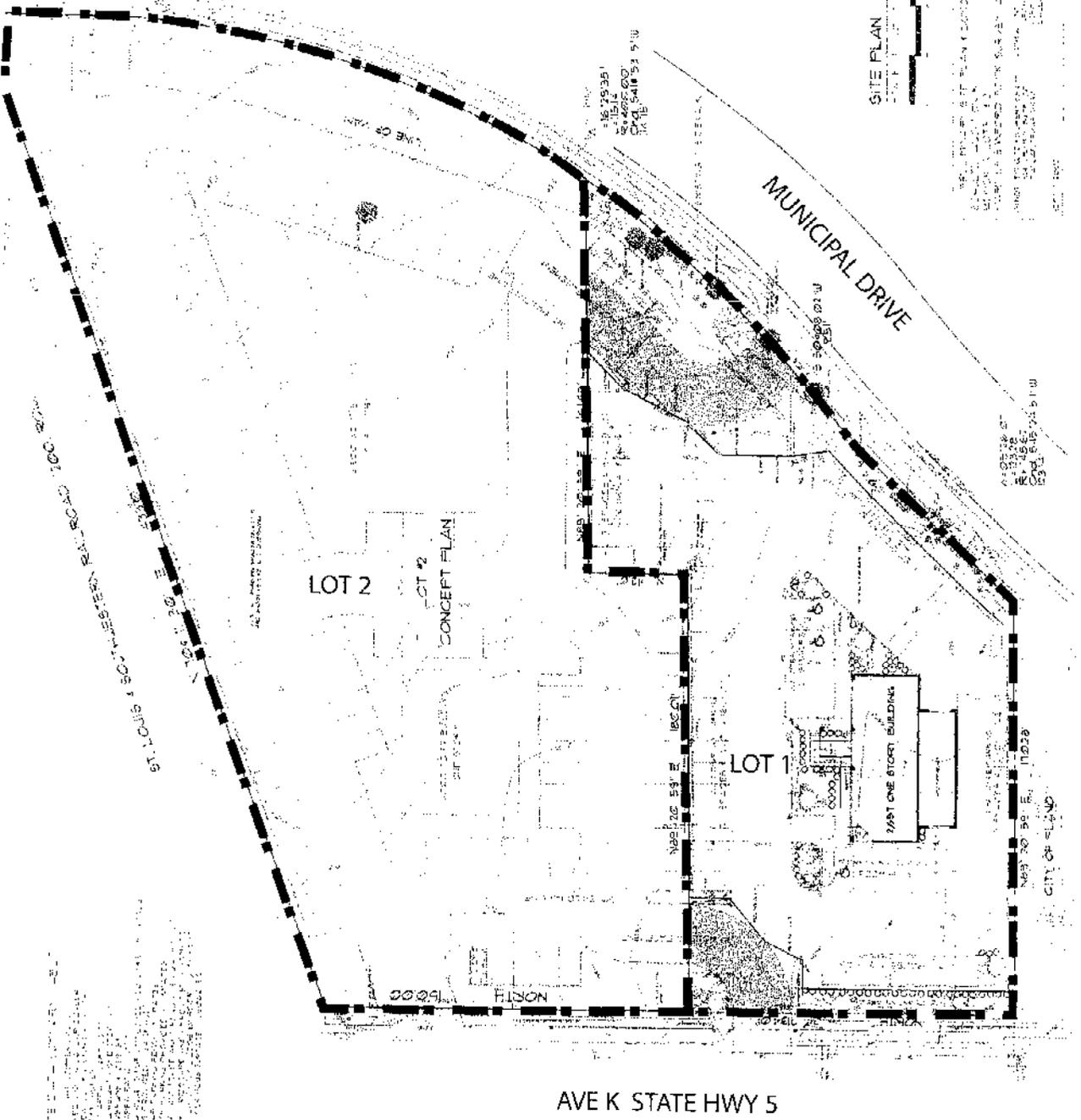


200' Notification Buffer



4-8

# APPROVED PRELIMINARY SITE PLAN



THE CITY OF SLINGO, MISSOURI, HAS REVIEWED AND APPROVED THIS PRELIMINARY SITE PLAN FOR THE PROPOSED CONSTRUCTION OF A PART ONE STORY BUILDING ON LOT 1, AND A CONCEPT PLAN FOR LOT 2, SITUATED IN THE CITY OF SLINGO, MISSOURI, AS SHOWN ON THE ATTACHED MAP. THE CITY ENGINEER HAS REVIEWED AND APPROVED THIS PRELIMINARY SITE PLAN FOR THE PROPOSED CONSTRUCTION OF A PART ONE STORY BUILDING ON LOT 1, AND A CONCEPT PLAN FOR LOT 2, SITUATED IN THE CITY OF SLINGO, MISSOURI, AS SHOWN ON THE ATTACHED MAP. THE CITY ENGINEER HAS REVIEWED AND APPROVED THIS PRELIMINARY SITE PLAN FOR THE PROPOSED CONSTRUCTION OF A PART ONE STORY BUILDING ON LOT 1, AND A CONCEPT PLAN FOR LOT 2, SITUATED IN THE CITY OF SLINGO, MISSOURI, AS SHOWN ON THE ATTACHED MAP.

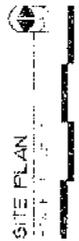
APPROVED FOR THE CITY OF SLINGO, MISSOURI, BY THE CITY ENGINEER, JAMES W. HARRIS, ON THIS 15th DAY OF APRIL, 2010.



TYPICAL SECURITY FENCE



LOCATION PLAN  
1/2" = 100' - 0"



THE CITY OF SLINGO, MISSOURI, HAS REVIEWED AND APPROVED THIS PRELIMINARY SITE PLAN FOR THE PROPOSED CONSTRUCTION OF A PART ONE STORY BUILDING ON LOT 1, AND A CONCEPT PLAN FOR LOT 2, SITUATED IN THE CITY OF SLINGO, MISSOURI, AS SHOWN ON THE ATTACHED MAP. THE CITY ENGINEER HAS REVIEWED AND APPROVED THIS PRELIMINARY SITE PLAN FOR THE PROPOSED CONSTRUCTION OF A PART ONE STORY BUILDING ON LOT 1, AND A CONCEPT PLAN FOR LOT 2, SITUATED IN THE CITY OF SLINGO, MISSOURI, AS SHOWN ON THE ATTACHED MAP. THE CITY ENGINEER HAS REVIEWED AND APPROVED THIS PRELIMINARY SITE PLAN FOR THE PROPOSED CONSTRUCTION OF A PART ONE STORY BUILDING ON LOT 1, AND A CONCEPT PLAN FOR LOT 2, SITUATED IN THE CITY OF SLINGO, MISSOURI, AS SHOWN ON THE ATTACHED MAP.

**ORDINANCE NO. \_\_\_\_\_**  
**(Zoning Case 2002-59)**

AN ORDINANCE OF THE CITY OF PLANO AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 86-3-14, AS HERETOFORE AMENDED, GRANTING SPECIFIC USE PERMIT NO. 486 SO AS TO ALLOW THE ADDITIONAL USE OF A USED CAR DEALER ON 2.7± ACRES OF LAND OUT OF THE SANFORD BECK SURVEY, ABSTRACT NO. 73, LOCATED ON THE EAST SIDE OF K AVENUE, 150± FEET NORTH OF 11TH STREET IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, PRESENTLY ZONED LIGHT 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 10th day of February, 2003, for the purpose of considering granting Specific Use Permit No. 486 for a Used Car Dealer on 2.7± acres of land out of the Sanford Beck Survey, Abstract No. 73, located on the east side of K Avenue, 150± feet north of 11th Street in the City of Plano, Collin County, Texas, presently zoned Light 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 10th day of February, 2003; and

**WHEREAS**, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 486 for a Used Car Dealer on 2.7± acres of land out of the Sanford Beck Survey, Abstract No. 73, located on the east side of K Avenue, 150± feet north of 11th Street 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. 86-3-14, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 486, allowing the additional use of a Used Car Dealer on 2.7± acres of land out of the Sanford Beck Survey, Abstract No. 73, located on the east side of K Avenue, 150± feet north of 11th Street in the City of Plano, Collin County, Texas, presently zoned Light 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.

4-10

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

**PASSED AND APPROVED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.**

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

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

EXHIBIT "A"  
LEGAL DESCRIPTION

SITUATED in the State of Texas, County of Collin and City of Plano, being part of the Sanford Beck Survey, Abstract No. 73, being a 2.628 acre tract as recorded in Volume 4943, Page 2728 of the Collin County Land Records with said premises being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found marking the intersection of the east right-of-way line of K Avenue - State Highway 5 (60' right-of-way) with the southeast right-of-way line of a St. Louis and Southwestern Railroad (100' off centerline), said beginning corner being the northwest corner of the premises herein described;

THENCE with the northwest line of said premises and the southeast right-of-way line of said railroad, North  $70^{\circ} 11' 30''$  East, 433.60 feet to a 1/2-inch rod found marking the intersection of the southeast right-of-way line of said railroad with the west right-of-way line of Municipal Drive (60' right-of-way), said corner also being the northeast corner of the herein described premises;

THENCE with the east line of said premises and the west right-of-way line of Municipal Drive as follows:

South  $02^{\circ} 28' 25''$  East, 12.85 feet to a 1/2-inch iron rod found marking the beginning of a curve to the right;

Southwesterly along said curve having a central angle of  $52^{\circ} 36' 27''$  with a radius of 400.00 feet, for an arc distance of 387.27 feet (chord=South  $23^{\circ} 49' 48''$  West, 354.50 feet) to a 1/2-inch iron rod marking the end of said curve;

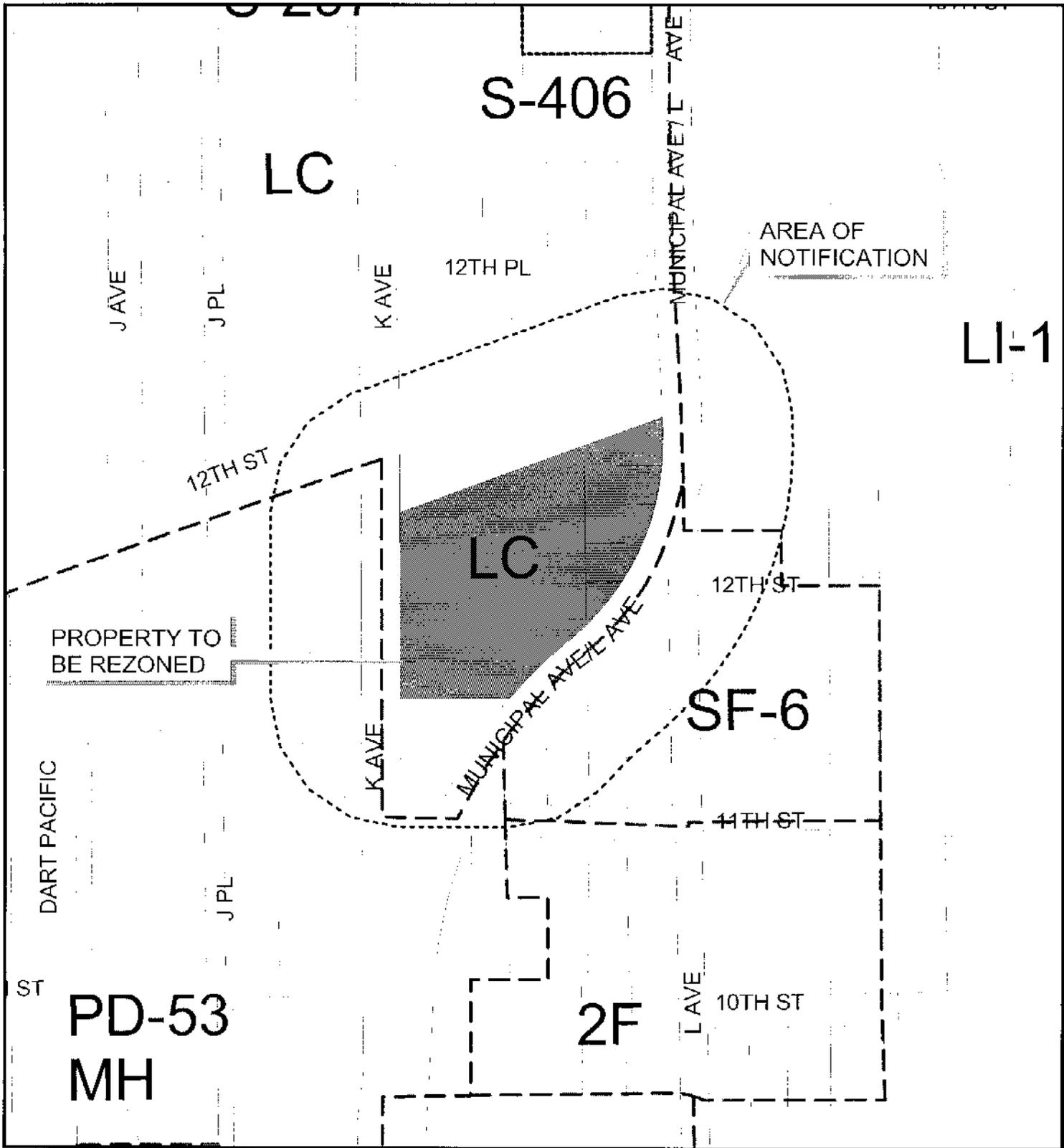
South  $50^{\circ} 08' 02''$  West, 9.51 feet to a 1/2-inch iron rod found marking the beginning of a curve to the left;

Southwesterly along curve having a central angle of  $09^{\circ} 26' 07''$  with a radius of 748.62 feet, for an arc distance of 123.28 feet (chord=South  $45^{\circ} 24' 57''$  West, 123.14 feet) to a concrete monument set marking the southeast corner of said premises;

THENCE with the south line of said premises and the north line of a City of Plano tract, South  $89^{\circ} 20' 59''$  West, 170.28 feet to a concrete monument set marking the southwest corner of said premises in the east right-of-way line of the aforementioned K Avenue;

THENCE with the west line of said premises and the east right-of-way line of K Avenue, North 284.65 feet to the PLACE OF BEGINNING and containing 114,467 square feet or 2.628 acres of land.

4-12



**ZONING CASE  
# 2002-59**

**EXISTING ZONING:  
LC**

4-13  
 200' Notification Buffer

February 4, 2003

**TO:** Honorable Mayor & City Council  
**FROM:** Lee Dunlap, Chairman, Planning & Zoning Commission   
**SUBJECT:** Results of Planning & Zoning Commission Meeting of February 3, 2003

At its meeting of February 3, the Planning & Zoning Commission took action on the following:

**Public Hearing:** Zoning Case 2002-60

**Applicant:** City of Plano

**DESCRIPTION:**

A request for Heritage Resource Designation (H) district for the area bounded on the north by 15th Place, on the east by K Avenue, including properties on the northeast and the southeast corner of K Avenue and 15th Street, on the south side by 14th Street, and on the west by J Avenue and the DART Right-of-Way. The proposed Heritage Resource Designation district does not include Eastside Village II or Municipal Center South and its parking lot. Current zoning is Business/Government (BG) with Specific Use Permit (SUP) #464 for a Private Club, and individual Heritage Resource Designations H-8 and H-9. Neighborhood #59.

**APPROVED:** 7-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

**LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA:** **FAVOR:** 1 **OPPOSE:** 0

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

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

**STIPULATIONS:**

Recommended for approval as submitted.

**FOR CITY COUNCIL MEETING OF:** February 10, 2003 (To view the agenda for this meeting, see [www.planotx.org](http://www.planotx.org))

**PUBLIC HEARING - ORDINANCE**

MW/lj

xc: Lanae Jobe, Sr. Administrative Assistant

CITY OF PLANO  
PLANNING & ZONING COMMISSION

February 3, 2003

**Agenda No. 7**

**Public Hearing:** Zoning Case 2002-60

**Applicant:** City of Plano

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**DESCRIPTION:**

A request for Heritage Resource Designation (H) district for the area bounded on the north by 15th Place, on the east by K Avenue, including properties on the northeast and the southeast corner of K Avenue and 15th Street, on the south side by 14th Street, and on the west by J Avenue and the DART Right-of-Way. The proposed Heritage Resource Designation district does not include Eastside Village II or Municipal Center South and its parking lot. Current zoning is Business/Government (BG) with Specific Use Permit (SUP) #464 for a Private Club, and individual Heritage Resource Designations H-8 and H-9. Neighborhood #59.

**REMARKS:**

This zoning request was previously considered by the Planning & Zoning Commission at their January 6, 2003, meeting. Subsequent to the Commission's action, staff discovered an error in the notification of the public hearing that nullified the Commission's recommendation. Therefore, the public hearing was re-notified for the February 3, 2003, Planning & Zoning Commission meeting.

Downtown Plano is the nucleus of the original location of the pioneer settlement founded on the Texas frontier during the great westward movement of the 1840's and 1850's. Until very recent history, it has always served as the central business district and regional marketplace in the area. Today, it remains as a reminder of Plano's small-town past and an area poised to become the thriving commercial area it once was. Most of its buildings date back to the great fires that took place in the late 19th and early 20th centuries, but several are older buildings that survived the fires. Two buildings in the proposed district currently have individual designation: the Schell Building at 1001 East 15th Street and the Plano Masonic Lodge at 1414 J Avenue.

This request proposes to establish the Downtown Heritage Resource Designation district for downtown Plano. The request originated when several property owners asked the Heritage Commission to consider a multiple-property district in downtown Plano. Once the petitions requesting the designation were received, the Planning & Zoning Commission approved a call for a public hearing to consider establishing the Downtown Heritage Resource Designation district. The call for public hearing initiated staff to conduct the appropriate research for review by the Heritage Commission. From their review of the research, the Heritage Commission recommended establishing the Downtown Heritage Resource Designation district.

Heritage Resource Designation may be applied to individual properties or as a district of a group of properties. Individually designated properties may exist within a district. A heritage district designation is used where an intact historic area exists and where an area has a greater significance as a whole, rather than as separate properties. The purpose of the designation is to protect the historic fabric of the district and provide design guidelines for new construction as well as for the alteration of existing buildings. Designation makes contributing structures eligible for the heritage resource tax exemption and for use of the Uniform Code for Building Conservation. Heritage designation was first applied to a district in 2000, when the Haggard Park Heritage District was designated.

Designation does **not** restrict the use to which property is put in the district, require property owners to make improvements to their property, restrict the sale of property, require approval of interior changes or alterations, prevent new construction, or require city approval for ordinary repair or maintenance. Property owners will not be expected to make changes to their properties simply because their property is located in the historic district. Historic designation simply provides design review for future changes made by the owner. A process for issuing Certificates of Appropriateness is included in Ordinance 98-2-26 (the preservation ordinance), and the Heritage Commission will adopt a set of design guidelines to assist in making design decisions. These guidelines will be written with input from the City Centre Association and property owners in the district through public meetings. Sample guidelines are attached and will be the basis for creating the formal document.

At its November meeting, the Heritage Commission voted to recommend approval of the district. The Commission received petitions from approximately 65% of property owners requesting designation. Several meetings were held with merchants and property owners. To be designated, an area is required by the Preservation Ordinance (Ordinance No. 98-2-26) to meet at least 1 of 13 criteria. The Heritage Commission has determined the Downtown Heritage Resource Designation district meets the following five criteria:

1. Character, interest, or value as a part of the development, heritage, or cultural characteristics of the city, the state, or the United States;
2. Exemplification of the cultural, economic, social, or historical heritage of the city;
3. Embodiment of elements of architectural design, detail, materials, or craftsmanship;
4. Relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on historic, cultural or architectural motif; and
5. Value as an aspect of community sentiment or public pride.

**RECOMMENDATIONS:**

Recommended for approval as submitted.





**APPLICATION FOR DESIGNATION  
HERITAGE COMMISSION  
CITY OF PLANO**



**I. Property Information:**

1. Name of Resource (Historic Name/Current Name): **Downtown Heritage Resource District**
2. Address/Location:
3. Historic Use:  Residential  Commercial:
4. Total Acreage/Square Footage:
5. Current Use:  Residential  Commercial:
6. Zoning Classification: **BG-Business/Government**
7. If relocated, date of move and previous location:
8. Legal Description:

**II. Applicant Information:**

- |                                                                                                                                                                |                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>9. Name of Owner: <b>Various</b></p> <p>Company:</p> <p>Address:</p> <p>City, State:      ZIP:</p> <p>Home Phone:</p> <p>Business Phone:</p> <p>E-mail:</p> | <p>10. Name of Applicant (if different): <b>City of Plano</b></p> <p>Relationship to Property:</p> <p>Address:</p> <p>City, State:      ZIP:</p> <p>Home Phone:</p> <p>Business Phone:</p> <p>E-mail:</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**III. Significance of Resource:**

11. List all applicable Criteria for Designation (as listed on Attachment 2):  
**1, 4, 8, 9, 12**

12. Summarize Statement of Significance (as written in detail in Attachment 2):

**Downtown Plano is the nucleus of the original location of the pioneer settlement founded on the Texas frontier during the great westward movement of the 1840's and 1850's. Until very recent history, it has always served as the central business district and regional marketplace in the area. Today, it remains as a reminder of Plano's small-town past and an area poised to become the thriving commercial area it once was. Most of its buildings date back to the great fires that took place in the late 19th and early 20th centuries, but several are older buildings that survived the fires.**

**COMPLETE APPLICATIONS MUST BE SUBMITTED TO THE HERITAGE PRESERVATION OFFICER BY 5:00PM ON THE FIRST TUESDAY OF THE MONTH.**

*FOR OFFICE USE*

<p><b>REQUIRED MATERIALS</b></p> <p><input checked="" type="checkbox"/> Summary</p> <p><input checked="" type="checkbox"/> Attachment 1: Signature Page</p> <p><input checked="" type="checkbox"/> Attachment 2: Statement of Significance</p> <p><input checked="" type="checkbox"/> Attachment 3: Architectural Description Inventory Form</p> <p><input checked="" type="checkbox"/> Attachment 4: Chain of Title</p> <p><input checked="" type="checkbox"/> Attachment 5: Photo Pages (2)</p> <p><input checked="" type="checkbox"/> Attachment 6: Site Plan <i>Map</i></p> <p><input checked="" type="checkbox"/> Attachment 7: Supplementary Materials <i>Design G.L.</i></p>	<p>Received:</p> <p>HC Date: <i>11/26/02</i></p> <p>P&amp;Z Date: <i>1/6/03</i></p> <p>Council:</p> <p>Notes:</p>	<p>Database Key:      ZC#: <i>ZC 2002-60</i></p> <p>Approval: <i>Marcus W. Watson</i></p> <p>Approval: _____</p> <p>Approval: _____</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------

*5-6*

CASE NO.: D-11-02-006

### ATTACHMENT 3: ARCHITECTURAL DESCRIPTION

The greatest concentration of Plano's historic commercial buildings lies in the downtown area. Much of the historic retail core of Plano was developed after 1895. Because of their great diversity, many of these buildings are characterized in sub-types that reflect their compositional structure (e.g., one-part, two-part or enframed commercial blocks) rather than by style or influence. They often defy stylistic description, or they represent an eclectic combination of architectural influences.

Many of the commercial buildings fall into the category of *two-part commercial buildings* because the ground floor was designed for shops, and second stories were designed for residential, meeting hall, hotel or office uses. This distinction is made architecturally with a clear differentiation in materials and detail. Examples of this type of building include the building at the southeast corner of 15th and K at 1428 K Avenue and the Spillman Building at 1007 15th Street. These buildings are also characterized by simple utilitarian ornamentation, which was common for early Texas commercial buildings.

The Plano National Bank/IOOF Lodge Building at 1001 15th Street was originally constructed in 1896, but was modified to the Art Deco style in 1936. This style is characterized by the use of rectilinear geometric forms, which were primarily decorative. The Plano Masonic Lodge at 1414 J Avenue reflects a mild Victorian influence in its relatively rich detailing.

Another dominant category of commercial buildings in Downtown Plano is the *one-part commercial building*. This style of building is only a single story and is usually treated very much like the first story of the two-part commercial buildings. Also included in this category are the single-story, false-front buildings that were typical of Plano's early days.

Examples of the one-part commercial building include the Farmers and Merchants Bank/Plano Star Courier Building and the buildings at 1035 and 1037 15th Street.

In *enframed window wall buildings*, the window wall is secondary to its distinct framing by the building, as in the Harrington Furniture Building.

Initial restoration efforts in Downtown can be attributed to the local celebration of the Texas Sesquicentennial in 1986. Planning for the celebration led to restoration of the Plano National Bank/IOOF Lodge and Masonic Lodge buildings. The City of Plano restored the brick street paving on 15<sup>th</sup> Street and constructed a plaza with a fountain at the southeast corner of 15<sup>th</sup> Street and J Avenue at this time.

More of the buildings in the downtown area were restored in the 1990s. An excellent example is the two-story building at 1029 15<sup>th</sup> Street. It was covered with stucco until a rainstorm damaged the exterior, uncovering some of the original brickwork. The owner was able to restore the second floor to its original appearance. Two storefronts on the north side of the street have been renovated to reflect an early 20<sup>th</sup> century commercial style.

The Farmers and Merchants Bank Building at 1015 15<sup>th</sup> and the building at 1027 15<sup>th</sup> are both currently used for offices.

Other historically significant buildings are the Spillman Building at 1007 15<sup>th</sup> Street, the McFarlin Building at 1011 15<sup>th</sup> Street, the Merritt Building at 1025 15<sup>th</sup> Street, and 1428 K Avenue. These buildings are generally larger and include fewer alterations than the other buildings. The Interurban Station is also a designated heritage resource.

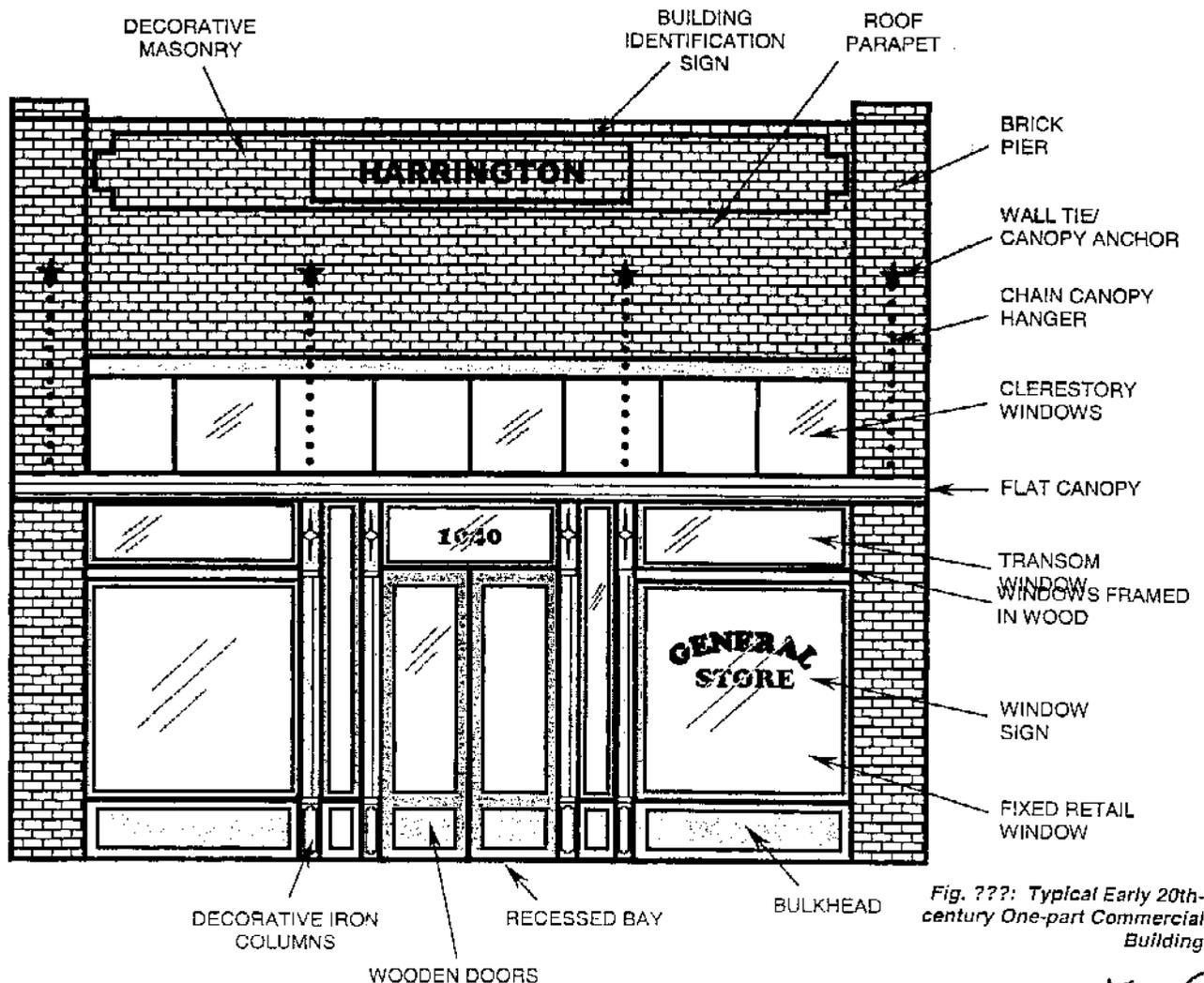
Today the downtown area continues to grow. The specialty retailers and small offices on 15<sup>th</sup> Street are busy and prospering, for the most part. Municipal offices draw employees and visitors all day long on weekdays. Mixed-use developments, such as the Eastside Village, are being built around the downtown area, bringing in residents and businesses.

**DRAFT**

## AREA A (HISTORIC DISTRICT) DESIGN GUIDELINES

The following drawings illustrate the form of typical early 20th-century commercial buildings, including the individual features that define the building. Notice that while size and scale play a significant role, architectural features, rhythm of openings and storefront elements are important parts of the whole. These drawings merely represent the typical commercial building. They are intended to illustrate the features of historic commercial buildings only. Because every building is unique, decisions should be case specific. However, these guidelines form the foundation for review.

### Character-Defining Features



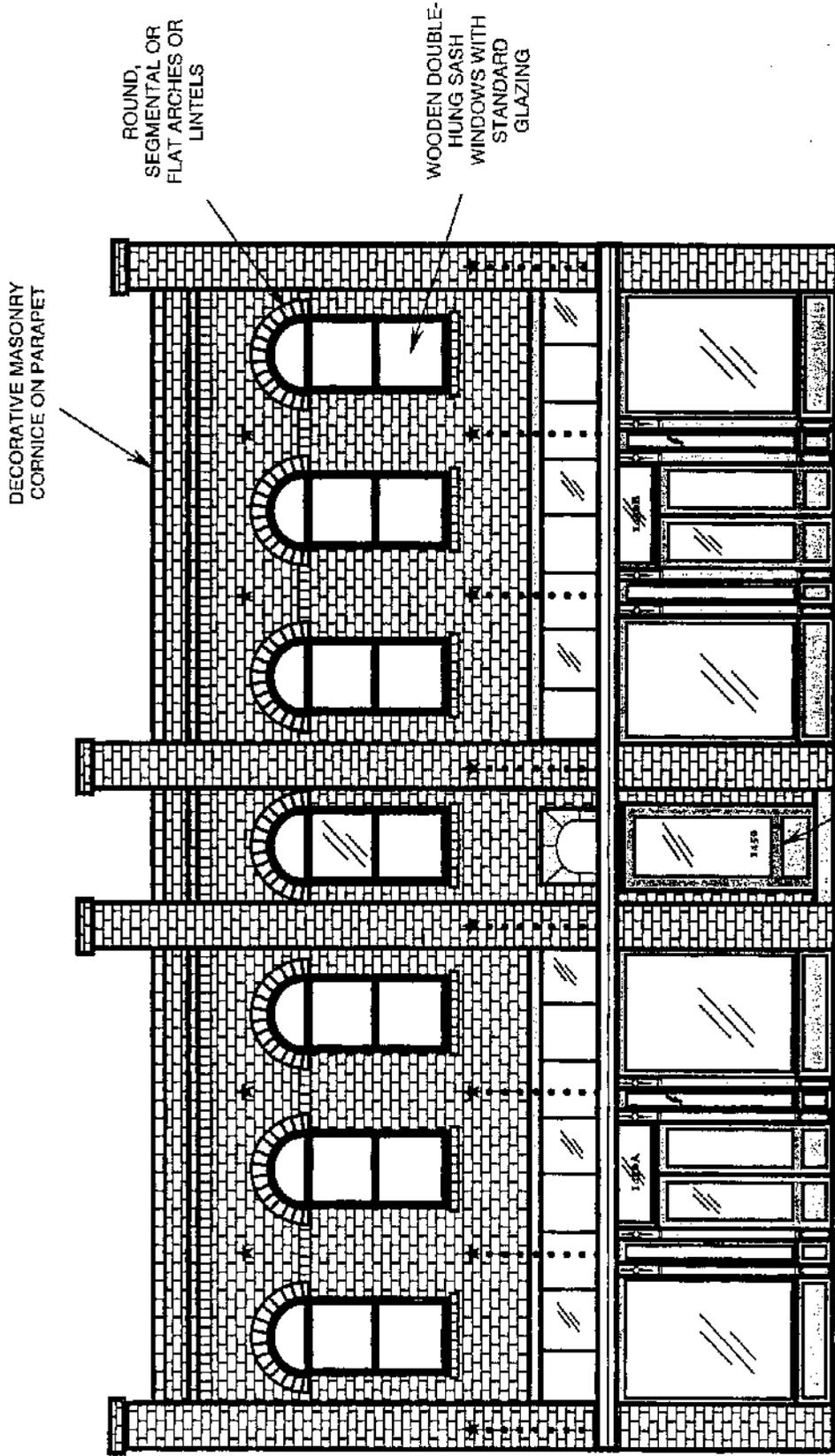


Fig. ???: Typical Early 20th-century Two-part Commercial Building

5-10

## Preservation

The following guidelines refer to the renovation of existing buildings. Preservation and restoration materials and methods used should comply with the Preservation Briefs published by the United States Department of the Interior. The Heritage Commission may approve a Certificate of Appropriateness for work that does not strictly comply with these guidelines providing that: a) the proposed work is historically accurate and is consistent with the spirit and intent of these guidelines; and/or b) the proposed work will not adversely affect the historic character of the property or district.

### General

- 1.1. Preserve, stabilize and restore building form, ornament and materials. Replace missing or deteriorated elements with replicas of the original. Ensure that roof, window, cornice and parapet treatments duplicate the original building. Preserve the original masonry features, mortar joint style and mortar composition and color.
- 1.2. Preserve older renovations that have achieved historic significance. This is consistent with the Secretary of the Interior's Standards for Rehabilitation. Older structures may have, at some time, been renovated with such care and skill that the renovation itself is worthy of preservation.
- 1.3. Remove *non-historic* alterations. Often, "modern" renovations merely conceal the original façade details. If not, the original style should be recreated through the use of historic photographs.
- 1.4. Where replication of original elements is not possible, a new design consistent with the original style of the building should be used. Reconstruction of building elements should reflect the size, scale, material and detail of the original style.

**Facades /  
Storefronts**

- 2.1. Maintain original elements and style of the storefront -- cornices, transoms, display windows, kick plates, spandrels and upper story windows.
- 2.2. Maintain recessed entries where they exist. They provide weather protection, protect passing pedestrians from opening doors, and add attractive detail to the storefront.
- 2.3. Integrate access to upper story offices or other uses with the historic features of the building.
- 2.4. Where backs of buildings are used for commercial purposes, preserve the utilitarian character of the architecture and site. The backs of buildings were areas where service and loading were handled, but now these areas are being used as additional entries and potentially, for food service and other activities. These areas should be improved and treated as secondary entrances. However, the general architectural style and utilitarian character should be preserved. Exception: Where possible, additions made to the rear of buildings on the north side of 15th St. should extend to 15th Place (maintaining adequate setback for sidewalks), and the new wall facing 15th Place should be treated as a front façade, rather than a rear façade. The use of period commercial light fixtures and small painted signs is encouraged.
- 2.5. Sandblasting and other highly abrasive methods should not be used to clean historic brick. Old brick is soft and its mortar is crumbly. Always begin with the gentlest means possible, working up to detergents and chemicals if necessary.

**Windows  
and Doors**

- 2.6. When tuck pointing an historic brick wall, mortar should match the historic lime mortar composition. Old bricks are softer than new bricks and will crack if pointed with a modern cement mortar.
- 3.1. Historic doors and windows should remain intact, except when replacement is necessary due to excessive damage or deterioration.
- 3.2. Replacement of doors and windows that have been altered and no longer match the historic appearance is encouraged when feasible.
- 3.3. Replacement doors and windows should express muntin and mullion size, light configuration, and material to match the historic.
- 3.4. Decorative ironwork and burglar bars over windows are not appropriate to the age and character of the district. Interior mounted burglar bars may be used where appropriate and necessary.
- 3.5. Glass and glazing should match historic materials as much as practical. Films and tints or reflective glass are not appropriate.
- 3.6. New door and window openings in facades should only be made where safety of life is threatened or where evidence exists of historic openings that, over time, have been filled or altered.
- 3.7. The Secretary of the Interior's Standards for Rehabilitation should be referred to for acceptable techniques to improve the energy efficiency of historic fenestration if necessary.

## **Roofs**

- 4.1. Historic slope, massing, and configuration of roofs should be preserved and maintained.
- 4.2. The following roofing materials are appropriate: flat (built-up), metal, single-ply membrane, and composition shingles. The following materials are not appropriate: clay tiles, slate tiles, terra-cotta tile, wood shingles, synthetic wood shingles, and synthetic clay tile.
- 4.3. Historic eaves, coping, cornices, dormers, parapets, and roof trim should be retained, and should be repaired with material matching in size, finish, module and color.
- 4.4. Mechanical equipment, skylights, and solar panels on the roof should be set back or screened so that they are not visible to a person standing at ground level on the opposite side of the street.

## **Colors**

- 5.1. Colors should be consistent with the age and character of the downtown area and used to embellish façade elements. Color palettes should enhance the attractive details of the building, not disguise them or overpower them.
- 5.2. Colors should complement neighboring buildings and reflect the original historic color pallet. Bright colors should be used cautiously. Metals should not be shiny or highly reflective.

## **Canopies and Awnings**

- 6.1. Flat canopies should be retained if present and replaced where needed. Awnings should be a "drop-front" style. Historically, the most common and appropriate sidewalk covering is the flat, rigid canopy. A building may, however, have cloth (canvas) awnings in appropriate

5-14

colors for visual interest. Awnings should not be a "bubble" style.

- 6.2. Awnings should not be continuous, but rather relate to each window or bay. This rhythm of awnings is typical of historic styles, and provides greater interest to pedestrians; long continuous awnings are more appropriate for strip retail centers, which relate to automobile traffic. Flat canopies, however, may be full width (continuous) or relate to each bay.

- 7.1. Fully recessed down lights, gooseneck lights or approved historic district fixtures should be encouraged. Lighting is an important element in retail areas. Fixtures should be consistent with the historic character of the area.

### ***Lighting***

- 7.2. Avoid exposed lighting of any kind unless part of an historic fixture. Early 20th-century theaters and diners are examples of building styles where exposed lighting and neon were used to create a special effect. Other commercial structures should avoid the uses of these lighting styles.

- 8.1. New driveways, sidewalks, steps and walkways should be constructed of brick, brush finish concrete, asphalt or other appropriate material. Artificial grass, exposed aggregate, artificially-colored concrete and outdoor carpet are not appropriate.

### ***Site / Landscaping***

- 8.2. Landscaping should be appropriate, enhance the structure and surroundings, and not obscure significant views of protected facades.
- 8.3. It is recommended that landscaping reflect the historic landscape design.

- 8.4. Existing trees are protected. Only unhealthy or damaged trees should be removed.
- 8.5. Any new mechanical equipment should be erected on the roof or in the rear yard, and should not be visible from the public right-of-way. It should also be screened.
- 8.6. Fences should be limited to the rear of a structure and should not exceed six feet in height. Fences should be constructed of brick, cast stone, iron, a combination of these materials, or other appropriate materials. Plastic, vinyl and chain-link are not appropriate. Fences should be 70% open. Concrete or brick solid walls are not appropriate.
- 8.7. Wheelchair access should be placed at the rear or side of a building.
- 8.8. Patios are appropriate at the rear of a building.
- 8.9. Patio and porch floors should be brick or concrete. Brick or concrete patio floors should not be covered with carpet. A clear sealant is acceptable on porch floors.

### **Signs**

- 9.1. Signs in this district must follow the City of Plano Development Regulations (Ordinance 86-3-14, as amended) for downtown signs.
- 9.2. The building itself should be considered part of the sign. Avoid garish colors or patterns, but use the detail and style of the building's architecture to enhance the building's identity. Locate signs so that they relate to architectural features of the building. Signs should not cover transoms or historic building features.

5-16

- 9.3. Focus on merchandise, not signs. Signs that compete for attention detract from the retail district as a whole. Avoid visual clutter and limit the number and size of signs (see Ordinance 86-3-14).
- 9.4. Awning, projecting, hanging, window and cornice signs are the most appropriate sign types in downtown. Awning and projecting signs were common in 19th- and early 20th-century Texas towns. Small projecting signs, at an appropriate scale in relation to the building and adjacent area, should be encouraged. Such signs should be constructed of high quality material consistent with its historic style.
- 9.5. Sign lettering should be consistent with the style of architecture. Generally, serif styles for Italianate, Germanic/Federal and Revival buildings, and sans serif for Art Deco and buildings from the later modernism movement are recommended.

The following guidelines refer to new infill construction in the historic district and additions to existing buildings. Demolition in the Downtown Heritage District is firmly discouraged. However, were a building to be seriously damaged or destroyed, new construction would be encouraged within these guidelines. Also, several buildings in the heritage district present opportunities for expansion. This is also encouraged if compatible.

- 10.1. All new construction should reflect the architectural character of the downtown district, matching existing buildings in form, scale, rhythm, materials, color, roof form, shape, solid-to-void ratio, detail and general

**New  
Construction  
and Additions**

appearance, paying particular attention to the elements pointed out in the first section of this chapter.

- 10.2. New buildings should abut the sidewalk. The setbacks for all new construction should match the setback of other buildings on the block. Infill buildings between historic buildings should be similar in setback, roof form, cornice line, and materials, to one of the adjacent buildings.
- 10.3. Horizontal additions are appropriate on the rear of buildings, where feasible. Vertical additions to historic buildings in the district are not appropriate and are discouraged.
- 10.4. Maintain the height and rhythm of buildings along the street face. New buildings and additions should respect both the height and bay spacing of adjacent buildings. They should also ensure continuity of cornice lines and windows. The height of an addition should not exceed the height of the historic building. The height of a new building should not exceed the height of the tallest building on the block.
- 10.5. Downtown buildings almost exclusively have brick or plaster over brick facades. The sides of corner buildings also reflect this construction. Any other materials should be used cautiously and should be compatible with the style and character of existing buildings. Brick should be uniform in color with little to no variation. Aluminum siding, wood siding, metal, stucco (other than traditional smooth coat cement plaster or stucco), and vinyl cladding are not generally appropriate.

5-18

**DOWNTOWN  
POTENTIAL EXEMPTIONS**

**Recommended Individual Designations**

PROPERTY ADDRESS	LAND VALUE	IMPROVEMENT VALUE	ADDITIONAL % EXEMPTION	TAXES PAID	COST OF EXEMPTION
1005-1007 15th St.	\$125,700	\$167,082	50%	\$948.91	\$378.86
1011 15th St.	47,407	120,794	50%	489.25	273.90
1012 15th St.	28,600	138,390	50%	443.50	313.80
1013 15th St.	50,160	186,394	50%	650.12	422.65
1015 15th St.	45,760	176,618	50%	608.00	400.48
1017 15th St.	73,128	231,115	50%	855.69	524.05
1027 15th St.	32,340	137,740	50%	458.99	312.33
1029 15th St.	34,078	169,722.00	50%	539.39	384.84
1035-1037 15th St.	30,525	91,045	50%	344.88	206.44
<b>Totals</b>	<b>\$467,778</b>	<b>\$1,418,900</b>		<b>\$6,338.73</b>	<b>\$3,217.36</b>

COUNTY	CCGC	PISD
\$208.85	\$76.81	\$1,423.04
\$150.99	\$55.53	\$1,028.80
\$172.99	\$63.62	\$1,178.67
\$232.99	\$85.69	\$1,587.52
\$220.77	\$81.20	\$1,504.26
\$288.89	\$106.25	\$1,968.41
\$172.18	\$63.32	\$1,173.13
\$212.15	\$78.03	\$1,445.52
\$113.81	\$41.86	\$775.43
<b>\$1,773.63</b>	<b>\$652.31</b>	<b>\$12,084.77</b>

**Recommended Designations After Research and/or Restoration**

PROPERTY ADDRESS	LAND VALUE	IMPROVEMENT VALUE	ADDITIONAL % EXEMPTION*	TAXES PAID	COST OF EXEMPTION
1006 15th St.	\$16,800	\$69,286	50%	\$233.29	\$157.11
1008 15th St.	16,800	159,381	50%	437.58	361.40
1010 15th St.	23,650	108,350	50%	352.94	245.68
1014-1016 15th St.	22,000	73,454	50%	266.33	166.56
1018 15th St.	19,800	55,472	50%	215.58	129.78
1020 15th St.	13,200	52,909	50%	179.83	119.97
1021 15th St.	35,937	64,290	50%	308.75	145.78
1022 15th St.	19,800	49,581	50%	202.22	112.42
1023-1025 15th St.	26,675	99,261	50%	346.05	225.07
1024 15th St.	27,720	123,189	50%	405.04	279.33
1026-1028 15th St.	70,609	179,643	50%	727.55	407.34
1031-1033 15th St.	36,630	126,351	50%	452.62	286.50
1032 15th St.	25,025	199,975	50%	566.93	453.44
1418 K Ave.	42,000	88,327	50%	390.75	200.28
1420 K Ave.	35,760	39,830	50%	252.49	90.31
1422 K Ave.	25,840	87,887	50%	316.47	199.28
1423 K Ave.		(Part of 1032 15th)			
1425 K Ave.		111,800	50%	253.51	253.51
1427 K Ave.		(Part of 1032 15th)			
<b>Totals</b>	<b>\$458,246</b>	<b>\$1,688,986</b>		<b>\$5,907.92</b>	<b>\$3,828.78</b>

COUNTY	CCCC	PISD
\$86.61	\$31.85	\$590.11
\$199.23	\$73.27	\$1,357.45
\$135.44	\$49.81	\$922.82
\$91.82	\$33.77	\$625.61
\$69.34	\$25.50	\$472.46
\$66.14	\$24.32	\$450.63
\$80.36	\$29.56	\$547.56
\$61.98	\$22.79	\$422.28
\$124.08	\$45.63	\$845.41
\$153.99	\$56.63	\$1,049.20
\$224.55	\$82.59	\$1,530.02
\$157.94	\$58.09	\$1,076.13
\$249.97	\$91.93	\$1,703.19
\$110.41	\$40.61	\$752.28
\$49.79	\$18.31	\$339.23
\$109.86	\$40.40	\$748.53
\$139.75	\$51.40	\$952.20
<b>\$2,111.23</b>	<b>\$778.48</b>	<b>\$14,385.09</b>

**Recommended Contributing Properties**

PROPERTY ADDRESS	LAND VALUE	IMPROVEMENT VALUE	ADDITIONAL % EXEMPTION	TAXES PAID	COST OF EXEMPTION
1414 J AVE	\$54,000	\$300,226	38%	\$1,089.04	\$517.38
1410 J AVE	64,500	149,136	38%	\$711.83	257.01
1001 14TH ST	170,000	91,725	38%	\$1,028.85	158.07
1428 K AVE	78,200	273,263	38%	\$1,122.97	470.91
1416 K AVE	83,170	62,544	38%	\$553.03	107.78
<b>Totals</b>	<b>\$449,870</b>	<b>\$876,894</b>		<b>\$4,506.72</b>	<b>\$1,511.15</b>

COUNTY	CCCC	PISD
\$285.21	\$104.90	\$1,943.34
\$141.68	\$52.11	\$965.35
\$87.14	\$32.05	\$593.73
\$259.60	\$95.48	\$1,768.81
\$59.42	\$21.85	\$404.84
<b>\$833.05</b>	<b>\$306.38</b>	<b>\$5,876.06</b>

<b>TOTALS (DOWNTOWN)</b>	<b>\$1,375,894</b>	<b>\$3,984,780</b>		<b>\$15,752.37</b>	<b>\$8,558.28</b>
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<b>\$4,717.91</b>	<b>\$1,735.17</b>	<b>\$32,146.93</b>
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Notes: Estimates based on 2002 Certified Values and Tax Rate.  
Exemption calculated using improvement value only.  
Full taxes paid on land value.

5-19

**ORDINANCE NO. \_\_\_\_\_**  
**(Zoning Case 2002-60)**

AN ORDINANCE OF THE CITY OF PLANO AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 86-3-14, AS HERETOFORE AMENDED, GRANTING HERITAGE RESOURCE DESIGNATION H-26 FOR THE AREA BOUNDED ON THE NORTH BY 15TH PLACE, ON THE EAST BY K AVENUE INCLUDING PROPERTIES ON THE NORTHEAST AND THE SOUTHEAST CORNER OF K AVENUE AND 15TH STREET, ON THE SOUTH SIDE BY 14TH STREET, AND ON THE WEST BY J AVENUE AND THE DART RIGHT-OF-WAY, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, PRESENTLY ZONED BUSINESS/GOVERNMENT WITH SPECIFIC USE PERMIT #464 FOR A PRIVATE CLUB, AND INDIVIDUAL HERITAGE RESOURCE DESIGNATIONS H-8 AND H-9; 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 10th day of February, 2003, for the purpose of considering a change in the Zoning Ordinance; and

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

**WHEREAS**, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 10th day of February, 2003; and

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

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

**Section I.** The Comprehensive Zoning Ordinance No. 86-3-14, as the same has been heretofore amended, is hereby further amended to grant Heritage Resource Designation H-26 for the area bounded on the north by 15th Place, on the east by K Avenue, including properties on the northeast and the southeast corner of K Avenue and 15th Street, on the south side by 14th Street, and on the west by J Avenue and the DART Right-of-Way, an addition to the City of Plano, Collin County, Texas, presently zoned Business/Government with Specific Use Permit #464 for a Private Club, and individual Heritage Resource Designations H-8 and H-9 said property being described in the legal description on Exhibit "A" attached hereto.

**Section II.** It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification of Heritage Resource Designation H-26 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 thereof, 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.**

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

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

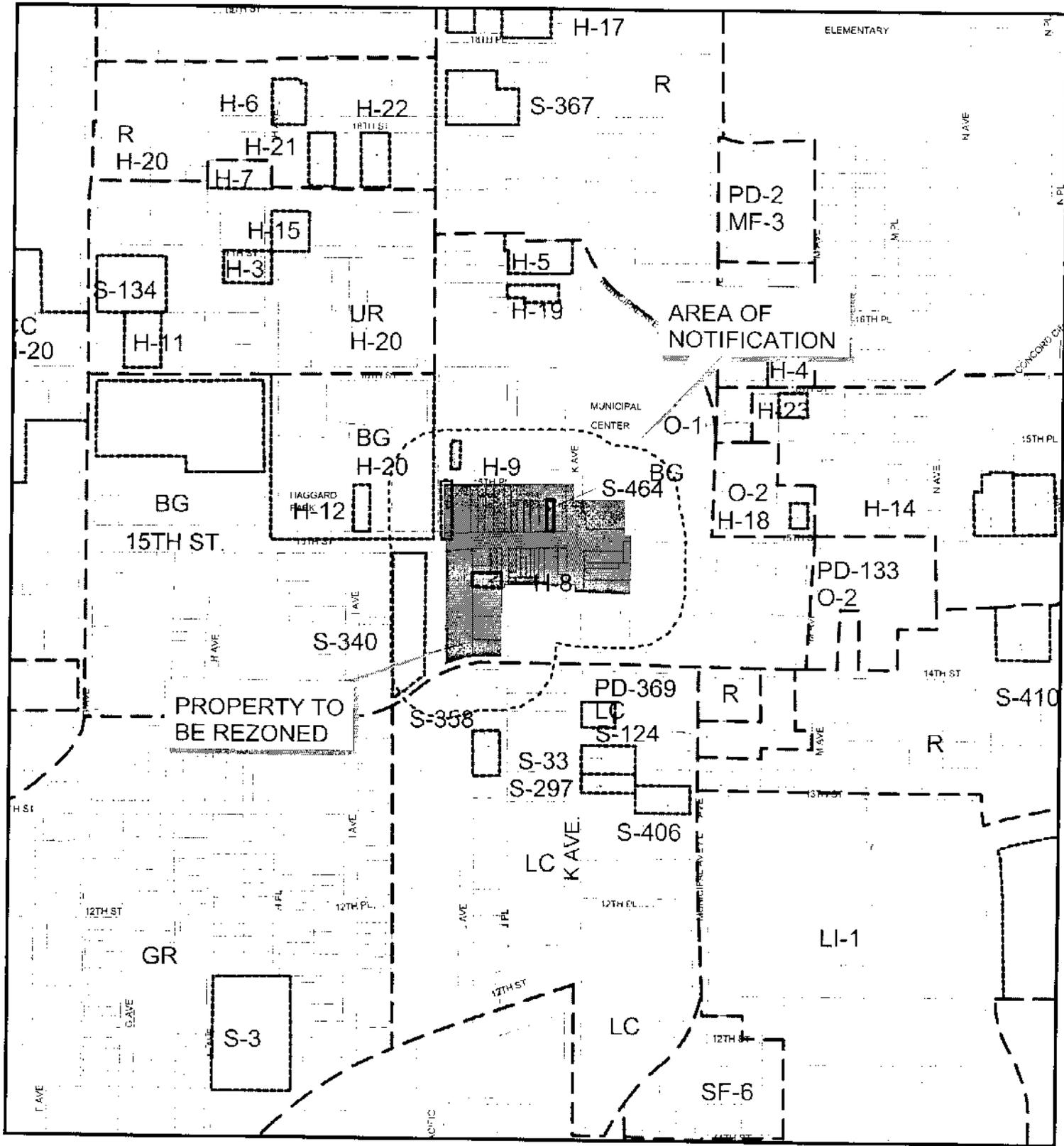
5-21

EXHIBIT "A"  
LEGAL DESCRIPTION

PLANO-ORIGINAL DONATION, BLOCK 4, LOT 9  
RAILROAD-PLANO, BLOCK 14, LOT 6 & 7A  
RAILROAD-PLANO, BLOCK 14, LOT 8B 9B 10B & 11B  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 6 & 7  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 14  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 11,12,13A,13B,14A,14B & 14C  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 5  
RAILROAD ADDN BLK/SHT 14 LOT/TR 3A 4 & 5  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 1-1  
RAILROAD-PLANO, BLOCK 14, LOT 8A 9A 10A & 11A  
PLANO-ORIGINAL DONATION, BLOCK 10, LOT 4B & 5  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 11A  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 8  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 2  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 1  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 8 & 9  
RAILROAD-PLANO, BLOCK 14, LOT 7B & 8D  
RAILROAD ADDN BLK/SHT 13 & 14 LOT/TR (13)LOTS 9 & 10 (14)LOTS 1 2 3B & OL 1  
A0213 KLEPPER, JOS., TRACT 77, ACRES 1.4090  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 10  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 11B  
RAILROAD-PLANO, BLOCK 14, LOT 8C 9C 10C & 11C  
PLANO-ORIGINAL DONATION, BLOCK 10, LOT 3B 4C & 4A  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 12B 13B 17 18 19A 19B 20A 20B & 21  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 10  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 3  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 2 3 4 & 1B  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 13A  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 11A  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 16 & PT OF 19  
PLANO-ORIGINAL DONATION, BLOCK 10, LOT 6B  
PLANO-ORIGINAL DONATION, BLOCK 10, LOT 6A  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 12A  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 4  
PLANO-ORIGINAL DONATION, BLOCK 11, LOT 9 & 10  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 5  
PLANO-ORIGINAL DONATION, BLOCK 4, LOT 15  
PLANO-ORIGINAL DONATION, BLOCK 10, LOT 7A  
PLANO-ORIGINAL DONATION, BLOCK 10, LOT 2 & 3A  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 15A  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 15B  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 7  
PLANO-ORIGINAL DONATION, BLOCK 5, LOT 6

5-22





**ZONING CASE  
# 2002-60**

**EXISTING ZONING:  
BG w/H-8, H-9, & S-464**



200' Notification  
Buffer



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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:	<b>2/10/03</b>	Reviewed by Legal <i>WV</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Planning	Initials	Date	
Department Head	Phyllis Jarrell	Executive Director	<i>WV</i>	<i>2/5/03</i>
Dept Signature:	<i>P. Jarrell</i>	City Manager	<i>J. W. ...</i>	<i>6/5/03</i>
Agenda Coordinator (include phone #): <b>L. Jobe ext. 7165</b>				
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				
<b>CAPTION</b>				
AN ORDINANCE OF THE CITY OF PLANO AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 86-3-14, AS HERETOFORE AMENDED, GRANTING SPECIFIC USE PERMIT NO. 487 SO AS TO ALLOW THE ADDITIONAL USE OF A PRIVATE CLUB ON 0.1+ ACRE OF LAND OUT OF THE HENRY COOK SURVEY, ABSTRACT NO. 183 AND THE MARIA C. VELA SURVEY, ABSTRACT NO. 935, LOCATED ON THE SOUTHWEST CORNER OF BISHOP ROAD AND KINCAID ROAD IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, PRESENTLY ZONED PLANNED DEVELOPMENT-65-CENTRAL BUSINESS-1; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; AND PROVIDING A PENALTY CLAUSE, A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	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:				
<b>SUMMARY OF ITEM</b>				
This zoning request appeared as an agenda item on the January 13, 2003, City Council meeting; however, due to an error in the notice of the public hearing, no action was taken and the item was re-noticed for the February 3, 2003, Planning & Zoning Commission meeting, and February 10, 2003, City Council meeting.				
List of Supporting Documents: Staff report and Ordinance		Other Departments, Boards, Commissions or Agencies		

*6-1*

February 4, 2003

**TO:** Honorable Mayor & City Council  
**FROM:** Lee Dunlap, Chairman, Planning & Zoning Commission   
**SUBJECT:** Results of Planning & Zoning Commission Meeting of February 3, 2003

At its meeting of February 3, the Planning & Zoning Commission took action on the following:

**Public Hearing:** Zoning Case 2002-61

**Applicant:** The Shops at Legacy, LP

**DESCRIPTION:**

A request for a Specific Use Permit (SUP) for a Private Club at a proposed restaurant on 0.1+ acre on the southwest corner of Bishop Road and Kincaid Road. Zoned Planned Development-65-Central Business-1 (PD-65-CB-1). Neighborhood #16.

**APPROVED:** 7-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

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

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

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

**STIPULATIONS:**

Recommended for approval as submitted.

**FOR CITY COUNCIL MEETING OF:** February 10, 2003 (To view the agenda for this meeting, see [www.planotx.org](http://www.planotx.org))

**PUBLIC HEARING - ORDINANCE**

CHL/lj

xc: Fehmi Karahan, The Karahan Companies  
Sasah Kim, Naan Restaurants LLC.  
Lanae Jobe, Sr. Administrative Assistant

CITY OF PLANO  
PLANNING & ZONING COMMISSION

February 3, 2003

**Agenda No. 8**

**Public Hearing:** Zoning Case 2002-61

**Applicant:** The Shops at Legacy, LP

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**DESCRIPTION:**

A request for a Specific Use Permit (SUP) for a Private Club at a proposed restaurant on 0.1± acre on the southwest corner of Bishop Road and Kincaid Road. Zoned Planned Development-65-Central Business-1 (PD-65-CB-1). Neighborhood #16.

**REMARKS:**

This zoning request was originally scheduled for consideration at the December 17, 2002, Planning & Zoning Commission meeting. Staff, however, discovered an error in the notification and re-notified the public hearing for the February 3, 2003, Planning & Zoning Commission meeting.

The requested zoning is for an SUP for a Private Club to serve alcoholic beverages in conjunction with the operation of a restaurant. The restaurant is located in a 5,200 square foot lease space within The Shops at Legacy.

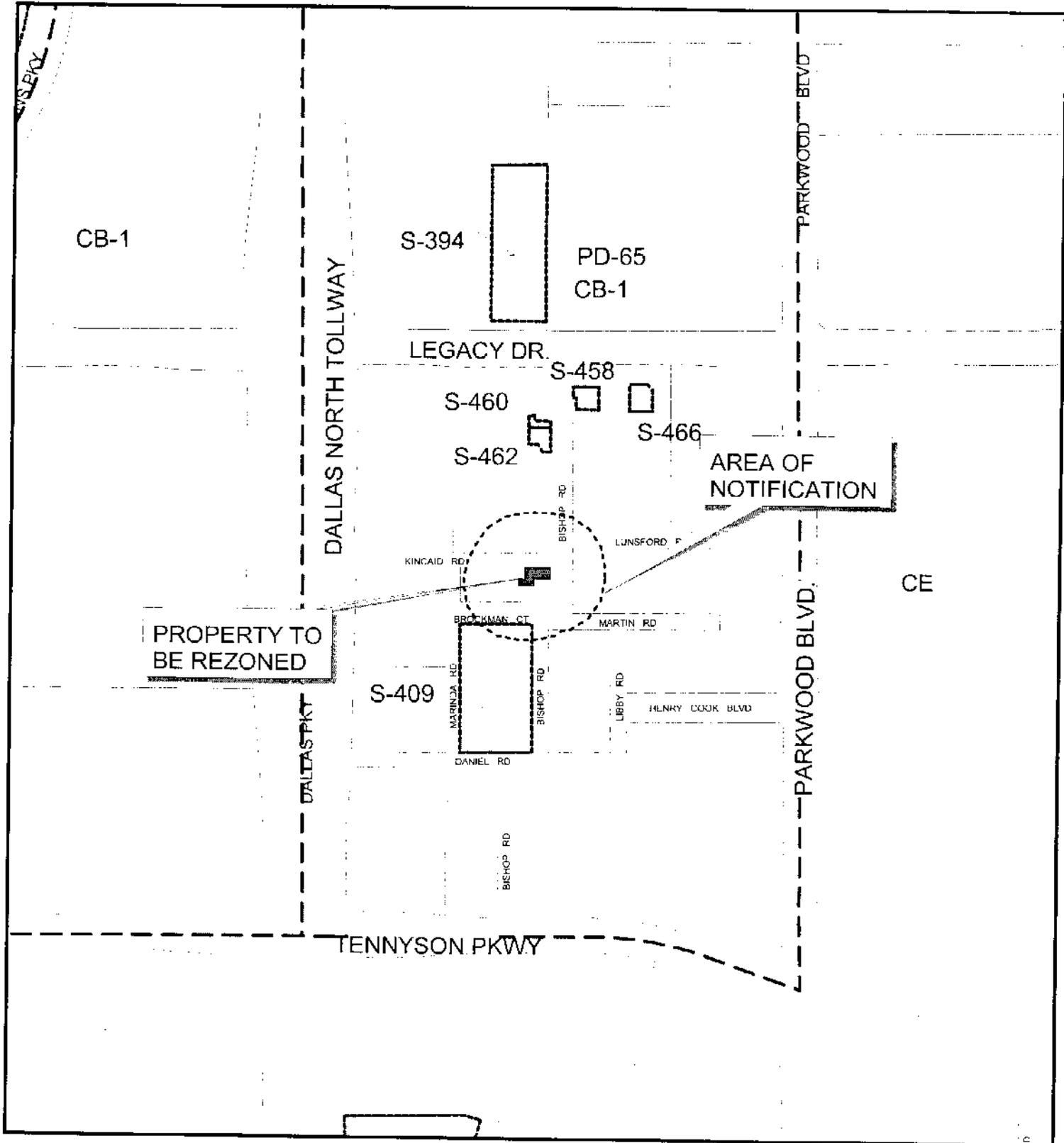
The front door of the proposed restaurant is not within 1,000 feet of a church, school, or publicly owned park and is not within 300 feet of the nearest residential district. The property meets the parking standards of PD-65-CB-1 for a restaurant with a private club.

**RECOMMENDATIONS:**

Recommended for approval as submitted.

6-3



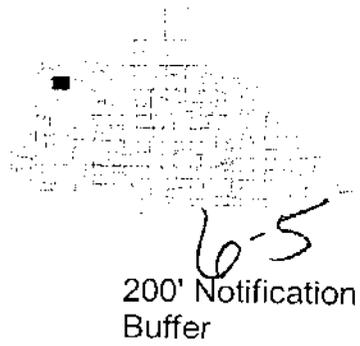


**PROPERTY TO BE REZONED**

**AREA OF NOTIFICATION**

**ZONING CASE  
# 2002-61**

**EXISTING ZONING:  
PD-65-CB-1**



200' Notification Buffer

**ORDINANCE NO. \_\_\_\_\_**  
**(Zoning Case 2002-61)**

AN ORDINANCE OF THE CITY OF PLANO AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 86-3-14, AS HERETOFORE AMENDED, GRANTING SPECIFIC USE PERMIT NO. 487 SO AS TO ALLOW THE ADDITIONAL USE OF A PRIVATE CLUB ON 0.1± ACRE OF LAND OUT OF THE HENRY COOK SURVEY, ABSTRACT NO. 183 AND THE MARIA C. VELA SURVEY, ABSTRACT NO. 935, LOCATED ON THE SOUTHWEST CORNER OF BISHOP ROAD AND KINCAID ROAD IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, PRESENTLY ZONED PLANNED DEVELOPMENT-65-CENTRAL BUSINESS-1; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; AND PROVIDING A PENALTY CLAUSE, A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

**WHEREAS**, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 10th day of February, 2003, for the purpose of considering granting Specific Use Permit No. 487 for a Private Club on 0.1± acre of land out of the Henry Cook Survey, Abstract No. 183 and the Maria C. Vela Survey, Abstract No. 935, located on the southwest corner of Bishop Road and Kincaid Road in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1; and

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

**WHEREAS**, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 10th day of February, 2003; and

**WHEREAS**, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 487 for a Private Club on 0.1± acre of land out of the Henry Cook Survey, Abstract No. 183 and the Maria C. Vela Survey, Abstract No. 935, located on the southwest corner of Bishop Road and Kincaid Road 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

6-6

**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. 86-3-14, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 487, allowing the additional use of a Private Club on 0.1± acre of land out of the Henry Cook Survey, Abstract No. 183 and the Maria C. Vela Survey, Abstract No. 935, located on the southwest corner of Bishop Road and Kincaid Road in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1, 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.**

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

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

6-8

EXHIBIT "A"  
LEGAL DESCRIPTION

BEING a tract of land situated in the Henry Cook Survey, Abstract No. 183 and the Maria C. Vela Survey, Abstract No. 935, in the City of Plano, Collin County, Texas and being a portion of Lot 1, Block D of Legacy Town Center (south), an Addition to the City of Plano, Texas, according to the map or plat thereof recorded in Volume M at Page 47 of the Plat Records of Collin County, Texas (P.R.C.C.T.) and being more particularly described by metes and bounds as follows (bearings based on the west right-of-way line of Bishop Road as dedicated in said Legacy Town Center (south), said bearing being north).

COMMENCING at the southeast corner of Lot 2, Block E of Legacy Town Center (south), Volume M at Page 47 of the Plat Records of Collin County, Texas (P.R.C.C.T.) and being the intersection of the north right-of-way line of Kincaid Road (a 51-foot wide right-of-way) with the west right-of-way line of Bishop Road (on 82-foot wide right-of-way);

THENCE East, departing the western right-of-way line of Bishop Road, a distance of 14.13 feet;

THENCE South, a distance of 59.79 feet to a corner;

THENCE West, to the easterly face of an existing building, a distance of 14.50 feet to a corner, and the POINT OF BEGINNING;

THENCE South, along the face of the easterly wall of said building, a distance of 43.65 feet to a corner;

THENCE West, departing the face of said easterly wall, and generally along a defined lease line, a distance of 60.90 feet to a corner;

THENCE South, and generally along a defined lease line, a distance of 25.82 feet to a corner;

THENCE West, and generally along a defined lease line, a distance of 57.35 feet to a corner;

THENCE North, and generally along a defined lease line, a distance of 16.71 feet to a corner;

THENCE East, and generally along a defined lease line, a distance of 6.00 feet to a corner;

THENCE North, and generally along a defined lease line, a distance of 8.00 feet to a corner;

THENCE East, and generally along a defined lease line, a distance of 29.79 feet to a corner;

THENCE North, and generally along a defined lease line, a distance of 18.00 feet to a corner;

THENCE West, and generally along a defined lease line, a distance of 12.00 feet to a corner;

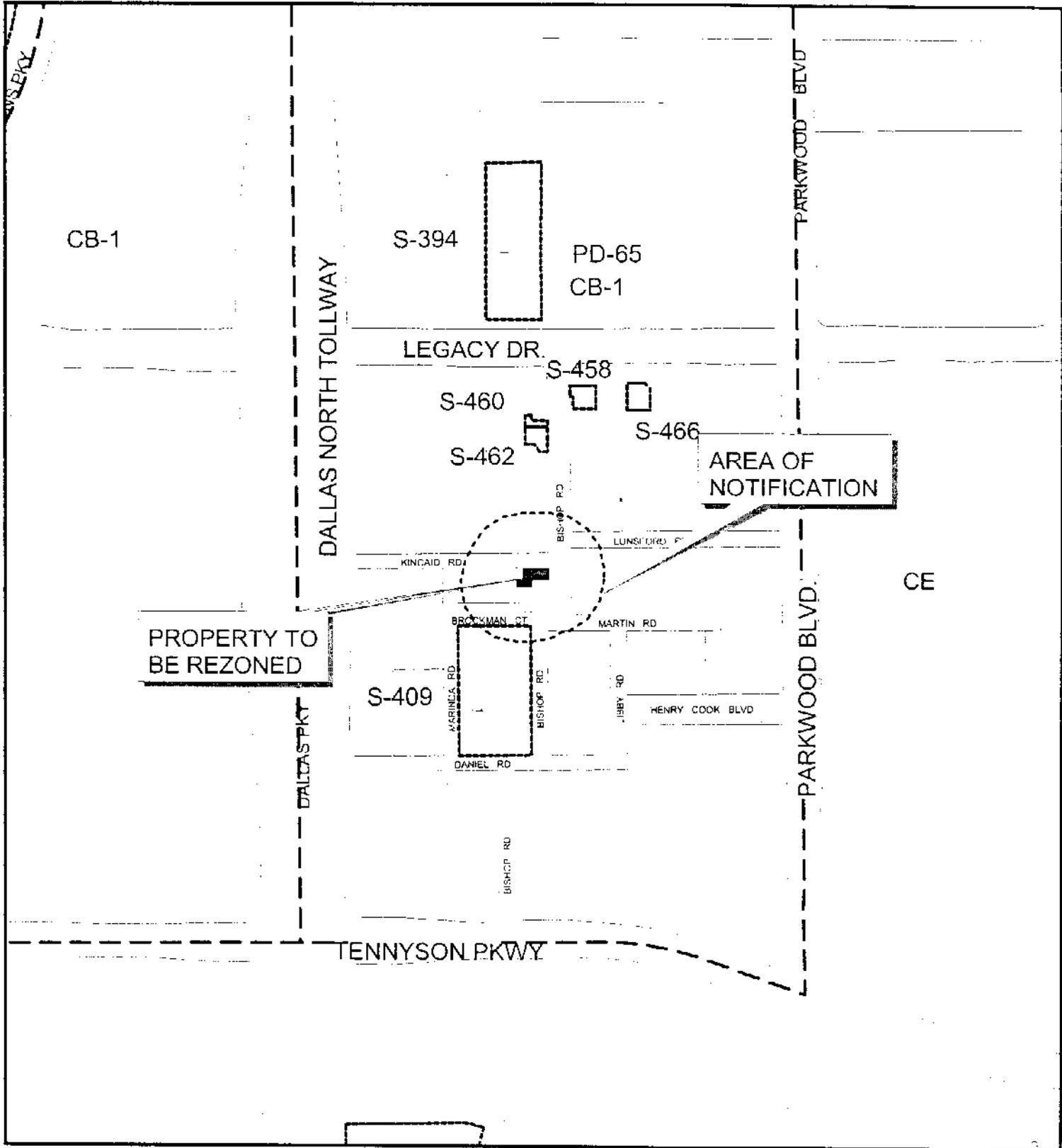
THENCE North, and generally along a defined lease line, a distance of 23.97 feet to a corner;

THENCE East, along the face of the northerly wall of said building, a distance of 50.17 feet to a corner;

THENCE North, and generally along a defined lease line, a distance of 2.79 feet to a corner;

THENCE East, along the face of the northerly wall of said building, a distance of 44.24 feet to the POINT OF BEGINNING and containing (5,176 square feet), 0.118 of an acre of land, more or less.

6-10



**ZONING CASE  
# 2002-61**

**EXISTING ZONING:  
PD-65-CB-1**



200' Notification  
Buffer



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>		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:	2/10/03		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Planning		Initials	Date	
Department Head	Phyllis Jarrell		Executive Director	2/5/03	
Dept Signature:	<i>P. Jarrell</i>		City Manager	<i>[Signature]</i> 2/10/03	
Agenda Coordinator (include phone #): L. Jobe ext. 7165					

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

**CAPTION**

AN ORDINANCE OF THE CITY OF PLANO AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 86-3-14, AS HERETOFORE AMENDED, SO AS TO REZONE 8.0± ACRES OUT OF THE SANFORD BECK SURVEY, ABSTRACT NO. 73, LOCATED ON THE SOUTHEAST CORNER OF 18TH STREET AND K AVENUE IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, AS MORE FULLY DESCRIBED IN THE ATTACHED EXHIBIT "A", FROM RETAIL TO DOWNTOWN BUSINESS/GOVERNMENT; 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.

**FINANCIAL SUMMARY**

NOT APPLICABLE     OPERATING EXPENSE     REVENUE     CIP

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

FUND(s):

COMMENTS:

**SUMMARY OF ITEM**

This zoning request appeared as an agenda item on the January 13, 2003, City Council meeting; however, due to an error in the notice of the public hearing, no action was taken and the item was re-noticed for the February 3, 2003, Planning & Zoning Commission meeting, and February 10, 2003, City Council meeting.

List of Supporting Documents: Staff report and Ordinance	Other Departments, Boards, Commissions or Agencies
-------------------------------------------------------------	----------------------------------------------------

February 4, 2003

**TO:** Honorable Mayor & City Council

**FROM:** Lee Dunlap, Chairman, Planning & Zoning Commission



**SUBJECT:** Results of Planning & Zoning Commission Meeting of February 3, 2003

At its meeting of February 3, the Planning & Zoning Commission took action on the following:

**Public Hearing:** Zoning Case 2002-70

**Applicant:** City of Plano

**DESCRIPTION:**

Request to rezone 8.0± acres located at the southeast corner of 18th Street and K Avenue **from** Retail (R) **to** Downtown Business/Government (BG). Neighborhood # 60.

**APPROVED:** 7-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

**LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA:** **FAVOR:** 0 **OPPOSE:** 1

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

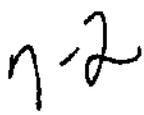
**PETITION(s) RECEIVED:** N/A **# OF SIGNATURES:** N/A

**STIPULATIONS:**

Recommended for approval as submitted.

SS/lj

xc: Lanae Jobe, Sr. Administrative Assistant



CITY OF PLANO  
PLANNING & ZONING COMMISSION

February 3, 2003

**Agenda No. 13**

**Public Hearing:** Zoning Case 2002-70

**Applicant:** City of Plano

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**DESCRIPTION:**

Request to rezone 8.0+ acres located at the southeast corner of 18th Street and K Avenue **from** Retail (R) **to** Downtown Business/Government (BG). Zoned Retail. Neighborhood #60.

**REMARKS:**

This zoning request was previously considered by the Planning & Zoning Commission at their January 6, 2003, meeting. Subsequent to the Commission's action, staff discovered an error in the notification of the public hearing that nullified the Commission's recommendation. Therefore, the public hearing was re-notified for the February 3, 2003, Planning & Zoning Commission meeting.

This request covers the area of land left out of the original zoning case calling for the expansion of the BG district (Zoning Case 2002-36) that was approved by the City Council on December 9, 2002. This zoning case is the result of the Planning & Zoning Commission's review of areas where the existing zoning does not comply with Comprehensive Plan recommendations and is designated as a "high priority task" of the Planning & Zoning Commission's Work Program.

The current BG district is approximately 86.4± acres in area, and serves as a center for retail, office, governmental, cultural, and entertainment activities. It is designed to ensure that development, redevelopment, and restoration within the district are consistent with the historical character of Plano's original business district and surrounding area. The properties within this request are currently zoned R. The R district is intended to provide areas for neighborhood, local, and regional shopping facilities for the retail sales of goods and services including convenience stores, shopping centers, and regional malls, but not including wholesaling or warehousing. All of the existing uses within the rezoning request area would be permitted under the BG zoning district regulations.

There are a variety of uses of the properties within this rezoning request area. There are several retail establishments, a medical clinic, dental office, veterinary clinic with inside kennels, post office, two single-family housing units used for offices, and two City of Plano vehicle parking lots. A shopping center is located to the north of this property. The land to the east has an independent living facility (retirement housing) and an apartment complex that are zoned Planned Development-2-Multi-Family-3 (PD-2-MF-3) and Multi-Family-1 (MF-1). Retail and office uses are located to the west within the BG zoning district.

Conformance to the Comprehensive Plan

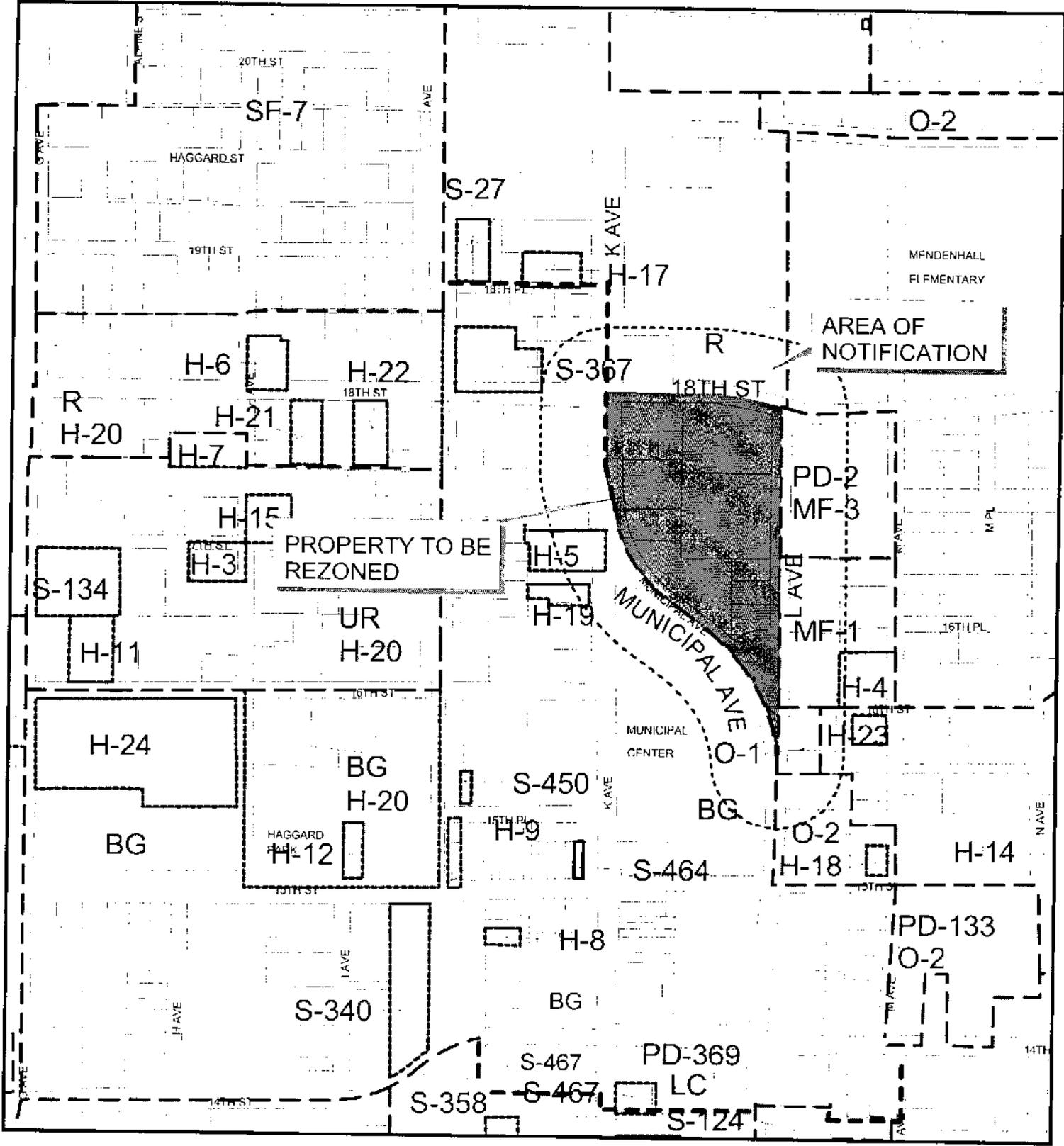
**Future Land Use Plan** - The Future Land Use Plan designates this area as General Commercial. The proposed BG zoning is consistent with this land use designation.

**Adequacy of Public Facilities** - Water and sanitary sewer services are available in the area.

**RECOMMENDATIONS:**

Recommended for approval as submitted.

7-4



**ZONING CASE  
# 2002-70**

**EXISTING ZONING:  
RETAIL**



○ 200' Notification Buffer

7-5

**ORDINANCE NO. \_\_\_\_\_**  
**(Zoning Case 2002-70)**

AN ORDINANCE OF THE CITY OF PLANO AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 86-3-14, AS HERETOFORE AMENDED, SO AS TO REZONE 8.0± ACRES OUT OF THE SANFORD BECK SURVEY, ABSTRACT NO. 73, LOCATED ON THE SOUTHEAST CORNER OF 18TH STREET AND K AVENUE IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, AS MORE FULLY DESCRIBED IN THE ATTACHED EXHIBIT "A", FROM RETAIL TO DOWNTOWN BUSINESS/GOVERNMENT; 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 10th day of February, 2003, for the purpose of considering rezoning 8.0± acres out of the Sanford Beck Survey, Abstract No. 73, located on the southeast corner of 18th Street and K Avenue in the City of Plano, Collin County, Texas, from Retail to Downtown Business/Government; and

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

**WHEREAS**, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 10th day of February, 2003; and

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

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

**Section I.** The Comprehensive Zoning Ordinance No. 86-3-14, as the same has been heretofore amended, is hereby further amended so as to rezone 8.0± acres out of the Sanford Beck Survey, Abstract No. 73, located on the southeast corner of 18th Street and K Avenue in the City of Plano, Collin County, Texas, from Retail to Downtown Business Government, said property being more fully described in the legal description attached hereto as Exhibit "A".

**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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.**

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

ATTEST:

\_\_\_\_\_  
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

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

7-7

EXHIBIT "A"  
LEGAL DESCRIPTION

Being a tract of land comprising of 8.0+ acres situated in the Sanford Beck Survey, Abstract No. 73 in Collin County, Texas and being more particularly described as follows:

Beginning at the intersection of the centerline of 18th Street (a 60 foot right-of-way) and the centerline of K Avenue (a 110 foot right-of-way);

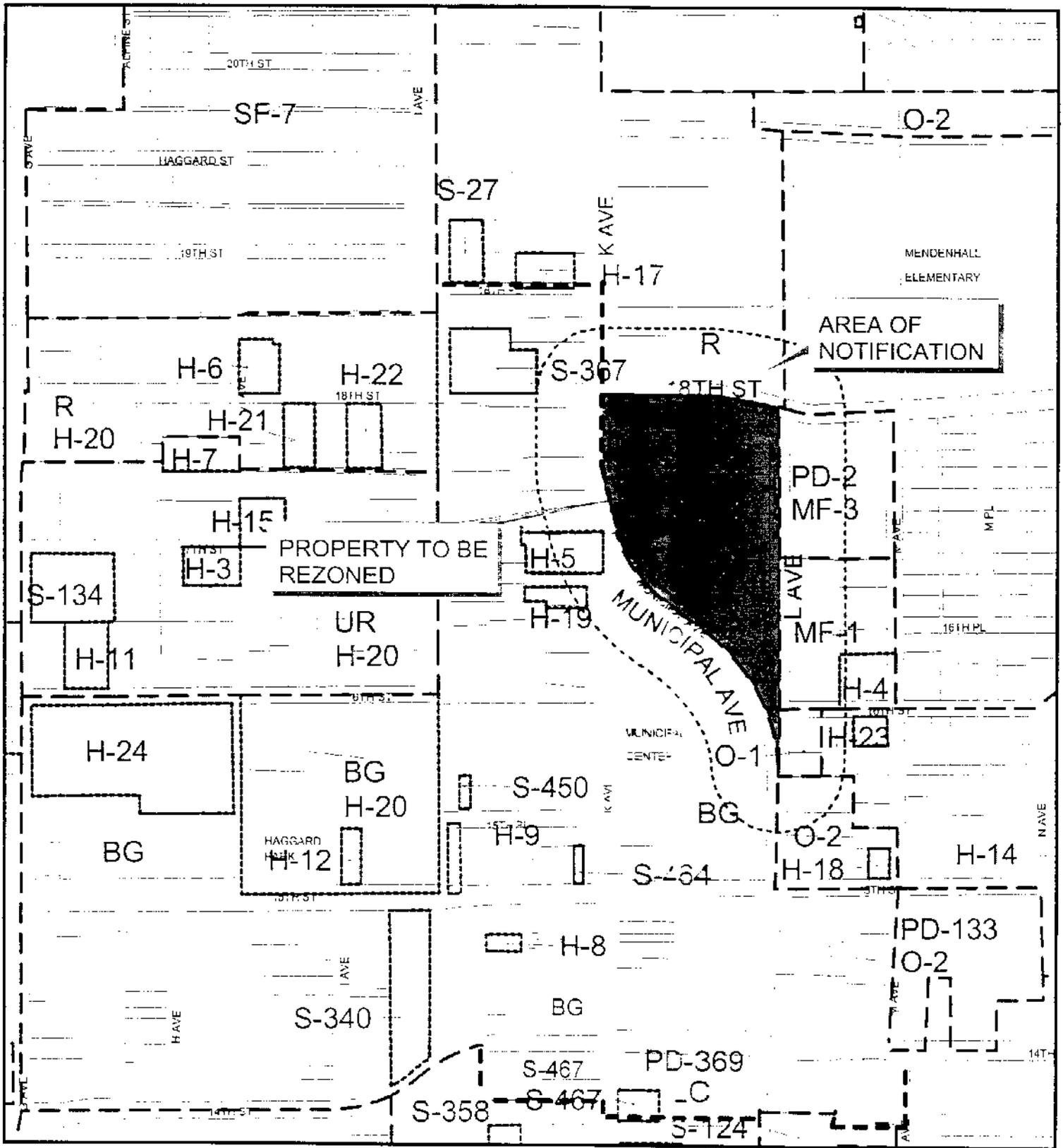
Thence east along the centerline of said 18th Street, a distance of 546.19 feet to the centerline of L Avenue;

Thence south along the centerline of said L Avenue, a distance of 908.50 feet to the centerline of Municipal Drive;

Thence northwest along centerline of the said Municipal Drive; a distance of 760.00 feet to the centerline of K Avenue;

Thence north along centerline of said K Avenue, a distance of 423.50 feet to the centerline of 18th Street; the POINT OF BEGINNING and containing 8.00 acres of land.

7-8



**ZONING CASE  
# 2002-70**

**EXISTING ZONING:  
RETAIL**



7-9  
200' Notification Buffer