

# CITY COUNCIL

1520 AVENUE K



DATE: 5/13/2013

CALL TO ORDER: 7:00 p.m.

INVOCATION: John Chen, Children's Pastor  
Plano Chinese Alliance Church

PLEDGE OF ALLEGIANCE: Jr. Girl Scout Troop 8638  
Aldridge & Weatherford Elementary Schools

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>OUR MISSION - THE CITY OF PLANO IS A REGIONAL AND NATIONAL LEADER, PROVIDING OUTSTANDING SERVICES AND FACILITIES THROUGH COOPERATIVE EFFORTS THAT ENGAGE OUR CITIZENS AND THAT CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.</p> <p><b>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</b></p> <p><b><u>PROCLAMATIONS &amp; SPECIAL RECOGNITION</u></b></p> <p>PRESENTATION: Standberry Scholarships, honoring former Plano employee Paul Standberry, are being awarded to two Plano students</p> <p>SPECIAL RECOGNITION: The 2013 Living Legend Volunteer is Mina Daffinee who has been volunteering at the Plano Senior Center for many years</p> <p>PROCLAMATION: National Historic Preservation Month encourages the saving of American historic treasures</p> <p>PROCLAMATION: Bike to Work Day, May 17th, encourages citizens to commute to work on a bicycle</p> <p>SPECIAL RECOGNITION: The Plano Employees of the Year are being recognized</p> <p><b><u>COMMENTS OF PUBLIC INTEREST</u></b></p> <p><b><u>This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.</u></b></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><b><u>CONSENT AGENDA</u></b>  <b><u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></b></p> <p><b><u>Approval of Minutes</u></b>  (a) April 22, 2013</p> <p><b><u>Approval of Expenditures</u></b></p> <p><b>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</b></p> <p>(b) Bid No. 2013-64-C for a one (1) year contract with three (3) City optional renewals for Top Soil, Sand and Expanded Shale for the Public Works, Environmental Waste Services Division, to CJA Enterprises LLP in the estimated annual amount of \$65,000 and authorizing the City Manager to execute all necessary documents.</p> <p>(c) Bid No. 2013-201-B for Parker Road - Parkwood Boulevard Intersection to XIT Paving and Construction, Inc. in the amount of \$409,802 and authorizing the City Manager to execute all necessary documents.</p> <p>(d) Bid No. 2013-193-B for Dallas North Estates 3 to RKM Utility Services, Inc. in the amount of \$1,325,794 and authorizing the City Manager to execute all necessary documents.</p> <p>(e) Bid No. 2013-174-B for the Plano Park 1 – Street Reconstruction and Water Main Replacement project to Jim Bowman Construction Co., L.P. in the amount of \$1,412,916 and authorizing the City Manager to execute all necessary documents.</p> <p>(f) Bid No. 2013-207-B for the 2012-13 Arterial Concrete Pavement Rehab, Alma Drive – Parker Road to Hedgcoxe Road, Project No. 6291 to Jerusalem Corporation, in the amount of \$1,449,998 and authorizing the City Manager to execute all necessary documents.</p> <p>(g) Bid No. 2013-148-B for the Greenhollow Estates Waterline Rehabilitation Project to Jim Bowman Construction Co., L.P., in the amount of \$2,089,375 and authorizing the City Manager to execute all necessary documents.</p> <p>(h) Bid No. 2013-202-B for High Point Tennis Center Courts Resurfacing and Windscreens to Courts-N-Stuff in the amount of \$125,936 and authorizing the City Manager to execute all necessary documents.</p> <p>(i) Bid No. 2013-178-B for Heritage Yards Bleacher Shade Structures to HQS Construction, LLC in the amount of \$169,623 and authorizing the City Manager to execute all necessary documents.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(j)	Bid No. 2013-208-B for the purchase of two (2) 3/4 Ton Chevrolet Suburbans from Caldwell Country Automotive in the amount of \$93,980 for Fleet Services, to be utilized by the Fire Department, and authorizing the City Manager to execute all necessary documents.	
(k)	CSP No. 2012-181-C for a three (3) year contract with two (2) City optional one year renewals, for Work Order and Asset Management System for Parks and Recreation and Public Works to Cartegraph Systems, Inc. in the amount of \$158,000 for the 1st year and an estimated annual amount of \$51,670 for each of the following 2 years and an estimated amount of \$53,000 for each of years 4 and 5, and authorizing the City Manager to execute all necessary documents.	
(l)	<p><b>Purchase from an Existing Contract</b></p> <p>To approve a one (1) year contract with three (3) City optional renewals for the purchase of Fire Hydrants and Repair Parts for the Warehouse to be utilized by Public Works in an estimated annual amount of \$90,000 from HD Supply Waterworks, LTD, through an existing contract/agreement with the City of Fort Worth, and authorizing the City Manager to execute all necessary documents. (City of Fort Worth Contract #12-0063)</p>	
(m)	<p><b>Approval of Contract Modification</b></p> <p>To approve and authorize Contract Modification No. 1 for the purchase of additional engineering and surveying services for Screening and Retaining Walls – Custer, Independence and US 75 project in the amount of \$45,720 from R-Delta Engineering, Inc.</p>	
(n)	<p><b>Approval of Change Order</b></p> <p>To Archer Western Construction, LLC, decreasing the contract by \$215,743 for Custer Pump Station, Change Order No. 3. Original Bid No. 2011-233-B.</p>	
(o)	<p><b>Approval of Expenditure</b></p> <p>To approve of the ratification of expenditures exceeding the awarded amount by \$724,946 and approve additional award in the amount of \$286,850 for the purchase of concrete from Redi-Mix LLC to be utilized by Public Works, and authorizing the City Manager to execute all necessary documents (2009-99-C).</p>	
(p)	<p><b>Adoption of Resolutions</b></p> <p>To repeal Resolution No. 2005-12-12(R) and approve and authorize revised golf course green fees at Pecan Hollow Golf Course; and providing an effective date.</p>	
(q)	To authorize continued participation with the Steering Committee of Cities Served by Oncor; authorizing the payment of ten cents per capita to the Steering Committee to fund regulatory and related activities related to Oncor Electric Delivery Company, LLC; and providing an effective date.	
(r)	To approve the Investment Portfolio Summary for the quarter ending March 31, 2013 and providing an effective date.	

ITEM NO.	EXPLANATION	ACTION TAKEN
(s)	To approve the hiring of Jennifer A. Knox-Walker as Assistant City Attorney by the City Attorney; and providing an effective date.	
(t)	To repeal and replace Resolution No. 2013-4-1(R) approving the purchase of 6,755 sq. ft. of land for Street Right of Way located at the northwest corner of Preston Road and Spring Creek Parkway from Passco Waters Edge, LP., and authorizing the City Manager or his authorized designee to execute any necessary documents; and providing an effective date.	
(u)	<p><b><u>Adoption of Ordinances</u></b></p> <p>To abandon all right, title and interest of the City, in and to a portion of that certain 15-foot Drainage Easement recorded in Volume Q, Page 293 of the Plat Records of Collin County, Texas and being situated in the Daniel Rowlett Survey, Abstract No. 738, which is located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, CB Jeni – Chase Oaks Village II, LLC, to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.</p>	
(v)	<p>To abandon all right, title and interest of the City, in and to that certain 25' x 25' Drainage Easement recorded in Volume 4551, Page 2929, a certain 25' x 450' Temporary Construction Easement recorded in Volume 4551, Page 2953, and a certain 25' wide Water Line and Sanitary Sewer Easement recorded in Volume 4551, Page 2921 of the Deed Records of Collin County, Texas and being situated in the H. B. Miller Survey, Abstract No. 614, which are located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, PARK PLACE LX LAND COMPANY NO. 1, LTD., 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>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></b></p> <p><b><u>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</u></b></p> <p><b><u>Non-Public Hearing Items: The Presiding Officer may permit limited public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.</u></b></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(1)	<p>Public Hearing and consideration of an Ordinance as requested in Zoning Case 2013-08 to amend an Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to expand Specific Use Permit No. 468 for the additional use of Health/Fitness Center on 3.1± acres of land located on the north side of Legacy Drive, 345± feet east of Preston Road, in the City of Plano, Collin County, Texas, presently zoned General Office; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Scherer I, Ltd.</p>	
(2)	<p>Consideration of a request for a revised preliminary site plan/revised concept plan and to participate in a Parking Reduction Program for a Health/Fitness Center and General Office on two lots on 19.0± acres located generally at the northeast corner of Legacy Drive and Preston Road. Zoned General Office/Preston Road Overlay District with Specific Use Permit #468 for Health/Fitness Center. Applicant: Scherer I, Ltd.</p> <p><u>Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal/L Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Senator Florence Shapiro Council Chambers is accessible by elevator to the lower level. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.</u></p>	



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		05/13/2013		
Department:		City Manager's Office		
Department Head		Bruce Glasscock		
Agenda Coordinator (include phone #): <b>Melinda White X7548, Cindy Pierce X5161</b>				
<b>CAPTION</b>				
PRESENTATION: Standberry Scholarships, honoring former Plano employee Paul Standberry, are being awarded to two Plano students				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
<b>FUND(S):</b>				
<b>COMMENTS:</b>				
<b>SUMMARY OF ITEM</b>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	



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SPECIAL RECOGNITION: The 2013 Living Legend Volunteer is Mina Daffinee who has been volunteering at the Plano Senior Center for many years				
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Budget	0	0	0	0
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SPECIAL RECOGNITION: The Plano Employees of the Year are being recognized				
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<b>COMMENTS:</b>				
<b>SUMMARY OF ITEM</b>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
April 22, 2013**

**COUNCIL MEMBERS PRESENT**

Phil Dyer, Mayor  
Lissa Smith, Mayor Pro Tem  
Ben Harris, Deputy Mayor Pro Tem  
Pat Miner (arrived at 6:15 p.m.)  
André Davidson  
Jim Duggan  
Patrick Gallagher  
Lee Dunlap

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Diane C. Wetherbee, City Attorney  
Diane Zucco, City Secretary

Mayor Dyer called the meeting to order at 5:49 p.m., Monday, April 22, 2013, in Training Room A of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor Dyer 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 for which a certified agenda is not required.

Mayor Dyer reconvened the meeting back into the Preliminary Open Meeting at 6:14 p.m.

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

No items were brought forward.

**Comprehensive Monthly Financial Report – March 2013**

Director of Finance Tacke advised that the March 2013 report finds General Fund revenues down slightly as a percentage of budget as compared to last year while Water and Sewer revenues are up. She stated that actual General Fund revenues are up \$1.5 million, primarily due to an increase in ad valorem taxes. She spoke to a decrease in sales tax due to an audit adjustment and advised that General Fund expenditures are up in the areas of personnel services and contract expenses for park field services. She advised that the unemployment rate is at 5.8%.

## **Update Regarding Water Restrictions**

City Manager Glasscock spoke regarding Lake Lavon elevations and a spike that occurred in 2012 as a result of heavy rains. He advised that the current trend has been downward and the outlook from the National Oceanic and Atmospheric Association (NOAA) is for continued drought conditions. Mr. Glasscock spoke to the current level of 484.1 with Stage 3 restrictions at 478.0 and Stage 4 at 475.0. He further advised that area inflows are expected to be the same as the previous two years and that the North Texas Municipal Water District has determined that area cities have not achieved the desired district-wide reductions. He spoke to the rainfall that would be needed to avoid a Stage 3 trigger and the district's forthcoming recommendation to implement Stage 3 (once per week watering) on June 1. Mr. Glasscock spoke to providing notification, future inflow from Lake Texoma and stated that all member cities are prepared to move forward.

## **Storm Season Preparedness**

Director of Emergency Management/Public Safety Communications Timmons spoke to Plano's designation as a StormReady community having demonstrated a means to conduct warnings, monitor conditions and implement aggressive public awareness programs. He spoke to lessons learned during the 2012 Metroplex tornado season including: communications issues; situation awareness; false reports; parents/reunification; debris management; organizing volunteers; and recovery. Mr. Timmons reviewed the outdoor warning system, intended to provide notification to those outdoors advising them to seek shelter, and recommended the use of National Oceanic and Atmospheric Association (NOAA) weather radios and local stations for those indoors. He advised the Council that the City participates with others in the county and the Office of Homeland Security in coordinating efforts.

## **Council items for discussion/action on future agendas**

No items were discussed.

## **Consent and Regular Agendas**

City Manager Glasscock advised that Consent Agenda Item "P," consideration of resolution to repeal and replace Resolution No. 2001-7-15(R) regarding revised rates of fare for taxicabs and limousines operating within the City of Plano will be pulled and held.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 6:44 p.m.

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**Phil Dyer, MAYOR**

ATTEST

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Diane Zucco, City Secretary

**PLANO CITY COUNCIL**  
**April 22, 2013**

**COUNCIL MEMBERS PRESENT**

Phil Dyer, Mayor  
Lissa Smith, Mayor Pro Tem  
Ben Harris, Deputy Mayor Pro Tem  
Pat Miner  
André Davidson  
Jim Duggan  
Patrick Gallagher  
Lee Dunlap

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Diane C. Wetherbee, City Attorney  
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, April 22, 2013, at 7:00 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Council Member Dunlap led the invocation and Cub Scout Pack 480 of Haggard Elementary led the Pledge of Allegiance.

Mayor Dyer presented special recognition to Rex Burkhead as the 2012 Uplifting Athletes Rare Disease Champion and a Certificate of Appreciation to Janet Denney for her service on the Self Sufficiency Committee.

**COMMENTS OF PUBLIC INTEREST**

Citizen Arthur Townsend stated concern regarding actions and unresponsiveness of Plano Police officers.

**CONSENT AGENDA**

City Secretary Zucco advised that Consent Agenda Item "P" will be pulled and held.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Mayor Pro Tem Smith, the Council voted 8-0 to approve and adopt all remaining items on the Consent Agenda as recommended and as follows:

**Approval of Minutes** (Consent Agenda Item “A”)  
April 8, 2013

**Approval of Expenditures**

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

**RFP No. 2013-2-C** for a one (1) year contract with four (4) City optional renewals for Credit Card Payment Processing Services for multiple departments to U.S. Bank with Elavon, Inc., a U.S. Bancorp Company, in the estimated annual amount of \$617,664 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**Bid No. 2013-143-B** for the purchase of LED light fixtures from Groves Electrical Service, Inc., in the amount of \$125,998, for Oak Point Recreational Center and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

**Rejection of Bid No. 2013-116-C** for Temporary Labor Services Waste Collections from all Bidders. (Consent Agenda Item “D”)

**Purchase from an Existing Contract**

To approve the purchase of emergency equipment for nine (9) police Tahoes in the total amount of \$50,163 from GT Distributors, Inc. through an existing contract with BuyBoard (No.363-10), Defender Supply, Lone Star Products and Equipment, LLC, and Big Country Supply through Tarrant County (No. 2012-128) and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

To approve the purchase of material testing services for the Spring Creek Parkway Corridor project, in the amount of \$101,978 from GME Consulting Services, Inc. through an existing contract (No. 2012-339-D), authorizing the City Manager or his designee to execute all necessary documents. (Consent Agenda Item “F”)

**Approval of Contract Modification**

To approve Modification No. 6 for the ratification of expenditures exceeding the approved amount by \$244,468 and approve additional funds in the amount \$500,000 for the purchase of water meters and installation services from HD Supply Waterworks Ltd to be utilized by Public Works, Customer & Utility Services, and Warehouse, and authorizing the City Manager to execute all necessary documents (2007-223-C). (Consent Agenda Item “G”)

### **Approval of Change Order**

To L C Jordan & Son, increasing the contract by \$77,505 for the Bridge Repair project, Change Order No. 1. Original Bid No. 2013-27-B. (Consent Agenda Item “H”)

To Laughley Bridge and Construction, Inc., increasing the contract by \$143,803 for the 2011-12 Pavement Maintenance Phase I – Plano Parkway and Custer Road, Project No. 6170, Change Order No. 2, Bid No. 2012-47-B. (Consent Agenda Item “I”)

### **Adoption of Resolutions**

**Resolution No. 2013-4-3(R):** To authorize the filing of an application for federal funds in an amount not to exceed \$80,000 under the Edward Byrne Memorial Justice Assistance Grant (JAG) State Formula Program through the Office of the Governor of Texas, Criminal Justice Division; designating Chief of Police Gregory W. Rushin as authorized representative of the City of Plano for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date. (Consent Agenda Item “J”)

**Resolution No. 2013-4-4(R):** To approve the purchase of thirty-six (36) month maintenance service, Windows 7 upgrade, and Liber8 software upgrade for the Plano Public Library System’s Radio Frequency Identification devices from Bibliotheca, LLC, a sole source provider, for an estimated total \$178,166; authorizing its execution by the City Manager; and providing an effective date (Consent Agenda Item “K”)

**Resolution No. 2013-4-5(R):** To approve the terms and conditions of a Local Transportation Project Advance Funding Agreement for a Congestion Mitigation and Air Quality (CMAQ) improvement project for the construction of a continuous bicycle and pedestrian trail from 12th Place to SH 190 President George Bush Turnpike; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “L”)

**Resolution No. 2013-4-6(R):** To approve the terms and conditions of a First Amendment to the Employment Agreement by and between Bruce D. Glasscock and the City of Plano for City Manager services; authorizing its execution by the Mayor; and providing an effective date. (Consent Agenda Item “M”)

**Resolution No. 2013-4-7(R):** To approve the purchase of 2,048 sq. ft. of land for a Street Easement and 269 sq. ft. for a Temporary Construction Easement located at the northwest corner of the Independence Parkway and 15th Street intersection by and between M Muffin 2 LLC, a Delaware limited liability company, Samurai Solomon 2 LLC, a Delaware limited liability company, and Anthony Solomon 2 LLC, a Delaware limited liability company and the City of Plano; and authorizing the City Manager to execute any necessary documents; and providing an effective date. (Consent Agenda Item “N”)

**Resolution No. 2013-4-8(R):** To authorize continued participation with the Atmos Cities Steering Committee; authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation; and providing an effective date. (Consent Agenda Item “O”)

**To repeal and replace Resolution No. 2001-7-15(R)** regarding revised rates of fare for taxicabs and limousines operating within the City of Plano, Texas; and providing an effective date. (Consent Agenda Item “P”) (Item Pulled and Held)

**Resolution No. 2013-4-9(R):** To approve the terms and conditions of an agreement by and between the City of Plano, Texas, Columbus Realty Partners, Ltd., Encana Oil & Gas (USA) Inc. and Blue Horseshoe, Ltd for the purpose of providing for cost reimbursement for development and oversizing of the Legacy Town Center North Lift Station; and authorizing its execution by the City Manager or his authorized designee; and providing an effective date. (Consent Agenda Item “Q”)

#### **Adoption of Ordinances**

**Ordinance No. 2013-4-10:** To amend Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to prohibit stopping, standing, or parking of motor vehicles on certain sections of Bishop Road, Brockman Court, Daniel Road, Elijah Drive, Libby Road, and Martin Road, within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; and providing a repealer clause, a penalty clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item “R”)

**Ordinance No. 2013-4-11:** To repeal and replace Ordinance No. 2013-3- 10 correcting an error in the list of certain Heritage Resources located in the City of Plano, Texas approved for a partial exemption from the current year Ad Valorem Taxation in the amount of \$35,076 providing a severability clause and an effective date. Applicant: City of Plano (Consent Agenda Item “S”)

#### **END OF CONSENT**

**Ordinance No. 2013-4-12** to amend Ordinance No. 2010-10-13, codified as Section 2-1 Official logo of Article I in General, of Chapter 2 Administration of the Code of Ordinances of the City of Plano, Texas to replace the official logo, retain the prior official logo and adopt a brand identity for the City of Plano, Texas; providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date.

Director of Marketing and Community Engagement Vail-Grube spoke to Council’s consensus in support of the brand “City of Excellence” and direction to bring forward an ordinance for consideration of the brand and updated logo. She advised regarding revision to the font, colors, star, and word placement and the ability to use the logo/brand together or individually. Mayor Dyer spoke regarding the evolution of logos and Mayor Pro Tem Smith spoke to moving into the future. Council Member Gallagher spoke to the history and effectiveness of the current logo.

**Ordinance No. 2013-4-12 (cont'd)**

City Manager Glasscock responded to Mayor Pro Tem Smith, advising that the Council may amend the ordinance as desired to revise either the logo or the brand and to Council Member Dunlap regarding the gradual transition to the new brand for the Visitors and Convention Bureau and Economic Development Department.

A motion was made by Council Member Miner and seconded by Council Member Davidson to approve amending Ordinance No. 2010-10-13 codified as Section 2-1 Official logo of Article I in General, of Chapter 2 Administration of the Code of Ordinances of the City of Plano, Texas to replace the official logo, retain the prior official logo and adopt a brand identity for the City of Plano, Texas. The Council voted 6-2 with Council Members Dunlap and Gallagher voting in opposition. The motion carried and Ordinance No. 2013-4-12 was adopted.

**Public Hearing and adoption of Ordinance No. 2013-4-13** as requested in Zoning Case 2013-07 to amend Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, amending Heritage Resource Designation No. 18 to allow paver stones as an additional paving material for the driveway and off-street parking, on 0.2± acre of land situated in the Sanford Beck Survey, Abstract No. 45, in the City of Plano, Collin County, Texas, located at the northwest corner of M Avenue and 15th Street, presently zoned General Office with Heritage Resource No. 18 Designation; directing a change accordingly in the official zoning map of the City; and providing a repealer clause, a savings clause, a penalty clause, a severability clause and an effective date. Applicant: City of Plano (Regular Agenda Item "2")

Development Review Manager Firgens spoke to the property as the site of the Hood House, designated as a heritage resource in 1996 and utilized as an office for a paver stone business. She advised that the applicant is requesting to showcase his business product by installation of stone on the driveway and off-street parking area and provided examples. Ms. Firgens advised that the Council has approved similar requests in the past and stated that the Heritage Commission and Planning and Zoning Commission both recommend approval of the request as submitted.

Mayor Dyer opened the Public Hearing. No one spoke for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Duggan and seconded by Mayor Pro Tem Smith, the Council voted 8-0 to amend Heritage Resource Designation No. 18 to allow paver stones as an additional paving material for the driveway and off-street parking, on 0.2± acre of land located at the northwest corner of M Avenue and 15th Street; as requested and as recommended by the Planning and Zoning Commission; and further to adopt Ordinance No. 2013-4-13.

**Public Hearing and adoption of Ordinance No. 2013-4-14** as requested in Zoning Case 2013-05 to amend an Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to expand Specific Use Permit No. 561 for the additional use of New Car Dealer on 1.4± acres of land located at the southeast corner of Dallas North Tollway and Plano Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-211-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, a publication clause, and an effective date. Applicant: 5930 West Plano Parkway LTD (Regular Agenda Item “3”)

Development Review Manager Firgens advised that the owner of the adjacent new car dealer site has acquired the property for expansion which requires a specific use permit. She further advised that the Planning and Zoning Commission recommended approval as submitted.

Mayor Dyer opened the Public Hearing. No one spoke for or against the request. The Public Hearing was closed.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Miner, the Council voted 8-0 to expand Specific Use Permit No. 561 for the additional use of New Car Dealer on 1.4± acres of land located at the southeast corner of Dallas North Tollway and Plano Parkway; as requested in Zoning Case 2013-05 and as recommended by the Planning and Zoning Commission; and further to adopt Ordinance No. 2013-4-14.

**Public Hearing and consideration of an Ordinance as requested in Zoning Case 2013-02** to amend an Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 63.0± acres of land located on the west side of Coit Road, 950± feet north of Mapleshade Lane in the City of Plano, Collin County, Texas, from Corridor Commercial and Light Industrial-1 to Urban Mixed-Use No. 1; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: Crow-Billingsley Ltd. No. 10, Billingsley 121 Coppell Ltd. and University Business Park Phase II, Ltd. (Regular Agenda Item “4”)

Director of Planning Jarrell advised that the Urban Mixed-Use (UMU) district is intended to provide a regulatory and management framework for design of these centers and requires a development plan which may only be amended through the Public Hearing process. She stated that the applicant’s plan shows a private grid street pattern with retail buildings and surface parking fronting Coit Road, a main street running perpendicular to Coit Road, three- and four-story multi-family buildings with live/work/retail uses on the ground floor, a variety of public open spaces and several three-story office buildings with structured parking on the western side.

**Zoning Case 2013-02 (cont'd)**

Ms. Jarrell referred to the following requested exceptions to district regulations:

1. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
2. The maximum block size shall be 3.5 acres for Blocks E, F, and S only.
3. For Blocks A and B only:
  - a. The maximum front yard setback shall not apply to buildings that front Coit Road.
  - b. Minimum lot coverage shall be 15%.
  - c. Minimum Floor-Area-Ratio (FAR) shall be 0.3:1.

Ms. Jarrell advised that the request is in conformance with the Future Use Plan, water and sanitary sewer services are available, there are no existing neighborhoods or linear parks to serve the area and the Plano Independent School District has determined that all four schools in the area are at capacity. She advised that there is no recommendation from Planning and Zoning Commission as they made two motions, one to approve and one to deny, both of which failed with a 3-3 tie vote and further that only a simple majority of the Council is required to approve the request. Ms. Jarrell responded to Council Member Gallagher, advising that Staff recommended approval of the request.

Mayor Dyer opened the Public Hearing. Lucy Billingsley of Billingsley Company spoke to the low number of office developments along S.H. 190 and utilizing the mixed-use category to bring in multiple uses beginning with retail and residential followed by office. She spoke to the importance of density, amenities and parking with 80% in garages, 6% surface and 14% street. Robert Miller, representing the Plano Homeowners' Council spoke in opposition, noting that the location is one of the last large areas with light-industrial zoning and the increase in the percentage of multi-family housing in the City. Lucio A. Peña of Billingsley Company referred to the number of apartments in the City and spoke to the inability to market the property with the current zoning and the quality of their other projects. Kirk Williams, representing the applicant, spoke to work done with Staff to develop the item and their favorable recommendation. No one else spoke for or against the request. The Public Hearing was closed.

Council Member Miner spoke to other developments meant to be mixed-use, which resulted in additional apartment buildings when other uses could not be established and potential issues of land price in attracting projects. Council Member Gallagher stated concern that the property may never develop as Light-Industrial and spoke in support of Staff's recommendation. Council Member Duggan spoke regarding the order of development from residential, to retail to office and the potential for other less desirable uses. Deputy Mayor Pro Tem Harris stated concern regarding capacity of schools in the area, resulting in an increase in taxes. He further referenced other mixed-use developments that are not progressing as planned. Mr. Williams responded to Council Member Duggan regarding the anticipated number of children that would reside in the development and the minimal impact on schools. Mayor Pro Tem Smith spoke to school capacity and commercial construction as a later phase rather than earlier.

**Zoning Case 2013-02 (cont'd)**

Council Member Davidson stated concern regarding traffic in the area, school capacity, and available amenities. Council Member Dunlap spoke to the lack of interest in developing the site as light-industrial, potential uses under that zoning category, the need for residential development to balance out retail, and the flow of traffic in the area. Mayor Dyer spoke to finding the best use for the City and stated concern that office uses will not be developed until the last phase.

A motion was made by Council Member Dunlap and seconded by Council Member Gallagher to approve the request as recommended by Staff. Council Member Duggan spoke to helping developers move forward with mixed-use developments. The Council voted 3-5 with Mayor Dyer, Mayor Pro Tem Smith, Deputy Mayor Pro Tem Harris and Council Members Miner and Davidson voting in opposition. The motion failed.

Council Member Miner made a motion to deny with prejudice. Ms. Jarrell advised that this motion would result in the applicant's inability to submit subsequent plans for the property for the next two years. Mr. Miner revised and stated his motion to deny without prejudice. Mayor Pro Tem Smith seconded the revised motion and the Council voted 5-3 with Council Members Dunlap, Gallagher and Duggan voting in opposition. The motion carried.

**Consideration of a Concept Plan** for Coit Crossings Addition, Block 1, Lot 9 - General office on one lot on 30.0± acres located 100± feet north of Mapleshade Lane, 1,900± feet west of Coit Road. Zoned Corridor Commercial and Light-Industrial-1. Applicant: Crow-Billingsley Ltd. No. 10, Billingsley 121 Coppell Ltd. and University Business Park Phase II, Ltd. (Regular Agenda Item "5")

Kirk Williams, representing the applicant, withdrew the request.

**Public Hearing and Consideration of an Appeal** of the Planning & Zoning Commission's Denial of Zoning Case 2013-06 and Development Plan - Request to rezone 36.3± acres located on the west side of Preston Road, 1,600± feet south of State Highway 121 from Commercial Employment to Urban Mixed-Use. Zoned Commercial Employment/State Highway 121 and Preston Road Overlay Districts. Applicant: Lincoln Property Company. (Regular Agenda Item "6")

Director of Planning Jarrell advised that the applicant's development plan shows a private grid street pattern with restaurant buildings and surface parking fronting Preston Road; retail, restaurant, office and multi-family buildings located along the proposed main street running perpendicular to Preston Road; and a large centralized open space area. She referred to the following requested exemptions to district regulations:

1. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
2. The minimum lot coverage shall be as follows:
  - a. Blocks A and B: 12%
  - b. Blocks D, E, F, H, and J: 40%

**Zoning Case 2013-06 (cont'd)**

3. The minimum floor area ratio shall be as follows:
  - a. Blocks A and B: 0.12:1
  - b. Block F: 0.5:1
4. The maximum block size for Blocks B and C shall be 3.5 acres.
5. The maximum parking provided for Blocks A and B shall be one space per 85 square feet.
6. No more than 60% of the parking for the entire development shall be surface parking.
7. The maximum front yard setback shall not apply to properties that have frontage along Preston Road.
8. Surface parking lots:
  - a. Shall not be required to be designed as future development sites.
  - b. Shall not be required to be located on the outside edge of the development.
9. One-story buildings shall be permitted along the main street provided that the minimum height is 30 feet.

Ms. Jarrell advised that the request is in conformance with the Future Use Plan, water and sanitary sewer services are available, that there are no existing neighborhoods or linear parks to serve the area and that the Frisco Independent School District has determined that Riddle Elementary School is at capacity. She advised that the Comprehensive Plan discourages rezoning for residential uses in prime economic development areas of the City and that the location does not expand an existing neighborhood or establish a new one. She advised that the Planning and Zoning Commission stated concerns regarding the integration of uses, amount of surface parking, the number of exemptions requested, and noted that with the amount of office development in the area, multi-family may not be the best use. She stated that the Commission denied the request, therefore a three-quarter vote of the Council is needed for approval.

Mayor Dyer opened the Public Hearing. Kirk Williams, representing the applicant, spoke regarding the request as an alternative use that would be appropriate for the site. He advised regarding plans to develop 450,000 square feet of retail/restaurant to the north along S.H. 121 which are not a part of the request, stating that Council may prefer flex office (180,000 square feet) rather than the proposed mixed-use. Robert Dozier of Lincoln Property Company responded to Mayor Dyer, advising that the five-story office building will be tenant-specific and constructed upon request. He further spoke regarding the anticipated level of parking for the site. Larry Good of Good, Fulton & Farrell provided information regarding the design of the mixed-use development, the housing opportunity for those employed in the area and planned phases beginning with retail/residential followed by office. Mr. Williams spoke to the anticipated low impact on school enrollment and taxes that will be generated. Robert Miller, representing the Plano Homeowners' Council, spoke to the percentage of City property zoned multi-family rather than what is currently developed. He spoke positively regarding Lincoln Property Company, but stated concern regarding the location, requested amendments, and the delay in construction of five-story office building. No one else spoke for or against the request. The Public Hearing was closed.

**Zoning Case 2013-06 (cont'd)**

Ms. Jarrell spoke to Staff concerns regarding surface parking, requested exceptions and the general layout of development with emphasis on surface parking as opposed to trying to create dense development.

Mayor Dyer and Deputy Mayor Pro Tem Harris spoke regarding the quality of the developer and the inclusion of retail at the location, but stated concern regarding the appropriateness of the site for multi-family development. Mr. Harris spoke regarding the impact on the Frisco School District. Council Members Gallagher and Duggan stated support for the request. Council Member Dunlap spoke for the potential of different development at this location.

A motion was made by Council Member Gallagher and seconded by Council Member Duggan to approve the appeal of the Planning & Zoning Commission's Denial of Zoning Case 2013-06 and Development Plan - Request to rezone 36.3± acres located on the west side of Preston Road, 1,600± feet south of State Highway 121 from Commercial Employment to Urban Mixed-Use. The Council voted 3-5 with Mayor Dyer, Mayor Pro Tem Smith, Deputy Mayor Pro Tem Harris and Council Members Dunlap and Davidson voting in opposition. The motion failed.

A motion was made by Mayor Dyer and seconded by Deputy Mayor Pro Tem Harris to deny the appeal of the Planning & Zoning Commission's Denial of Zoning Case 2013-06 and Development Plan - Request to rezone 36.3± acres located on the west side of Preston Road, 1,600± feet south of State Highway 121 from Commercial Employment to Urban Mixed-Use. The Council voted 5-3 with Council Members Miner, Duggan and Gallagher voting in opposition. The motion carried.

Nothing further was discussed. Mayor Dyer adjourned the meeting at 9:02 p.m.

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**Phil Dyer, MAYOR**

ATTEST

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Diane Zucco, City Secretary



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		5-13-2013			
Department:		Public Works			
Department Head		Gerald Cosgrove			
Agenda Coordinator (include phone #): <b>Nancy Corwin X7137</b>					
<b>CAPTION</b>					
Bid No. 2013-64-C for a one (1) year contract with three (3) City optional renewals for Top Soil, Sand and Expanded Shale for the Public Works, Environmental Waste Services Division, to CJA Enterprises LLP in the estimated annual amount of \$65,000, and authorizing the City Manager to execute all necessary documents.					
<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>2012-13,13-14,14-15,15-16</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget		0	65,000	195,000	<b>260,000</b>
Encumbered/Expended Amount		0	-25,955	0	<b>-25,955</b>
This Item		0	-39,045	-195,000	<b>-234,045</b>
BALANCE		0	0	0	<b>0</b>
<b>FUND(s):     SUSTAINABILITY &amp; ENVIRONMENTAL SERVICES FUND</b>					
<p><b>COMMENTS:</b> COMMENTS:This item approves price quotes. Expenditures will be made in the Public Works, Environmental Wastes Services Division based on need within the approved budget appropriations for each year of the contract. The estimated annual amount is \$65,000.</p> <p>STRATEGIC PLAN GOAL: Contracts for the purchase of soil relates to the strategic goal of Financially Strong City with Service Excellence.</p>					
<b>SUMMARY OF ITEM</b>					
The Public Works, Environmental Waste Services Division, recommends award of the 2013-64-C Top Soil, Sand and Expanded Shale bid to CJA Enterprises LLP in the estimated annual amount of \$65,000. CJA Enterprises LLP is the lowest responsive, responsible bidder.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Recommendation Memo, Bid Recap					



P.O. Box 860358  
Plano, Texas 75086-0358  
214-964-4140  
Fax No. 214-964-4172



## MEMORANDUM

DATE: April 18, 2013

TO: Diane Palmer-Boeck, Purchasing Manager

FROM: Sherrian Jones, Sales & Marketing Manager Compost Operations

SUBJECT: Recommendation to Award Bid: 2013-64-C Top-Soil, Sand & Expanded Shale

The City of Plano bid top-soil, sand and expanded shale for delivery to 121 Regional Composting facility located in Melissa Texas. Purchasing Department's analysis indicates CJA Enterprises LLP, as the lowest bidder. We have reviewed the specifications and verified CJA Enterprises LLP, complies with the specifications as defined in the bid.

It is our recommendation to award the contract to CJA Enterprises LLP as follows:

Top Soil	@ \$18.00 cy delivered
Sand	@ \$14.65 cy delivered
<u>Expanded Shale:</u>	<u>@ \$63.50 cy delivered</u>
Total	\$96.15 cy delivered

This bid award does not guarantee full bid quantities or dollar amounts but will be based upon necessary soil usage set by market demand and the anticipated \$65,000 annual budget for each year.

Impact of not awarding this bid would force purchases of soil on an "as needed" basis from area vendors at an elevated price point, impact to customer service, should soil not be available deliveries could not be made resulting in lost revenues and shrinking client base.

c: Robert Smouse  
Shaun Worley

CITY OF PLANO

Bid NO. 2013-64-C  
Top Soil, Sand and Expanded Shale for Compost Operations  
Bid RECAP

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**Bid opening Date/Time:** February 7, 2013 @ 3:00 PM

**Number of Vendors Notified:** 795

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

**Number of Bids Considered:** 3

Top Soil

CJA Enterprises LLP	\$18.00 cy
David Copeland Sand Gravel Inc.	\$23.00 cy
Neese Materials, Inc.	\$25.85 cy

Sand

CJA Enterprises LLP	\$14.65 cy
David Copeland Sand Gravel Inc.	\$15.00 cy
Neese Materials, Inc.	\$19.91 cy

Expanded Shale

CJA Enterprises LLP	\$63.50 cy
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**Recommended Vendor(s):**

CJA Enterprises LLP - Top Soil	\$18.00 cy
CJA Enterprises LLP - Sand	\$14.65 cy
CJA Enterprises LLP - Expanded Shale	\$63.50 cy

*Nancy Corwin*

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February 7, 2013

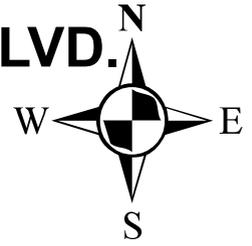
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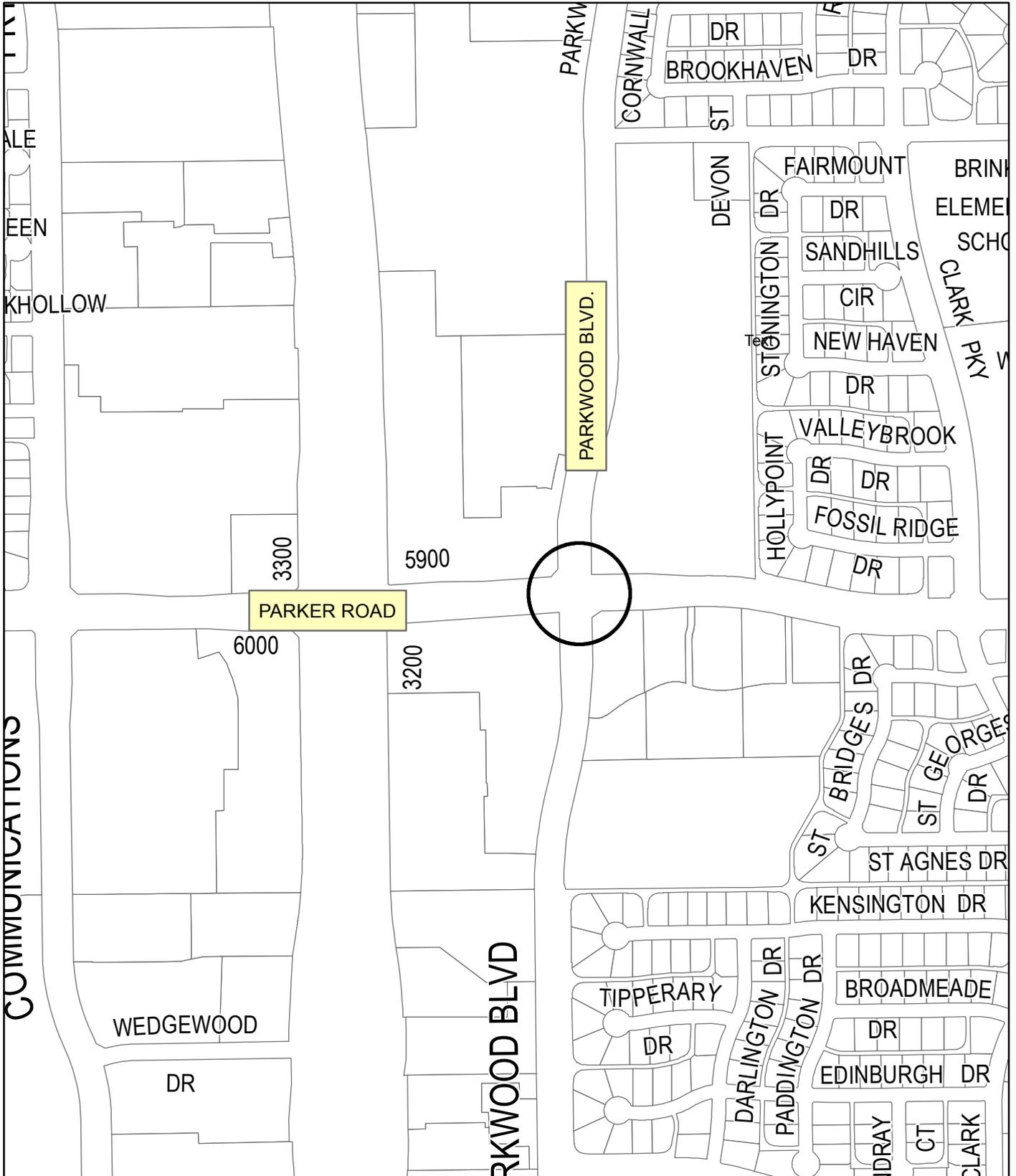
**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		5/13/13		
Department:		Engineering		
Department Head:		Gerald P. Cosgrove, P.E.		
Agenda Coordinator (include phone #):			<b>Kathleen Schonke 7198</b>	
			<b>Project No. 6184</b>	
<b>CAPTION</b>				
Award of Bid No. 2013-201-B for Parker Road - Parkwood Boulevard Intersection to XIT Paving and Construction, Inc. in the amount of \$409,802 and authorizing the City Manager to execute all necessary documents.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: <b>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	5,100	554,900	0	<b>560,000</b>
Encumbered/Expended Amount	-5,100	-54,998	0	<b>-60,098</b>
This Item	0	-409,802	0	<b>-409,802</b>
BALANCE	0	90,100	0	<b>90,100</b>
<b>FUND(S):    STREET IMPROVEMENT CIP</b>				
<p><b>COMMENTS:</b> Funds are included in the FY 2012-13 Street Improvement CIP. This item, in the amount of \$409,802, will leave a current year balance of \$90,100 for the Parker – Parkwood Intersection project.</p> <p><b>STRATEGIC PLAN GOAL:</b> Intersection improvements relate to the City's Goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
<p>Staff recommends the award of the bid to XIT Paving and Construction, Inc., in the amount of \$409,802, to be accepted as lowest responsible bid conditioned upon timely execution of all necessary contract documents.</p> <p>The second vendor being recommended is, JET Underground Utilities, Inc. in the amount of \$437,052.</p> <p>The engineer's estimate was \$506,000.</p> <p>This project consists of intersection improvements on Parkwood Boulevard at Parker Road, approximately from 240' south Parker Road on Parkwood Boulevard to 270' north of Parker Road on Parkwood Boulevard.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Location Map, Bid Recap			N/A	

# PARKER ROAD @ PARKWOOD BLVD.



## PROJECT 6184



# CITY OF PLANO

## BID NO. 2013-201-B PARKER ROAD/PARKWOOD BOULEVARD INTERSECTION – PROJECT NO. 6184 BID RECAP

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**Bid opening Date/Time:** April 12, 2013 @ 2:00 PM

**Number of Vendors Notified:** 5,031

**Vendors Submitting “No Bids”:** 0

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

**Number of Bids Submitted:** 9

	<b><u>Total Base Bid</u></b>	<b><u>Total Alternate Bid</u></b>
XIT PAVING AND CONSTRUCTION, INC.	\$409,802.00	\$409,802.00
JET UNDERGROUND UTILITIES, INC.	\$437,052.00	\$437,052.00
JIM BOWMAN CONSTRUCTION CO., LP	\$445,126.55	\$445,126.55
CPS CIVIL, LLC	\$470,656.00	\$470,656.00
PAVECON, LTD	\$494,453.43	\$494,453.43
THE FAIN GROUP, INC.	\$512,035.56	\$512,035.56
ED BELL CONSTRUCTION COMPANY	\$539,882.70	\$539,882.70
REBCON, INC.	\$578,291.80	\$578,291.80
AXIS CONTRACTING, INC.	\$638,074.00	\$638,074.00

**Recommended Vendor:**

XIT PAVING AND CONSTRUCTION, INC. \$409,802.00

*Perry Neeley*

April 17, 2013

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Perry Neeley, Buyer

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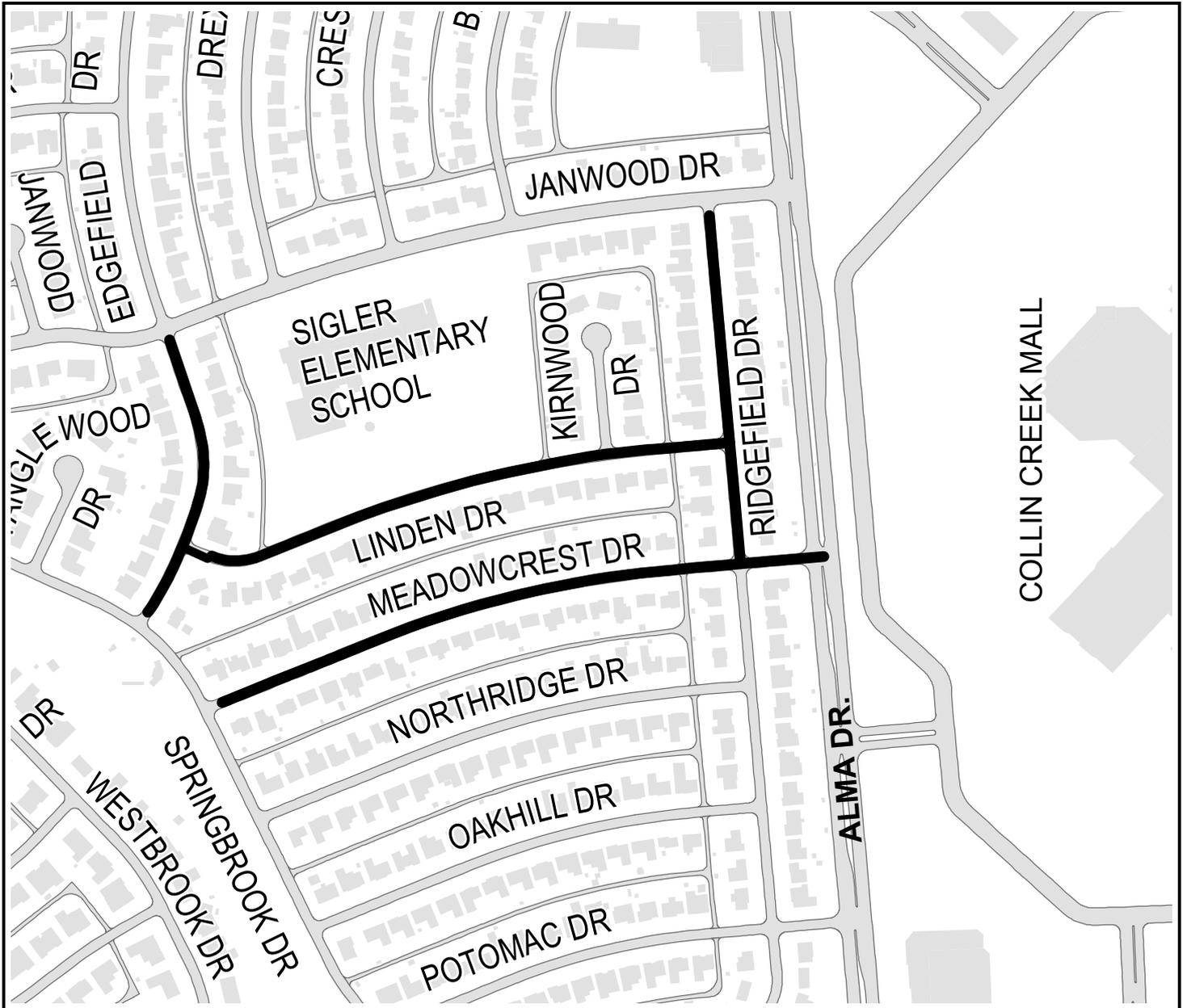
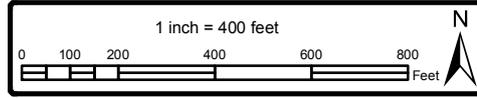
Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		05/13/13		
Department:		Engineering		
Department Head:		Gerald P. Cosgrove, P.E.		
Agenda Coordinator (include phone #):			<b>Kathleen Schonne 7198</b> <span style="float:right;"><b>Project No. 5986</b></span>	
<b>CAPTION</b>				
Award of Bid No. 2013-193-B for Dallas North Estates 3 to RKM Utility Services, Inc. in the amount of \$1,325,794 and authorizing the City Manager or his designee to execute all necessary documents.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: <b>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	2,389,000	500,000	<b>2,889,000</b>
Encumbered/Expended Amount	0	-4,238	0	<b>-4,238</b>
This Item	0	-1,325,794	0	<b>-1,325,794</b>
BALANCE	0	1,058,968	500,000	<b>1,558,968</b>
<b>FUND(S):    STREET IMPROVEMENT CIP &amp; WATER CIP</b>				
<p><b>COMMENTS:</b> Funds are included in the FY 2012-13 Street Improvement CIP and Water CIP. This item, in the amount of \$1,325,794 will leave a current year balance of \$1,058,968 for the Dallas North Estates 3 Street &amp; Water CIP projects.</p> <p><b>STRATEGIC PLAN GOAL:</b> Reconstructing street and water infrastructure in existing neighborhoods relates to the City's Goal of Great Neighborhoods – 1<sup>st</sup> Choice to Live.</p>				
<b>SUMMARY OF ITEM</b>				
<p>Staff recommends the award of the alternate bid to RKM Utility Services, Inc. in the amount of \$1,325,793.80, be accepted as the lowest responsible bid conditioned upon timely execution of all necessary contract documents.</p> <p>The second vendor being recommended is XIT Paving and Construction, Inc. in the amount of \$1,377,683.87.</p> <p>Engineers estimate was \$1,300,000.00.</p> <p>This project includes complete reconstruction of existing street pavement, sidewalks and waterlines on:</p> <ul style="list-style-type: none"> <li>• Edgefield Drive- Janwood Drive to Springbrook Drive</li> <li>• Linden Drive - Edgefield Drive to Ridgefield Drive</li> <li>• Meadowcrest Drive- Springbrook Drive to Alma Drive</li> <li>• Ridgefield Drive – Meadowcrest Drive to Janwood Drive</li> </ul>				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Location Map, Bid Recap		N/A		

LOCATION MAP  
Dallas North Estates 3  
PROJECT NUMBER 5986  
CIP NUMBER 37775



Complete reconstruction of existing street pavement, sidewalks and waterlines on  
Edgefield Dr.- Janwood to Springbrook,  
Linden Dr. - Edgefield Dr. to Ridgefield Dr.  
Meadowcrest Dr.- Springbrook Dr. to Alma Dr. and  
Ridgefield Dr. - Meadowcrest Dr. to Janwood Dr.

# CITY OF PLANO

## BID NO. 2013-193-B DALLAS NORTH ESTATES 3 – PROJECT NO. 5986 BID RECAP

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**Bid opening Date/Time:** April 15, 2013 @ 2:00 PM

**Number of Vendors Notified:** 5,064

**Vendors Submitting “No Bids”:** 0

**Number of Bids Submitted:** 7

	<b><u>Total Base Bid</u></b>	<b><u>Total Alternate Bid</u></b>
<b>RKM UTILITY SERVICES, INC.</b>	<b>\$1,325,793.80</b>	<b>\$1,325,793.80</b>
XIT PAVING AND CONSTRUCTION, INC.	\$1,377,683.87	\$1,377,683.87
JET UNDERGROUND UTILITIES, INC.	\$1,417,382.65	\$1,417,382.65
JIM BOWMAN CONSTRUCTION CO., LP	\$1,419,975.00	\$1,419,975.00
CPS CIVIL, LLC	\$1,453,214.20	\$1,453,214.20
CAMINO CONSTRUCTION, LP	\$1,488,286.00	\$1,488,286.00
JESKE CONSTRUCTION COMPANY	\$1,645,502.00	\$1,645,502.00

**Recommended Vendor:**

RKM UTILITY SERVICES, INC. \$1,325,793.80

*Perry Neeley*

April 17, 2013

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Perry Neeley, Buyer

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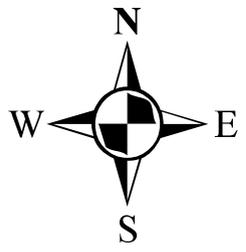
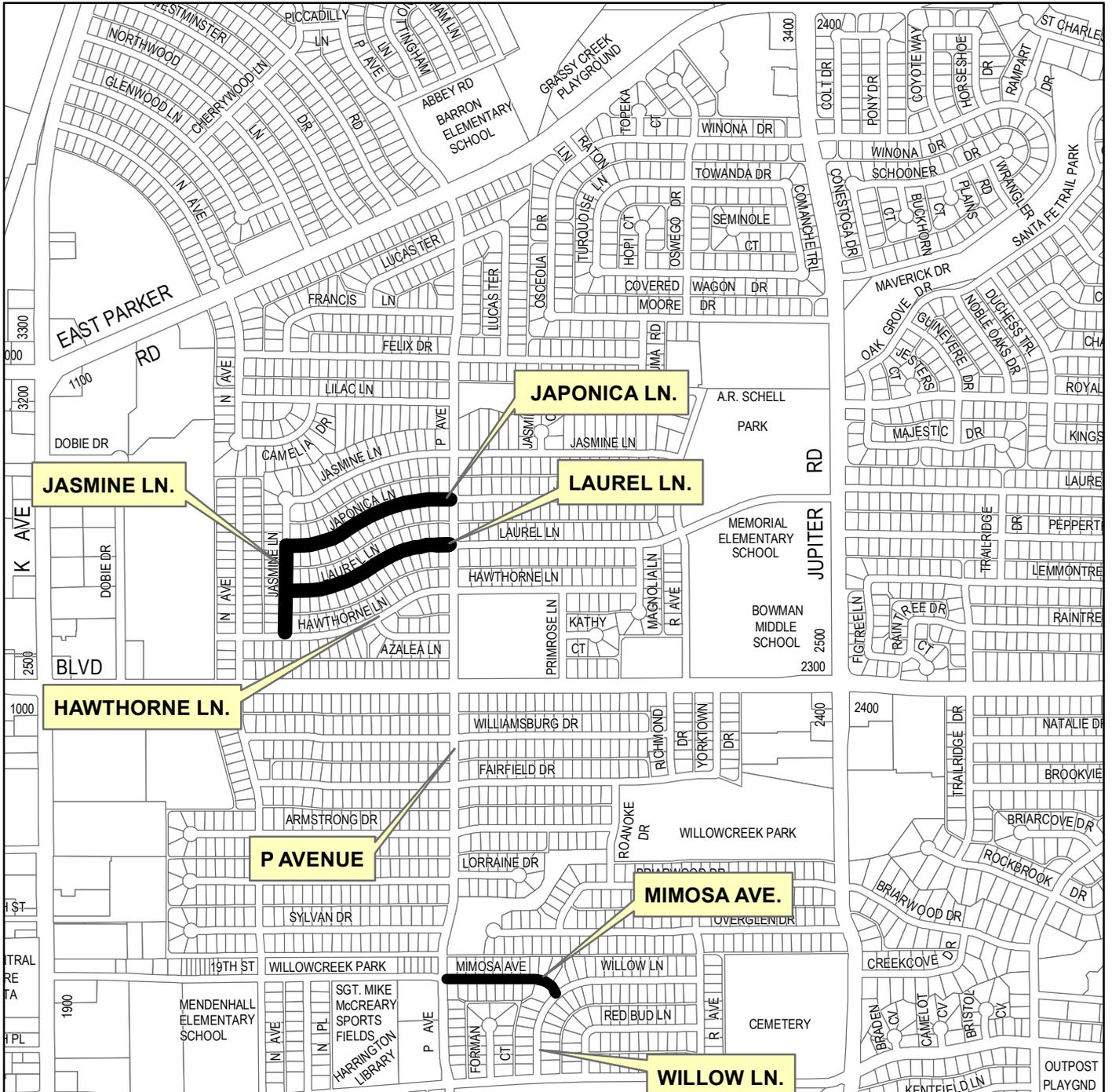
Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		5/13/13		
Department:		Engineering		
Department Head:		Gerald P. Cosgrove, P.E.		
Agenda Coordinator (include phone #):			<b>Kathleen Schonke 7198</b>	
<b>Project No. 6158</b>				
<b>CAPTION</b>				
Award of Bid No. 2013-174-B for the Plano Park 1 – Street Reconstruction and Water Main Replacement project to Jim Bowman Construction Co., L.P. in the amount of \$1,412,916 and authorizing the City Manager to execute all necessary documents.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: <b>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	139,500	1,530,500	0	<b>1,670,000</b>
Encumbered/Expended Amount	-139,500	-68,489	0	<b>-207,989</b>
This Item	0	-1,412,916	0	<b>-1,412,916</b>
BALANCE	0	49,095	0	<b>49,095</b>
<b>FUND(S):    STREET IMPROVEMENT CIP, WATER CIP</b>				
<p><b>COMMENTS:</b> Funds are included in the FY 2012-13 Street Improvement CIP. This item, in the amount of \$1,412,916, will leave a current year balance of \$49,095 for the Plano Park 1 Street Improvement and Water CIP projects.</p> <p>STRATEGIC PLAN GOAL: Reconstruction of streets, sidewalks and water lines in existing neighborhoods relates to the City's Goal of Great Neighborhoods – 1<sup>st</sup> Choice to Live.</p>				
<b>SUMMARY OF ITEM</b>				
<p>Staff recommends the award of the alternate bid for green cement to Jim Bowman Construction Co., L.P. in the amount of \$1,412,916.00 to be accepted as lowest responsible bid conditioned upon timely execution of all necessary contract documents.</p> <p>The second vendor being recommended is Camino Construction in the amount of \$1,476,230.00.</p> <p>The engineer's estimate was \$1,730,000.</p> <p>This project consists of reconstruction of the concrete street pavement and replacement the existing 8" water main at the following locations:</p> <ul style="list-style-type: none"> <li>• Mimososa Avenue from P Avenue to Willow Lane</li> <li>• Laurel Lane from Jasmine Lane to P Avenue</li> <li>• Jasmine Lane from Hawthorne Lane to Japonica Lane</li> <li>• Japonica Lane from Jasmine Lane to P Avenue</li> </ul>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Location Map, Bid Recap			N/A	

# PLANO PARK 1 STREET RECONSTRUCTION AND WATER MAIN REPLACEMENT PROJECT 6158



# CITY OF PLANO

**BID NO. 2013-174-B  
PLANO PARK 1 – STREET RECONSTRUCTION AND WATER MAIN  
REPLACEMENT – PROJECT NO. 6158  
BID RECAP**

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**Bid opening Date/Time:** March 18, 2013 @ 2:00 PM

**Number of Vendors Notified:** 10,328

**Vendors Submitting “No Bids”:** 0

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

**Number of Bids Submitted:** 6

	<b><u>Total Base Bid</u></b>	<b><u>Total Alternate Bid</u></b>
<b>JIM BOWMAN CONSTRUCTION CO., L.P.</b>	<b>\$1,412,916.00</b>	<b>\$1,412,916.00</b>
CAMINO CONSTRUCTION	\$1,476,230.00	\$1,476,230.00
RKM UTILITY SERVICES	\$1,538,151.00	\$1,538,151.00
P&E CONTRACTORS	\$1,568,155.00	\$1,568,155.00
LONE STAR CIVIL CONSTRUCTION	\$1,649,349.00	\$1,649,349.00
TISEO PAVING COMPANY	\$1,783,913.50	\$1,783,913.50

**Recommended Vendor:**

JIM BOWMAN CONSTRUCTION CO., L.P. \$1,412,916.00

*Perry Neeley*

March 19, 2013

\_\_\_\_\_  
Perry Neeley, Buyer

\_\_\_\_\_  
Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		05/13/2013		
Department:	Public Works / David Falls			
Department Head	Gerald Cosgrove			
Agenda Coordinator (include phone #):		Kim McFarland (972.769.4109)		
<b>CAPTION</b>				
<i>Bid No. 2013-207-B, for the 2012-13 Arterial Concrete Pavement Rehab, Alma Drive – Parker Road to Hedgcoxe Road, Project No. 6291 to Jerusalem Corporation, in the amount of \$1,449,998, and authorizing the City Manager or his authorized designee to execute all necessary documents.</i>				
<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>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	2,017,595	10,239,630	2,750,000	<b>15,007,225</b>
Encumbered/Expended Amount	-2,017,595	-1,327,779	0	<b>-3,345,374</b>
This Item	0	-1,449,998	0	<b>-1,449,998</b>
<b>BALANCE</b>	0	7,461,853	2,750,000	<b>10,211,853</b>
<b>FUND(s):    STREET IMPROVEMENT CIP &amp; CAPITAL RESERVE</b>				
<p><b>COMMENTS:</b> Funds are included in the FY 2012-13 Capital Reserve Fund and Street Improvement CIP. This item, in the amount of \$1,449,998, will leave a current year balance of \$7,461,853 for the Arterial Concrete Repair, Sidewalk Repair, Pavement Joint &amp; Crack Sealing and Barrier Free Ramp projects.</p> <p>STRATEGIC PLAN GOAL: Concrete street and sidewalk repairs relate to the City's Goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
<p>Staff recommends the bid for the 2012-13 Arterial Concrete Pavement Rehab, Alma Drive - Parker Road to Hedgcoxe Road to Jerusalem Corporation, in the amount of \$1,449,997.80, for Alternate No. 1 (Cement with Nitrogen Oxides &lt;1.7#Nitrogen Oxides/Ton of Clinker) which is within 5% of the base bid be accepted as the lowest responsible bid for the project conditioned upon timely execution of all necessary documents.</p> <p>This project involves the repair of 21,318 SY of concrete paving and 18,458 SF of concrete sidewalk along Alma Drive between Parker Road to Hegdcoxe Road.</p> <p>The secondary vendor being recommended is Jet Underground Utilities, Inc. in the amount of \$1,490,369.65.</p> <p>Engineer's estimate for this project is \$1,544,865.00.</p>				
List of Supporting Documents: Bid Recap; Location Map			Other Departments, Boards, Commissions or Agencies	

# CITY OF PLANO

**Bid No. 2013-207-B**

**2012-13 Arterial Concrete Pavement Rehab – Alma Drive – Parker Road to  
Hedgoxe Road Project 6291**

## **Bid Recap**

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**Bid opening Date/Time:** April 12, 2013 @ 2:30PM

**Number of Vendors Notified:** 1643

**Vendors Submitting “No Bids”:** 0

**Number of Bids Submitted:** 5

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

<b><u>Vendor Name</u></b>	<b><u>Total Bid</u></b>	<b><u>Alternate Bid</u></b>
Jerusalem Corporation	\$1,449,997.80	\$1,449,997.80
Jet Underground Utilities, Inc.	\$1,490,369.65	\$1,490,369.65
Jim Bowman Construction Co., L.P.	\$1,656,497.50	\$1,656,497.50
Axis Contracting, Inc	\$2,022,630.95	\$2,022,630.95
Ed Bell Construction Co	\$2,049,263.80	\$2,049,263.80

**Recommended Vendor(s):**

Jerusalem Corp.

\$1,449,997.80

*Nancy Corwin*

April 12, 2013

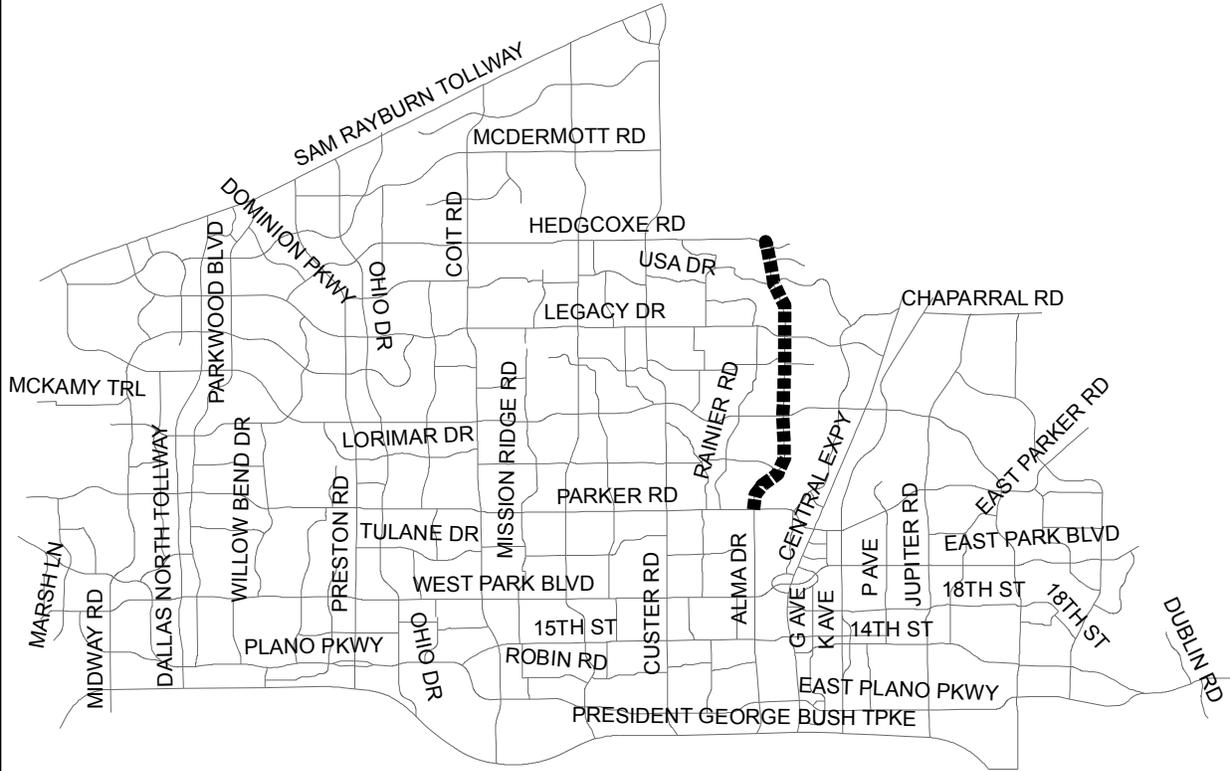
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Nancy Corwin, Sr. Buyer

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Date

# LOCATION MAP





**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		5/13/13		
Department:		Engineering		
Department Head:		Gerald P. Cosgrove, P.E.		
Agenda Coordinator (include phone #):			Kathleen Schonne (7198)	
			Project No. 6164	
<b>CAPTION</b>				
Award of Bid No. 2013-148-B for the Greenhollow Estates Waterline Rehabilitation Project to Jim Bowman Construction Co., L.P., in the amount of \$2,089,375 and authorizing the City Manager to execute all necessary documents.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: <b>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	148,844	2,143,156	438,000	<b>2,730,000</b>
Encumbered/Expended Amount	-148,844	-51,155	0	<b>-199,999</b>
This Item	0	-2,089,375	0	<b>-2,089,375</b>
BALANCE	0	2,626	438,000	<b>440,626</b>
FUND(S): <b>WATER CIP</b>				
<b>COMMENTS:</b> Funds are included in the FY 2012-13 Water CIP. This item, in the amount of \$2,089,375, will leave a current year balance of \$2,626 for the Greenhollow Estates Water Line Rehabilitation project. <b>STRATEGIC PLAN GOAL:</b> Rehabilitating existing water lines relates to the City's Goal of Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
Staff recommends the alternate bid for green cement to Jim Bowman Construction Co., L.P., in the amount of \$2,089,375.30, be accepted as the lowest responsible bid, conditioned on timely execution of all necessary contract documents.				
The second lowest bidder is P&E Contractors, Inc. in the amount of \$2,123,677.50.				
The engineer's estimate was \$2,200,000.00.				
List of Supporting Documents: Location Maps, Bid Recap			Other Departments, Boards, Commissions or Agencies N/A	

PARKER RD

PIMERNEL LN LN

CALADY LN LN

# Greenhollow Estates Waterline Rehabilitation - Project No. 6164

Map 1 of 2



LEDON LN

UNIVERSITY DR

KESTREAM DR

GREENPARK DR

SPRING VIEW LN

LAKEWAY DR

CREEKFIELD DR

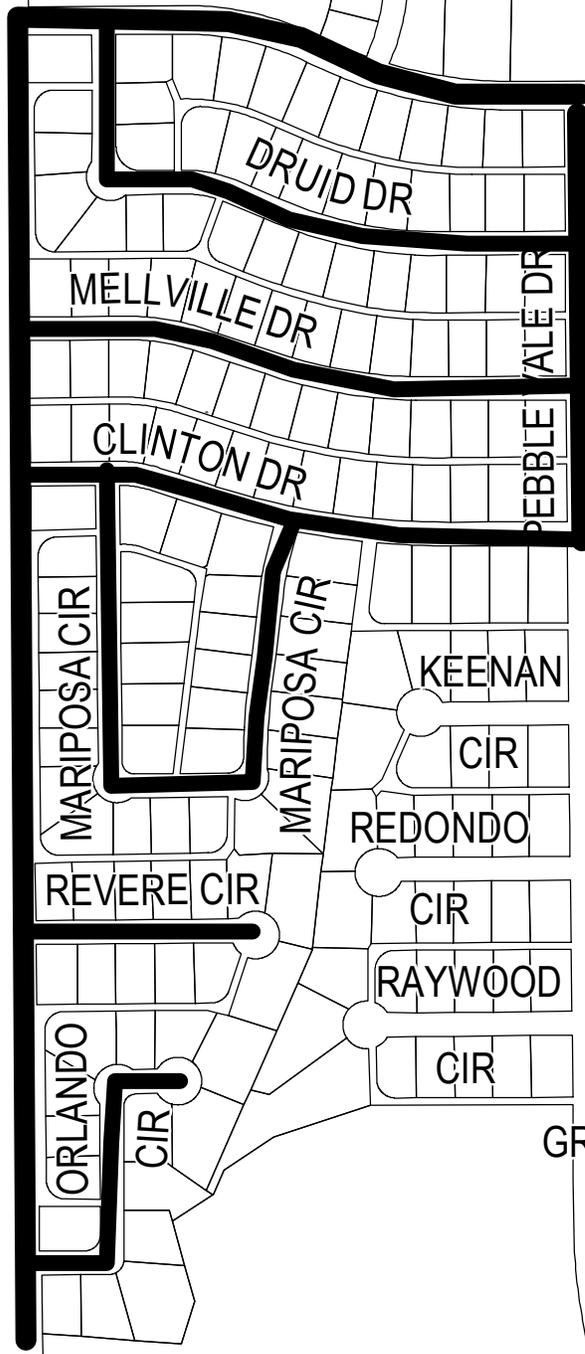
LAKE RIDGE DR

PARKVIEW LN

ORLANDO DR

ALMA DR

MILLSTREAM DR



COR

ZINNIA CT

THYMI CT

THUND

PREMIER DR

LEXINGTON DR

DRUID DR

MELLVILLE DR

CLINTON DR

PEBBLE VALE DR

INGLESIDE DR

EDMONTON DR

WYNNPAGE LN

ASHBURN PL

GREYLYN DR

TREYBURN CT

CHESHIRE DR

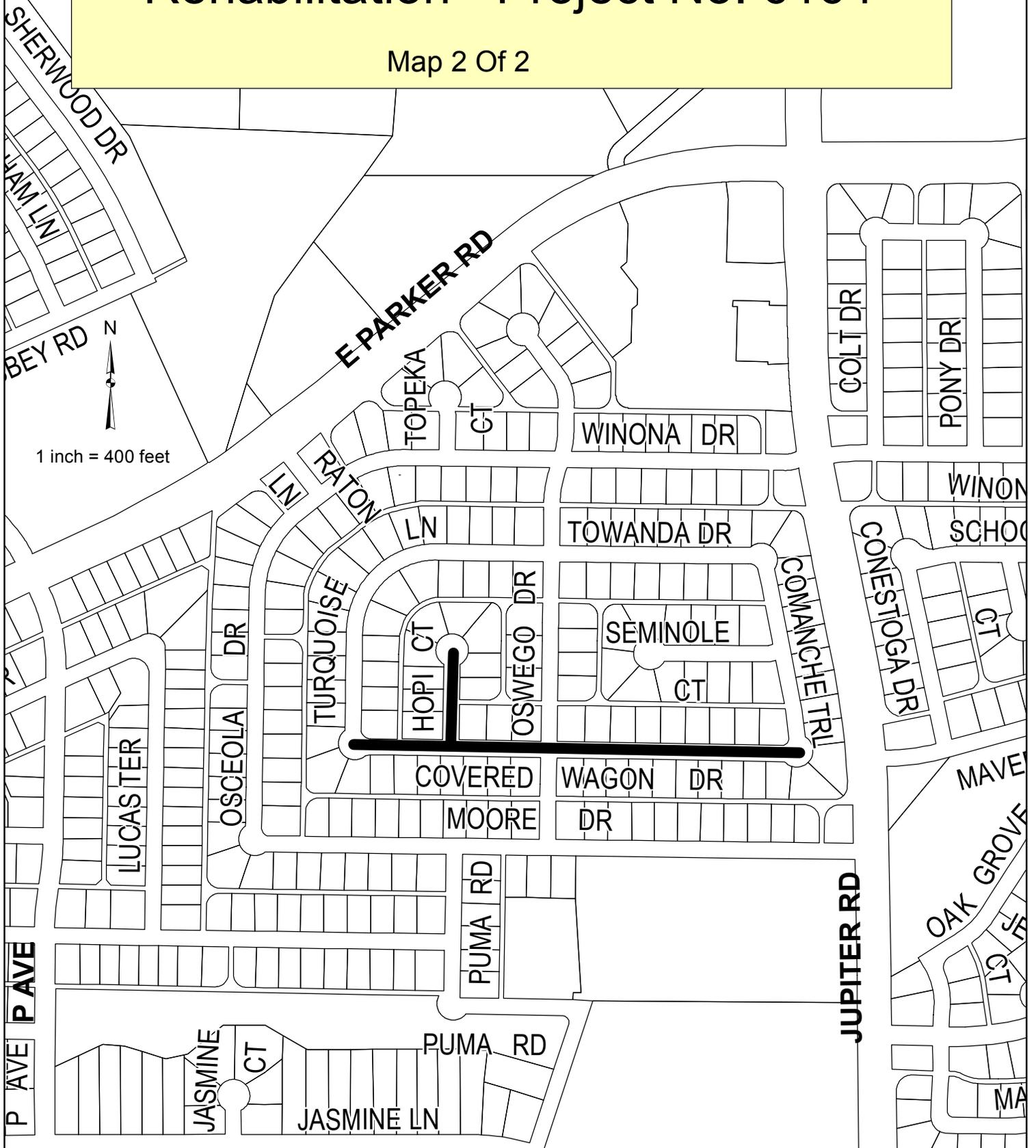
GREENCASTLE LN

PREMIER DR

ENTERPRISE DR

# Greenhollow Estates Waterline Rehabilitation - Project No. 6164

Map 2 Of 2



1 inch = 400 feet

# CITY OF PLANO

## BID NO. 2013-148-B Greenhollow Estates Water Line Rehabilitation – Project No. 6164 BID RECAP

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**Bid opening Date/Time:** March 4, 2013 @ 2:00 PM

**Number of Vendors Notified:** 9440

**Vendors Submitting “No Bids”:** 0

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

**Number of Bids Submitted:** 6

	<b><u>Total Base Bid</u></b>	<b><u>Total Alternate Bid</u></b>
<b>JIM BOWMAN CONSTRUCTION CO., L.P.</b>	<b>\$2,089,375.30</b>	<b>\$2,089,375.30</b>
P&E CONTRACTORS, INC.	\$2,123,677.50	\$2,123,677.50
RKM UTILITY SERVICES, INC.	\$2,168,308.90	N/A
ARK CONTRACTING SERVICES, L.L.P	\$2,258,775.00	N/A
CAMINO CONSTRUCTION, L.P.	\$2,334,489.12	\$2,334,489.12
JERUSALEM CORP	\$2,852,546.00	2,852,546.00

**Recommended Vendor:**

JIM BOWMAN CONSTRUCTION CO., L.P. \$2,089,375.30

*Perry Neeley*

March 5, 2013

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Perry Neeley, Buyer

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Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular <input type="checkbox"/> Statutory
Council Meeting Date:	5/13/13
Department:	Parks and Recreation
Department Head	Amy Fortenberry
Agenda Coordinator (include phone #): <b>Susan Berger (7255)</b>	

**CAPTION**

Bid Number 2013-202-B for High Point Tennis Center Courts Resurfacing and Windscreens to Courts-N-Stuff in the amount of \$125,936 and authorizing the City Manager or his designee to execute all necessary documents.

**FINANCIAL SUMMARY**

NOT APPLICABLE       OPERATING EXPENSE       REVENUE       CIP

FISCAL YEAR: <b>2012-13</b>	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	529,374	265,626	0	<b>795,000</b>
Encumbered/Expended Amount	-529,374	-46,020	0	<b>-575,394</b>
This Item	0	-125,936	0	<b>-125,936</b>
BALANCE	0	93,670	0	<b>93,670</b>

**FUND(S):      CAPITAL RESERVE FUND**

**COMMENTS:** Funds are included in the FY 2012-13 Capital Reserve Projects CIP. This item, in the amount of \$125,936, will leave a current year balance of \$93,670 for further projects at High Point Tennis Center.

**STRATEGIC PLAN GOAL:** Maintaining recreational amenities in good condition relates to the City's Goals of Financially Strong City with Service Excellence and Great Neighborhoods - 1st Choice to Live.

**SUMMARY OF ITEM**

Staff recommends the bid received from Courts-N-Stuff in the amount of \$125,936 be accepted as the lowest responsible bid conditioned upon the timely execution of any necessary contract documents.

High Point Tennis Center is a lighted tennis center with 23 courts. It also contains a small playground and four shade shelters.

The low bid is \$14,064 under the consultant's estimated cost of \$140,000.

In the event the low bidder cannot execute the contract documents, staff recommends that the project be awarded to the second low bidder, LDM Design and Construction in the amount of \$133,931.



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

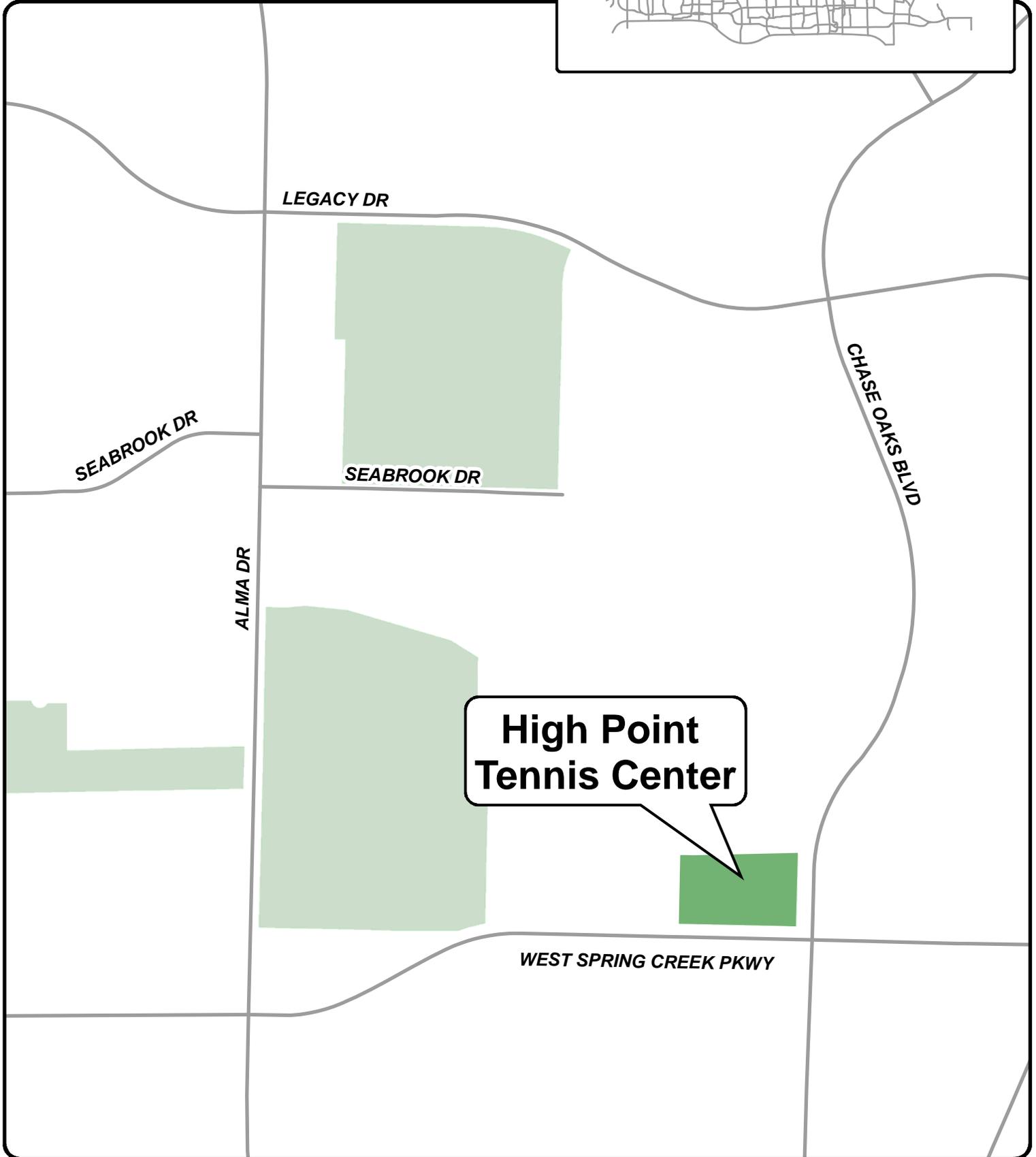
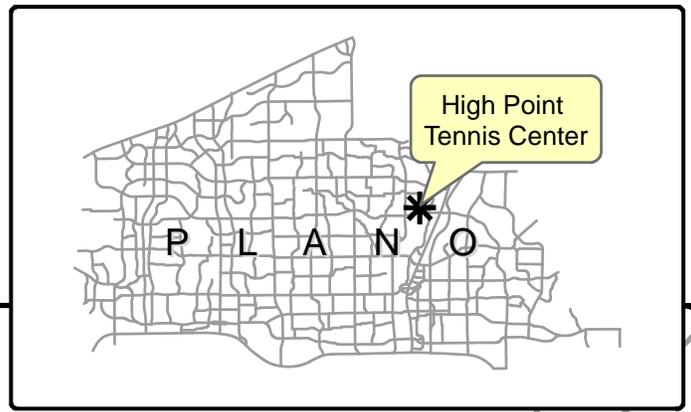
List of Supporting Documents: Location Map Bid Recap	Other Departments, Boards, Commissions or Agencies



# Location Map



0 0.1 0.2 Miles



CITY OF PLANO

BID NO. 2013-202-B

High Point Tennis Center Court Resurfacing and Windscreen Replacement-  
Project No 6276  
BID RECAP

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**Bid opening Date/Time:** April 15, 2013 @ 1:30 pm

**Number of Vendors Notified:** 4242

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

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

**Number of Bids Submitted Responsive to Bid:** 4

Courts-N-Stuff	\$125,936.00
LDM Design and Construction	\$133,931.00
Advantage Courts Company	\$136,777.00
Hellas Construction, Inc.	\$152,060.00

**Recommended Vendors:**

Courts-N-Stuff	\$125,936.00
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*Nicole Griffin*

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Nicole Griffin  
Buyer II

*April 16, 2013*

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Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		5/13/13		
Department:		Parks and Recreation		
Department Head		Amy Fortenberry		
Agenda Coordinator (include phone #): <b>Susan Berger (7255)</b>				
<b>CAPTION</b>				
Bid Number 2013-178-B for Heritage Yards Bleacher Shade Structures to HQS Construction, LLC in the amount of \$169,623 and authorizing the City Manager or his designee to execute all necessary documents.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
FISCAL YEAR: <b>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	31,195	1,318,805	750,000	<b>2,100,000</b>
Encumbered/Expended Amount	-31,195	-970,387	0	<b>-1,001,582</b>
This Item	0	-169,623	0	<b>-169,623</b>
BALANCE	0	178,795	750,000	<b>928,795</b>
<b>FUND(S):    PARK IMPROVEMENT CIP</b>				
<b>COMMENTS:</b> Funds are included in the FY 2012-13 Park Improvement CIP. This item, in the amount of \$169,623, will leave a current year balance of \$178,795 for the 09 Athletic Field Improvements project.				
<b>STRATEGIC PLAN GOAL:</b> Construction of bleacher shade structures at Heritage Yards Park relates to the City's Goal of Great Neighborhoods - 1st Choice to Live.				
<b>SUMMARY OF ITEM</b>				
Staff recommends the bid received from HQS Construction, LLC in the amount of \$169,623 be accepted as the lowest responsible bid conditioned upon timely execution of any necessary contract documents.				
Heritage Yards Park is a lighted, nine field softball athletic complex. It also includes neighborhood park amenities. The bid is for the addition of cloth bleacher shade structures on eight of the nine fields. The ninth field already has a permanent metal shade structure.				
The low bid is \$55,377 under the consultant's estimate of \$225,000.				
In the event the low bidder cannot execute the contract documents, staff recommends that the project be awarded to the second low bidder, USA Shade & Fabric Structures, Inc. in the amount of \$180,000.				



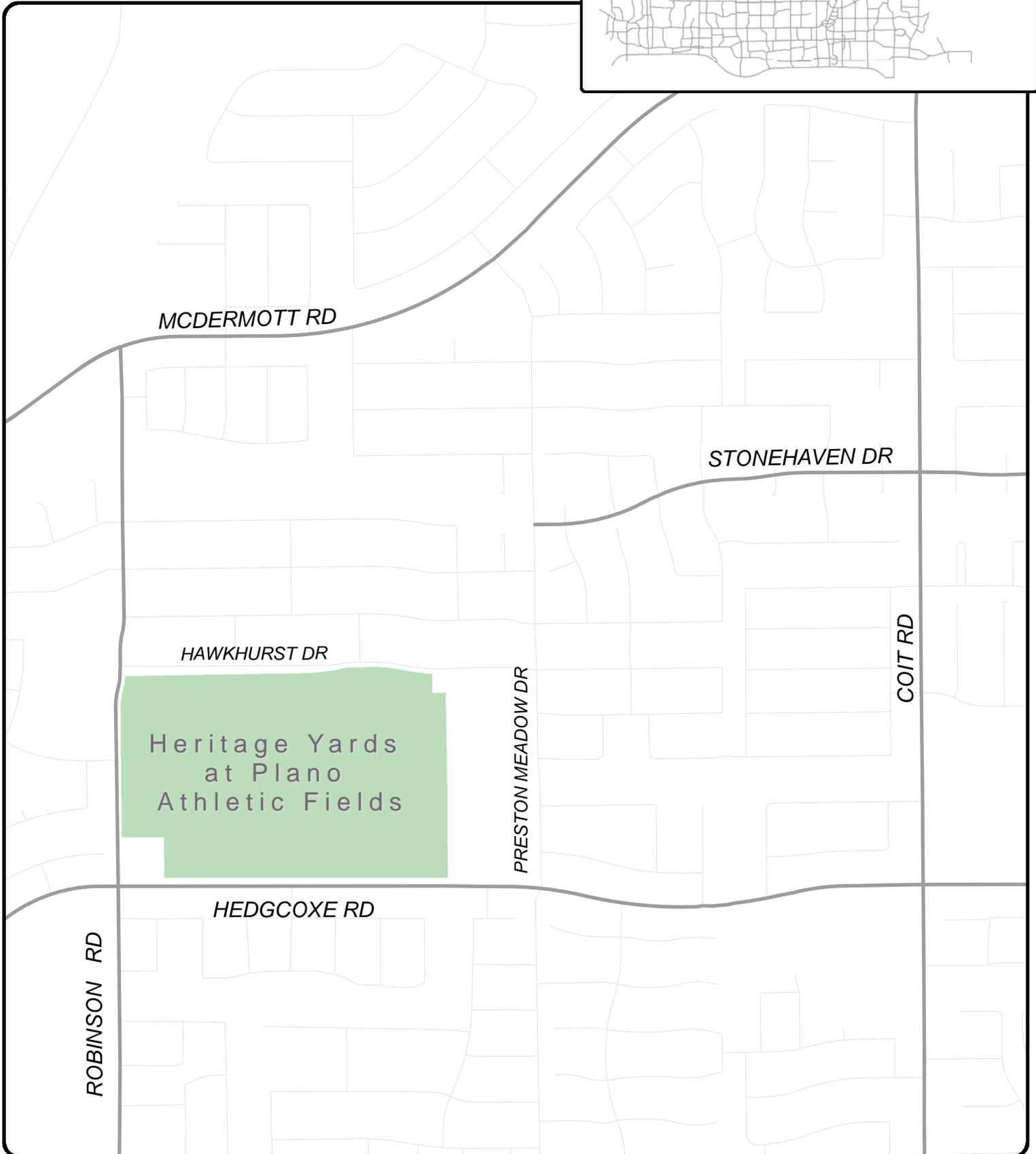
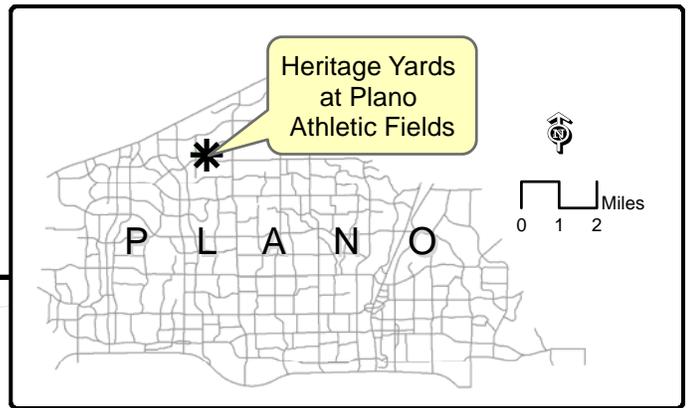
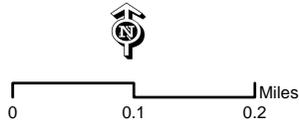
**CITY OF PLANO  
COUNCIL AGENDA ITEM**

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



# Location Map

Heritage Yards at Plano Athletic Fields



CITY OF PLANO

BID NO. 2013-178-B  
Heritage Yards Bleacher Shade Structures- Project No. 6258  
BID RECAP

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**Bid opening Date/Time:** April 8, 2013 @ 10:00 am

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

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

**Number of Bids Submitted Responsive to Bid:** 4

<b>VENDORS:</b>	<b>TOTAL BASE BID</b>
HQS Construction, LLC	\$169,623.00
USA Shade & Fabric Structures, Inc.	\$180,000.00
Medtronix Solutions USA, LLC	\$181,787.00
Nash CM, Inc.	\$187,878.00

**Recommended Vendor:**

**HQS Construction, LLC** **\$169,623.00**

*Nicole Griffin*

\_\_\_\_\_  
Nicole Griffin  
Buyer II

*April 12, 2013*

\_\_\_\_\_  
Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		5/13/13		
Department:		Purchasing		
Department Head		Diane Palmer-Boeck		
Agenda Coordinator (include phone #): <b>Earl Whitaker x7074</b>				
<b>CAPTION</b>				
Bid No. 2013-208-B for the purchase of two (2) 3/4 Ton Chevrolet Suburbans from Caldwell Country Automotive in the amount of \$93,980, for Fleet Services, to be utilized by the Fire Department, and authorizing the City Manager to execute all necessary documents.				
<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>2013-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>
				<b>TOTALS</b>
Budget		0	437,000	0
Encumbered/Expended Amount		0	0	0
This Item		0	-93,980	0
<b>BALANCE</b>		0	343,020	0
<b>FUND(s):     EQUIPMENT REPLACEMENT FUND</b>				
<p><b>COMMENTS:</b> Funds are included in the FY 2012-13 Adopted Budget to purchase two (2) 3/4-Ton Chevrolet Suburbans for the scheduled replacement of unit #02400 and one new addition in Cost Center 552/Fire. Remaining balance will be used for other Fleet and Equipment purchases.</p> <p><b>STRATEGIC PLAN GOAL:</b> Providing two (2) 3/4-Ton Chevrolet Suburbans for the City of Plano's Fire Department relates to the City's Goal of a Safe Large City and a Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
Staff recommends the bid of Caldwell Country Automotive in the amount of \$93,980, be accepted as the lowest responsive, responsible bid, and conditioned upon timely execution of any necessary contract documents. This purchase is for the Fleet Services to be utilized by the Fire Department (2013-208-B).				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Award Memo, Bid Recap			NA	



## MEMORANDUM

Date: April 23, 2013  
To: Bruce D. Glasscock, City Manager  
From: Reid Choate, Fleet Manager  
Subject: Fire Department Squad Purchase Recommendation

It is the recommendation of Fleet Services to purchase two (2), ¾-Ton Chevrolet Suburbans, in the amount of \$93,980.00 from Caldwell Country Automotive, the lowest responsive, responsible bidder on City of Plano bid # 2013-208-B.

The use of the Suburbans is to assist in expanding the responses of the Fire Department by keeping the major response apparatus available for the more emergent calls. This will lower repair costs on the larger more expensive apparatus by utilizing the less expensive SUV to respond to the lower priority level calls. The SUV will decrease the fuel usage, and they will increase response time by allowing the major response vehicle to stay available in quarters.

The major benefits of the adding of the Suburbans to the Fire Rescues fleet are:

1. Lowering the amount of repairs to the larger more expensive vehicles.
2. Decrease the overall fuel usage by the department by utilizing smaller, lighter, more fuel efficient vehicles.
3. Increase the effectiveness of the Fire Department by a decrease in response times.

Unit 02400, Fire Apparatus was removed from service in 2010 and not replaced. Department contributions to the ERF for the replacement of this unit will fund the purchase of the two Suburbans.

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

CITY OF PLANO

BID NO. 2013-208-B

¾ Ton Sport Utility Vehicle 2WD W/Setina Push Bumper  
BID RECAP

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**Bid opening Date/Time:** April 19, 2013 @ 2:00 pm

**Number of Vendors Notified:** 1041

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

**Number of Bids Submitted:** 1

Caldwell Country Automotive \$ 93,980.00

**Recommended Vendor:**

Caldwell Country Automotive \$ 93,980.00

This bid process was open and unrestrictive in terms of specifications provided to vendors. 1041 vendors were notified through Bid Sync of the bidding opportunity and 20 vendors viewed the solicitation. All manufacturers of sport utility vehicles were welcome to participate, yet only one decided to submit a bid.

*Earl S. Whitaker*

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Earl S. Whitaker  
Buyer Supervisor

*April 20, 2013*

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Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular <input type="checkbox"/> Statutory
Council Meeting Date:	5/13/2013
Department:	Technology Services
Department Head	David Stephens
Agenda Coordinator (include phone #): <b>Dianna Wike x7549</b>	

**CAPTION**

CSP 2012-181-C for 3 year contract with 2 City optional one year renewals, for Work Order and Asset Management System for Parks and Recreation and Public Works to Cartegraph Systems, Inc. in the amount of \$158,000 for the 1st year and an estimated annual amount of \$51,670 for each of the following 2 years and an estimated amount of \$53,000 for each of years 4 and 5, and authorizing the City Manager to execute all necessary documents.

**FINANCIAL SUMMARY**

NOT APPLICABLE       OPERATING EXPENSE       REVENUE       CIP

FISCAL YEAR: <b>2012-13, 2013-14, 2014-15, 2015-16, 2016-17</b>	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	185,000	209,340	<b>394,340</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	-158,000	-209,340	<b>-367,340</b>
BALANCE	0	27,000	0	<b>27,000</b>

**FUND(S):      TECHNOLOGY FUND AND TECHNOLOGY SERVICES FUND**

**COMMENTS:** Funds are available in the 2012-13 Technology Fund project budgets for Work Order software replacement in Parks and Public Works Departments. The amount to be spent in FY 2012-13 for this contract is \$158,000. The estimated future annual expenditures are \$209,340, (\$51,670 in FY 2013-14 and 2014-15, and \$53,000 in 2015-16 and 2016-17) and will be based on need within approved budget appropriations. The balance of funds will be used for other items related to the project.

**STRATEGIC PLAN GOAL:** Periodic replacements of work order and asset management systems relates to the City's Goal of Financially Strong City with Service Excellence.

**SUMMARY OF ITEM**

Staff recommends the proposal of Cartegraph Systems, Inc. in the 1st year amount of \$158,000, and an estimated annual amount of \$51,670 for each of the following 2 years and an estimated amount of \$53,000 for each of years 4 and 5 be accepted as the best value conditioned on timely execution of necessary contract documents for Work Order and Asset Management System. This system replaces two outdated work order management systems, one in Public Works and one in Parks and Recreation. Both systems are reaching the end of life and lack current technology features that can improve customer service and streamline work flows.



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

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

# Memorandum

**Date:** April 5, 2013

**To:** Diane Palmer-Boeck, Purchasing Manager  
Dianna Wike, Contract Specialist

**From:** Jim Fox, Park Services Manager

**Subject:** Award Recommendation: CSP No. 2012-181-C WOAMS

The Work Order and Asset Management System (WOAMS) evaluation committee recommends the award of Competitive Sealed Proposal (CSP) No. 2012-181-C to Cartegraph Systems, Inc.

The evaluation committee consisted of representatives from Public Works, Parks and Recreation, Geographic Information Systems (GIS), and Technology Services.

The CSP was developed for the purpose of replacing two outdated work order management systems, one in Public Works and one in Parks and Recreation. Prior to the development of the proposal, there were initial fact finding efforts by both departments and vendor demonstrations. The Technology Services Department reviewed other work order systems currently utilized in the city. Following this process, it was determined that the software industry could provide a solution that would allow consolidation of the two existing work management systems. The potential for future use by other departments was also considered. The software will also significantly upgrade asset management capabilities for both departments.

These assets include land, pavement (roads, sidewalks, parking lots, etc.), utility systems (water, wastewater, storm water, etc.), signage and traffic control devices, pumping and water distribution systems, park structures, swimming pools, playgrounds, irrigation and lighting systems, trails, athletic fields and facilities, and living assets such as trees, turf, and landscapes.

The criterion for the award was based upon the overall solution, support, work history, and cost. Vendors were interviewed and reference checks were conducted. Cartegraph received the highest evaluation scores for three of the four criteria, and was the highest rated overall.

The overall solution is expected to improve upon the capabilities of current systems to:

- Provide information necessary to manage Public Works and Parks capital assets
- Receive service requests and generate work orders to provide efficient customer response
- Track labor, equipment, and materials against assets
- Improve workflows to manage in-house work forces, contractual services, and efficiently apply maintenance resources
- Leverage existing GIS data, provide a more centralized database (and dashboard) for staff to supervise work, keep an inventory of available resources, and preserve institutional knowledge
- Receive and provide data to analyze information and create reports to make informed decisions (e.g., pavement assessment data collection program)
- Optimize operations & maintenance practices and asset replacement/renovation programs
- Interface and leverage information in other city software systems

# Memorandum

- Utilize new, user-friendly technology with robust functionality and improve upon the efficiency of operations (e.g., provide paperless mobile platforms for field staff, etc.)
- Provide analytical tools to help plan budgets and create capital improvement plans based on asset condition ratings

Support of the software is critical to effective use of the system. The proposed systems were evaluated for compatibility with the current city technology infrastructure, warranty, and support systems needed to help staff with on-going maintenance, updates, and resolution of issues. This also includes the vendor's overall implementation and training plan.

Work history and past performance includes the vendor's approach to deploying the system as well as the companies' technological and business philosophy in the industry. The proven use of the system in similar agencies and accessibility of regional users groups (for staff to attend) was evaluated.

The cost to procure and implement the system was the most heavily weighted factor in the evaluation process. Thirteen proposals were received ranging in cost from \$80,000 to \$224,695. Of the three top ranked proposals considered, Cartegraph, Inc. was the lowest cost. The cost of awarding to Cartegraph is \$158,000 for the first year of the 3 year agreement and \$51,670 for each of the following two years. Projected annual costs are \$53,000 per year for years 4 and 5. The total 5-year cost of procurement is \$367,340. Since this is a replacement system, funding for the annual costs of existing systems can be applied after migration to the new software.

The Technology Services Department also carefully considered on-going resource requirements and costs associated with in-house support and hardware requirements, and is in support of the award. The total five year cost of ownership (includes the initial award, installation, and four year maintenance costs for all hardware and software) is estimated to be \$418,600.

The amount of the award is within the budget estimate of \$185,000 in the Technology Fund for this item.

Non-approval will result in the continued use of two outdated software programs. Development of the software and updates for the existing Public Works software has ceased, so it is quickly reaching the end of its lifecycle. Both systems are lacking current technology features and robust tools that can improve customer service, streamline work flows, and provide information to "tell the story" and make better decisions related to maintenance and replacement of billions of dollars of city assets.

cc: Jayson Nickols, Doug Green, Georgeta Ungureanu, Mike Branch

# CITY OF PLANO

## CSP RECAP

### CSP NO. 2012-181-C CSP FOR WORK ORDER AND ASSET MANAGEMENT SYSTEM

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**CSP opening Date/Time:** January 4, 2013 at 3:00 PM

**Number of Vendors Notified:** 4532

**Vendors Submitting “No Bids”:** 1

**Number of Proposals Submitted:** 13

VUEWORKS, LLC	\$ 80,000
NTB ASSOCIATES, INC.	\$120,290
ASSETWORKS, INC.	\$123,980
LUCITY, INC.	\$148,400
CITITECH SYSTEMS, INC.	\$149,500
CARTEGRAPH SYSTEMS, INC.	\$158,000
ACCELA, INC.	\$178,710
RJN GROUP, INC.	\$198,500
MAINTSTAR INC.	\$198,520
COHESIVE INFORMATION SOLUTIONS	\$198,749
SIERRA INFOSYS, INC.	\$200,750
INFOR GLOBAL SOLUTIONS (MICHIGAN), INC.	\$218,942
DENOVO VENTURES, LLC	\$224,695

**Proposals Received – Not Considered:** 0

**Recommended Vendor(s):**

CARTEGRAPH SYSTEMS, INC. \$158,000

*Dianna Wike*

March 15, 2013

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Dianna Wike, Contract Specialist

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Date



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular <input type="checkbox"/> Statutory
Council Meeting Date:	5/13/13
Department:	Purchasing
Department Head	Diane Palmer-Boeck
Agenda Coordinator (include phone #): <b>Perry Neeley, Ext. 7376</b>	

**CAPTION**

To approve a one (1) year contract with three (3) City optional renewals for the purchase of Fire Hydrants and Repair Parts for the Warehouse to be utilized by Public Works in an estimated annual amount of \$90,000 from HD Supply Waterworks, LTD, through an existing contract/agreement with the City of Fort Worth, and authorizing the City Manager to execute all necessary documents. (City of Fort Worth Contract #12-0063)

**FINANCIAL SUMMARY**

NOT APPLICABLE       OPERATING EXPENSE       REVENUE       CIP

FISCAL YEAR: <b>2012-13 thru 2015-16</b>	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	2,109,145	270,000	<b>2,379,145</b>
Encumbered/Expended Amount	0	-1,253,836	0	<b>-1,253,836</b>
This Item	0	-46,285	-270,000	<b>-316,285</b>
<b>BALANCE</b>	0	809,024	0	<b>809,024</b>

**FUND(S):      WAREHOUSE**

**COMMENTS:** This item approves price quotes. Expenditures will be made in the Inventory Stock Department based on need within the approved budget appropriations for each year of the contract. The estimated annual amount to be spent in FY 2012-13 is \$46,285. The estimated future annual amount is \$270,000, which will be made within approved budget appropriations. Remaining balance will be used for other Inventory purchases.

**STRATEGIC PLAN GOAL:** Providing Fire Hydrants and Repair Parts for stock to support Public Works Utilities Operations Department relates to the City's Goal of a Safe Large City and a Financially Strong City with Service Excellence.

**SUMMARY OF ITEM**

Staff recommends the approval of a one (1) year contract with three (3) City optional renewals for the purchase of Fire Hydrants and Repair Parts for the Warehouse to be utilized by the Public Works Department in an estimated annual amount of \$90,000 from HD Supply Waterworks, LTD, through an existing contract/agreement with the City of Fort Worth. The City is authorized to purchase from a Local Cooperative Organization pursuant to Chapter 271, Subchapter F of the Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items (City of Fort Worth Contract #12-0063/City of Plano Internal Contract #2013-212-I).



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

List of Supporting Documents: Award Memo	Other Departments, Boards, Commissions or Agencies N/A



## **MEMORANDUM**

**DATE:** April 8, 2013  
**TO:** Perry Neeley, Purchasing Buyer  
**FROM:** Josh Mathewes, Inventory Control/Asset Disposal Supervisor  
**SUBJECT:** Interlocal Agreement – City of Fort Worth – Fire Hydrants and Repair Parts

It is the recommendation from Inventory Control/Asset Disposal (ICAD) and Public Works to purchase all fire hydrant parts from HD Supply Waterworks, LTD through the City of Fort Worth Fire Hydrants and Repair Parts contract #12-0063. This contract is for a one year period with three (3) City optional renewals.

The City of Plano went out to establish a low bid contract (2013-99-C) for Fire Hydrant and Water Line Repair Parts, however, both vendors that supplied bids took exception to the General Terms and Conditions of the bid. Both vendors were deemed non-responsive and no award was made. By participating in the Cooperative Purchasing Agreement on the City of Fort Worth's contract we will receive more competitive pricing due to joining with a larger entity and have access to an established price list.

Estimated annual expenditures for this contract will be \$90,000.00

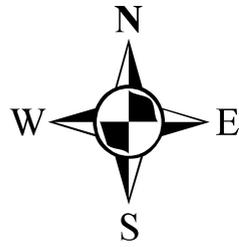
Failure to participate on the Fort Worth contract would result in possible unavailability, longer lead times and higher purchasing cost.



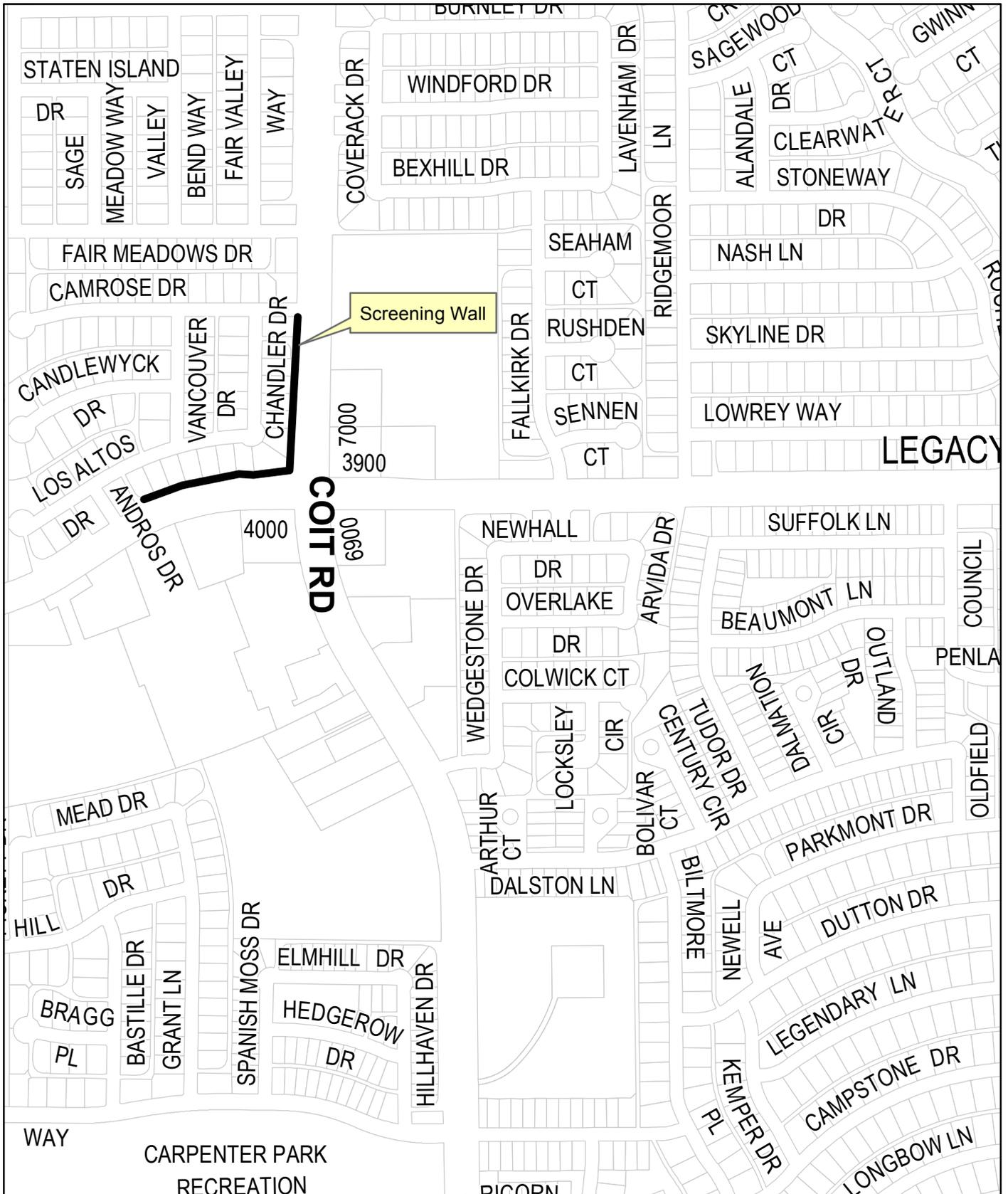
**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		05/13/13		
Department:		Engineering		
Department Head:		Gerald P. Cosgrove, P.E.		
Agenda Coordinator (include phone #):			Kathleen Schonne 7198	
			Project No. 6250	
<b>CAPTION</b>				
To approve and authorize Contract Modification No. 1 for the purchase of additional engineering and surveying services for Screening and Retaining Walls – Custer, Independence and US 75 project in the amount of \$45,720 from R-Delta Engineering, Inc.				
<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>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	185,000	0	<b>185,000</b>
Encumbered/Expended Amount	0	-136,010	0	<b>-136,010</b>
This Item	0	-45,720	0	<b>-45,720</b>
BALANCE	0	3,270	0	<b>3,270</b>
<b>FUND(S):    STREET IMPROVEMENT CIP</b>				
<p><b>COMMENTS:</b> Funds are included in the FY 2012-13 Street Improvement CIP. This item, in the amount of \$45,720 will leave a current year balance of \$3,270 for the Screening Walls – Various Locations project.</p> <p><b>STRATEGIC PLAN GOAL:</b> The design of screening and retaining walls relate to the City's Goal of Great Neighborhoods – 1<sup>st</sup> Choice to Live.</p>				
<b>SUMMARY OF ITEM</b>				
<p>Additional engineering and surveying services are required for reconstruction of approximately 1,725 linear feet of masonry screening wall and associated improvements along southbound Coit Road and westbound Legacy Drive between Camrose Drive and the greenbelt located west of Andros Drive.</p> <p>The original contract amount was \$136,010. The Engineering Department is seeking City Council approval of this first modification because we have exceeded 25% of the original contract amount with R-Delta Engineers, Inc. The revised contract amount is \$181,730.00.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Location Map; Contract Modification No. 1			N/A	

# SCREENING & RETAINING WALLS at CUSTER, INDEPENDENCE & US 75



## PROJECT 6250



## **CONTRACT MODIFICATION**

### **SCREENING AND RETAINING WALLS – CUSTER, INDEPENDENCE AND US 75 PROJECT NO. 6250**

#### **PURCHASE ORDER NO. 104227 CIP NO. 37865**

This shall serve as a **FIRST** Modification to the Contract between the City of Plano, Texas (hereinafter "City"), and **R-DELTA ENGINEERS, INC.** (hereinafter "Consultant"), dated November 8, 2012, for Professional Engineering Services for the referenced project (hereinafter "Project").

#### **Services:**

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

Addition of preliminary and final design related surveying and professional engineering services for Task 9 (Site 8) – design and preparation of construction plans for removal and replacement of masonry screening wall, adjacent sidewalk, and portions of alley as required along southbound Coit Road and westbound Legacy Drive between Camrose Drive and the greenbelt located west of Andros Drive (L= 1,725')

The additional services shall be in accordance with the scope of work definitions and design standards contained within the original engineering services contract for this project.

No adjustment to the overall project completion schedule is requested.

#### **Compensation:**

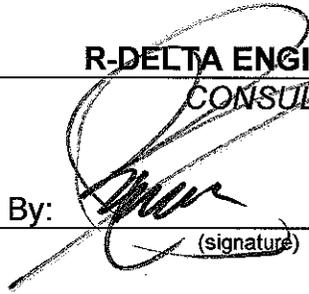
For additional services provided pursuant to this Modification, City shall pay Consultant an amount not to exceed forty five thousand seven hundred twenty dollars (\$45,720.00). Such payment shall be made in accordance with the payment terms specified in the Contract.

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

Original Contract Amount	\$	<u>136,010.00</u>
Contract Amount (Including Previous Modifications)	\$	<u>136,010.00</u>
Amount, Modification No. 1	\$	<u>45,720.00</u>
Revised Contract Amount	\$	<u><u>181,730.00</u></u>
Total Percent Increase Including Previous Modifications		<u>33.62%</u>

**Authority to Sign:**

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

<b>CITY OF PLANO</b>	<b>R-DELTA ENGINEERS, INC.</b>
OWNER	CONSULTANT
By: _____	By:  _____
(signature)	(signature)
Print Name: Bruce D. Glasscock	Print Name: Frank A. Polma, P.E.
Print Title: City Manager	Print Title: President
Date: _____	Date: <u>4/15/13</u>

Approved as to form:

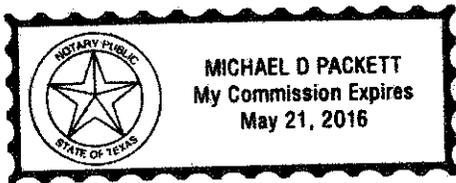
By: \_\_\_\_\_  
 Diane C. Wetherbee, City Attorney

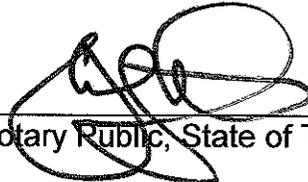
**ACKNOWLEDGMENTS**

**STATE OF TEXAS**

**COUNTY OF DALLAS**

This instrument was acknowledged before me on the 15<sup>th</sup> day of April, 2013, by **FRANK A. POLMA, P.E., PRESIDENT**, of **R-DELTA ENGINEERS, INC.**, a Texas corporation, on behalf of said corporation.



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

**STATE OF TEXAS**

**COUNTY OF COLLIN**

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by Bruce D. Glasscock, City Manager of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

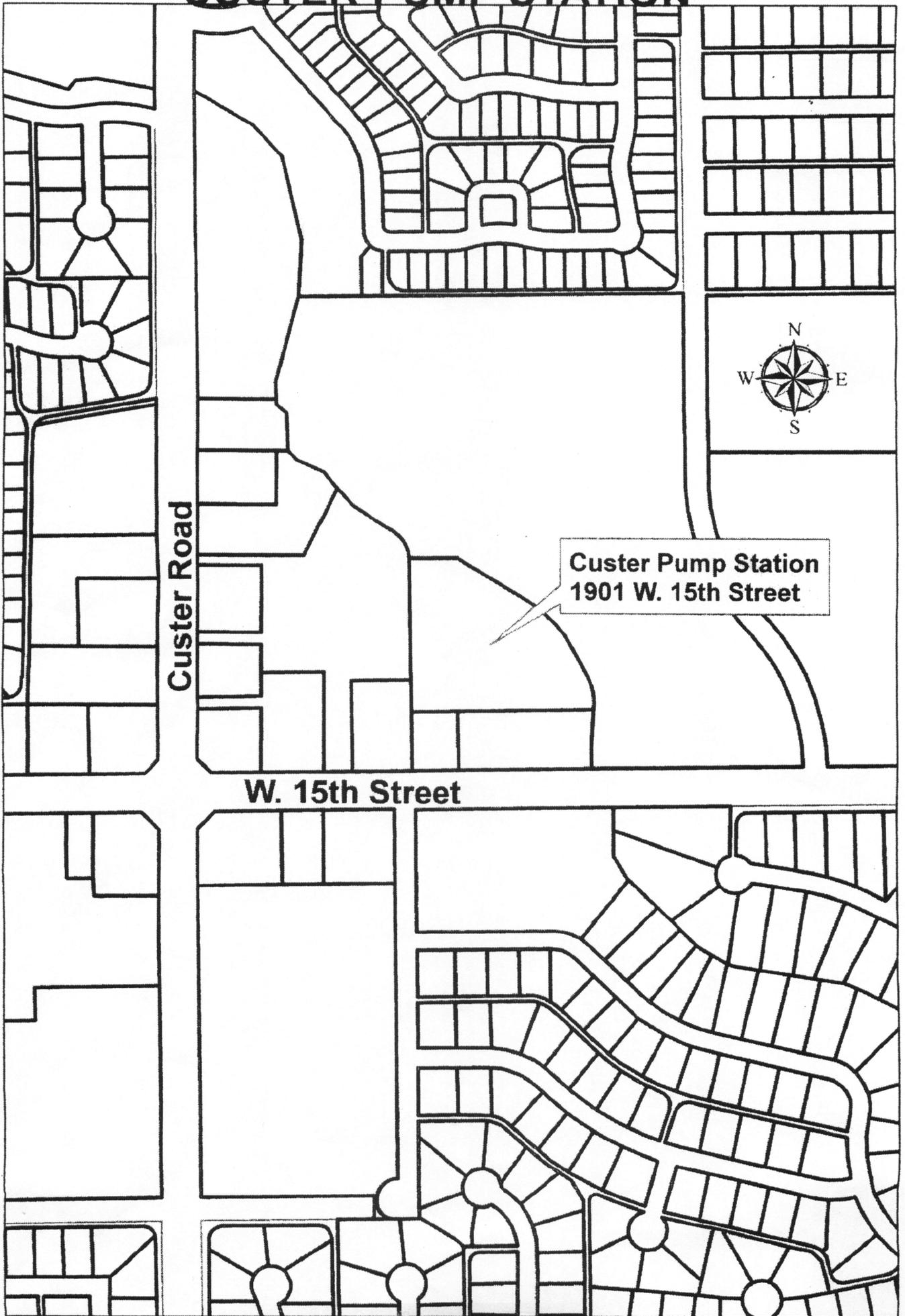
\_\_\_\_\_  
Notary Public, State of Texas



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		5/13/13		
Department:		Public Works		
Department Head:		Gerald P. Cosgrove		
Agenda Coordinator (include phone #):			Kathleen Schonne (7198)	
			<b>Project No. 6073</b>	
<b>CAPTION</b>				
To Archer Western Construction, LLC, decreasing the contract by \$215,743 for Custer Pump Station, Change Order No. 3. Original Bid No. 2011-233-B.				
<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>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	4,605,902	832,098	0	<b>5,438,000</b>
Encumbered/Expended Amount	-4,605,902	-225,854	0	<b>-4,831,756</b>
This Item	0	215,743	0	<b>215,743</b>
BALANCE	0	821,987	0	<b>821,987</b>
<b>FUND(S):    WATER CIP</b>				
<p><b>COMMENTS:</b> This item, which is the third change order to an existing contract, will reduce the contract amount by \$215,743 and increase the current year balance to \$821,987 for the Custer Pump Station project.</p> <p><b>STRATEGIC PLAN GOAL:</b> Making appropriate modifications to existing contracts that provide for necessary improvements and reduce expenditures relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
<p>This change order, in the amount of (\$215,743), resolves changes to landscaping and irrigation, additions to generator protection necessary to comply with code, changes in water piping scope and building finishes and to recover remaining allowance for electrical work by Oncor, closing out the contract.</p> <p>Staff recommends approval of Change Order No. 3. The contract total will be \$5,252,804, which reduces the original contract amount of \$5,453,000 by 3.67%.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Location Map			N/A	
Change Order No. 3				

# CUSTER PUMP STATION



**CHANGE ORDER NO. 3**  
**CUSTER PUMP STATION**  
**PROJECT NO. 6073**  
**PURCHASE ORDER NO. 103946**  
**CIP NO. 68929**  
**BID NO. 2011-233-B**

**A. INTENT OF CHANGE ORDER**

The intent of this change order is to modify the provisions of the contract entered into by the **CITY OF PLANO, TEXAS**, and **ARCHER WESTERN CONSTRUCTION, LLC**, for the **CUSTER PUMP STATION PROJECT**, dated July 25, 2011.

**B. DESCRIPTION OF CHANGE**

The change order is for changes related to landscaping and irrigation, piping and code compliance, and decreases in scope of work from original contract.

**C. EFFECT OF CHANGE**

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

<i>ITEM NO.</i>	<i>ITEM DESCRIPTION</i>	<i>AMOUNT OF CHANGE</i>
1	Irrigation system and landscape changes	\$6,923.00
2	Add discharge header thrust blocking	\$2,305.00
3	Add bollards at generators per Fire Marshal	\$3,533.00
4	Deduct remaining unused Oncor electrical service allowance	-\$143,504.00
5	Credit for pipe painting	-\$25,000.00
6	Credit for valve room finishes	-\$60,000.00
	<b>TOTAL:</b>	<b>-\$215,743.00</b>

Original Contract Amount	<u>\$ 5,453,000.00</u>
Contract Amount (Including Previous Change Orders)	<u>\$ 5,468,547.00</u>
<b>Amount, Change Order No. 3</b>	<u><b>\$ -215,743.00</b></u>
<b>Revised Contract Amount</b>	<u><b>\$ 5,252,804.00</b></u>
<b>Total Percent Increase Including Previous Change Orders</b>	<u><b>-3.67%</b></u>

D. EFFECT OF CHANGE ON CONTRACT TIME

The work required under this change order will add 0 day(s) to this project:

Original Contract Time	<u>complete by July 1, 2012</u>
Amount (Including Previous Change Orders)	<u>N/A</u>
<b>Amount, Change Order No. 3</b>	<u>N/A</u>
<b>Revised Contract Time</b>	<u>complete by August 22, 2012</u>
<b>Total Percent Increase Including Previous Change Orders</b>	<u>N/A</u>

E. AGREEMENT

In the event of any conflict or inconsistency between the provisions set forth in this Change Order No. 3 and the contract, this Change Order No. 3 shall govern and control. For and in consideration of the covenants, duties and obligations herein contained, the parties do mutually agree that except as provided above, all other terms and conditions of the Contract shall remain unchanged and in full force and effect.

By the signatures below, duly authorized agents of the **CITY OF PLANO, TEXAS**, and **ARCHER WESTERN CONSTRUCTION, LLC**, do hereby agree to append this Change Order No. 3 to the original contract between themselves, dated July 25, 2011.

F. AUTHORITY TO SIGN

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

**OWNER: CITY OF PLANO**

**CONTRACTOR: ARCHER WESTERN  
CONSTRUCTION, LLC**

By: \_\_\_\_\_  
(signature)

By:   
\_\_\_\_\_  
(signature)

Print Name: Bruce D. Glasscock

Print Name: Scott Smiley

Print Title: City Manager

Print Title: Program Manager

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

Date: 4/10/13

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Diane C. Wetherbee, City Attorney

**ACKNOWLEDGMENTS**

STATE OF TEXAS §  
  §  
COUNTY OF TARRANT §

This instrument was acknowledged before me on the 18<sup>th</sup> day of April, 2013, by **SCOTT SMILEY, PROGRAM MANAGER** of **ARCHER WESTERN CONSTRUCTION, LLC**, an **ILLINOIS LIMITED LIABILITY COMPANY** licensed to do business in the State of Texas, on behalf of said company.



TERRI A. KECKLER  
Notary Public, State of Texas

STATE OF TEXAS §  
  §  
COUNTY OF COLLIN §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by **BRUCE D. GLASSCOCK, CITY MANAGER** of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said municipal corporation.

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



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		5-13-2013		
Department:		Public Works		
Department Head		Gerald Cosgrove		
Agenda Coordinator (include phone #): <b>Nancy Corwin X7137</b>				
<b>CAPTION</b>				
Approval of the ratification of expenditures exceeding the awarded amount by \$724,946 and approve additional award in the amount \$286,850 for the purchase of concrete from Redi-Mix LLC to be utilized by Public Works, and authorizing the City Manager to execute all necessary documents (2009-99-C).				
<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>2012-13,</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	802,543		<b>802,543</b>
Encumbered/Expended Amount		-327,640		<b>-327,640</b>
This Item		-216,310		<b>-216,310</b>
BALANCE	0	258,593	0	<b>258,593</b>
<b>FUND(S):</b> GENERAL FUND, WATER & SEWER FUND, MUNICIPAL DRAINAGE FUND, CAPITAL RESERVE				
<p><b>COMMENTS:</b> This item ratifies concrete expenditures made from the Streets, Drainage, Utility Cut Services and Capital Reserve cost centers under Contract 2009-99-C (Redi-Mix LLC) for FY 2009-10, 2010-11, and 2011-12. Actual annual expenditures exceeded the original contract projections, but were within annual budget appropriations. The concrete expenditure increase is related to an enhanced city-wide focus on street and sidewalk repairs which began during the same time period. The estimated annual expenditure amount for concrete in FY 2012-13 is \$543,950, based on historical usage.</p> <p><b>STRATEGIC PLAN GOAL:</b> Contracts for the purchase of Concrete Mix relate to the City's Goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
<p><b>Due to an administrative error, staff recommends approval of the ratification of expenditures to date exceeding the awarded amount by \$724,946 and to increase the awarded annual amount to \$543,950. The funds will be for the purchase of concrete from Redi-Mix LLC to be utilized by Public Works (2009-99-C).</b></p>				
List of Supporting Documents: Recommendation Memo			Other Departments, Boards, Commissions or Agencies	



**MEMORANDUM**

DATE: April 26, 2013  
TO: Diane Palmer-Boeck, Chief Purchasing Officer  
FROM: Billy Clay, Public Works Superintendent  
**SUBJECT:** Request for Ratification of Expenditure: Concrete

The Public Works Department has reviewed our concrete expenditures over the last year to identify why we have exceeded the annual awarded amount of \$257,100 approved in June 2009. We discovered an administrative error in the original financial worksheet. The correct amount should have been \$543,950. Over the past three years, the department continued to budget concrete expenses based on usage since we did not realize there was an error in the original awarded amount.

The following table reflects the actual expenditures and the amount exceeding the awarded amount.

Contract Period	Expenditure	Overage
09/10	\$371,897.50	\$114,797.50
10/11	\$400,633.00	\$143,533.00
11/12	\$512,427.00	\$255,327.00
June 2012 to April 2013	\$468,388.75	\$211,288.75

If the awarded amount had been correct, there would have been no overage in any of these years.

After careful review, we have determined the original June 2009 award should have been an estimated annual amount of \$543,950 which reflects historical usage.

xc: Gerald Cosgrove, Director of Public Works  
David Falls, Public Operations Manager



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular <input type="checkbox"/> Statutory
Council Meeting Date:	5/13/13
Department:	Parks and Recreation
Department Head	Amy Fortenberry
Agenda Coordinator (include phone #): <b>Susan Berger (7255)</b>	

**CAPTION**

A Resolution of the City Council of the City of Plano, Texas repealing Resolution No. 2005-12-12(R) and approving and authorizing revised golf course green fees at Pecan Hollow Golf Course; and providing an effective date.

**FINANCIAL SUMMARY**

NOT APPLICABLE       OPERATING EXPENSE       REVENUE       CIP

FISCAL YEAR: <b>2012-13</b>	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	961,395	0	<b>961,395</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	20,000	0	<b>20,000</b>
<b>BALANCE</b>	0	981,395	0	<b>981,395</b>

**FUND(S):      MUNICIPAL GOLF COURSE FUND**

**COMMENTS:** If approved, this revised fee structure will provide additional revenue in the amount of \$20,000 for FY 2012-13 and \$60,000 for subsequent years. The Golf Course Fund has not met the City of Plano's Financial Policy regarding fund balance in the past two fiscal years, which requires 30 days of operating expenses be held in reserve. This increase in revenue is needed to stay within compliance of the policy.

**STRATEGIC GOAL:** Changes to the Municipal Golf Course fee structure relate to the City's goal of Financially Strong City With Service Excellence.

**SUMMARY OF ITEM**

This Resolution authorizes the following changes in the Pecan Hollow Golf Course green fees:  
Proposed rates are \$1 more on weekdays and \$2 more on weekends rates than the current rates. Proposed green fees for one round (18 holes unless otherwise stated) of golf at Pecan Hollow Golf Course shall be:

Weekdays	\$22.00 green fee	\$34.00 with cart
Weekday Twilight 1pm	\$17.00 green fee	\$29.00 with cart
Weekday Super-Twilight 4pm	\$14.00 green fee	\$26.00 with cart
Weekend/Holiday	\$31.00 green fee	\$44.00 with cart
Weekend/Holiday Twilight 1pm	\$21.00 green fee	\$33.00 with cart
Weekend/Holiday Super-Twilight 4pm	\$16.00 green fee	\$28.00 with cart
Weekday Junior (17 years and younger)	\$15.00 green fee	\$27.00 with cart



## CITY OF PLANO COUNCIL AGENDA ITEM

Weekday Senior (60 years and older)	\$15.00 green fee	\$27.00 with cart
Weekday Nine Hole	\$15.00 green fee	\$22.00 with cart
Weekend Nine Hole	\$17.00 green fee	\$24.00 with cart
Discount punch card for weekday play cost:		
Adult (18 years to 59 years) Punch Cards	\$180.00 for 10 rounds or \$300 w/cart	
Junior (17 years and younger) Punch Cards	\$150.00 for 15 rounds or \$330 w/cart	
Senior (60 years and older) Punch Cards	\$150.00 for 15 rounds or \$330 w/cart	

List of Supporting Documents:  
Area golf fee survey

Other Departments, Boards, Commissions or Agencies  
The Parks and Recreation Planning Board reviewed the proposed golf course fees at their May 7, 2013 meeting.

Golf Course Fee Survey April 2013  
 City of Plano Parks and Recreation Department

The chart below compares the regular fees for weekday and weekends and the discounted fees for juniors and seniors.

**Fees include a cart.** Rates do not include sales tax.

<b>Golf Course</b>	<b>Adults</b>			<b>Seniors</b>			<b>Juniors</b>		
	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun
Pecan Hollow Golf Course PROPOSED	\$34	\$34	\$44	\$27	\$34	\$44	\$27	\$34	\$44
Courses at Watters Creek	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun
	\$45	\$55	\$55	\$35	\$35	\$45	\$25	\$35	\$35
Firewheel - Garland	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun
Old and Lakes Courses	\$39	\$39	\$47	\$28	\$28	\$47	\$28	\$28	\$28
Bridges Course	\$49	\$49	\$57	\$33	\$33	\$57	\$33	\$33	\$33
Indian Creek - Carrollton	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun
Creek Course	\$40	\$50	\$50	\$24	\$24	\$50	\$18	\$18	\$50
Lakes Course	\$30	\$39	\$39	\$18	\$18	\$39	\$18	\$18	\$39
Ridgeview Ranch – Plano	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun
	\$47	\$52	\$63/\$62	\$36	\$36	\$60/\$52	\$15	\$15	\$63/\$62
Sherrill Park - Richardson	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun	M-Th	Fri	Sat/Sun
Course 1	\$29.55	\$37.89	\$42.63	\$20.98	\$20.98	\$42.63	\$20.98	\$20.98	\$42.63
Course 2	\$25.31	\$25.31	\$36.13	\$18.81	\$18.81	\$36.13	\$18.81	\$18.81	\$36.13

**A Resolution of the City Council of the City of Plano, Texas repealing Resolution No. 2005-12-12(R) and approving and authorizing revised golf course green fees at Pecan Hollow Golf Course; and providing an effective date.**

**WHEREAS**, on May 7, 2013, the Parks and Recreation Planning Board reviewed the proposed golf course fees as stated herein and voted to recommend adoption;

**WHEREAS**, Section 15-81 of the Code of Ordinances of the City of Plano specifies that fees for the use of parks and recreation facilities be established by City Council resolution;

**WHEREAS**, Section 15-88 of the Code of Ordinances of the City of Plano specifies that golf course green fees shall be charged for the use of the city's municipal golf course and shall be paid by those individuals making use of said golf course;

**WHEREAS**, Resolution No. 2005-12-12(R) dated December 20, 2005 established the current green fees at Pecan Hollow which are now in need of revision; and

**WHEREAS**, upon full review and consideration of the new golf course green fees contained herein, and all matters attendant and related thereto, City Council is of the opinion that Resolution No. 2005-12-12(R) should be repealed and the new golf course green fees contained in this resolution should be approved, adopted, and utilized by the City of Plano;

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

**Section I.** Resolution No. 2005-12-12(R) is repealed in its entirety and the new Green fees for one round (18 holes) of golf at Pecan Hollow Golf Course shall be as follows:

Weekdays	\$22.00
Weekday Twilight 1pm	\$17.00
Weekday Super-Twilight 4pm	\$14.00
Weekend/Holiday	\$31.00
Weekend/Holiday Twilight 1pm	\$21.00
Weekend/Holiday Super-Twilight 4pm	\$16.00
Weekday Junior (17 years and younger)	\$15.00
Weekday Senior (60 years and older)	\$15.00
Weekday Nine Hole	\$15.00
Weekend Nine Hole	\$17.00

In addition, City of Plano discount punch cards for play at Pecan Hollow Golf Course shall be:

**Weekday Punch Cards**

Adult (18 years to 59 years) Punch Cards w/cart	\$180.00 for 10 rounds or \$300
Junior (17 years and younger) Punch Cards w/cart	\$150.00 for 15 rounds or \$330
Senior (60 years and older) Punch Cards w/cart	\$150.00 for 15 rounds or \$330

**Section II.** The City Council, finding the proposed fee schedule acceptable and in the best interest of the City of Plano and its citizens, hereby approves the proposed golf fees for Pecan Hollow Golf Course.

**Section III.** The Parks and Recreation Department shall keep a copy of the fee schedule on file, and make it available to the public in the Parks and Recreation Department Office.

**Section IV.** The fees established by this resolution shall become effective June 1, 2013.

**DULY PASSED AND APPROVED this the 13<sup>th</sup> day of May, 2013.**

\_\_\_\_\_  
Phil Dyer, MAYOR

ATTEST:

\_\_\_\_\_  
Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane C. Wetherbee, CITY ATTORNEY



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		May 13, 2013		
Department:		Office of Policy and Government Relations		
Department Head		Mark Israelson		
Agenda Coordinator (include phone #): <b>Nancy Rodriguez X7510</b>				
<b>CAPTION</b>				
<p><b>A Resolution of the City Council of the City of Plano, Texas, authorizing continued participation with the Steering Committee of Cities Served by Oncor; authorizing the payment of ten cents per capita to the Steering Committee to fund regulatory and related activities related to Oncor Electric Delivery Company, LLC; and providing an effective date.</b></p>				
<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>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	26,350	0	<b>26,350</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	-25,984	0	<b>-25,984</b>
BALANCE	0	366	0	<b>366</b>
<b>FUND(s):    GENERAL FUND</b>				
<p><b>COMMENTS:</b> Funding for this item is included in the 2012-13 Non-Departmental Budget. The remaining balance will be used for other Association costs.</p> <p><b>STRATEGIC PLAN GOAL:</b> Participation in Utility Steering Committees and Coalitions relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
This Resolution renews the City of Plano's membership in the Oncor Cities Steering Committee.				
List of Supporting Documents: Memorandum, Resolution			Other Departments, Boards, Commissions or Agencies	



**Date:** May 13, 2013  
**To:** City Council  
**Through:** Bruce Glasscock, City Manager  
**From:** Mark Israelson, Director of Office of Policy and Government Relations  
**Subject:** Staff Report on Assessment Resolution for Steering Committee of Cities Served by Oncor

### **Purpose of the Resolution**

The City of Plano is a member of a 150-member city coalition known as the Steering Committee of Cities Served by Oncor. The resolution approves the assessment of a ten cent (\$0.10) *per capita* fee to fund the activities of the Steering Committee.

### **Why this Resolution is Necessary**

The Steering Committee undertakes activities on behalf of municipalities for which it needs funding support from its members. Municipalities have original jurisdiction over the electric transmission and distribution rates and services within the city. The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s when cities served by TXU (since renamed as Oncor Electric Delivery Company, LLC) gave up their statutory right to rate case expense reimbursement in exchange for higher franchise fee payments. Empowered by city resolutions and funded by *per capita* assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, ERCOT, the Courts, and the Legislature on electric utility regulation matters for nearly two decades.

The Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery Company, LLC within the City. Steering Committee representation is also strong at ERCOT. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that the Steering Committee be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

### **Explanation of “Be It Resolved” Paragraphs**

**Section I.** The City is currently a member of the Steering Committee; this paragraph authorizes the continuation of the City’s membership.

**Section II.** This paragraph authorizes payment of the City’s assessment to the Steering Committee in the amount of ten cents (\$0.10) per capita, based on the population figure for the City as shown in the latest TML Directory of City Officials.

**Section III.** This paragraph requires notification to the Chair of the Steering Committee, Jay Doegey, that the City has adopted the Resolution.

**Section IV.** This paragraph authorizes the Resolution to become effective immediately.

### **Payment of Assessment**

A copy of the resolution should be mailed with payment of the fee to Jay Doegey, Chair, Steering Committee of Cities Served by Oncor, c/o City Attorney’s Office, 101 South Mesquite Street, Third Floor, Arlington, TX 76010. Checks should be made payable to: *Steering Committee of Cities Served by Oncor.*

**A Resolution of the City Council of the City of Plano, Texas, authorizing continued participation with the Steering Committee of Cities Served by Oncor; authorizing the payment of ten cents per capita to the Steering Committee to fund regulatory and related activities related to Oncor Electric Delivery Company, LLC; and providing an effective date.**

**WHEREAS**, the City of Plano is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company, LLC (Oncor) within the municipal boundaries of the city; and

**WHEREAS**, the Steering Committee has historically intervened in Oncor (formerly known as TXU) rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

**WHEREAS**, the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings and legislative activities, affecting transmission and distribution utility rates; and

**WHEREAS**, the City is a member of the Steering Committee of Cities Served by Oncor; and

**WHEREAS**, the City Council authorized participation with the Steering Committee of Cities Served by Oncor on June 25, 2012, by Resolution No. 2012-6-8(R) and on June 27, 2011, by Resolution No. 2011-6-16(R); and

**WHEREAS**, in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs; and

**WHEREAS**, the City Council finds that it is in the best interest of the City of Plano to continue participation in the Steering Committee of Cities Served by Oncor.

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

**Section I.** That the City is authorized to continue its membership with the the Steering Committee of Cities Served by Oncor to protect the interests of the City of Plano and protect the interests of the customers of Oncor Electric Delivery Company, LLC residing and conducting business within the City limits.

**Section II.** The City is further authorized to pay its 2013 assessment to the Steering Committee of ten cents (\$0.10) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

**Section III.** A copy of this Resolution and the assessment payment check made payable to "Steering Committee of Cities Served by Oncor" shall be sent to Jay Doegey, Chair, Steering Committee of Cities Served by Oncor, c/o City Attorney's Office, 101 South Mesquite Street, Third Floor, Arlington, Texas 76010.

**Section IV.** This Resolution shall become effective immediately.

**DULY PASSED AND APPROVED** this the 13th day of May, 2013.

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Phil Dyer, MAYOR

ATTEST:

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Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

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Diane C. Wetherbee, CITY ATTORNEY



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		05/13/13		
Department:		Finance		
Department Head		Denise Tacke		
Agenda Coordinator (include phone #): <b>Katherine Crumbley - x-7479</b>				
<b>CAPTION</b>				
A Resolution of the City Council of the City of Plano, Texas, approving the Investment Portfolio Summary for the quarter ending March 31, 2013 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>2012-2013</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	0	0	<b>0</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	0	0	<b>0</b>
BALANCE	0	0	0	<b>0</b>
<b>FUND(S):</b>				
<b>COMMENTS:</b> This item has no fiscal impact. STRATEGIC PLAN GOAL: Investment Portfolio Summary Reviews relate to the City's Goal of Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
Quarterly Investment report ending March 31, 2013.				
List of Supporting Documents: Investment Portfolio Summary			Other Departments, Boards, Commissions or Agencies	

**A Resolution of the City Council of the City of Plano, Texas, approving the Investment Portfolio Summary for the quarter ending March 31, 2013 and providing an effective date.**

**WHEREAS**, the City Council has been presented the City of Plano’s Investment Portfolio Summary for the Quarter Ending March 31, 2013, a substantial copy of which is attached hereto as Exhibit “A” and incorporated herein by reference (hereinafter called “Investment Portfolio Summary”); and

**WHEREAS**, the Public Funds Investment Act at Texas Government Code, Section 2256.005, requires the governing body of an investing entity to review its investment policy and investment strategies not less than annually; and

**WHEREAS**, upon full review and consideration of the Investment Portfolio Summary, and all matters attendant and related thereto, the City Council is of the opinion that the same should be approved.

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

**Section I.** The City of Plano’s Investment Portfolio Summary for the Quarter Ending March 31, 2013, 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, is hereby in all things approved.

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

**DULY PASSED AND APPROVED** this the 13<sup>th</sup> day of May, 2013.

\_\_\_\_\_  
Phil Dyer, MAYOR

ATTEST:

\_\_\_\_\_  
Diane Zucco, CITY SECRETARY

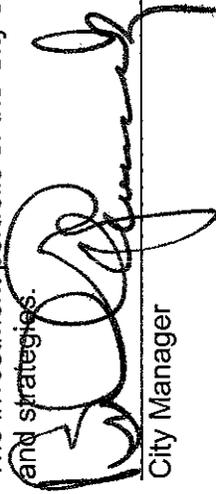
APPROVED AS TO FORM:

\_\_\_\_\_  
Diane C. Wetherbee, CITY ATTORNEY

**City of Plano**  
**INVESTMENT PORTFOLIO SUMMARY**  
**For the Quarter Ended**

**March 31, 2013**

The investment portfolio of the City of Plano is in compliance with the Public Funds Investment Act and the City's Investment Policy and strategies.



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City Manager



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Director of Finance



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Treasurer



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Treasury Analyst

**Federal Reserve Press Release, March 20, 2013**

Information received since the Federal Open Market Committee met in January suggests a return to moderate economic growth following a pause late last year. Labor market conditions have shown signs of improvement in recent months but the unemployment rate remains elevated. Household spending and business fixed investment advanced, and the housing sector has strengthened further, but fiscal policy has become somewhat more restrictive. Inflation has been running somewhat below the Committee's longer-run objective, apart from temporary variations that largely reflect fluctuations in energy prices. Longer-term inflation expectations have remained stable.

Consistent with its statutory mandate, the Committee seeks to foster maximum employment and price stability. The Committee expects that, with appropriate policy accommodation, economic growth will proceed at a moderate pace and the unemployment rate will gradually decline toward levels the Committee judges consistent with its dual mandate. The Committee continues to see downside risks to the economic outlook. The Committee also anticipates that inflation over the medium term likely will run at or below its 2 percent objective.

To support a stronger economic recovery and to help ensure that inflation, over time, is at the rate most consistent with its dual mandate, the Committee decided to continue purchasing additional agency mortgage-backed securities at a pace of \$40 billion per month and longer-term Treasury securities at a pace of \$45 billion per month. The Committee is maintaining its existing policy of reinvesting principal payments from its holdings of agency debt and agency mortgage-backed securities in agency mortgage-backed securities and of rolling over maturing Treasury securities at auction. Taken together, these actions should maintain downward pressure on longer-term interest rates, support mortgage markets, and help to make broader financial conditions more accommodative.

The Committee will closely monitor incoming information on economic and financial developments in coming months. The Committee will continue its purchases of Treasury and agency mortgage-backed securities, and employ its other policy tools as appropriate, until the outlook for the labor market has improved substantially in a context of price stability. In determining the size, pace, and composition of its asset purchases, the Committee will continue to take appropriate account of the likely efficacy and costs of such purchases as well as the extent of progress toward its economic objectives.

To support continued progress toward maximum employment and price stability, the Committee expects that a highly accommodative stance of monetary policy will remain appropriate for a considerable time after the asset purchase program ends and the economic recovery strengthens. In particular, the Committee decided to keep the target range for the federal funds rate at 0 to 1/4 percent and currently anticipates that this exceptionally low range for the federal funds rate will be appropriate at least as long as the unemployment rate remains above 6-1/2 percent, inflation between one and two years ahead is projected to be no more than a half percentage point above the Committee's 2 percent longer-run goal, and longer-term inflation expectations continue to be well anchored. In determining how long to maintain a highly accommodative stance of monetary policy, the Committee will also consider other information, including additional measures of labor market conditions, indicators of inflation pressures and inflation expectations, and readings on financial developments. When the Committee decides to begin to remove policy accommodation, it will take a balanced approach consistent with its longer-run goals of maximum employment and inflation of 2 percent.

Voting for the FOMC monetary policy action were: Ben S. Bernanke, Chairman; William C. Dudley, Vice Chairman; James Bullard; Elizabeth A. Duke; Charles L. Evans; Jerome H. Powell; Sarah Bloom Raskin; Eric S. Rosengren; Jeremy C. Stein; Daniel K. Tarullo; and Janet L. Yellen. Voting against the action was Esther L. George, who was concerned that the continued high level of monetary accommodation increased the risks of future economic and financial imbalances and, over time, could cause an increase in long-term inflation expectations.

<u>Asset Type</u>	<u>Avg Yield</u>	<u>March 31, 2013</u>		<u>December 31, 2012</u>	
		<u>End Book Value</u>	<u>End Market Value</u>	<u>End Book Value</u>	<u>End Market Value</u>
Pools/NOW Accounts	0.08%	78,901,803.66	78,901,803.66	115,308,528.50	115,308,528.50
Certificates of Deposit	0.63%	49,670,838.65	49,670,838.65	49,560,094.22	49,560,094.22
FHLB Bonds	0.94%	66,437,180.09	67,183,692.07	76,509,563.28	77,376,471.65
FHLMC Bonds	1.01%	109,775,401.25	111,257,718.00	78,653,154.70	80,233,684.00
FNMA Bonds	0.87%	57,346,769.11	58,116,088.13	57,617,670.69	58,465,831.18
Municipal Bonds	0.60%	96,324,617.32	96,226,544.95	29,558,995.32	29,512,219.55
<b>Totals</b>		<b>458,456,610.08</b>	<b>461,356,685.46</b>	<b>407,208,006.71</b>	<b>410,456,829.10</b>

<b>Average Yield (1):</b>		<b>Fiscal Year-to-Date Average Yield (2):</b>	
Total Portfolio	0.76%	Total Portfolio	0.77%

<b>This Quarter:</b>	
Rolling Six Month Treasury Yield	0.12%
Rolling Two Year Treasury Yield	0.26%
TexPool Yield	0.10%

<b>Last 12 Months:</b>	
Rolling Six Month Treasury Yield	0.13%
Rolling Two Year Treasury Yield	0.27%
TexPool Yield	0.13%

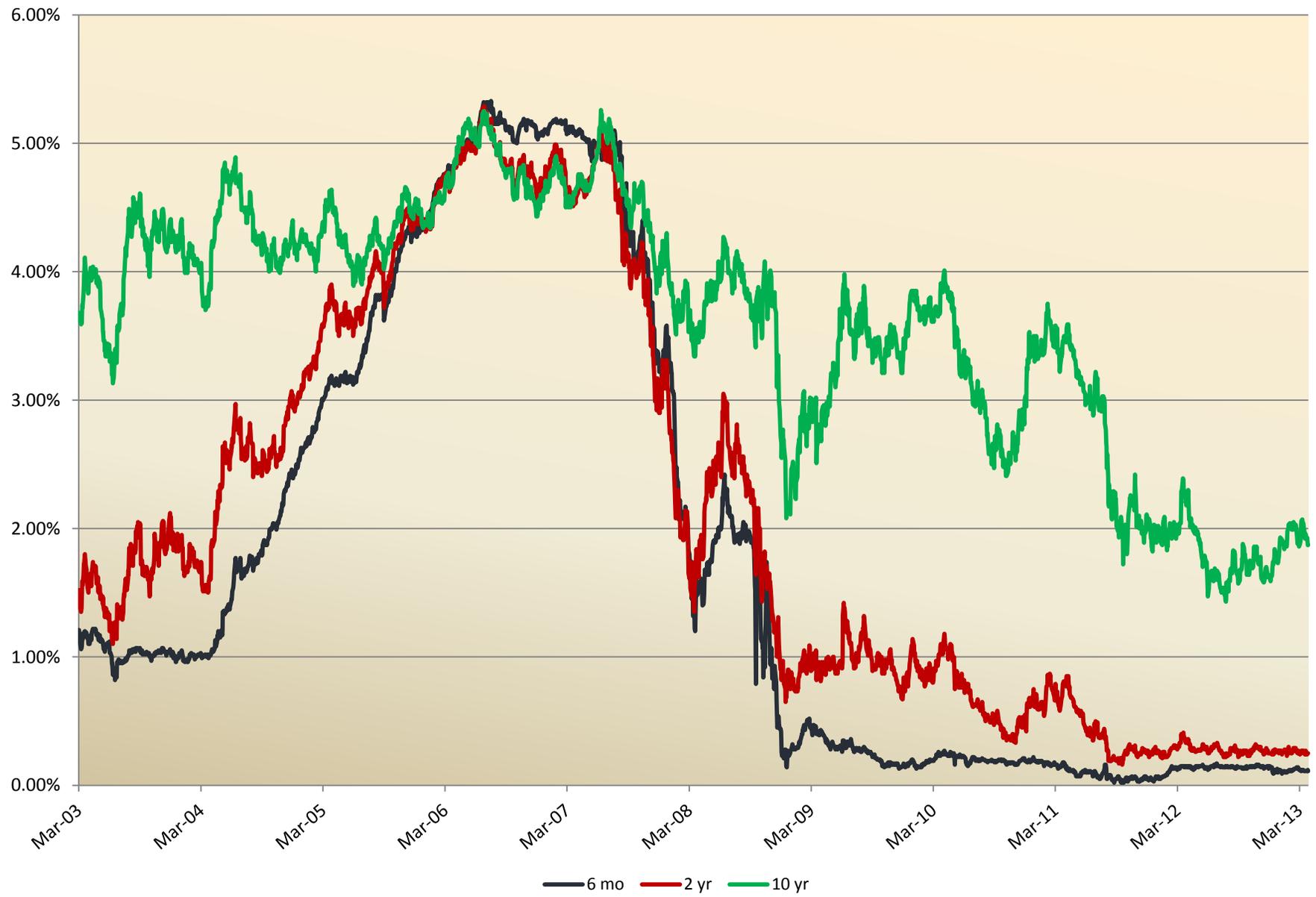
<b>Investment Earnings (3):</b>	
Quarter	\$ 559,664
Fiscal Year To Date	\$ 938,135

(1) Average Yield calculated using quarter end report yields and adjusted book values does not reflect a total return analysis or account for advisory fees.

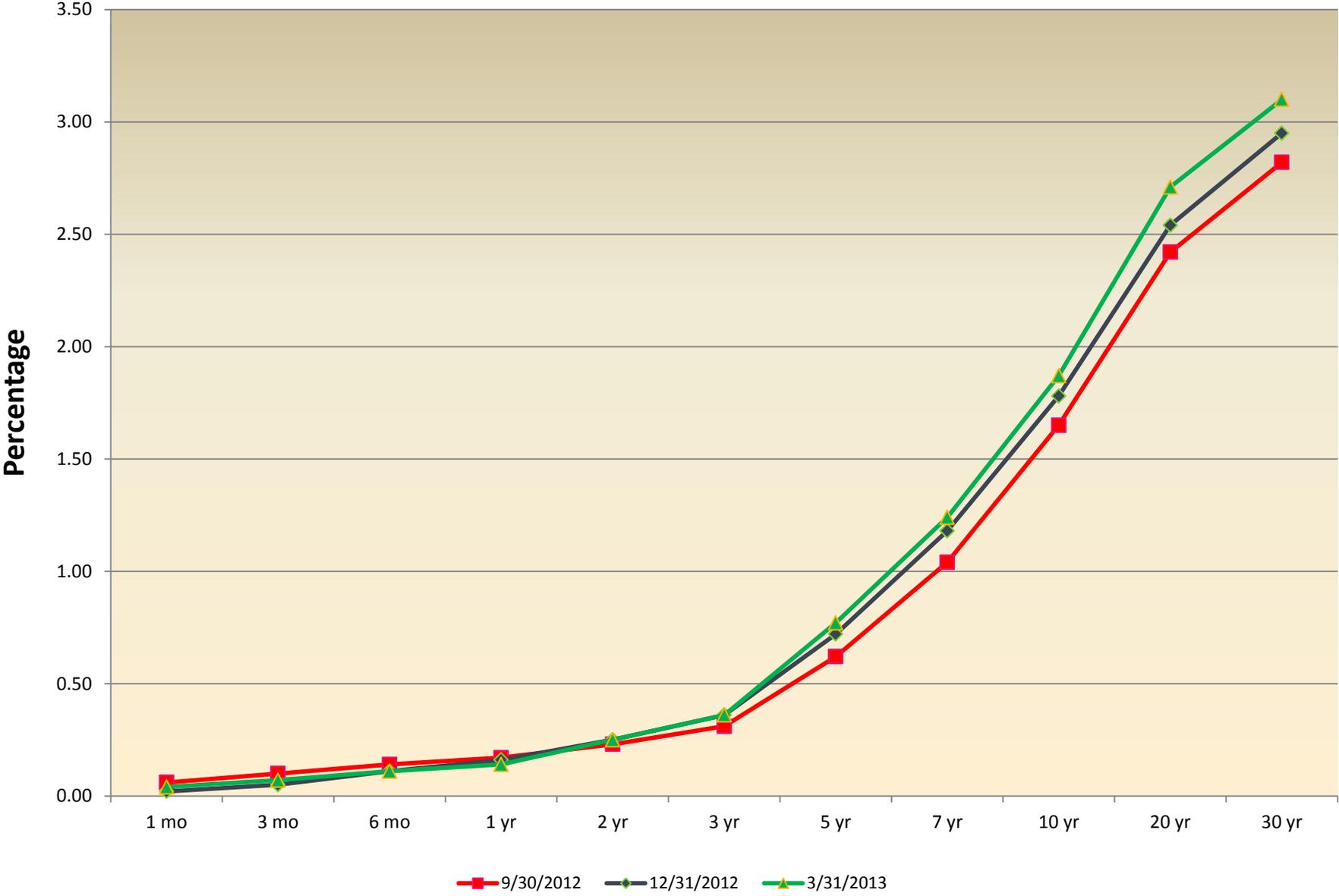
(2) Fiscal Year-to-Date Average Yields calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

(3) Interest earnings are obtained from the general ledger - Interest plus/minus Gain or Loss on Investments, Unrealized Gain or Loss and

# US Treasury Historical Yields



# Treasury Yield Curves



# S & P 500





**Detail of Security Holdings**  
**March 31, 2013**

**By Sector**

Security Description	Ratings	Coupon/ YTM	Maturity Date	Settlement Date	Call Date	Par Value	Purchased Value	Adjusted Book Value	Market Price	Market Value	Life (mo)	Yield	Accrued Interest
FNMA Bonds	AAA	0.89%	03/24/2016	02/21/2012		6,000,000.00	6,315,960.00	6,230,462.45	1.05	6,313,080.00	35.70	0.89%	2,566.67
FNMA Bonds	AA2	0.40%	05/15/2014	02/23/2012		6,000,000.00	6,279,430.18	6,141,091.59	1.03	6,154,800.00	13.44	0.40%	56,666.67
Municipal Bonds	A3	0.96%	11/01/2016	05/17/2012		500,000.00	587,895.00	570,736.86	1.14	571,065.00	42.98	0.96%	10,416.67
Municipal Bonds	AA1	0.40%	12/01/2013	06/07/2012		900,000.00	947,862.00	921,635.04	1.03	922,707.00	8.03	0.40%	12,000.00
Municipal Bonds	AA1	0.91%	12/01/2016	06/07/2012		1,610,000.00	1,828,058.40	1,788,520.34	1.11	1,794,264.50	43.97	0.91%	21,466.67
Municipal Bonds	AA1	0.56%	12/01/2014	06/07/2012		2,750,000.00	2,915,220.00	2,861,118.19	1.05	2,873,860.00	20.00	0.56%	27,500.00
Municipal Bonds	AA1	0.76%	12/01/2015	06/07/2012		1,000,000.00	1,111,160.00	1,085,205.19	1.09	1,088,790.00	31.97	0.76%	13,333.33
Municipal Bonds	AA2	0.59%	11/01/2013	06/07/2012		80,000.00	80,000.00	80,000.00	1.00	79,932.80	7.05	0.59%	196.67
Municipal Bonds	AA2	0.74%	11/01/2014	06/07/2012		550,000.00	550,000.00	550,000.00	1.00	549,087.00	19.02	0.74%	1,695.83
Municipal Bonds	AA2	1.04%	11/01/2015	06/07/2012		615,000.00	615,000.00	615,000.00	1.00	615,781.05	30.98	1.04%	2,665.00
Municipal Bonds	A2	1.25%	11/01/2016	06/07/2012		500,000.00	500,000.00	500,000.00	1.00	500,695.00	42.98	1.25%	2,604.17
Municipal Bonds	AAA	0.43%	07/15/2015	12/10/2012		2,000,000.00	2,235,800.00	2,208,161.35	1.11	2,210,820.00	27.41	0.43%	21,111.11
Municipal Bonds	AA2	0.57%	04/15/2016	12/11/2012		1,000,000.00	1,146,540.00	1,133,338.20	1.13	1,131,410.00	36.43	0.57%	23,055.56
Municipal Bonds	AA	0.51%	11/15/2015	12/11/2012		1,190,000.00	1,362,335.80	1,344,602.46	1.13	1,343,141.10	31.44	0.51%	24,725.56
Municipal Bonds	AA	0.72%	03/01/2017	12/11/2012		2,375,000.00	2,599,770.00	2,583,725.42	1.09	2,580,295.00	46.92	0.72%	5,937.50
Municipal Bonds	AAA	0.52%	02/15/2016	12/12/2012		715,000.00	815,729.20	806,264.13	1.13	804,711.05	34.46	0.52%	4,568.06
Municipal Bonds	AAA	0.56%	07/15/2015	12/12/2012		500,000.00	557,035.00	550,456.36	1.10	549,330.00	27.41	0.56%	5,277.78
Municipal Bonds	AAA	0.56%	10/01/2016	12/12/2012		1,130,000.00	1,318,495.30	1,303,703.37	1.15	1,302,528.40	41.97	0.56%	28,250.00
Municipal Bonds	AAA	0.40%	07/01/2015	12/12/2012		1,970,000.00	2,199,918.70	2,173,000.18	1.10	2,171,806.80	26.95	0.40%	24,625.00
Municipal Bonds	AA2	0.56%	02/15/2016	12/12/2012		1,000,000.00	1,139,520.00	1,126,409.93	1.12	1,124,860.00	34.46	0.56%	6,388.89
Municipal Bonds	A1	0.62%	11/15/2016	12/18/2012		395,000.00	431,241.25	428,627.21	1.08	428,274.80	43.44	0.62%	3,390.42
Municipal Bonds	A1	0.79%	11/15/2017	12/18/2012		500,000.00	577,115.00	572,685.08	1.14	570,665.00	55.41	0.79%	5,722.22
Municipal Bonds	A1	0.67%	11/15/2015	12/18/2012		3,435,000.00	3,435,000.00	3,435,000.00	1.00	3,428,954.40	31.44	0.67%	6,604.36
Municipal Bonds	A1	0.92%	11/15/2016	12/18/2012		710,000.00	710,000.00	710,000.00	1.00	708,210.80	43.44	0.92%	1,866.85
Municipal Bonds	AAA	0.38%	02/15/2014	12/27/2012		2,000,000.00	2,036,600.00	2,028,309.88	1.01	2,029,400.00	10.52	0.38%	5,111.11
Municipal Bonds	AA2	0.39%	02/01/2015	01/16/2013		1,330,000.00	1,427,528.90	1,417,854.45	1.06	1,411,316.20	22.03	0.39%	8,866.67
Municipal Bonds	AA2	0.44%	08/15/2015	01/16/2013		1,045,000.00	1,113,562.45	1,108,170.72	1.05	1,102,077.90	28.43	0.44%	4,005.83
Municipal Bonds	AA	0.28%	01/15/2014	01/17/2013		1,080,000.00	1,103,792.40	1,099,007.70	1.02	1,098,835.20	9.51	0.28%	5,550.00
Municipal Bonds	AA	0.56%	01/15/2016	01/17/2013		1,110,000.00	1,173,847.20	1,169,582.93	1.05	1,169,340.60	33.44	0.56%	5,704.17
Municipal Bonds	AA	0.55%	02/01/2016	01/18/2013		4,970,000.00	5,186,642.30	5,172,577.16	1.04	5,173,322.70	34.00	0.55%	20,156.11
Municipal Bonds	AA3	0.50%	06/15/2015	01/28/2013		1,300,000.00	1,438,255.00	1,428,379.64	1.10	1,425,411.00	26.43	0.50%	19,138.89
Municipal Bonds	AA1	0.26%	02/01/2014	01/31/2013		1,120,000.00	1,173,099.20	1,164,539.49	1.04	1,163,288.00	10.07	0.26%	9,488.89
Municipal Bonds	AA1	0.41%	02/01/2015	01/31/2013		1,170,000.00	1,277,101.80	1,268,457.47	1.08	1,267,238.70	22.03	0.41%	9,912.50
Municipal Bonds	AA1	0.55%	02/01/2016	01/31/2013		975,000.00	1,103,914.50	1,096,974.76	1.12	1,095,588.00	34.00	0.55%	8,260.42
Municipal Bonds	AA2	0.80%	07/01/2016	02/01/2013		4,500,000.00	5,135,715.00	5,106,123.13	1.13	5,093,235.00	38.95	0.80%	56,250.00
Municipal Bonds	AA2	0.60%	05/01/2016	02/06/2013		5,225,000.00	5,793,427.75	5,767,896.67	1.10	5,740,759.75	36.95	0.60%	31,930.56
Municipal Bonds	AA2	0.57%	03/01/2016	02/07/2013		1,250,000.00	1,380,150.00	1,374,096.51	1.10	1,373,600.00	34.95	0.57%	4,166.67
Municipal Bonds	AA3	0.95%	05/01/2017	02/07/2013		1,225,000.00	1,430,359.00	1,423,442.76	1.16	1,415,524.25	48.92	0.95%	25,520.83
Municipal Bonds	AA2	0.54%	02/15/2016	02/08/2013		1,400,000.00	1,544,872.00	1,538,167.40	1.10	1,534,232.00	34.46	0.54%	7,155.56
Municipal Bonds	AA2	0.35%	05/01/2014	02/08/2013		2,835,000.00	2,961,922.95	2,947,441.81	1.04	2,940,660.45	12.98	0.35%	16,695.00
Municipal Bonds	AA2	0.21%	02/15/2014	02/11/2013		1,095,000.00	1,136,894.70	1,131,444.98	1.03	1,130,423.25	10.52	0.21%	5,596.67
Municipal Bonds	AAA	0.56%	08/01/2016	02/12/2013		1,000,000.00	1,118,030.00	1,113,648.16	1.11	1,110,810.00	39.97	0.56%	5,444.44
Municipal Bonds	AA2	1.05%	10/01/2017	02/14/2013		5,965,000.00	7,105,090.45	7,074,733.01	1.19	7,083,855.05	53.93	1.05%	157,774.25
Municipal Bonds	AA1	0.70%	08/01/2015	02/14/2013		690,000.00	765,044.40	761,283.82	1.10	762,277.50	27.97	0.70%	5,934.00
Municipal Bonds	AA1	0.77%	08/01/2016	02/14/2013		1,875,000.00	2,157,731.25	2,147,665.66	1.14	2,144,081.25	39.97	0.77%	16,218.75
Municipal Bonds	A	0.82%	02/01/2017	02/14/2013		2,135,000.00	2,399,248.95	2,391,036.79	1.12	2,382,040.85	46.00	0.82%	11,149.44
Municipal Bonds	AA2	0.95%	08/15/2017	02/15/2013		1,300,000.00	1,541,670.00	1,535,194.07	1.18	1,534,039.00	52.39	0.95%	8,604.56
Municipal Bonds	A1	0.18%	02/15/2016	02/15/2013		2,205,000.00	2,456,943.30	2,446,819.55	1.11	2,446,337.25	34.46	0.18%	11,270.00
Municipal Bonds	AA2	0.50%	05/01/2015	02/20/2013		1,870,000.00	1,890,401.70	1,889,407.12	1.01	1,882,716.00	24.95	0.50%	2,129.72
Municipal Bonds	AA1	0.42%	07/01/2015	02/21/2013		1,600,000.00	1,696,864.00	1,692,583.96	1.06	1,688,416.00	26.95	0.42%	5,333.33
Municipal Bonds	AA2	0.58%	04/01/2016	02/26/2013		2,915,000.00	3,220,550.30	3,211,627.15	1.10	3,205,946.15	35.97	0.58%	11,336.11
Municipal Bonds	AA	0.72%	03/01/2017	03/01/2013		590,000.00	677,774.30	675,971.95	1.14	672,588.20	46.92	0.72%	2,212.50
Municipal Bonds	AA2	0.50%	03/01/2015	03/14/2013		1,250,000.00	1,262,187.50	1,261,898.54	1.01	1,262,825.00	22.95	0.50%	1,041.67
Municipal Bonds	AA2	0.65%	03/01/2016	03/14/2013		2,500,000.00	2,525,625.00	2,525,222.76	1.01	2,526,900.00	34.95	0.65%	2,083.33
Municipal Bonds	AAA	0.25%	08/15/2014	03/27/2013		1,500,000.00	1,536,225.00	1,535,938.64	1.02	1,535,280.00	16.46	0.25%	1,333.33
Municipal Bonds	AAA	0.36%	08/15/2015	03/27/2013		2,000,000.00	2,077,760.00	2,077,402.89	1.04	2,079,660.00	28.43	0.36%	1,777.78
Municipal Bonds	AAA	0.35%	02/15/2015	03/28/2013		375,000.00	393,607.50	393,526.48	1.05	393,330.00	22.49	0.35%	1,437.50
<b>TOTAL</b>						<b>445,962,642.31</b>	<b>463,777,212.87</b>	<b>458,456,610.08</b>		<b>461,356,685.46</b>	<b>18.52</b>	<b>0.76%</b>	<b>1,985,898.77</b>

(1) (2)

(1) **Weighted average life** - For purposes of calculating weighted average life bank, pool, and money market investments are assumed to mature the next business day.

(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield is for this month only.



**Detail of Security Holdings**  
**March 31, 2013**

By Maturity

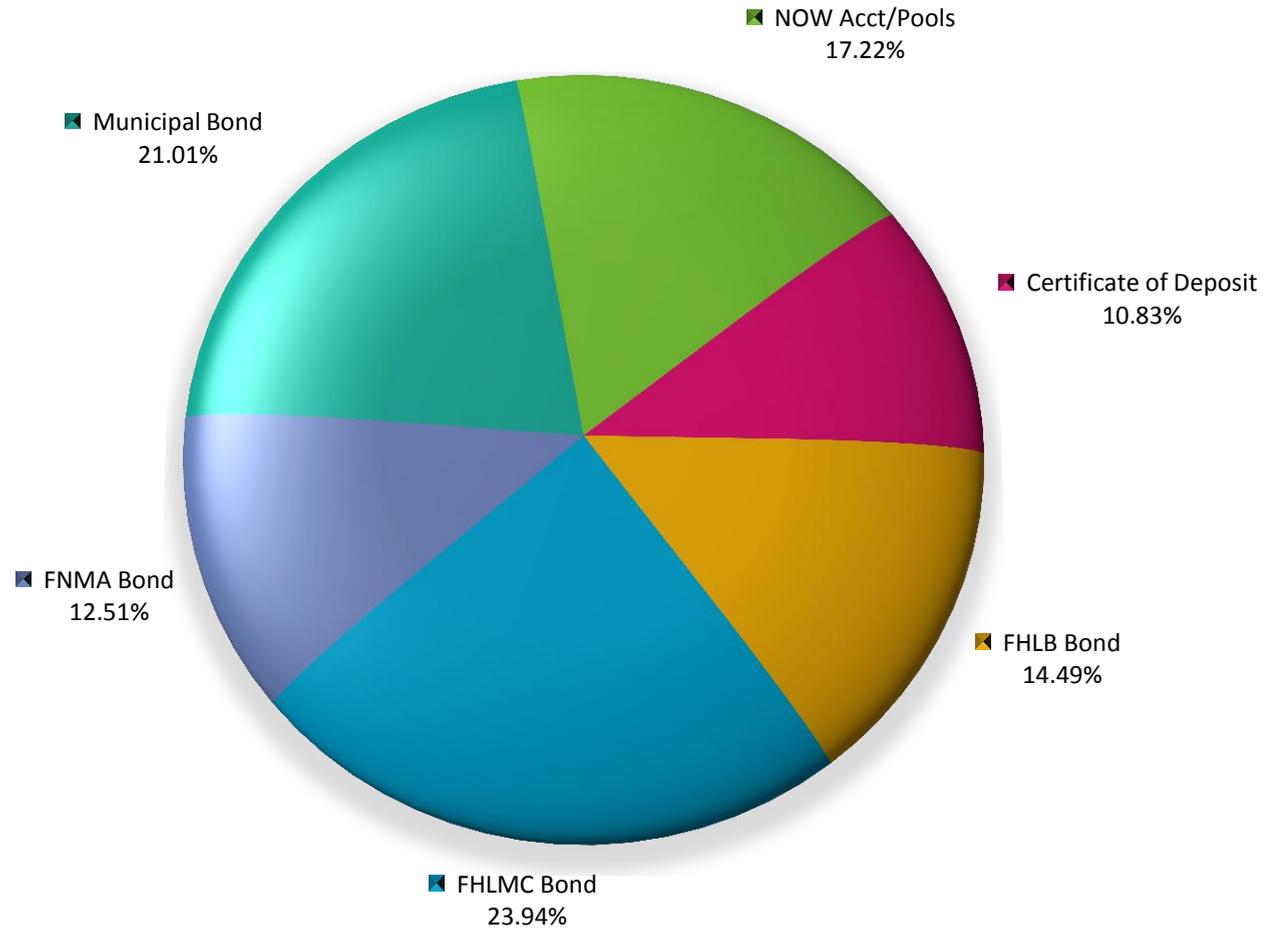
Security Description	Ratings	Coupon/ YTM	Maturity Date	Settlement Date	Call Date	Par Value	Purchased Value	Adjusted Book Value	Market Price	Market Value	Life (mo)	Yield	Accrued Interest
Municipal Bonds	AA2	0.39%	02/01/2015	01/16/2013		1,330,000.00	1,427,528.90	1,417,854.45	1.06	1,411,316.20	-	0.39%	8,866.67
Municipal Bonds	AA1	0.41%	02/01/2015	01/31/2013		1,170,000.00	1,277,101.80	1,268,457.47	1.08	1,267,238.70	-	0.41%	9,912.50
Municipal Bonds	AAA	0.35%	02/15/2015	03/28/2013		375,000.00	393,607.50	393,526.48	1.05	393,330.00	-	0.35%	1,437.50
Municipal Bonds	AA2	0.50%	03/01/2015	03/14/2013		1,250,000.00	1,262,187.50	1,261,898.54	1.01	1,262,825.00	-	0.50%	1,041.67
Certificate of Deposit		0.30%	03/12/2015	03/14/2013		2,500,000.00	2,500,000.00	2,500,000.00	1.00	2,500,000.00	3.57	0.30%	369.88
FHLB Bonds	AAA	2.09%	03/13/2015	02/07/2011		7,565,000.00	7,761,622.75	7,658,642.41	1.05	7,922,461.38	14.36	2.09%	10,401.88
FNMA Bonds	AAA	1.93%	04/15/2015	03/29/2011		15,000,000.00	16,786,500.00	15,900,502.37	1.10	16,426,875.00	27.38	1.93%	345,833.33
Municipal Bonds	AA2	0.50%	05/01/2015	02/20/2013		1,870,000.00	1,890,401.70	1,889,407.12	1.01	1,882,716.00	-	0.50%	2,129.72
FHLB Bonds	AAA	0.57%	05/15/2015	02/23/2012		4,000,000.00	3,997,880.00	3,998,596.77	1.00	4,017,096.00	3.31	0.57%	8,311.11
FHLB Bonds	AAA	0.60%	05/27/2015	02/21/2012		1,000,000.00	1,045,160.00	1,029,685.33	1.04	1,035,429.00	36.98	0.60%	6,888.89
Municipal Bonds	AA3	0.50%	06/15/2015	01/28/2013		1,300,000.00	1,438,255.00	1,428,379.64	1.10	1,425,411.00	-	0.50%	19,138.89
Municipal Bonds	AAA	0.40%	07/01/2015	12/12/2012		1,970,000.00	2,199,918.70	2,173,000.18	1.10	2,171,806.80	46.39	0.40%	24,625.00
Municipal Bonds	AA1	0.42%	07/01/2015	02/21/2013		1,600,000.00	1,696,864.00	1,692,583.96	1.06	1,688,416.00	-	0.42%	5,333.33
Municipal Bonds	AAA	0.43%	07/15/2015	12/10/2012		2,000,000.00	2,235,800.00	2,208,161.35	1.11	2,210,820.00	34.92	0.43%	21,111.11
Municipal Bonds	AAA	0.56%	07/15/2015	12/12/2012		500,000.00	557,035.00	550,456.36	1.10	549,330.00	45.93	0.56%	5,277.78
Municipal Bonds	AA1	0.70%	08/01/2015	02/14/2013		690,000.00	765,044.40	761,283.82	1.10	762,277.50	-	0.70%	5,934.00
Municipal Bonds	AA2	0.44%	08/15/2015	01/16/2013		1,045,000.00	1,113,562.45	1,108,170.72	1.05	1,102,077.90	-	0.44%	4,005.83
Municipal Bonds	AAA	0.36%	08/15/2015	03/27/2013		2,000,000.00	2,077,760.00	2,077,402.89	1.04	2,079,660.00	-	0.36%	1,777.78
FHLMC Bonds	AAA	1.64%	09/10/2015	09/27/2010		17,000,000.00	17,088,555.17	17,043,714.63	1.03	17,565,709.00	8.85	1.64%	17,354.17
FHLMC Bonds	AAA	2.20%	09/10/2015	02/03/2011		13,000,000.00	12,744,589.10	12,864,236.94	1.03	13,432,601.00	32.23	2.20%	13,270.83
Municipal Bonds	AA2	1.04%	11/01/2015	06/07/2012		615,000.00	615,000.00	615,000.00	1.00	615,781.05	34.39	1.04%	2,665.00
Municipal Bonds	AA	0.51%	11/15/2015	12/11/2012		1,190,000.00	1,362,335.80	1,344,602.46	1.13	1,343,141.10	37.41	0.51%	24,725.56
Municipal Bonds	A1	0.67%	11/15/2015	12/18/2012		3,435,000.00	3,435,000.00	3,435,000.00	1.00	3,428,954.40	58.36	0.67%	6,604.36
Municipal Bonds	AA1	0.76%	12/01/2015	06/07/2012		1,000,000.00	1,111,160.00	1,085,205.19	1.09	1,088,790.00	30.36	0.76%	13,333.33
Municipal Bonds	AA	0.56%	01/15/2016	01/17/2013		1,110,000.00	1,173,847.20	1,169,582.93	1.05	1,169,340.60	-	0.56%	5,704.17
Municipal Bonds	AA	0.55%	02/01/2016	01/18/2013		4,970,000.00	5,186,642.30	5,172,577.16	1.04	5,173,322.70	-	0.55%	20,156.11
Municipal Bonds	AA1	0.55%	02/01/2016	01/31/2013		975,000.00	1,103,914.50	1,096,974.76	1.12	1,095,588.00	-	0.55%	8,260.42
FHLB Bonds	AAA	0.68%	02/02/2016	02/13/2012		7,590,000.00	7,597,134.60	7,595,107.39	1.01	7,687,083.69	28.75	0.68%	8,707.42
Municipal Bonds	AAA	0.52%	02/15/2016	12/12/2012		715,000.00	815,729.20	806,264.13	1.13	804,711.05	44.92	0.52%	4,568.06
Municipal Bonds	AA2	0.56%	02/15/2016	12/12/2012		1,000,000.00	1,139,520.00	1,126,409.93	1.12	1,124,860.00	46.39	0.56%	6,388.89
Municipal Bonds	AA2	0.54%	02/15/2016	02/08/2013		1,400,000.00	1,544,872.00	1,538,167.40	1.10	1,534,232.00	-	0.54%	7,155.56
Municipal Bonds	A1	0.18%	02/15/2016	02/15/2013		2,205,000.00	2,456,943.30	2,446,819.55	1.11	2,446,337.25	-	0.18%	11,270.00
FNMA Bonds	AAA	0.72%	02/25/2016	02/13/2012		3,410,000.00	3,583,773.60	3,535,168.90	1.05	3,564,108.13	38.66	0.72%	6,820.00
Municipal Bonds	AA2	0.57%	03/01/2016	02/07/2013		1,250,000.00	1,380,150.00	1,374,096.51	1.10	1,373,600.00	-	0.57%	4,166.67
Municipal Bonds	AA2	0.65%	03/01/2016	03/14/2013		2,500,000.00	2,525,625.00	2,525,222.76	1.01	2,526,900.00	-	0.65%	2,083.33
FNMA Bonds	AAA	0.89%	03/24/2016	02/21/2012		6,000,000.00	6,315,960.00	6,230,462.45	1.05	6,313,080.00	10.00	0.89%	2,566.67
Municipal Bonds	AA2	0.58%	04/01/2016	02/26/2013		2,915,000.00	3,220,550.30	3,211,627.15	1.10	3,205,946.15	-	0.58%	11,336.11
Municipal Bonds	AA2	0.57%	04/15/2016	12/11/2012		1,000,000.00	1,146,540.00	1,133,338.20	1.13	1,131,410.00	37.41	0.57%	23,055.56
Municipal Bonds	AA2	0.60%	05/01/2016	02/06/2013		5,225,000.00	5,793,427.75	5,767,896.67	1.10	5,740,759.75	-	0.60%	31,930.56
Municipal Bonds	AA2	0.80%	07/01/2016	02/01/2013		4,500,000.00	5,135,715.00	5,106,123.13	1.13	5,093,235.00	-	0.80%	56,250.00
FHLMC Bonds	AAA	0.93%	07/18/2016	02/21/2012		6,000,000.00	7,182,724.81	6,885,757.24	1.16	6,979,794.00	42.46	0.93%	66,916.67
Municipal Bonds	AAA	0.56%	08/01/2016	02/12/2013		1,000,000.00	1,118,030.00	1,113,648.16	1.11	1,110,810.00	-	0.56%	5,444.44
Municipal Bonds	AA1	0.77%	08/01/2016	02/14/2013		1,875,000.00	2,157,731.25	2,147,665.66	1.14	2,144,081.25	-	0.77%	16,218.75
FHLMC Bonds	AAA	0.60%	08/25/2016	02/19/2013		30,000,000.00	31,456,200.00	31,410,800.16	1.05	31,485,840.00	16.39	0.60%	60,000.00
Municipal Bonds	AAA	0.56%	10/01/2016	12/12/2012		1,130,000.00	1,318,495.30	1,303,703.37	1.15	1,302,528.40	45.93	0.56%	28,250.00
Municipal Bonds	A3	0.96%	11/01/2016	05/17/2012		500,000.00	587,895.00	570,736.86	1.14	571,065.00	13.48	0.96%	10,416.67
Municipal Bonds	A2	1.25%	11/01/2016	06/07/2012		500,000.00	500,000.00	500,000.00	1.00	500,695.00	34.39	1.25%	2,604.17
Municipal Bonds	A1	0.62%	11/15/2016	12/18/2012		395,000.00	431,241.25	428,627.21	1.08	428,274.80	46.92	0.62%	3,390.42
Municipal Bonds	A1	0.92%	11/15/2016	12/18/2012		710,000.00	710,000.00	710,000.00	1.00	708,210.80	-	0.92%	1,866.85
Municipal Bonds	AA1	0.91%	12/01/2016	06/07/2012		1,610,000.00	1,828,058.40	1,788,520.34	1.11	1,794,264.50	22.95	0.91%	21,466.67
Municipal Bonds	A	0.82%	02/01/2017	02/14/2013		2,135,000.00	2,399,248.95	2,391,036.79	1.12	2,382,040.85	-	0.82%	11,149.44
Municipal Bonds	AA	0.72%	03/01/2017	12/11/2012		2,375,000.00	2,599,770.00	2,583,725.42	1.09	2,580,295.00	39.38	0.72%	5,937.50
Municipal Bonds	AA	0.72%	03/01/2017	03/01/2013		590,000.00	677,774.30	675,971.95	1.14	672,588.20	-	0.72%	2,212.50
Municipal Bonds	AA3	0.95%	05/01/2017	02/07/2013		1,225,000.00	1,430,359.00	1,423,442.76	1.16	1,415,524.25	-	0.95%	25,520.83
Municipal Bonds	AA2	0.95%	08/15/2017	02/15/2013		1,300,000.00	1,541,670.00	1,535,194.07	1.18	1,534,039.00	-	0.95%	8,604.56
Municipal Bonds	AA2	1.05%	10/01/2017	02/14/2013		5,965,000.00	7,105,090.45	7,074,733.01	1.19	7,083,855.05	-	1.05%	157,774.25
Municipal Bonds	A1	0.79%	11/15/2017	12/18/2012		500,000.00	577,115.00	572,685.08	1.14	570,665.00	49.87	0.79%	5,722.22
<b>TOTAL</b>						<b>445,962,642.31</b>	<b>463,777,212.87</b>	<b>458,456,610.08</b>		<b>461,356,685.46</b>	<b>18.52</b>	<b>0.76%</b>	<b>1,985,898.77</b>

(1) (2)

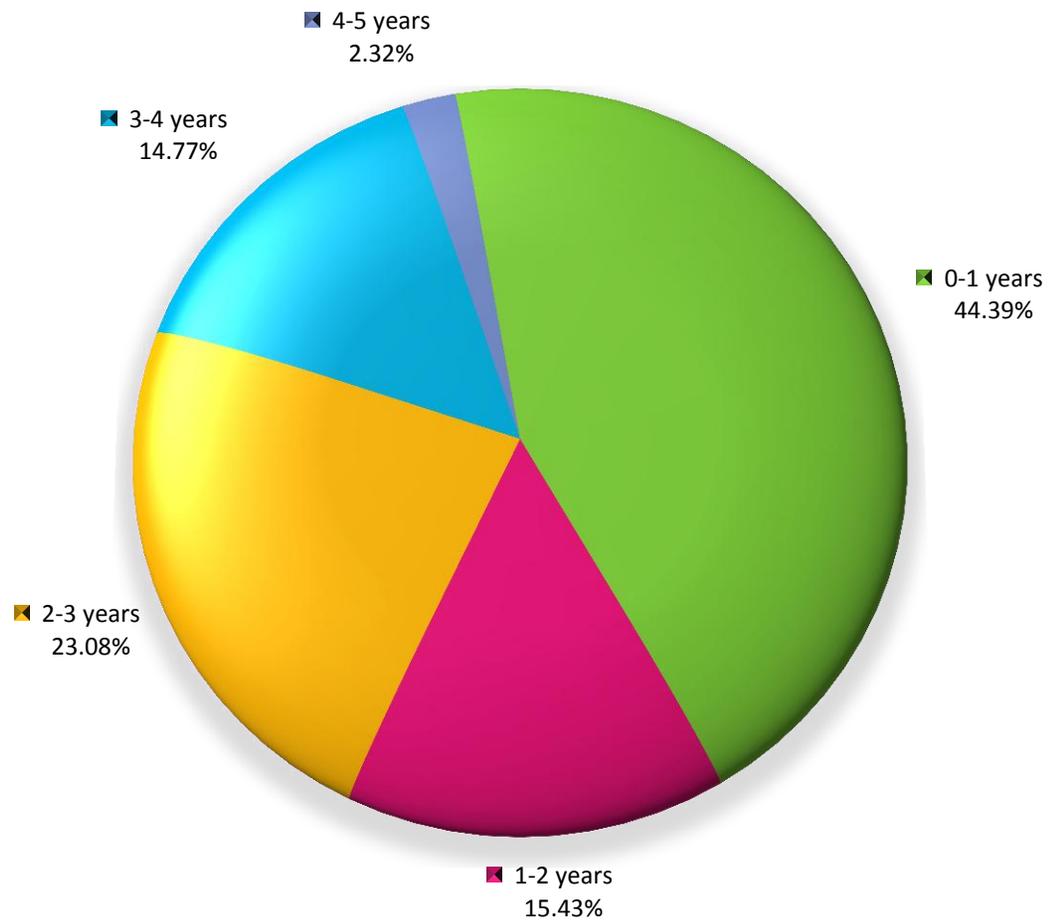
(1) **Weighted average life** - For purposes of calculating weighted average life bank, pool, and money market investments are assumed to mature the next business day.

(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield is for this month only.

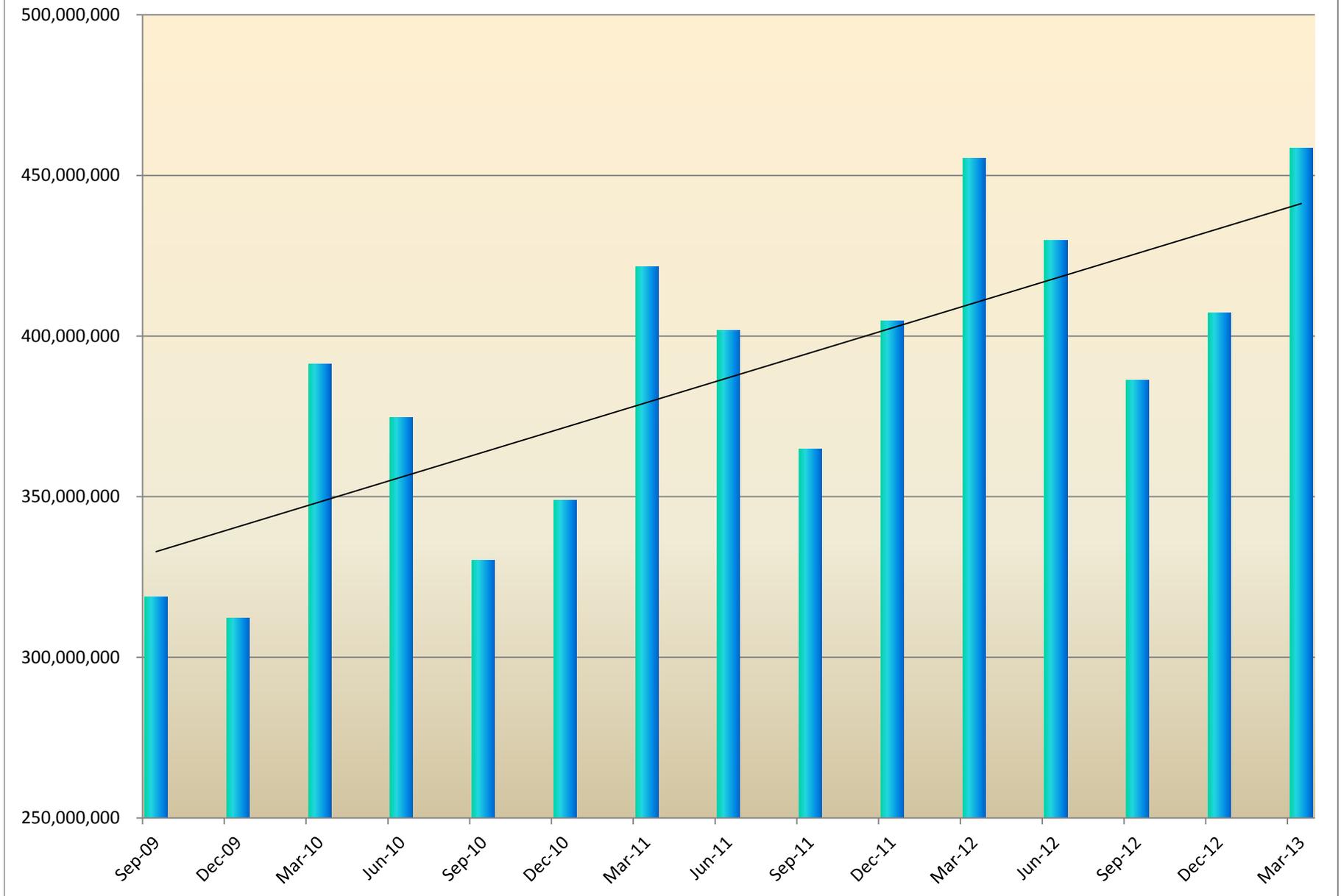
## Portfolio Composition 3/31/13



## Portfolio Maturities 3/31/13



## Quarter End Book Value





### Adjusted Book Value Comparison

Security Description	Coupon/ Yield	Maturity Date	December 31, 2012		Purchase/ Adjustment	Maturity/Call/ Adjustment	March 31, 2013	
			Par Value	Adjusted Book Value			Par Value	Adjusted Book Value
FNMA Bond	0.66%	08/20/13	10,000,000.00	10,037,034.24	-	(14,366.73)	10,000,000.00	10,022,667.51
FNMA Bond	0.40%	05/15/14	6,000,000.00	6,172,062.92	-	(30,971.33)	6,000,000.00	6,141,091.59
FNMA Bond	0.62%	09/16/14	15,000,000.00	15,603,990.27	-	(87,113.98)	15,000,000.00	15,516,876.29
FNMA Bond	1.93%	04/15/15	15,000,000.00	16,009,287.89	-	(108,785.52)	15,000,000.00	15,900,502.37
FNMA Bond	0.72%	02/25/16	3,410,000.00	3,545,786.43	-	(10,617.53)	3,410,000.00	3,535,168.90
FNMA Bond	0.89%	03/24/16	6,000,000.00	6,249,508.94	-	(19,046.49)	6,000,000.00	6,230,462.45
Municipal Bonds	0.59%	11/01/13	80,000.00	80,000.00	-	-	80,000.00	80,000.00
Municipal Bonds	0.40%	12/01/13	900,000.00	929,582.60	-	(7,947.56)	900,000.00	921,635.04
Municipal Bonds	0.28%	01/15/14	-	-	1,099,007.70	-	1,080,000.00	1,099,007.70
Municipal Bonds	0.26%	02/01/14	-	-	1,164,539.49	-	1,120,000.00	1,164,539.49
Municipal Bonds	0.38%	02/15/14	2,000,000.00	2,036,247.23	-	(7,937.35)	2,000,000.00	2,028,309.88
Municipal Bonds	0.21%	02/15/14	-	-	1,131,444.98	-	1,095,000.00	1,131,444.98
Municipal Bonds	0.35%	05/01/14	-	-	2,947,441.81	-	2,835,000.00	2,947,441.81
Municipal Bonds	0.25%	08/15/14	-	-	1,535,938.64	-	1,500,000.00	1,535,938.64
Municipal Bonds	0.74%	11/01/14	550,000.00	550,000.00	-	-	550,000.00	550,000.00
Municipal Bonds	0.56%	12/01/14	2,750,000.00	2,877,512.68	-	(16,394.49)	2,750,000.00	2,861,118.19
Municipal Bonds	0.39%	02/01/15	-	-	1,417,854.45	-	1,330,000.00	1,417,854.45
Municipal Bonds	0.41%	02/01/15	-	-	1,268,457.47	-	1,170,000.00	1,268,457.47
Municipal Bonds	0.35%	02/15/15	-	-	393,526.48	-	375,000.00	393,526.48
Municipal Bonds	0.50%	03/01/15	-	-	1,261,898.54	-	1,250,000.00	1,261,898.54
Municipal Bonds	0.50%	05/01/15	-	-	1,889,407.12	-	1,870,000.00	1,889,407.12
Municipal Bonds	0.50%	06/15/15	-	-	1,428,379.64	-	1,300,000.00	1,428,379.64
Municipal Bonds	0.40%	07/01/15	1,970,000.00	2,195,226.48	-	(22,226.30)	1,970,000.00	2,173,000.18
Municipal Bonds	0.42%	07/01/15	-	-	1,692,583.96	-	1,600,000.00	1,692,583.96
Municipal Bonds	0.43%	07/15/15	2,000,000.00	2,230,571.07	-	(22,409.72)	2,000,000.00	2,208,161.35
Municipal Bonds	0.56%	07/15/15	500,000.00	555,888.26	-	(5,431.90)	500,000.00	550,456.36
Municipal Bonds	0.70%	08/01/15	-	-	761,283.82	-	690,000.00	761,283.82
Municipal Bonds	0.44%	08/15/15	-	-	1,108,170.72	-	1,045,000.00	1,108,170.72
Municipal Bonds	0.36%	08/15/15	-	-	2,077,402.89	-	2,000,000.00	2,077,402.89
Municipal Bonds	1.04%	11/01/15	615,000.00	615,000.00	-	-	615,000.00	615,000.00
Municipal Bonds	0.51%	11/15/15	1,190,000.00	1,359,111.56	-	(14,509.10)	1,190,000.00	1,344,602.46
Municipal Bonds	0.67%	11/15/15	3,435,000.00	3,435,000.00	-	-	3,435,000.00	3,435,000.00
Municipal Bonds	0.76%	12/01/15	1,000,000.00	1,093,070.28	-	(7,865.09)	1,000,000.00	1,085,205.19
Municipal Bonds	0.56%	01/15/16	-	-	1,169,582.93	-	1,110,000.00	1,169,582.93
Municipal Bonds	0.55%	02/01/16	-	-	5,172,577.16	-	4,970,000.00	5,172,577.16
Municipal Bonds	0.55%	02/01/16	-	-	1,096,974.76	-	975,000.00	1,096,974.76
Municipal Bonds	0.52%	02/15/16	715,000.00	814,079.33	-	(7,815.20)	715,000.00	806,264.13
Municipal Bonds	0.56%	02/15/16	1,000,000.00	1,137,234.76	-	(10,824.83)	1,000,000.00	1,126,409.93
Municipal Bonds	0.54%	02/15/16	-	-	1,538,167.40	-	1,400,000.00	1,538,167.40
Municipal Bonds	0.18%	02/15/16	-	-	2,446,819.55	-	2,205,000.00	2,446,819.55
Municipal Bonds	0.57%	03/01/16	-	-	1,374,096.51	-	1,250,000.00	1,374,096.51
Municipal Bonds	0.65%	03/01/16	-	-	2,525,222.76	-	2,500,000.00	2,525,222.76
Municipal Bonds	0.58%	04/01/16	-	-	3,211,627.15	-	2,915,000.00	3,211,627.15
Municipal Bonds	0.57%	04/15/16	1,000,000.00	1,144,139.67	-	(10,801.47)	1,000,000.00	1,133,338.20
Municipal Bonds	0.60%	05/01/16	-	-	5,767,896.67	-	5,225,000.00	5,767,896.67
Municipal Bonds	0.80%	07/01/16	-	-	5,106,123.13	-	4,500,000.00	5,106,123.13
Municipal Bonds	0.56%	08/01/16	-	-	1,113,648.16	-	1,000,000.00	1,113,648.16
Municipal Bonds	0.77%	08/01/16	-	-	2,147,665.66	-	1,875,000.00	2,147,665.66
Municipal Bonds	0.56%	10/01/16	1,130,000.00	1,315,916.89	-	(12,213.52)	1,130,000.00	1,303,703.37
Municipal Bonds	0.96%	11/01/16	500,000.00	575,592.94	(4,856.08)	-	500,000.00	570,736.86
Municipal Bonds	1.25%	11/01/16	500,000.00	500,000.00	-	-	500,000.00	500,000.00
Municipal Bonds	0.62%	11/15/16	395,000.00	430,911.32	-	(2,284.11)	395,000.00	428,627.21
Municipal Bonds	0.92%	11/15/16	710,000.00	710,000.00	-	-	710,000.00	710,000.00
Municipal Bonds	0.91%	12/01/16	1,610,000.00	1,800,501.57	-	(11,981.23)	1,610,000.00	1,788,520.34
Municipal Bonds	0.82%	02/01/17	-	-	2,391,036.79	-	2,135,000.00	2,391,036.79
Municipal Bonds	0.72%	03/01/17	2,375,000.00	2,596,852.80	-	(13,127.38)	2,375,000.00	2,583,725.42
Municipal Bonds	0.72%	03/01/17	-	-	675,971.95	-	590,000.00	675,971.95
Municipal Bonds	0.95%	05/01/17	-	-	1,423,442.76	-	1,225,000.00	1,423,442.76
Municipal Bonds	0.95%	08/15/17	-	-	1,535,194.07	-	1,300,000.00	1,535,194.07
Municipal Bonds	1.05%	10/01/17	-	-	7,074,733.01	-	5,965,000.00	7,074,733.01
Municipal Bonds	0.79%	11/15/17	500,000.00	576,555.88	-	(3,870.80)	500,000.00	572,685.08
<b>TOTAL</b>			<b>\$ 400,858,622.72</b>	<b>\$ 407,208,006.71</b>	<b>\$ 109,572,927.56</b>	<b>\$ (58,324,324.19)</b>	<b>\$ 445,962,642.31</b>	<b>\$ 458,456,610.08</b>



### Market Value Comparison

Security Description	Coupon/ Yield	Maturity Date	December 31, 2012		Qtr to Qtr Change (1)	March 31, 2013	
			Par Value	Market Value		Par Value	Market Value
FNMA Bond	0.66%	08/20/13	10,000,000.00	10,065,780.00	(23,120.00)	10,000,000.00	10,042,660.00
FNMA Bond	0.40%	05/15/14	6,000,000.00	6,185,970.00	(31,170.00)	6,000,000.00	6,154,800.00
FNMA Bond	0.62%	09/16/14	15,000,000.00	15,711,870.00	(97,305.00)	15,000,000.00	15,614,565.00
FNMA Bond	1.93%	04/15/15	15,000,000.00	16,592,430.00	(165,555.00)	15,000,000.00	16,426,875.00
FNMA Bond	0.72%	02/25/16	3,410,000.00	3,575,719.18	(11,611.05)	3,410,000.00	3,564,108.13
FNMA Bond	0.89%	03/24/16	6,000,000.00	6,334,062.00	(20,982.00)	6,000,000.00	6,313,080.00
Municipal Bonds	0.59%	11/01/13	80,000.00	80,045.60	(112.80)	80,000.00	79,932.80
Municipal Bonds	0.40%	12/01/13	900,000.00	930,933.00	(8,226.00)	900,000.00	922,707.00
Municipal Bonds	0.28%	01/15/14	-	-	1,098,835.20	1,080,000.00	1,098,835.20
Municipal Bonds	0.26%	02/01/14	-	-	1,163,288.00	1,120,000.00	1,163,288.00
Municipal Bonds	0.38%	02/15/14	2,000,000.00	2,035,980.00	(6,580.00)	2,000,000.00	2,029,400.00
Municipal Bonds	0.21%	02/15/14	-	-	1,130,423.25	1,095,000.00	1,130,423.25
Municipal Bonds	0.35%	05/01/14	-	-	2,940,660.45	2,835,000.00	2,940,660.45
Municipal Bonds	0.25%	08/15/14	-	-	1,535,280.00	1,500,000.00	1,535,280.00
Municipal Bonds	0.74%	11/01/14	550,000.00	550,995.50	(1,908.50)	550,000.00	549,087.00
Municipal Bonds	0.56%	12/01/14	2,750,000.00	2,885,795.00	(11,935.00)	2,750,000.00	2,873,860.00
Municipal Bonds	0.39%	02/01/15	-	-	1,411,316.20	1,330,000.00	1,411,316.20
Municipal Bonds	0.41%	02/01/15	-	-	1,267,238.70	1,170,000.00	1,267,238.70
Municipal Bonds	0.35%	02/15/15	-	-	393,330.00	375,000.00	393,330.00
Municipal Bonds	0.50%	03/01/15	-	-	1,262,825.00	1,250,000.00	1,262,825.00
Municipal Bonds	0.50%	05/01/15	-	-	1,882,716.00	1,870,000.00	1,882,716.00
Municipal Bonds	0.50%	06/15/15	-	-	1,425,411.00	1,300,000.00	1,425,411.00
Municipal Bonds	0.40%	07/01/15	1,970,000.00	2,190,285.40	(18,478.60)	1,970,000.00	2,171,806.80
Municipal Bonds	0.42%	07/01/15	-	-	1,688,416.00	1,600,000.00	1,688,416.00
Municipal Bonds	0.43%	07/15/15	2,000,000.00	2,227,100.00	(16,280.00)	2,000,000.00	2,210,820.00
Municipal Bonds	0.56%	07/15/15	500,000.00	553,700.00	(4,370.00)	500,000.00	549,330.00
Municipal Bonds	0.70%	08/01/15	-	-	762,277.50	690,000.00	762,277.50
Municipal Bonds	0.44%	08/15/15	-	-	1,102,077.90	1,045,000.00	1,102,077.90
Municipal Bonds	0.36%	08/15/15	-	-	2,079,660.00	2,000,000.00	2,079,660.00
Municipal Bonds	1.04%	11/01/15	615,000.00	616,193.10	(412.05)	615,000.00	615,781.05
Municipal Bonds	0.51%	11/15/15	1,190,000.00	1,355,314.80	(12,173.70)	1,190,000.00	1,343,141.10
Municipal Bonds	0.67%	11/15/15	3,435,000.00	3,424,523.25	4,431.15	3,435,000.00	3,428,954.40
Municipal Bonds	0.76%	12/01/15	1,000,000.00	1,095,440.00	(6,650.00)	1,000,000.00	1,088,790.00
Municipal Bonds	0.56%	01/15/16	-	-	1,169,340.60	1,110,000.00	1,169,340.60
Municipal Bonds	0.55%	02/01/16	-	-	5,173,322.70	4,970,000.00	5,173,322.70
Municipal Bonds	0.55%	02/01/16	-	-	1,095,588.00	975,000.00	1,095,588.00
Municipal Bonds	0.52%	02/15/16	715,000.00	811,188.95	(6,477.90)	715,000.00	804,711.05
Municipal Bonds	0.56%	02/15/16	1,000,000.00	1,133,870.00	(9,010.00)	1,000,000.00	1,124,860.00
Municipal Bonds	0.54%	02/15/16	-	-	1,534,232.00	1,400,000.00	1,534,232.00
Municipal Bonds	0.18%	02/15/16	-	-	2,446,337.25	2,205,000.00	2,446,337.25
Municipal Bonds	0.57%	03/01/16	-	-	1,373,600.00	1,250,000.00	1,373,600.00
Municipal Bonds	0.65%	03/01/16	-	-	2,526,900.00	2,500,000.00	2,526,900.00
Municipal Bonds	0.58%	04/01/16	-	-	3,205,946.15	2,915,000.00	3,205,946.15
Municipal Bonds	0.57%	04/15/16	1,000,000.00	1,139,210.00	(7,800.00)	1,000,000.00	1,131,410.00
Municipal Bonds	0.60%	05/01/16	-	-	5,740,759.75	5,225,000.00	5,740,759.75
Municipal Bonds	0.80%	07/01/16	-	-	5,093,235.00	4,500,000.00	5,093,235.00
Municipal Bonds	0.56%	08/01/16	-	-	1,110,810.00	1,000,000.00	1,110,810.00
Municipal Bonds	0.77%	08/01/16	-	-	2,144,081.25	1,875,000.00	2,144,081.25
Municipal Bonds	0.56%	10/01/16	1,130,000.00	1,309,579.60	(7,051.20)	1,130,000.00	1,302,528.40
Municipal Bonds	0.96%	11/01/16	500,000.00	582,550.00	(11,485.00)	500,000.00	571,065.00
Municipal Bonds	1.25%	11/01/16	500,000.00	502,730.00	(2,035.00)	500,000.00	500,695.00
Municipal Bonds	0.62%	11/15/16	395,000.00	429,412.40	(1,137.60)	395,000.00	428,274.80
Municipal Bonds	0.92%	11/15/16	710,000.00	707,018.00	1,192.80	710,000.00	708,210.80
Municipal Bonds	0.91%	12/01/16	1,610,000.00	1,803,876.20	(9,611.70)	1,610,000.00	1,794,264.50
Municipal Bonds	0.82%	02/01/17	-	-	2,382,040.85	2,135,000.00	2,382,040.85
Municipal Bonds	0.72%	03/01/17	2,375,000.00	2,582,408.75	(2,113.75)	2,375,000.00	2,580,295.00
Municipal Bonds	0.72%	03/01/17	-	-	672,588.20	590,000.00	672,588.20
Municipal Bonds	0.95%	05/01/17	-	-	1,415,524.25	1,225,000.00	1,415,524.25
Municipal Bonds	0.95%	08/15/17	-	-	1,534,039.00	1,300,000.00	1,534,039.00
Municipal Bonds	1.05%	10/01/17	-	-	7,083,855.05	5,965,000.00	7,083,855.05
Municipal Bonds	0.79%	11/15/17	500,000.00	572,060.00	(1,395.00)	500,000.00	570,665.00
<b>TOTAL</b>			<b>\$ 400,858,622.72</b>	<b>\$ 410,464,819.10</b>	<b>\$ 50,891,866.36</b>	<b>\$ 445,962,642.31</b>	<b>\$ 461,356,685.46</b>

<b>Book Value Allocation</b>						
	<b>December 31, 2012</b>		<b>March 31, 2013</b>		<b>Previous Quarter Comparison</b>	
	<b>% Equity in Treasury Pool</b>	<b>Book Value Fund Allocation</b>	<b>% Equity in Treasury Pool</b>	<b>Book Value Fund Allocation</b>	<b>Book Value Change (%)</b>	<b>Change (\$)</b>
<b>General Fund</b>	14.46%	58,866,783.87	20.79%	95,307,431.06	6.33%	36,440,647.19
<b>Debt Service Funds</b>	3.69%	15,011,542.51	7.50%	34,378,025.28	3.81%	19,366,482.77
<b>Capital Projects Funds</b>	33.62%	136,889,349.32	29.21%	133,928,791.64	-4.41%	(2,960,557.68)
<b>Enterprise Funds</b>	16.99%	69,189,424.60	14.54%	66,653,346.51	-2.45%	(2,536,078.09)
<b>Special Revenue Funds</b>	13.59%	55,352,964.06	12.55%	57,555,702.09	-1.04%	2,202,738.03
<b>Internal Service Funds</b>	16.81%	68,455,099.38	14.64%	67,135,139.70	-2.17%	(1,319,959.68)
<b>Fiduciary Funds</b>	0.85%	3,442,773.88	0.76%	3,498,173.79	-0.09%	55,399.91
<b>Totals</b>	<b>100.00%</b>	<b>407,207,937.62</b>	<b>100.00%</b>	<b>458,456,610.08</b>		<b>51,248,672.46</b>

<b>Market Value Allocation</b>						
	<b>December 31, 2012</b>		<b>March 31, 2013</b>		<b>Previous Quarter Comparison</b>	
	<b>% Equity in Treasury Pool</b>	<b>Market Value Fund Allocation</b>	<b>% Equity in Treasury Pool</b>	<b>Market Value Fund Allocation</b>	<b>Market Value Change (%)</b>	<b>Change (\$)</b>
<b>General Fund</b>	14.46%	59,336,450.04	20.79%	95,910,320.69	6.33%	36,573,870.65
<b>Debt Service Funds</b>	3.69%	15,131,311.47	7.50%	34,595,491.58	3.81%	19,464,180.11
<b>Capital Projects Funds</b>	33.62%	137,981,515.26	29.21%	134,775,989.79	-4.41%	(3,205,525.47)
<b>Enterprise Funds</b>	16.99%	69,741,449.53	14.54%	67,074,977.97	-2.45%	(2,666,471.56)
<b>Special Revenue Funds</b>	13.59%	55,794,595.37	12.55%	57,919,784.26	-1.04%	2,125,188.89
<b>Internal Service Funds</b>	16.81%	69,001,265.52	14.64%	67,559,818.86	-2.17%	(1,441,446.66)
<b>Fiduciary Funds</b>	0.85%	3,470,241.91	0.76%	3,520,302.32	-0.09%	50,060.41
<b>Totals</b>	<b>100.00%</b>	<b>410,456,829.10</b>	<b>100.00%</b>	<b>461,356,685.46</b>		<b>50,899,856.36</b>

Allocations are based upon fund equity in the Treasury Pool at the end of the period.



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		5/13/13		
Department:		Legal		
Department Head		Diane Wetherbee		
Agenda Coordinator (include phone #): <b>Betsy Allen # 7545</b>				
<b>CAPTION</b>				
<b>A Resolution of the City Council of the City of Plano, Texas, approving the hiring of Jennifer A. Knox-Walker as Assistant City Attorney by the City Attorney; and providing an effective date.</b>				
<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>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	35,398	0	<b>35,398</b>
Encumbered/Expended Amount	0	0	0	<b>0</b>
This Item	0	-35,398	0	<b>-35,398</b>
BALANCE	0	0	0	<b>0</b>
<b>FUND(S):     GENERAL FUND</b>				
<b>COMMENTS:</b> Funding for this item, in the amount of \$35,398 (including benefits), for the remainder of 2012-13 is included in the approved 2012-13 Budget. This position does not increase the number of authorized positions in Legal. City Charter authorizes the hiring of attorneys with the approval of the City Council.				
<b>STRATEGIC PLAN GOAL:</b> The hiring of an Assistant City Attorney meets the City's goal of Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
The City Charter authorizes the City Attorney to select attorneys for hire with the approval of the City Council. It is the City Attorney's recommendation that Jennifer A. Knox-Walker be hired as an Assistant City Attorney for the City Attorney's office. See attached Memorandum regarding qualifications for the proposed new hire.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Memorandum			n/a	

## MEMORANDUM

**DATE:** May 1, 2013

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Diane C. Wetherbee  
City Attorney

**SUBJECT: Hiring of Jennifer A. Knox-Walker as Assistant City Attorney**

---

This memo is to provide information regarding the qualifications of Jennifer A. Knox-Walker as a new hire for the position of Assistant City Attorney. In accordance with Section 4.05 of the Plano City Charter, I am requesting City Council approval of my selection for this position.

It is my recommendation that Jennifer A. Knox-Walker be hired to fill the Assistant City Attorney position for my office. Ms. Knox-Walker has been employed with the City of Corpus Christi for the past 9 years handling labor and employment matters. She obtained a Bachelor of Arts degree in Psychology from the University of Texas and Juris Doctor from South Texas College of Law in Houston.

Thank you for your consideration. If you have any questions, please let me know.

**A Resolution of the City Council of the City of Plano, Texas, approving the hiring of Jennifer A. Knox-Walker as Assistant City Attorney by the City Attorney; and providing an effective date.**

**WHEREAS**, Section 4.05 of the City Charter of the City of Plano gives the City Attorney the authority to select attorneys, with the approval of the City Council, to represent the City in litigation and to advise city departments and boards; and

**WHEREAS**, the City Attorney has selected Jennifer A. Knox-Walker to be hired as an Assistant City Attorney and is requesting the City Council's approval of same.

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

**Section I.** The City Council approves the hiring by the City Attorney of Jennifer A. Knox-Walker as Assistant City Attorney, such approval to be effective with the date of her employment and compliance with all prescreening requirements.

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

**DULY PASSED AND APPROVED** this the 13<sup>th</sup> day of May, 2013.

---

Phil Dyer, MAYOR

ATTEST:

---

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

---

Diane C. Wetherbee, CITY ATTORNEY



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		05/13/13		
Department:		Engineering		
Department Head:		Gerald P. Cosgrove, P.E.		
Agenda Coordinator (include phone #): <b>Kathleen Schonne (7198)</b>				<b>Project No. 5925</b>
<b>CAPTION</b>				
<p>A Resolution of the City Council of the City of Plano, Texas, repealing and replacing Resolution No. 2013-4-1(R) approving the purchase of 6,755 sq. ft. of land for Street Right of Way located at the northwest corner of Preston Road and Spring Creek Parkway from Passco Waters Edge, LP., and authorizing the City Manager or his authorized designee to execute any necessary documents; and providing an effective date.</p>				
<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>2012-13</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	222,439	2,328,561	993,000	<b>3,544,000</b>
Encumbered/Expended Amount	-222,439	-168,183	0	<b>-390,622</b>
This Item	0	-72,231	0	<b>-72,231</b>
<b>BALANCE</b>	<b>0</b>	<b>2,088,147</b>	<b>993,000</b>	<b>3,081,147</b>
<b>FUND(S): STREET IMPROVEMENT CIP</b>				
<p><b>COMMENTS:</b> Funds are included in the FY 2012-13 Street Improvement CIP. This item, in the amount of \$72,231 will leave a current year balance of \$2,088,147 for the Preston Road Corridor Improvements project.  <b>STRATEGIC PLAN GOAL:</b> Acquiring right of way to improve traffic flow relates to the City's Goal of Great Neighborhoods – 1<sup>st</sup> Choice to Live.</p>				
<b>SUMMARY OF ITEM</b>				
<p>This purchase is for the acquisition of a 6,755 sq. ft. of land for Street Right of Way, located at the northwest corner of Preston Road and Tennyson Parkway. The City will pay \$72,231 for the Street Right of Way rather than the \$64,566 authorized by the previous Resolution which did not account for the total costs associated with the transaction.</p> <p>The tract is needed to construct a dedicated right turn lane for southbound Preston Road and staff recommends approval.</p>				
List of Supporting Documents: Resolution; Exhibit A			Other Departments, Boards, Commissions or Agencies N/A	

**A Resolution of the City Council of the City of Plano, Texas, repealing and replacing Resolution No. 2013-4-1(R) approving the purchase of 6,755 sq. ft. of land for Street Right of Way located at the northwest corner of Preston Road and Spring Creek Parkway from Passco Waters Edge, LP., and authorizing the City Manager or his authorized designee to execute any necessary documents; and providing an effective date.**

**WHEREAS**, the City of Plano (“City”) wants to acquire 6,755 sq. ft. of land for Street Right of Way, attached hereto as Exhibit “A” from Passco Waters Edge, LP., for the Preston Road Corridor intersection improvements project (the “Project”); and

**WHEREAS**, the City Council previously approved Resolution No. 2013-4-1(R) on April 8, 2013 authorizing the purchase of the Street Right of Way and it is necessary to repeal and replace said resolution to account for additional costs associated with the transaction; and

**WHEREAS**, the Engineering Department requests that City Council re-authorize the purchase of the Right of Way for the Project in the revised amount of SEVENTY-TWO THOUSAND TWO HUNDRED THIRTY-ONE DOLLARS (\$72,231) (the “Purchase Price”); and

**WHEREAS**, upon full review and consideration of the acquisition request, and all matters attendant and related thereto, the City Council finds that it is in the best interest of the City to approve the amount of the Purchase Price for the acquisition of the Street Right of Way for the Project.

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

**Section I.** Resolution No. 2013-4-1(R) approved by City Council on April 8, 2013 is hereby repealed and replaced with the herein resolution reflecting the revised Purchase Price.

**Section II.** The Purchase Price for the acquisition of the Street Right of Way by the City from Passco Waters Edge, LP, 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 and its citizens, is hereby in all things approved.

**Section III.** The City Manager, or his authorized designee, is hereby authorized to execute all documents in connection therewith on behalf of the City to facilitate the purchase of the Street Right of Way.

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

**DULY PASSED AND APPROVED** this the 13th day of May, 2013.

\_\_\_\_\_  
Phil Dyer, MAYOR

ATTEST:

\_\_\_\_\_  
Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane C. Wetherbee, CITY ATTORNEY

## EXHIBIT "A"

County: Collin  
Highway: SH 289  
STA. 1374+89.99 to 1378+94.32  
R.O.W. CSJ: 0091-05-057

Page 1 of 3  
December 22, 2011

### Description for Parcel 4

BEING 6,755 square feet of land, more or less, in the Jesse Stiff Survey, Abstract No. 793, City of Plano, Collin County, Texas, and being a portion of Lot 2R, Block C of the Waters Edge Apartments, an addition to the City of Plano as recorded in Cabinet K, Page 639 of the Plat Records of Collin County, Texas, and being a portion of a tract of land as described in deed to Passco Waters Edge S, LP and Passco Waters Edge H, LP, as recorded in Instrument Number 20061003000142490, Official Property Records Collin County, Texas (O.P.R.C.C.T.), said 6,755 square feet of land being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod found with cap stamped "BBW" at the most northerly northeast corner of said Lot 2R, said corner being on the southerly right-of-way line of Whitestone Lane, a 60.0 foot wide right-of-way (no deed of record found);

THENCE South 58 degrees 36 minutes 38 seconds East along the southwesterly right-of-way line of Whitestone Lane and the northeasterly line of said Lot 2R, a distance of 11.83 feet to a 5/8 inch iron rod with Texas Department of Transportation (TxDOT) 3-1/4 inch aluminum cap set on the new westerly right-of-way line of State Highway 289 (Preston Road) and being the POINT OF BEGINNING at Station 1374+89.99, 61.40 feet Right: and having a Texas State Plane Coordinate System, N.A.D.83, North Central Zone (4202), surface coordinate of North 7,073,276.3859, East 2,490,906.9502;

- 1) THENCE South 58 degrees 36 minutes 38 seconds East continuing along the southwesterly right-of-way line of Whitestone Lane and the northeasterly line of said Lot 2R, a distance of 2.35 feet to a City of Plano aluminum monument found at the most easterly corner of said Lot 2R, said corner being on the existing westerly right-of-way line of State Highway 289;
- 2) THENCE South 14 degrees 15 minutes 36 seconds East along the existing westerly right-of-way line of State Highway 289 and easterly line of said Lot 2R a distance of 86.28 feet to a point for corner, from which a 5/8 inch iron rod found bears North 49 degrees 09 minutes 45 seconds East a distance of 0.34 feet;
- 3) THENCE South 14 degrees 41 minutes 13 seconds East continuing along the existing westerly right-of-way line of State Highway 289 and easterly line of said Lot 2R a distance of 296.49 feet to the most easterly southeast corner of said Lot 2R, said corner being at the northeasterly end of a corner clip for Spring Creek Parkway right-of-way, a variable width right-of-way, as described in instrument to the City of Plano, as recorded in Instrument Number 92-0027646 (O.P.R.C.C.T.);
- 4) THENCE South 30 degrees 18 minutes 47 seconds West along the southeasterly line of said Lot 2R and the existing northwesterly right-of-way line of Spring Creek Parkway, a

EXHIBIT "A"

County: Collin  
Highway: SH 289  
STA. 1374+89.99 to 1378+94.32  
R.O.W. CSJ: 0091-05-057

Page 2 of 3  
December 22, 2011

Description for Parcel 4

distance of 29.43 feet to a point for corner (unable to set in water) on the new westerly right-of-way line of State Highway 289;

- 5) THENCE departing the existing northwesterly right-of-way line of Spring Creek Parkway and the southeasterly line of said Lot 2R, North 14 degrees 41 minutes 35 seconds West along the new westerly right-of-way line of State Highway 289, a distance of 254.48 feet to a 5/8 inch iron rod with TxDOT 3-1/4 inch aluminum cap set;
- 6) THENCE North 07 degrees 11 minutes 18 seconds West continuing along the new westerly right-of-way line of State Highway 289, a distance of 152.09 feet to the POINT OF BEGINNING and containing 6,755 square feet (0.1551 acres) of land, more or less.

\*\* The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83, North Central Zone. All coordinates shown are surface and may be converted to grid by dividing by the TxDOT conversion factor of 1.000152710.

For Huitt-Zollars, Inc

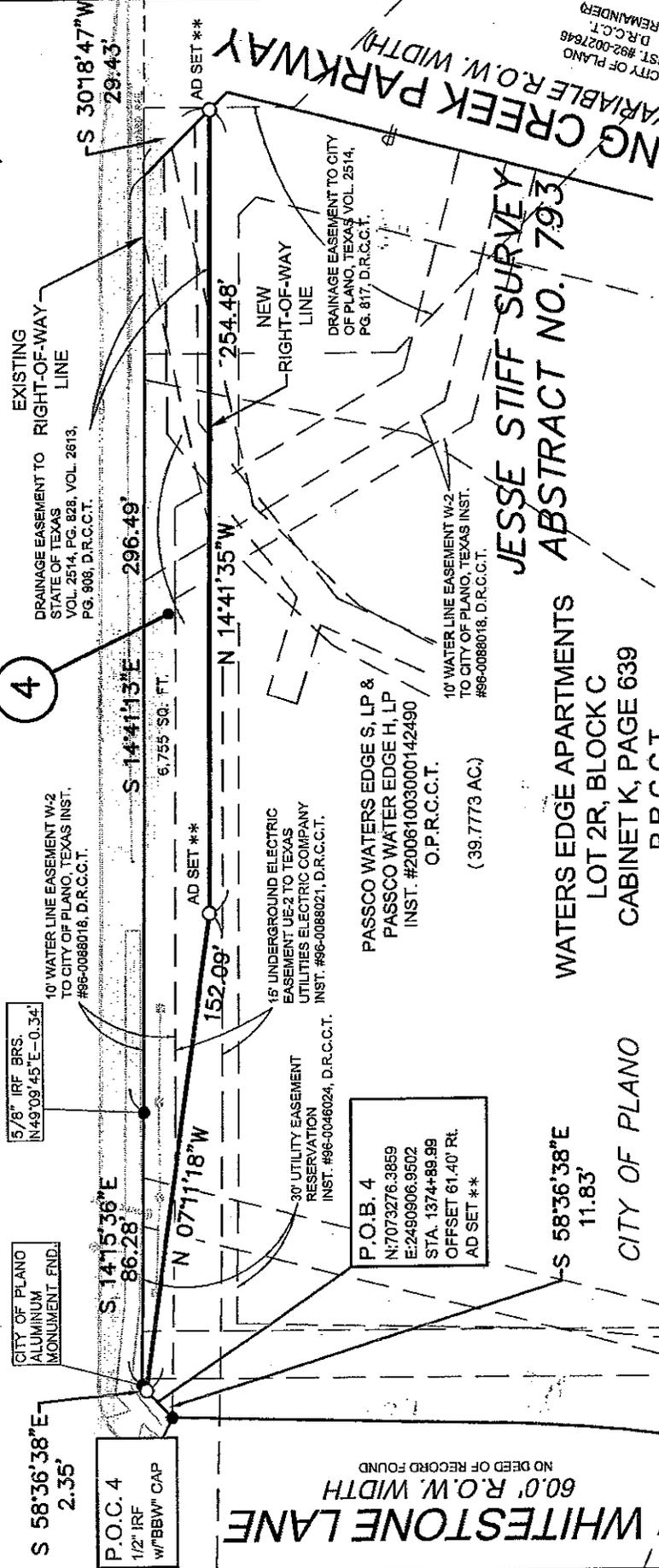
 1-3-2012

D. Rex Winchester  
Registered Professional Land Surveyor  
Texas Registration No. 5191  
Huitt-Zollars, Inc.  
1717 McKinney Avenue  
Suite 1400  
Dallas, Texas 75202-1236  
Ph. (214) 871-3311  
Date: December 22, 2011



EXHIBIT "A"  
Page 3 of 3  
S.H. 289 (PRESTON RD.)

1375+00 1376+00 1377+00 1378+00 1379+00  
(VARIABLE R.O.W. WIDTH)



**LEGEND**  
 EXISTING RIGHT OF WAY LINE  
 NEW RIGHT OF WAY LINE  
 PROPERTY LINE  
 SURVEY LINE  
 EXISTING EASEMENT LINE  
 ACCESS DENIAL LINE  
 ACCESS IS PROHIBITED ACROSS THE "ACCESS DENIAL LINE"  
 TO THE HIGHWAY FACILITY FROM THE ADJACENT PROPERTY.  
 P.O.B. = POINT OF BEGINNING  
 D.R.C.C.T. = DEED RECORDS DENTON COUNTY TEXAS  
 IRF = IRON ROD FOUND  
 AD = TPOOT 3-1/4 INCH ALUMINUM CAP SET ON TOP OF A  
 5/8-INCH IRON ROD UNLESS OTHERWISE NOTED  
 BD = TPOOT BRONZE DISK SET IN CONCRETE  
 CD = TPOOT 2 INCH ALUMINUM CAP SET ON TOP OF A  
 5/8-INCH IRON

**WATER EASEMENT TO RIGHT-OF-WAY LINE**  
 STATE OF TEXAS  
 VOL. 2514, PG. 828, VOL. 2813,  
 PG. 908, D.R.C.C.T.

**NEW RIGHT-OF-WAY LINE**  
 DRAINAGE EASEMENT TO CITY  
 OF PLANO, TEXAS VOL. 2514,  
 PG. 817, D.R.C.C.T.

**10' WATER LINE EASEMENT W-2**  
 TO CITY OF PLANO, TEXAS INST.  
 #96-0088018, D.R.C.C.T.

**10' UNDERGROUND ELECTRIC  
 EASEMENT UE-2 TO TEXAS  
 UTILITIES ELECTRIC COMPANY  
 RESERVATION**  
 INST. #96-0046024, D.R.C.C.T.

**30' UTILITY EASEMENT  
 RESERVATION**  
 INST. #96-0046024, D.R.C.C.T.

**P.O.B. 4**  
 N:7073276.3859  
 E:2490906.9502  
 STA. 1374+89.99  
 OFFSET 61.40' RT.  
 AD SET \*\*

**10' WATER LINE EASEMENT W-2**  
 TO CITY OF PLANO, TEXAS INST.  
 #96-0088018, D.R.C.C.T.  
 (39.7773 AC)

**PASSCO WATERS EDGE S, LP &  
 PASSCO WATER EDGE H, LP**  
 INST. #20061003000142490  
 O.P.R.C.C.T.

**WATERS EDGE APARTMENTS  
 LOT 2R, BLOCK C  
 CABINET K, PAGE 639  
 P.R.C.C.T.**

**JESSE STIFF SURVEY  
 ABSTRACT NO. 793**

**A PLAT OF A SURVEY OF  
 PARCEL 4  
 FOR STATE HIGHWAY 289  
 A 6,755 SQ. FT., [0.1551 AC.]  
 TRACT OF LAND IN THE  
 JESSE STIFF SURVEY  
 ABSTRACT NUMBER 793  
 CITY OF PLANO  
 COLLIN COUNTY, TEXAS  
 DATE: DECEMBER 22, 2011**

**WHITESTONE LANE**  
 60.0' R.O.W. WIDTH  
 NO DEED OF RECORD FOUND

**SPRING CREEK PARKWAY**  
 (VARIABLE R.O.W. WIDTH)

**CITY OF PLANO**

**GRAPHIC SCALE**  
 0 25' 50'

**BASIS OF BEARING:** TEXAS STATE PLANE COORDINATE SYSTEM, N.A.D. 83, NORTH CENTRAL ZONE (4202). ALL COORDINATES SHOWN HEREON ARE SURFACE COORDINATES USING A COMBINED SURFACE ADJUSTMENT FACTOR OF 1.00015211%.

**\*\* THE MONUMENT DESCRIBED AND SET IN THIS CALL, IF DESTROYED DURING CONSTRUCTION, MAY BE REPLACED WITH A TPOOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR EITHER EMPLOYED OR RETAINED BY TPOOT.**

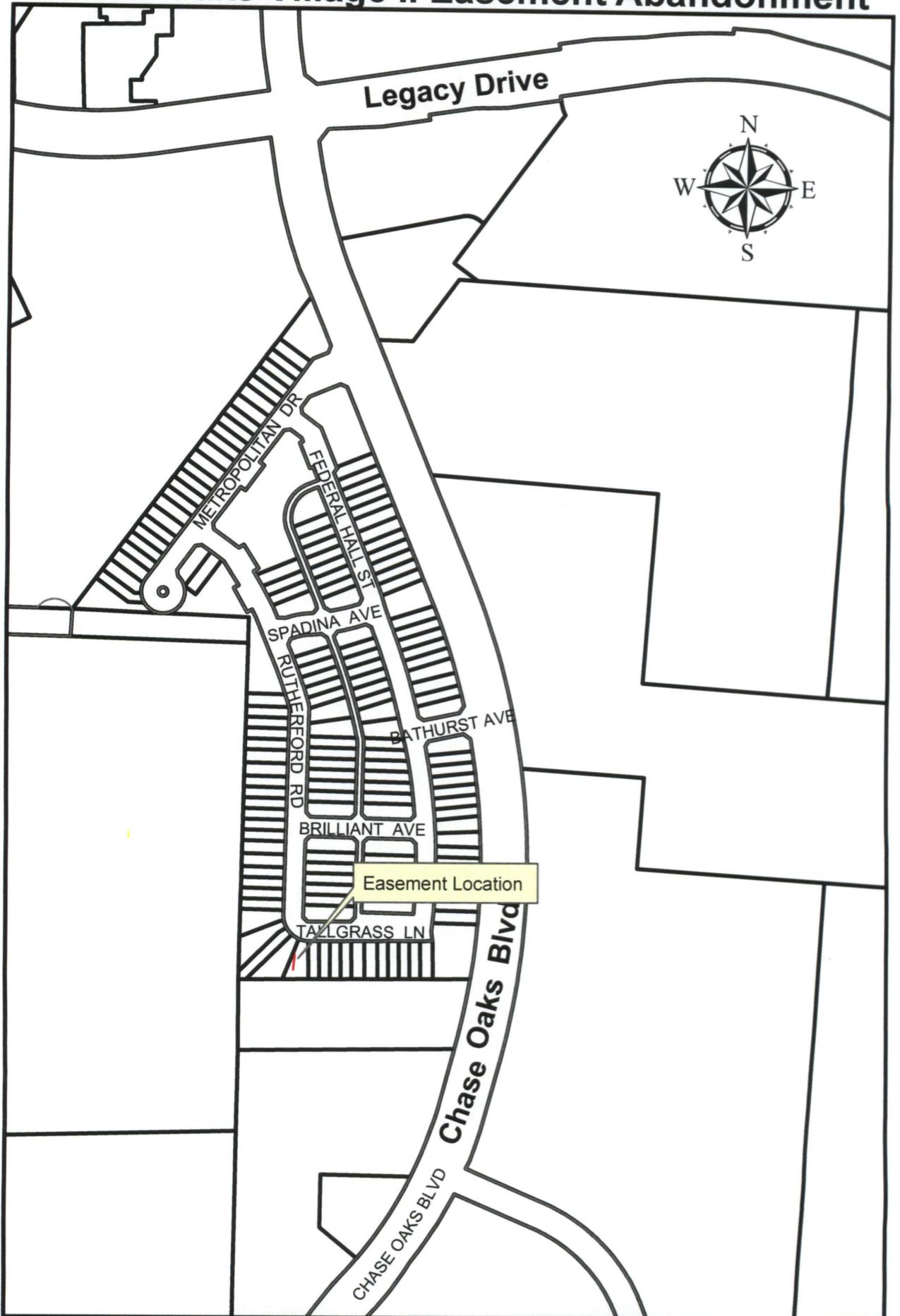
**CITY OF PLANO  
 D.R.C.C.T.  
 INST. #92-0027649  
 (REMAINDER)**



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		5/13/13			
Department:		Engineering			
Department Head		Gerald Cosgrove			
Agenda Coordinator (include phone #): <b>Kathleen Schonke X-7198</b>					
<b>CAPTION</b>					
<p>An Ordinance of the City of Plano, Texas, abandoning all right, title and interest of the City, in and to a portion of that certain 15-foot Drainage Easement recorded in Volume Q, Page 293 of the Plat Records of Collin County, Texas and being situated in the Daniel Rowlett Survey, Abstract No. 738, which is located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, CB Jeni – Chase Oaks Village II, LLC, to the extent of its interest; authorizing the City Manager or his authorized designee, to execute any documents deemed necessary; and providing an effective date.</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>2012-2013</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
<b>FUND(S): GENERAL FUND</b>					
<b>COMMENTS:</b> This item has no fiscal impact.					
<b>STRATEGIC PLAN GOAL:</b> Abandoning all right, title and interest of the City to the easements relates to the City's Goal of Financially Strong City with Service Excellence.					
<b>SUMMARY OF ITEM</b>					
<p>The townhome building encroaches over an existing 15' wide drainage easement by 0.47'. The abandonment will not interfere with the use or maintenance of the existing 15' wide drainage easement.</p>					
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies			
Location Map		N/A			
Ordinance					

# Chase Oaks Village II Easement Abandonment



Location Map

4/18/2013

**An Ordinance of the City of Plano, Texas, abandoning all right, title and interest of the City, in and to a portion of that certain 15-foot Drainage Easement recorded in Volume Q, Page 293 of the Plat Records of Collin County, Texas and being situated in the Daniel Rowlett Survey, Abstract No. 738, which is located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, CB Jeni – Chase Oaks Village II, LLC, to the extent of its interest; authorizing the City Manager or his authorized designee, to execute any documents deemed necessary; and providing an effective date.**

**WHEREAS**, the City Council of the City of Plano has been requested to abandon all right, title and interest of the City in and to a portion of that certain 15-foot Drainage Easement recorded in Volume Q, Page 293 of the Plat Records of Collin County, Texas (hereinafter called "Easement") being situated in the Daniel Rowlett Survey, Abstract No. 738, which is located within the city limits of Plano, Collin County, Texas, and which is more particularly described in Exhibit "A-1" attached hereto and incorporated herein by reference; and

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

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

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

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

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

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

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

**DULY PASSED AND APPROVED** this the 13<sup>th</sup> day of May, 2013.

---

Phil Dyer, MAYOR

ATTEST:

---

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

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Diane C. Wetherbee, CITY ATTORNEY

## EXHIBIT "B"

### PETITION FOR ABANDONMENT

[For Easement Abandonment]

We, the undersigned, (hereinafter "Owners"), being all of the owners of real property abutting **15' Drainage Easement** (hereinafter called "Easement"), more particularly described by metes and bounds in the field note description attached hereto and incorporated herein as **Exhibit "A-1"** do hereby request that the City of Plano, Texas (called "City") abandon the Easement.

1. The Owners are requesting the abandonment of the Easement for the following reasons:  
**To allow the construction of consistent buildings with the brick on the side elevation rather than changing to a cementuous siding.**
2. The following public interest will be served as a result of the abandonment:  
**Consistent buildings with consistent building materials would greatly enhance the completion of this once broken community.**
3. Unless the City determines that this abandonment is exempt from payment of fair market value, the Owners agree to pay to the City the fair market value of the Easement as determined by an appraisal obtained by the City (called "Price"). The appraisal shall be conclusive as to the fair market value. The Owners shall reimburse the City for the cost of the appraisal and other costs incident to the abandonment (called "Costs"). The Price and Costs shall be paid to the City prior to the abandonment. Should the Plano City Council decide not to abandon the Easement, the Price shall be returned to the Owners, but the Costs shall be retained by the City. Each Owner's share of the Price and Costs shall be in the same proportion as their abutting ownership as hereinafter defined.
4. If the Owners are providing a replacement easement for the Easement requested to be abandoned herein, ~~Owners will attach a metes and bounds description or plat identifying the replacement easement and attach same to this Petition as Exhibit "B-1".~~ *n/A*
5. The Owners hereby represent and affirm to the City that no other property owner, lessee, tenant or easement or license holder uses the Easement to access or to serve their property.
6. **The Owners further agree to release, defend, indemnify and hold the City, its officers, agents and employees harmless from and against any and all claims, losses, demands, suits, judgments and costs, including reasonable and necessary attorney's fees and expenses, arising out of, related to or resulting from the abandonment of the Easement by City.**

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

**SOLELY OWNED BY: CB JENI HOMES - CHASE OAKS VILLAGE, LLC**

8. Owners shall also prepare a map or drawing showing the Easement to be abandoned along with a designation of all abutting property owners. This map or drawing shall be attached hereto and incorporated herein as **Exhibit "C-1"**. *N/A*
9. Owners shall also prepare a separate field note description for each portion of the Easement to be released to each abutting property owner. This description shall be attached hereto and incorporated herein as **Exhibit "D-1"**. *N/A*

[Remainder of page blank]



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

Bruno Pasquinelli

**Typed Name of Owner**

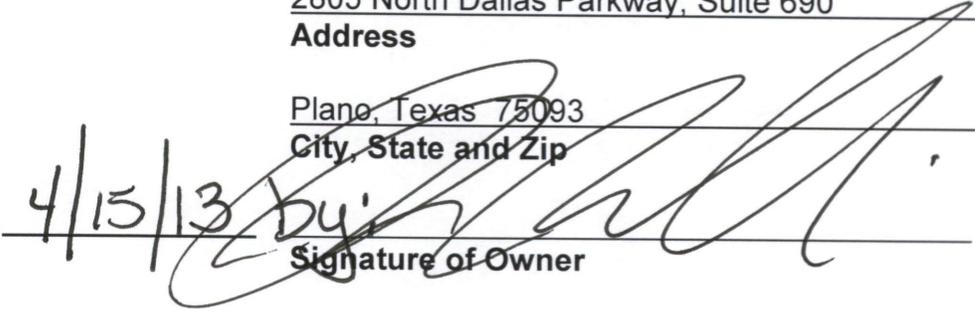
2805 North Dallas Parkway, Suite 690

**Address**

Plano, Texas 75093

**City, State and Zip**

Dated: 4/15/13

  
**Signature of Owner**

**Contact Person for Property Owners:**

**Name:**

SCOT WHITWER

**Phone No:**

214-578-3103

---

**FOR DEPARTMENTAL USE ONLY**

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

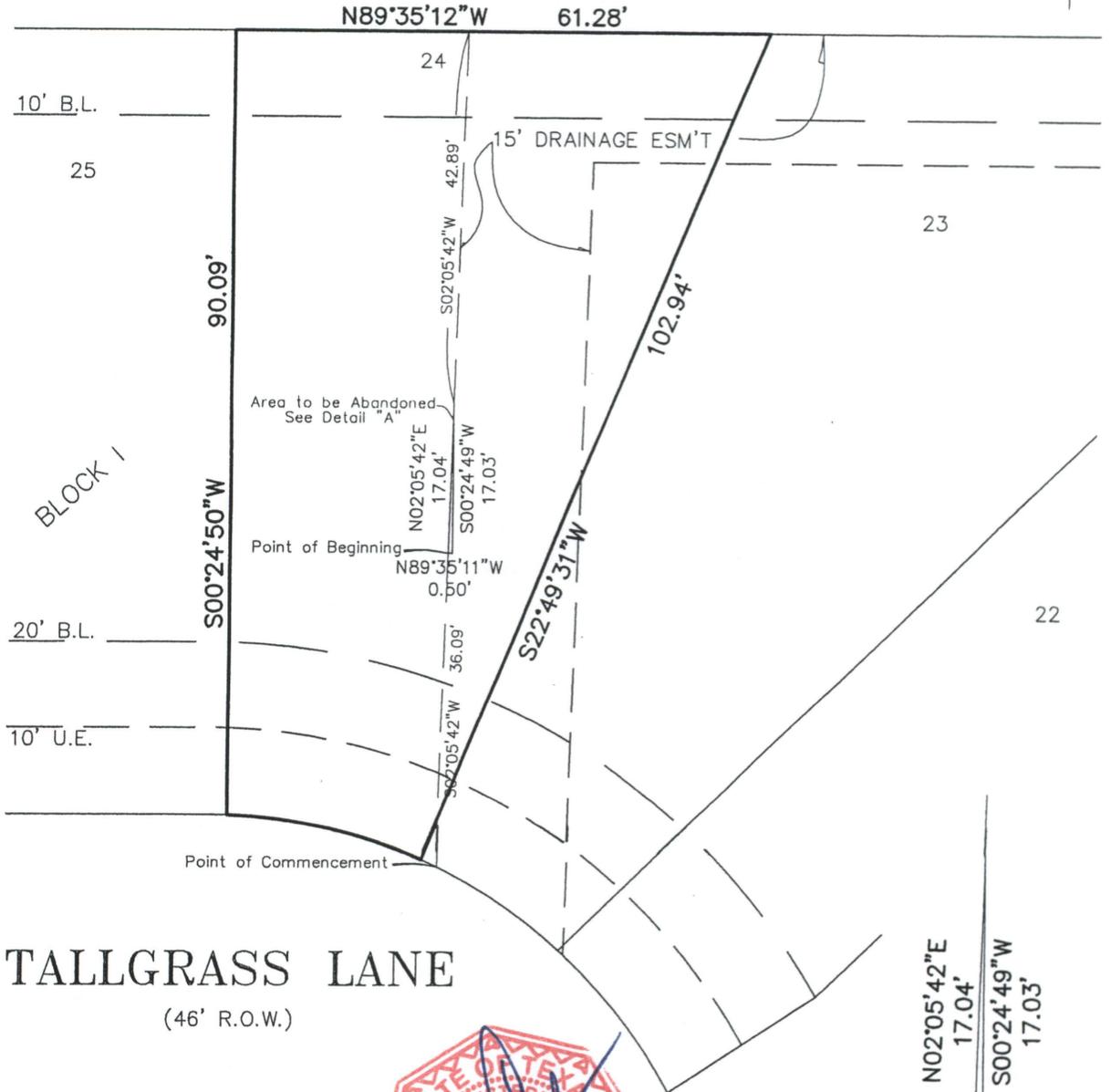
- The Easement consists of narrow strips of land, or land that because of its shape, lack of access to public roads, or small area cannot be used independently under its current zoning or under applicable subdivision or other development code ordinances;
- The Easement consists of streets or alleys,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

  
\_\_\_\_\_  
Engineering Department  
City of Plano, Texas

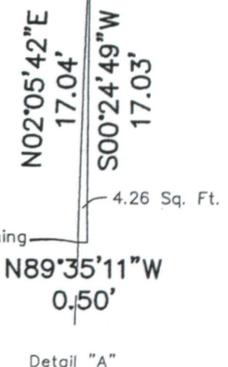
# Exhibit "A-1"

STORM SEWER EASEMENT ABANDONMENT  
 PLAT OF CHASE OAKS VILLAGE  
 BLOCK 1  
 LOT 24  
 344 TALLGRASS LANE  
 PLANO, TEXAS

BLOCK 1, LOT 1  
 CHASE OAKS COURT PHASE 1  
 CABINET J, SLIDE B41  
 M.R.C.C.T.



**TALLGRASS LANE**  
 (46' R.O.W.)



**CSC** Colvin Surveying Company  
 Registered Professional Land Surveyors  
 3814 Cavalier Drive  
 Garland, Texas 75042  
 Ph. 972.272.9479 Fax. 972.272.7315

SCALE: 1" = 20'

# Exhibit "A-1"

A tract of land being a part of a fifteen foot drainage easement situated on Lot 24, Block I of Chase Oaks Village, an addition to the City of Plano, Collin County, Texas according to the Final Plat recorded in Volume Q, Page 293, Plat Records, Collin County, Texas, recorded in Instrument Number 20100802000791210, Deed Records, Collin County, Texas being more particularly describe by metes and bounds as follows:

COMMENCING at the northeast corner of said fifteen foot drainage easement, said point being in the northerly line of Lot 23, Block I of said Chase Oaks Village addition and the southerly right-of-way line of Tallgrass Lane (46' right-of way), thence South 02 degrees 05 minutes 42 seconds West along the east line of said fifteen foot drainage easement a distance of 36.09 feet to the point of beginning;

THENCE departing said east line of said fifteen foot drainage easement on a bearing of North 89 degrees 35 minutes 11 seconds West a distance of 0.50 feet to a point for corner;

THENCE South 00 degrees 24 minutes 49 seconds West a distance of 17.03 feet to a point in said east line of said fifteen foot drainage easement;

THENCE North 02 degrees 05 minutes 42 seconds East along said east line of said fifteen foot drainage easement a distance of 17.04 feet to the point of beginning, said described tract of land containing 4.26 square feet more or less.

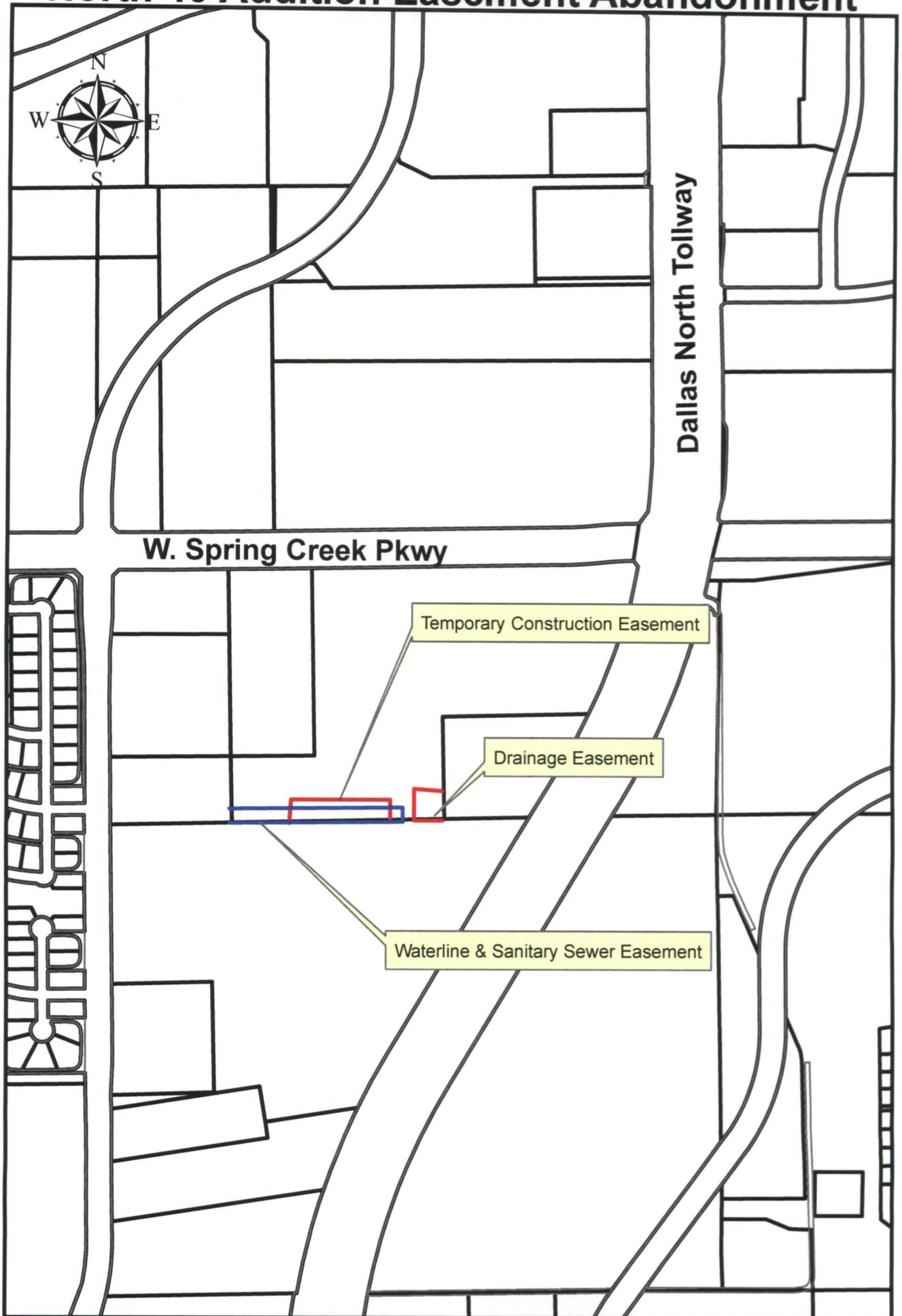




**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		5/13/13			
Department:		Engineering			
Department Head		Gerald Cosgrove			
Agenda Coordinator (include phone #): <b>Kathleen Schonke X-7198</b>					
<b>CAPTION</b>					
<p>An Ordinance of the City of Plano, Texas, abandoning all right, title and interest of the City, in and to that certain 25' x 25' Drainage Easement recorded in Volume 4551, Page 2929, a certain 25' x 450' Temporary Construction Easement recorded in Volume 4551, Page 2953, and a certain 25' wide Water Line and Sanitary Sewer Easement recorded in Volume 4551, Page 2921 of the Deed Records of Collin County, Texas and being situated in the H. B. Miller Survey, Abstract No. 614, which are located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, PARK PLACE LX LAND COMPANY NO. 1, LTD., to the extent of its interest; authorizing the City Manager or his authorized designee, to execute any documents deemed necessary; and providing an effective date.</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>2012-2013</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0
<b>FUND(S): GENERAL FUND</b>					
<b>COMMENTS:</b> This item has no fiscal impact.					
<b>STRATEGIC PLAN GOAL:</b> Abandoning all right, title and interest of the City to the easements relates to the City's Goal of Financially Strong City with Service Excellence.					
<b>SUMMARY OF ITEM</b>					
These easements were previously dedicated by separate instrument and are no longer needed or are covered by new easements that were dedicated by plat.					
List of Supporting Documents: Location Map Ordinance			Other Departments, Boards, Commissions or Agencies N/A		

# North 40 Addition Easement Abandonment



**An Ordinance of the City of Plano, Texas, abandoning all right, title and interest of the City, in and to that certain 25' x 25' Drainage Easement recorded in Volume 4551, Page 2929, a certain 25' x 450' Temporary Construction Easement recorded in Volume 4551, Page 2953, and a certain 25' wide Water Line and Sanitary Sewer Easement recorded in Volume 4551, Page 2921 of the Deed Records of Collin County, Texas and being situated in the H. B. Miller Survey, Abstract No. 614, which are located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, PARK PLACE LX LAND COMPANY NO. 1, LTD., to the extent of its interest; authorizing the City Manager or his authorized designee, to execute any documents deemed necessary; and providing an effective date.**

**WHEREAS**, the City Council of the City of Plano has been requested to abandon all right, title and interest of the City in and to that certain 25' x 25' Drainage Easement recorded in Volume 4551, Page 2929, a certain 25' x 450' Temporary Construction Easement recorded in Volume 4551, Page 2953, and a certain 25' wide Water Line and Sanitary Sewer Easement recorded in Volume 4551, Page 2921 of the Deed Records of Collin County, Texas (hereinafter called "Easements") being situated in the H. B. Miller Survey, Abstract No. 614, which are located within the city limits of Plano, Collin County, Texas, and which are more particularly described in Exhibits "A-1", "A-2" and "A-3", attached hereto and incorporated herein by reference; and

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

**WHEREAS**, the Engineering Department has determined that there will be no detrimental effect on the City if the Easements are abandoned and quitclaimed to the abutting Property Owner; and has advised that the Easements 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 Easements is hereby abandoned, and all right, title and interest of the City in and to the Easements is hereby quitclaimed to the abutting Property Owner in accordance with its respective interest. A certified copy of this Ordinance may be recorded in the Collin County Land Records to reflect this abandonment and quitclaim. The City Manager or his authorized designee, is hereby authorized to execute on behalf of the City of Plano, Texas, any instruments necessary to complete the abandonment and quitclaim of the Easements 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 Easements. Any such utility

shall have the continued right to locate, maintain, repair, reconstruct, preserve or relocate improvements, facilities, equipment or lines in such portion of the Easements.

**Section III.** The City Council hereby finds and determines that the abandonment of the Easements 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 13<sup>th</sup> day of May, 2013.

\_\_\_\_\_  
Phil Dyer, MAYOR

ATTEST:

\_\_\_\_\_  
Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Diane C. Wetherbee, CITY ATTORNEY

## EXHIBIT "B"

### PETITION FOR ABANDONMENT

[For Easement Abandonment]

We, the undersigned, (hereinafter "Owners"), being all of the owners of real property abutting a **25' x 25' Drainage Easement (Vol. 4551, Pg. 2929)**, a **25'x450' Temporary Drainage Easement (Vol. 4551, Pg. 2953)** and a **25' Water Line Easement and Sanitary Sewer Easement (Vol. 4551, Pg. 2921)** (hereinafter called "Easement"), more particularly described by metes and bounds in the field note description attached hereto and incorporated herein as **Exhibits "A-1", "A-2" and "A-3"** do hereby request that the City of Plano, Texas (called "City") abandon the Easement.

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

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

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

**NOT APPLICABLE – ALL EASEMENTS COMPLETELY CONTAINED WITH THE SAME OWNERSHIP**

8. Owners shall also prepare a map or drawing showing the ~~Easement to be abandoned along with a designation of all abutting property owners.~~ This map or drawing shall be attached hereto and incorporated herein as **Exhibit "C-1"**. *N/A*
9. Owners shall also prepare a separate field note description for ~~each portion of the Easement to be released to each abutting property owner.~~ This description shall be attached hereto and incorporated herein as **Exhibit "D-1"**. *N/A*

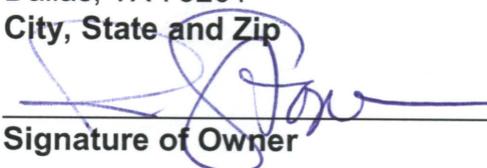
[Remainder of page blank]

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

Park Place LX Land Co., No. 1, Ltd.  
**Typed Name of Owner**

2100 McKinney Ave, Suite 1760  
**Address**  
Dallas, TX 75201  
**City, State and Zip**

4/16/13  
**Dated:** \_\_\_\_\_

  
\_\_\_\_\_  
**Signature of Owner**

**Contact Person for Property Owners:**

**Name:** Rick Stone

**Phone No:** 214.224.1970

---

**FOR DEPARTMENTAL USE ONLY**

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

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

  
\_\_\_\_\_  
Engineering Department  
City of Plano, Texas

**METES AND BOUNDS DESCRIPTION  
0.014 ACRES**

BEING all that certain lot, tract, or parcel of land situated in the Henry B. Miller Survey, Abstract No. 614, in the City of Plano, Collin County, Texas, and being part of Lot 1, Block 1, North 40 Dealership Addition, an addition to the City of Plano recorded in Cabinet 2012, Page 157, Plat Records, Collin County, Texas, the subject tract being a 25 foot by 25 foot drainage easement, recorded in Volume 4551, Page 2929, Deed Records, Collin County, Texas (DRCCT), and being more particularly described as follows:

BEGINNING at a point on the southerly east line of said Lot 1 and the west line of that certain tract described in deed to Park Place LX Land Company, No. 1, Ltd., recorded in Document Number 20120604000658350 (DRCCT), from said point a 1/2" capped iron rod found labeled "WAI" for the common corner between said Lot 1 and said Park Place LX Land Company, No. 1 tract, and being on the north line of that certain tract described in deed to GCF Holdings, Ltd., recorded in Document No. 20121220001625930 (DRCCT), bears S 00°06'31" E, 25.00 feet;

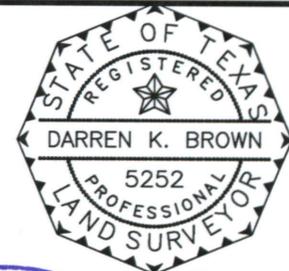
THENCE S 89°44'21" W, 25.00 feet departing said line;

THENCE N 00°06'31" W, 25.00 feet;

THENCE N 89°44'21" E, 25.00 feet to the common line between said Lot 1 and said Park Place LX Land Company, No. 1 tract, from which a 1/2" iron rod found bears N 00°06'31" W, a distance of 389.53 feet;

THENCE S 00°06'31" E, 25.00 feet along the common line thereof to the POINT OF BEGINNING, and containing 625 square feet, or 0.014 acres of land.

PAGE 1 OF 2



*D.K.B.*  
DARREN K. BROWN, R.P.L.S. 5252



765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

**EASEMENT ABANDONMENT**

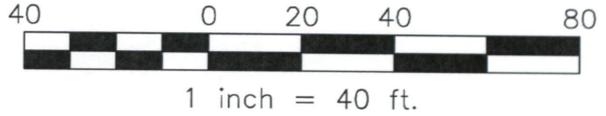
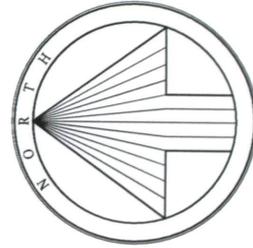
**H.B. MILLER SURVEY, A-614**

**CITY OF PLANO**

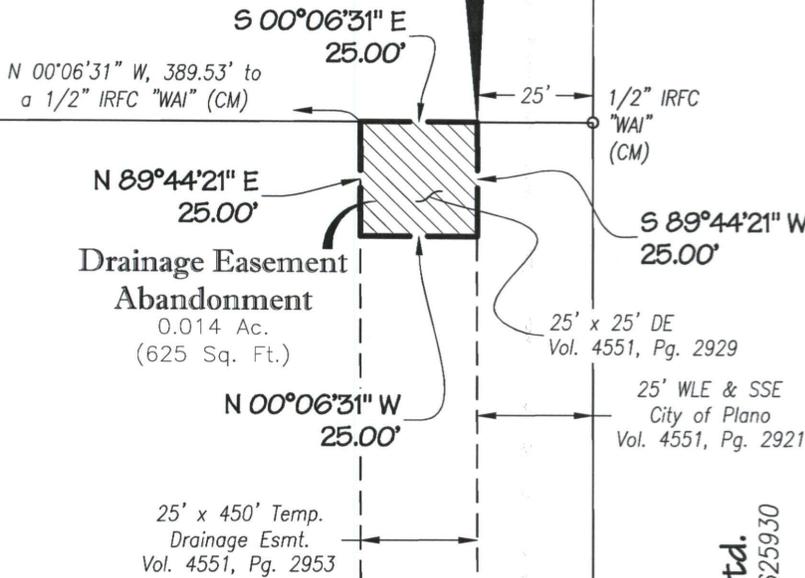
**COLLIN COUNTY, TEXAS**

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	---	3/18/13	12-046

Park Place LX Land Company, No. 1, Ltd.  
 Doc. No. 20120604000658350



**POINT OF BEGINNING**



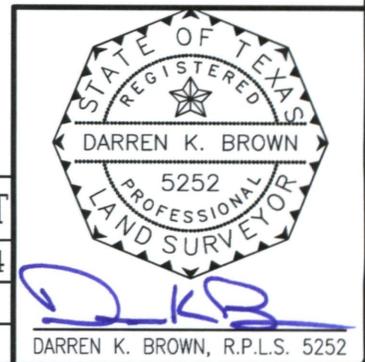
**H. B. MILLER SUR.  
 ABSTRACT NO. 614**

**Lot 1, Block 1  
 NORTH 40  
 DEALERSHIP ADDITION**  
 Cab. 2012, Pg. 157 PRCCT

**GCF Holdings, Ltd.**  
 Doc. No. 20121220001625930

Basis of bearing, horizontal and vertical position derived from the Texas WDS RTK Network—Texas State Plane Coordinate System, NAD83, North Central Zone (4202).

PAGE 2 OF 2



**EASEMENT ABANDONMENT**  
**H.B. MILLER SURVEY, A-614**  
**CITY OF PLANO**  
**COLLIN COUNTY, TEXAS**

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 40'	3/18/13	12-046

EXHIBIT "A-2"

METES AND BOUNDS DESCRIPTION  
0.258 ACRES

BEING all that certain lot, tract, or parcel of land situated in the Henry B. Miller Survey, Abstract No. 614, in the City of Plano, Collin County, Texas, and being part of Lot 1, Block 1, North 40 Dealership Addition, an addition to the City of Plano recorded in Cabinet 2012, Page 157, Plat Records, Collin County, Texas, the subject tract being all of a 25 foot by 450 foot temporary construction easement recorded in Volume 4551, Page 2953, Deed Records, Collin County, Texas (DRCCT), and being more particularly described as follows:

COMMENCING at a 1/2" iron rod with plastic cap stamped "WAI" found for the lower southeast corner of said Lot 1, and being the southwest corner of a tract conveyed to Park Place LX Land Company, No. 1, Ltd., recorded in Document No. 20120604000658350 (DRCCT), and being on the north line of a tract conveyed to GCF Holdings, Ltd., recorded in Document No. 20121220001625930 DRCCT;

THENCE N 00°06'31" W, 25.00 feet along the common line thereof to a point for corner, from said point a 1/2" iron rod with plastic cap stamped "WAI" found for the inset southeast corner of said Lot 1, and the northwest corner of said Park Place LX Land Company, No. 1 tract, bears N 00°06'31" W, 414.53 feet;

THENCE S 89°44'21" W, 25.00 feet to the POINT OF BEGINNING of the subject tract, a point for corner;

THENCE S 89°44'21" W, 450.00 feet to a point for corner;

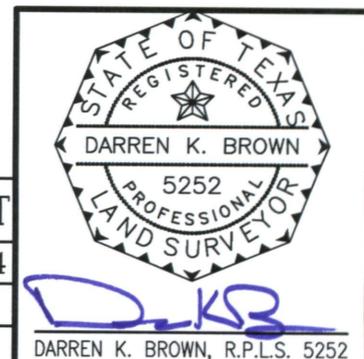
THENCE N 00°06'31" W, 25.00 feet to a point for corner;

THENCE N 89°44'21" E, 450.00 feet to a point for corner;

THENCE S 00°06'31", 25.00 feet to the POINT OF BEGINNING, and containing 11,250 square feet, or 0.258 acres of land.

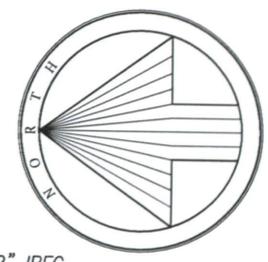
PAGE 1 OF 2

					EASEMENT ABANDONMENT				
					H.B. MILLER SURVEY, A-614				
765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121					CITY OF PLANO				
Drawn By:	Checked By:	Scale	Date	Job No.	COLLIN COUNTY, TEXAS				
ED	DKB	---	3/20/13	12-046					



Park Place LX Land Company, No. 1, Ltd.  
Doc. No. 20120604000658350

POINT OF COMMENCING



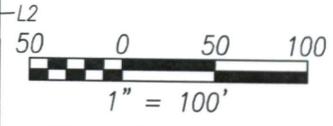
1/2" IRFC  
"WAI" (CM)

N 00°06'31" W, 414.53'

S 00°06'31" E  
25.00'

1/2" IRFC  
"WAI" (CM)

Line Table		
Line #	Bearing	Distance
L1	N 00°06'31" W	25.00'
L2	S 89°44'21" W	25.00'



POINT OF BEGINNING

Temporary Construction Easement Abandonment  
0.258 Ac.  
(11,250 Sq. Ft.)

H. B. MILLER SUR.  
ABSTRACT NO. 614

Lot 1, Block 1  
NORTH 40  
DEALERSHIP ADDITION  
Cab. 2012, Pg. 157 PRCCT

25' x 25' DE  
Vol. 4551, Pg. 2929

N 89°44'21" E ~ 450.00'  
S 89°44'21" W ~ 450.00'

25' x 450' Temp.  
Drainage Esmt.  
Vol. 4551, Pg. 2953

25' WLE & SSE  
City of Plano  
Vol. 4551, Pg. 2921

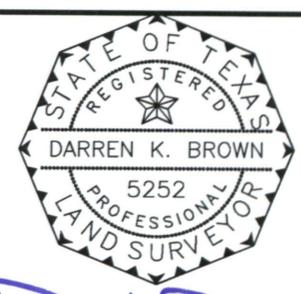
Basis of bearing, horizontal and vertical position derived from the Texas WDS RTK Network-Texas State Plane Coordinate System, NAD83, North Central Zone (4202).

GCF Holdings, Ltd.  
Doc. No. 20121220001625930

1/2" CIRS  
"SPIARSENG"

N 00°06'31" W ~ 25.00'

PAGE 2 OF 2



EASEMENT ABANDONMENT  
H.B. MILLER SURVEY, A-614  
CITY OF PLANO  
COLLIN COUNTY, TEXAS

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 100'	3/20/13	12-046

*DKB*  
DARREN K. BROWN, R.P.L.S. 5252

**METES AND BOUNDS DESCRIPTION  
0.818 ACRES**

BEING all that certain lot, tract, or parcel of land situated in the Henry B. Miller Survey, Abstract No. 614, in the City of Plano, Collin County, Texas, and being part of Lot 1, Block 1, North 40 Dealership Addition, recorded in Cabinet 2012, Page 157, Plat Records, Collin County, Texas (PRCCT), and part of Lot 3, Block 1, North 40 Dealership Addition, recorded in Cabinet 2012, Page 191 PRCCT, the subject tract being all of a 25 foot wide water line and sanitary sewer easement recorded in Volume 4551, Page 2921 of the Deed Records, Collin County, Texas (DRCCT), and being more particularly described as follows:

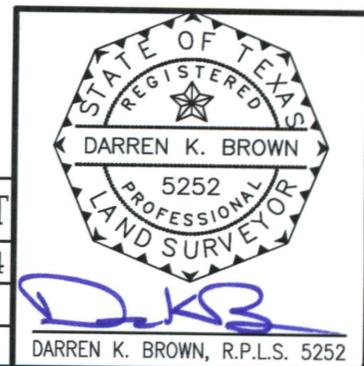
BEGINNING at a 1/2" capped iron rod found labeled "Wier" on the east line of Communications Parkway (a variable width public right-of-way) for the southwest corner of said Lot 3, said point being the southeast corner of that certain tract conveyed to the City of Plano for right-of-way, recorded in Document Number 20080506000547220 (DRCCT), and being the northwest corner of that certain tract described in deed to GCF Holdings, Ltd., recorded in Document No. 20121220001625930 (DRCCT);

THENCE N 00°32'28" E, 25.00 feet along the common line between said Lot 3 and Communications Parkway;

THENCE N 89°44'21" E, 1425.40 feet departing said common line, passing the common line between said Lot 3 and said Lot 1, to a point on the west line of that certain tract described in deed to Park Place LX Land Company, No. 1, Ltd., recorded in Document Number 20120604000658350 (DRCCT);

THENCE S 00°06'31" E, 25.00 feet along the common line thereof, to a 1/2" capped iron rod found labeled "WAI" for the common corner between said Lot 1 and said Park Place LX Land Company, No. 1 tract, and being on the north line of said GCF Holdings tract;

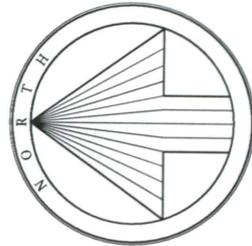
THENCE S 89°44'21" W, 1425.68 feet along the common line between said Lot 1 and said GCF Holdings tract, passing the common corner between said Lot 1 and said Lot 3, continuing along the south line thereof to the POINT OF BEGINNING, and containing 35,638 square feet, or 0.818 acres of land.



 <p><b>spiaars</b> ENGINEERING</p> <p><small>765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121</small></p>					<b>EASEMENT ABANDONMENT</b>				
					<b>H.B. MILLER SURVEY, A-614</b>				
<b>CITY OF PLANO</b>					<b>COLLIN COUNTY, TEXAS</b>				
<b>Drawn By:</b>	<b>Checked By:</b>	<b>Scale</b>	<b>Date</b>	<b>Job No.</b>					
ED	DKB	---	3/18/13	12-046					

Park Place LX Land Company, No. 1, Ltd.  
Doc. No. 20120604000658350

S 00°06'31" E  
25.00'



1/2" IRFC  
"WAI"

25' X 25' DE  
Vol. 4551, Pg. 2929

1/2" IRFC  
"WAI"  
(CM)



1 inch = 200 ft.

Lot 1, Block 1  
NORTH 40  
DEALERSHIP ADDITION  
Cab. 2012, Pg. 157 PRCT

25' x 450' Temp.  
Drainage Esmt.  
Vol. 4551, Pg. 2953

H. B. MILLER SUR.  
ABSTRACT NO. 614

GCF Holdings, Ltd.  
Doc. No. 2012220001625930

Water Line Easement  
& San. Sewer Easement  
Abandonment  
0.818 Ac.  
(35,638 Sq. Ft.)

1/2" CIRS  
"SPIARSENG"

N 89°44'21" E ~ 1425.40'  
S 89°44'21" W ~ 1425.68'

524.93' to a 5/8" CIRF

1/2" IRF

1/2" CIRS  
"SPIARSENG"

Lot 3, Block 1  
NORTH 40 DEALERSHIP ADDITION  
Cab. 2012, Pg. 191 PRCT

Lot 1, Block A  
HAGGARD  
STONEGATE ADDN.  
Doc. No. 2010-79 PRCT

25' WLE & SSE  
City of Plano  
Vol. 4551, Pg. 2921

Basis of bearing, horizontal  
and vertical position  
derived from the Texas  
WDS RTK Network-Texas  
State Plane Coordinate  
System, NAD83, North  
Central Zone (4202).

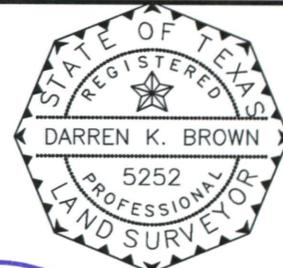
POINT OF  
BEGINNING

N 00°32'28" E  
25.00'

PAGE 2 OF 2

City of Plano  
Doc. No. 20080506000547220

COMMUNICATIONS PKWY.



*D.K.B.*  
DARREN K. BROWN, R.P.L.S. 5252

**sp i a r s**  
ENGINEERING

765 Custer Road, Suite 100 • Plano, TX 75075 • (972) 422-0077 • TBPE No. F-2121

EASEMENT ABANDONMENT

H.B. MILLER SURVEY, A-614

CITY OF PLANO

COLLIN COUNTY, TEXAS

Drawn By:	Checked By:	Scale	Date	Job No.
ED	DKB	1" = 200'	3/18/13	12-046

**DATE:** April 16, 2013  
**TO:** Honorable Mayor & City Council  
**FROM:** Chris Caso, Chairman, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of April 15, 2013

**AGENDA ITEM NO. 6A - PUBLIC HEARING  
ZONING CASE 2013-08  
APPLICANT: SCHERER I, LTD.**

Request to expand Specific Use Permit #468 for Health/Fitness Center on 3.1± acres located on the north side of Legacy Drive, 345± feet east of Preston Road. Zoned General Office/Preston Road Overlay District.

**APPROVED:** 8-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

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

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

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

**STIPULATIONS:**

Recommended for approval as submitted.

**FOR CITY COUNCIL MEETING OF:** May 13, 2013 (To view the agenda for this meeting, see [www.planotx.org](http://www.planotx.org))

**PUBLIC HEARING - ORDINANCE**

TF/dc

xc: Scherer I, Ltd.  
William Dahlstrom, Jackson Walker, LLP  
Cliff Borman, Permit Services Manager

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 15, 2013

**Agenda Item No. 6A**

**Public Hearing:** Zoning Case 2013-08

**Applicant:** Scherer I, Ltd.

---

**DESCRIPTION:**

Request to expand Specific Use Permit #468 for Health/Fitness Center on 3.1± acres located on the north side of Legacy Drive, 345± feet east of Preston Road. Zoned General Office/Preston Road Overlay District.

**REMARKS:**

The subject property is 3.1± acres located on the north side of Legacy Drive, 345± feet east of Preston Road, and is presently undeveloped. The property is zoned General Office (O-2).

The adjacent property to the north is developed as a health/fitness center, and is zoned O-2 with Specific Use Permit (SUP) #468 for Health/Fitness Center. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district, which could benefit in a particular case the general welfare, provided that adequate development standards and safeguards are established. The Zoning Ordinance defines health/fitness center as a public or private facility operated to promote physical health and fitness. Activities may include exercise, physical therapy, training, and education pertaining to health and fitness. Uses or combinations of uses or facilities would typically include, but are not limited to, game courts, weight lifting and exercise equipment, aerobics, swimming pools and spas, and running or jogging tracks.

The owner of the adjacent health/fitness center plans to acquire the 3.1± acre subject property and construct a new indoor tennis building. The indoor tennis building would be owned and operated by the existing health/fitness center. The applicant is requesting to modify the boundaries of the existing SUP #468 for Health/Fitness Center to include the 3.1± acre subject property.

A revised preliminary site plan/revised concept plan for Legacy Corporate Center, Block A, Lots 1R and 3, accompanies this request.

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

North of the subject property is a health/fitness center zoned O-2 with SUP #468 for Health/Fitness Center. To the east is a hotel/motel zoned O-2, and across Legacy Drive to the south is a multifamily residential development zoned Planned Development-164-Multifamily Residence-2 (PD-164-MF-2). The adjacent property to the west is presently undeveloped, and is also zoned O-2.

### **Conformance to the Comprehensive Plan**

**Future Land Use Plan** - The Future Land Use Plan of the Comprehensive Plan designates this area as Low Intensity Office, which encourages development that serves local needs of the area with building heights less than four stories. This zoning request is consistent with the existing area's land use designation.

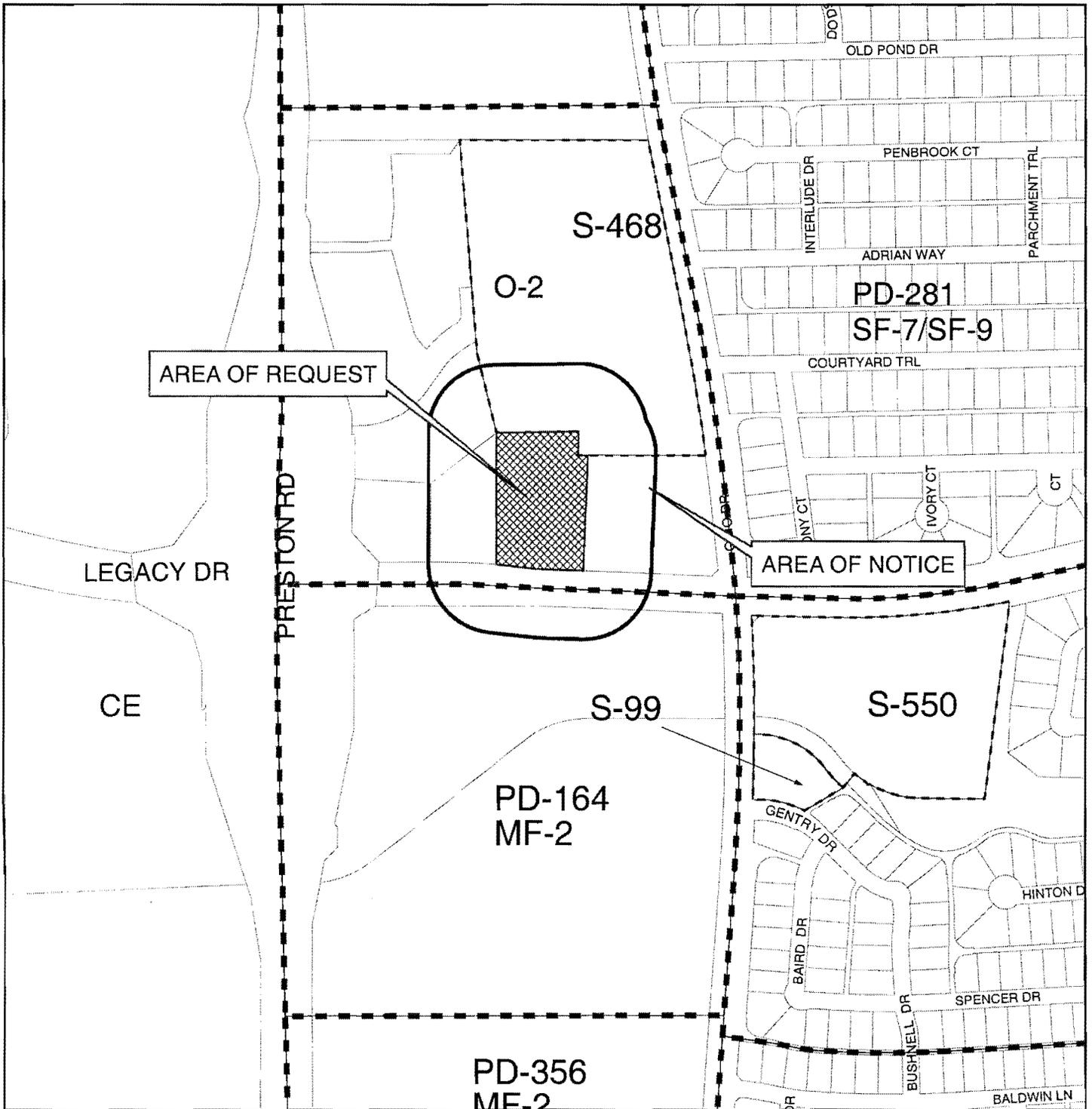
**Economic Development Element** - The Economic Development Element of the Comprehensive Plan encourages retaining and supporting Plano's existing businesses. The proposed request allows for the expansion of an existing business within Plano, thus furthering this long range planning policy objective.

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

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

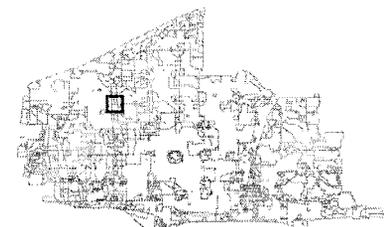
### **RECOMMENDATION:**

Recommended for approval as submitted.



Zoning Case #: 2013-08

Existing Zoning: GENERAL OFFICE/PRESTON ROAD OVERLAY DISTRICT



○ 200' Notification Buffer





Area of Request

LEGACY DRIVE

OHIO DRIVE

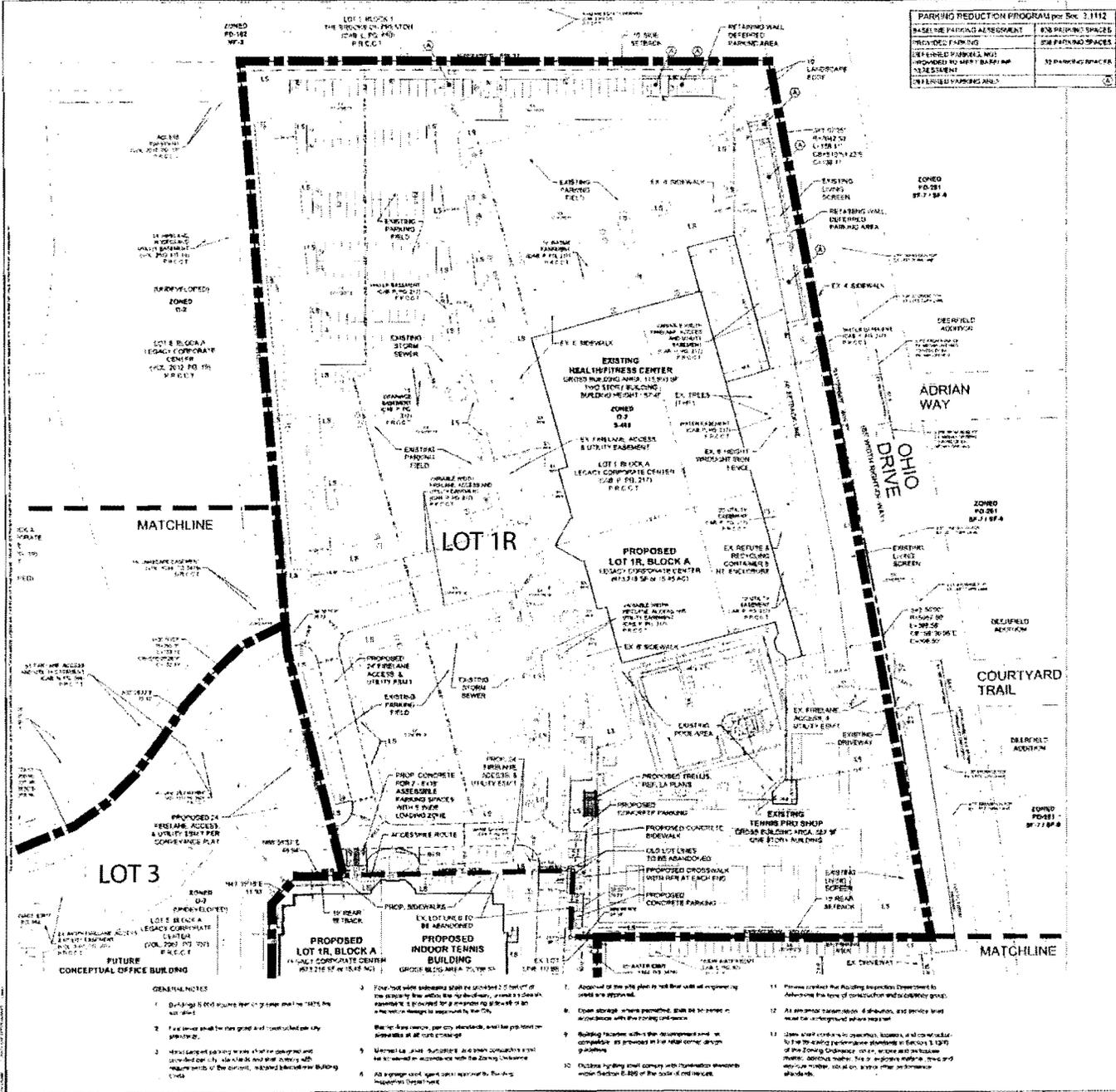
Des: Sanner 3/28/2013 X:\Dept\P&Z Locators & Graphics\22013\_08A.mxd



Source: City of Plano, Planning Dept.  
Date: April, 2013

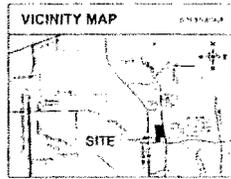
Zoning Case 2013-08





**PARKING REDUCTION PROGRAM per Sec. 3.1112**

BASELINE PARKING ASSESSMENT	810 PARKING SPACES
PROPOSED PARKING	810 PARKING SPACES
DECREASED PARKING (NO IMPROVED TO MEET PARKING ASSESSMENT)	0 PARKING SPACES
INCREASED PARKING (NO IMPROVED TO MEET PARKING ASSESSMENT)	0 PARKING SPACES



**Site Data Summary Table (Revised Prelim. Site Plan)**

Category	Item	Quantity
General Site Data	Site Area (Acres)	15.45
	Site Area (Sq. Ft.)	667,000
	Site Perimeter (Feet)	10,000
	Site Elevation (Feet)	1,200
	Site Slope (%)	0.5
	Site Orientation	North
	Site Access	Ohio Drive
	Site Easements	Utility, Easement
	Site Utilities	Water, Sewer, Gas
	Site Zoning	Office
Site Data Summary Table (Revised Concept Plan, Lot 3)	Site Area (Acres)	1.5
	Site Area (Sq. Ft.)	65,000
	Site Perimeter (Feet)	1,000
	Site Elevation (Feet)	1,200
	Site Slope (%)	0.5
	Site Orientation	North
	Site Access	Ohio Drive
	Site Easements	Utility, Easement
	Site Utilities	Water, Sewer, Gas
	Site Zoning	Office

**WATER METER SCHEDULE**

Item	Quantity	Unit	Price	Total
Water Meter	10	Each	\$50.00	\$500.00
Water Meter	10	Each	\$50.00	\$500.00
Water Meter	10	Each	\$50.00	\$500.00
Water Meter	10	Each	\$50.00	\$500.00
Water Meter	10	Each	\$50.00	\$500.00

THE SURFACE OF THE REVISIONS TO THE PREVIOUS EDITION OF THIS PLAN IS TO BE THE SAME AS THE SURFACE OF THE PREVIOUS EDITION OF THIS PLAN UNLESS OTHERWISE INDICATED BY THE REVISIONS TO THE PREVIOUS EDITION OF THIS PLAN.

**REVISED PRELIMINARY SITE PLAN**

OF  
**LOT 1R, BLOCK A,  
 LEGACY CORPORATE CENTER  
 15.45 ACRES BEING ALL OF  
 LOTS 1 & 2R AND A PORTION OF  
 LOTS 3 & 5, BLOCK A,  
 LEGACY CORPORATE CENTER  
 AND  
 REVISED CONCEPT PLAN  
 OF  
 LOT 3, BLOCK A,  
 LEGACY CORPORATE CENTER  
 BEING A PORTION OF LOTS 3 & 5, BLOCK A,  
 LEGACY CORPORATE CENTER  
 SITUATED IN THE  
 JESSE STIFF SURVEY, ABSTRACT No. 793  
 CITY OF PLANO, COLLIN COUNTY, TEXAS**

- GENERAL NOTES**
1. Building is to be constructed in accordance with the 2015 International Building Code (IBC) and all applicable local ordinances.
  2. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
  3. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
  4. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
  5. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
  6. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

7. Approval of this plan by the City of Plano is required for all engineering work to be approved.
8. All work shall be in accordance with the applicable codes and standards.
9. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
10. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
11. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
12. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
13. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
14. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
15. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
16. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

**Kimley-Horn and Associates, Inc.**

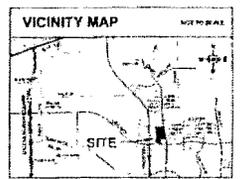
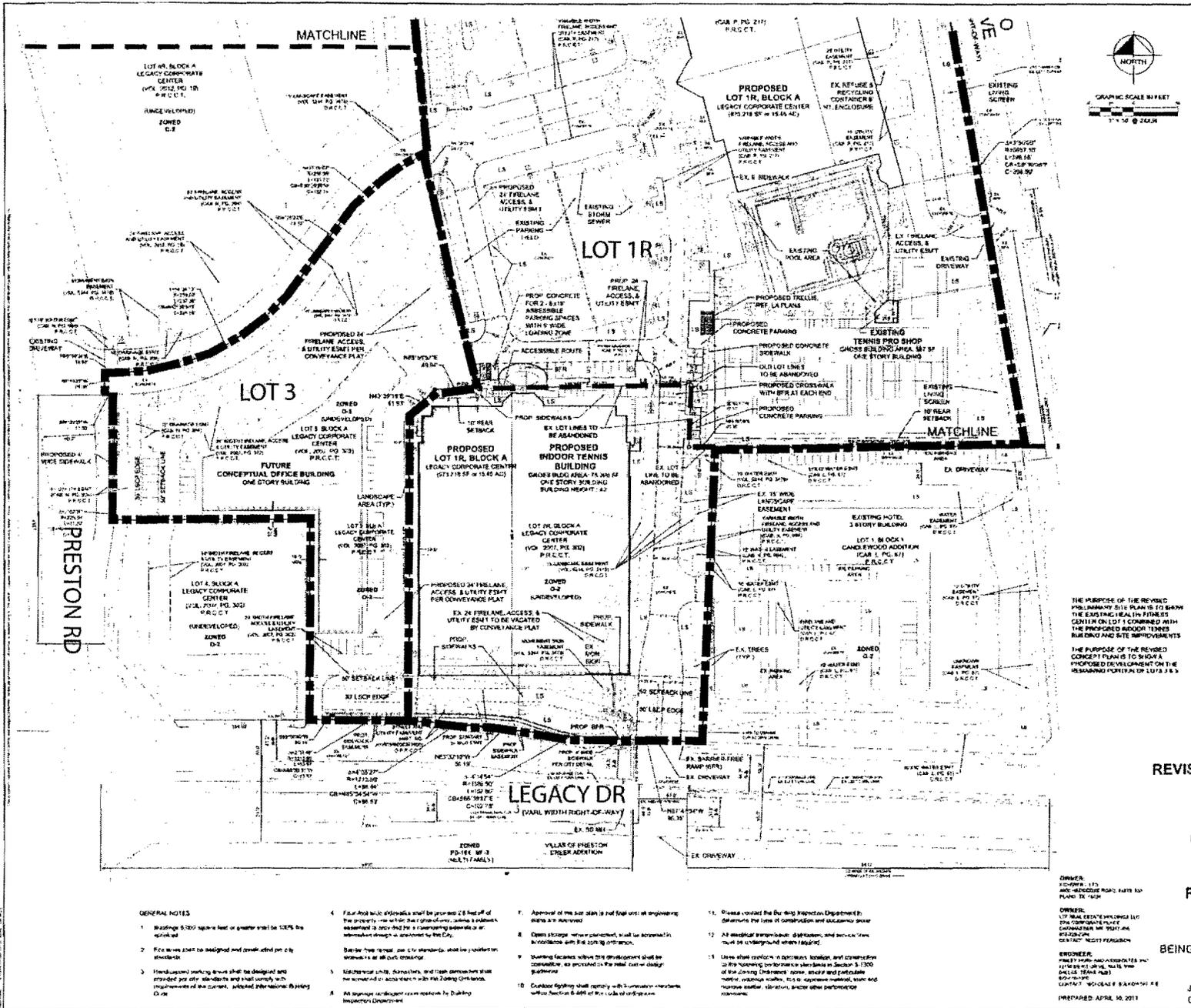
**LIFETIME FITNESS-PLANO**

**PREPARED FOR**

**LIFETIME FITNESS**

**REVISED PRELIMINARY SITE PLAN AND REVISED CONCEPT PLAN**

**1 of 2**



**WATER METER SCHEDULE**

GR	Type	Size	Substrate	Material
1	Cast Iron	1 1/2"	Cast Iron	Cast Iron
2	Cast Iron	1"	Cast Iron	Cast Iron
3	Cast Iron	1"	Cast Iron	Cast Iron
4	Cast Iron	1"	Cast Iron	Cast Iron
5	Cast Iron	1"	Cast Iron	Cast Iron
6	Cast Iron	1"	Cast Iron	Cast Iron
7	Cast Iron	1"	Cast Iron	Cast Iron
8	Cast Iron	1"	Cast Iron	Cast Iron
9	Cast Iron	1"	Cast Iron	Cast Iron
10	Cast Iron	1"	Cast Iron	Cast Iron

THE PURPOSE OF THE REVISED PRELIMINARY SITE PLAN IS TO SHOW THE EXISTING HEALTH FITNESS CENTER ON LOT 1 COMING WITH THE PROPOSED INDOOR TENNIS BUILDING AND SITE IMPROVEMENTS.

THE PURPOSE OF THE REVISED CONCEPT PLAN IS TO SHOW A PROPOSED DEVELOPMENT ON THE REMAINING PORTION OF LOTS 3 & 5.

**REVISED PRELIMINARY SITE PLAN**  
 OF  
**LOT 1R, BLOCK A, LEGACY CORPORATE CENTER**  
 15.45 ACRES BEING ALL OF LOTS 1 & 2R AND A PORTION OF LOTS 3 & 5, BLOCK A, LEGACY CORPORATE CENTER  
 AND  
**REVISED CONCEPT PLAN**  
 OF  
**LOT 3, BLOCK A, LEGACY CORPORATE CENTER**  
 BEING A PORTION OF LOTS 3 & 5, BLOCK A, LEGACY CORPORATE CENTER  
 SITUATED IN THE  
**JESSE STIFF SURVEY, ABSTRACT No. 793**  
 CITY OF PLANO, COLLIN COUNTY, TEXAS

- GENERAL NOTES**
1. All work shall be in accordance with the City of Plano Engineering Department Standard Specifications for Public Works.
  2. All work shall be in accordance with the City of Plano Engineering Department Standard Specifications for Public Works.
  3. All work shall be in accordance with the City of Plano Engineering Department Standard Specifications for Public Works.
  4. All work shall be in accordance with the City of Plano Engineering Department Standard Specifications for Public Works.

5. All work shall be in accordance with the City of Plano Engineering Department Standard Specifications for Public Works.
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15. All work shall be in accordance with the City of Plano Engineering Department Standard Specifications for Public Works.
16. All work shall be in accordance with the City of Plano Engineering Department Standard Specifications for Public Works.

17. All work shall be in accordance with the City of Plano Engineering Department Standard Specifications for Public Works.
18. All work shall be in accordance with the City of Plano Engineering Department Standard Specifications for Public Works.
19. All work shall be in accordance with the City of Plano Engineering Department Standard Specifications for Public Works.
20. All work shall be in accordance with the City of Plano Engineering Department Standard Specifications for Public Works.

**Kimley-Horn and Associates, Inc.**

15700 WEST DRYDEN STREET, SUITE 1000 DALLAS, TX 75241  
 WWW.KIMLEY-HORN.COM TEL: 972.382.1000  
 © 2013 KIMLEY-HORN AND ASSOCIATES, INC.

**LIFETIME FITNESS-PLANO**  
 PREPARED FOR  
**LIFETIME FITNESS**

**REVISED PRELIMINARY SITE PLAN AND REVISED CONCEPT PLAN**

CITY OF PLANO, TEXAS

SHEET NUMBER  
**2 of 2**

## Zoning Case 2013-08

**An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to expand Specific Use Permit No. 468 for the additional use of Health/Fitness Center on 3.1± acres of land out of the Jesse Stiff Survey, Abstract No. 793, located on the north side of Legacy Drive, 345± feet east of Preston Road, in the City of Plano, Collin County, Texas, presently zoned General Office; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.**

**WHEREAS**, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 13th day of May, 2013, for the purpose of considering the expansion of Specific Use Permit No. 468 for the additional use of Health/Fitness Center on 3.1± acres of land out of the Jesse Stiff Survey, Abstract No. 793, located on the north side of Legacy Drive, 345± feet east of Preston Road, in the City of Plano, Collin County, Texas, presently zoned General Office; 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 13th day of May, 2013; and

**WHEREAS**, the City Council is of the opinion and finds that expanding Specific Use Permit No. 468 for the additional use of Health/Fitness Center on 3.1± acres of land out of the Jesse Stiff Survey, Abstract No. 793, located on the north side of Legacy Drive, 345± feet east of Preston Road, in the City of Plano, Collin County, Texas, presently zoned General Office, would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

**WHEREAS**, the City Council is of the opinion and finds that such change will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

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

**Section I.** The Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended so as to expand Specific Use Permit No. 468 allowing for the additional use of Health/Fitness Center on 3.1± acres of land out of the Jesse Stiff Survey, Abstract No. 793, located on the north side of Legacy Drive, 345± feet east of Preston Road, in the City of Plano, Collin County, Texas, presently zoned General Office, 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 violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

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

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

**PASSED AND APPROVED THIS THE 13TH DAY OF MAY, 2013.**

---

Phil Dyer, MAYOR

ATTEST:

---

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

---

Diane C. Wetherbee, CITY ATTORNEY

Zoning Case 2013-08

BEING a 3.07 acre tract of land situated in the Jesse Stiff Survey, Abstract No. 793, City of Plano, Collin County, Texas; said tract being all of Lot 2R and part of Lots 3 and 5, Block A, Legacy Corporate Center, an addition to the City of Plano according to the plat recorded in Volume 2007, Page 302 of the plat Records of Collin County, Texas; and being part of a tract of land described in Substitute Trustee's Deed to Scherer I, Ltd., recorded in Instrument No. 20110104000017440 of the Land Records of Collin County, Texas; and being more particularly described as follows:

BEGINNING at a point at the southwest corner of Lot 1, Block 1, Candlewood Addition, an addition to the City of Plano according to the plat recorded in Cabinet L, Page 67 of said Plat Records; said point also being in the north right-of-way line of Legacy Drive (a variable width right-of-way);

THENCE along said north right-of-way line of Legacy Drive, the following course and distances:

North,  $87^{\circ} 47' 04''$  West, a distance of 96.35 feet to a point at the beginning of a tangent curve to the right having a central angle of  $04^{\circ} 14' 54''$ , a radius of 1,386.50 feet, a chord bearing and distance of North,  $85^{\circ} 39' 37''$  West, 102.78 feet;

In a westerly direction, with said curve to the right, an arc distance of 102.80 feet to a point at the end of said curve;

North,  $83^{\circ} 32' 10''$  West, a distance of 50.19 feet to a point at the beginning of a tangent curve to the left having a central angle of  $04^{\circ} 05' 27''$ , a radius of 1,213.50 feet, a chord bearing and distance of North,  $85^{\circ} 34' 54''$  West, 86.63 feet;

In a westerly direction, with said curve to the left, an arc distance of 86.64 feet to a point for corner;

THENCE departing said north right-of-way line of Legacy Drive, North,  $00^{\circ} 08' 21''$  West, a distance of 350.15 feet to a point for corner;

THENCE North,  $43^{\circ} 39' 18''$  East, a distance of 41.93 feet to a point for corner;

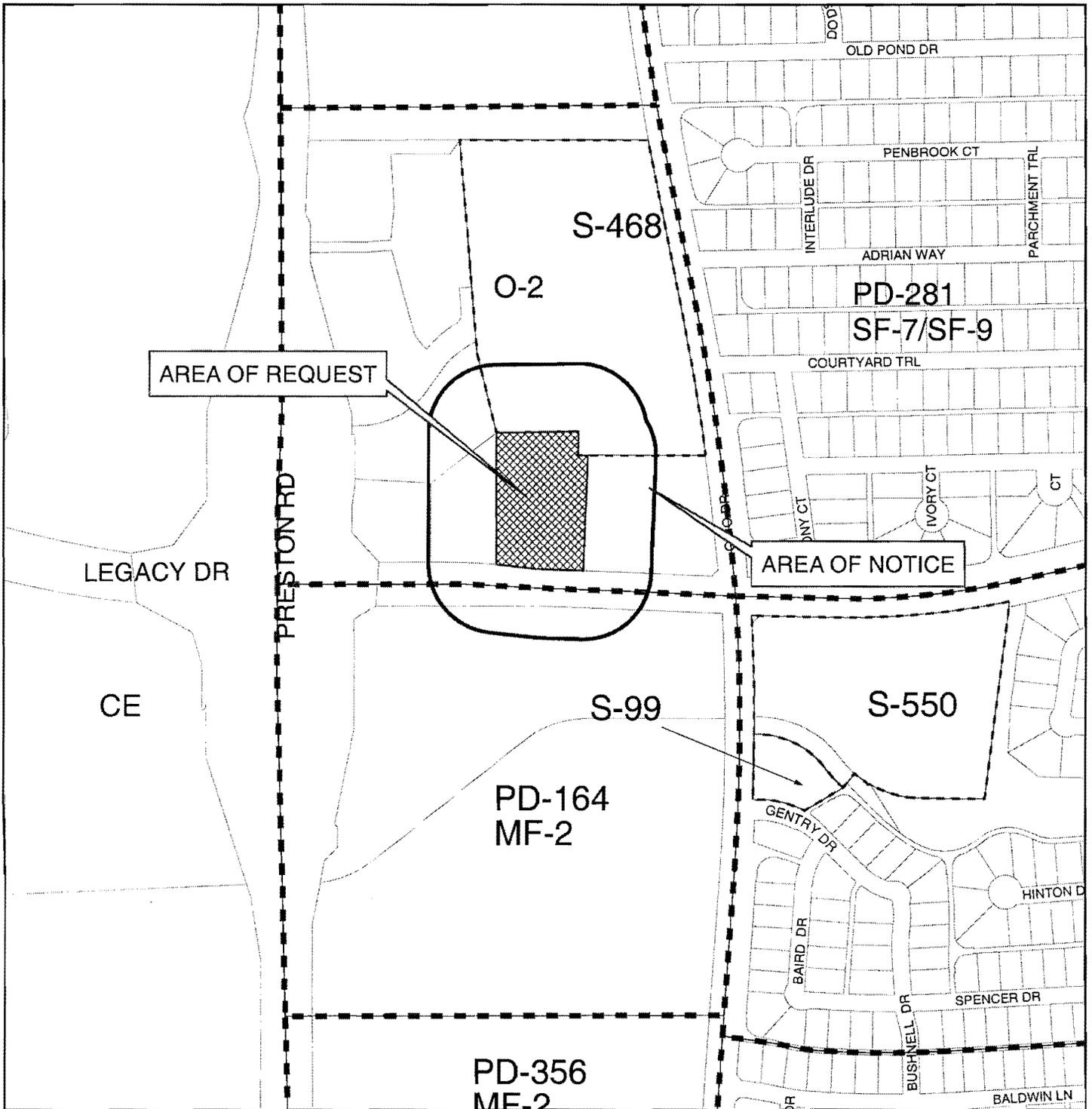
THENCE North,  $88^{\circ} 56' 57''$  East, at a distance of 49.94 feet passing the westernmost southwest corner of Lot 1, Block A, Legacy Corporate Center, an addition to the City of Plano according to the plat recorded in Cabinet P, Page 217 of said Plat Records, continuing along the south line of said Lot 1, Block A, Legacy Corporate Center, in all a total distance of 293.21 feet to a point for corner;

THENCE continuing along said south line of Lot 1, Block A, the following courses and distances:

South,  $02^{\circ} 02' 17''$  West, a distance of 70.81 feet to a point at the southernmost southwest corner of said Lot 1, Block A, Legacy Corporate Center;

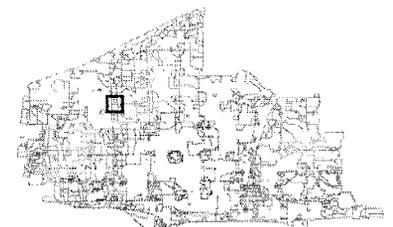
North,  $89^{\circ} 50' 36''$  East, a distance of 29.39 feet to a point at the northwest corner of said Lot 1, Block 1, Candlewood Addition;

THENCE departing said south line of Lot 1, Block A, Legacy Corporate Center, with the west line of said Lot 1, Block 1, Candlewood Addition, South,  $02^{\circ} 12' 56''$  West, a distance of 339.25 feet to the POINT OF BEGINNING and CONTAINING 3.07 acres or 133,782 square feet of land.



Zoning Case #: 2013-08

Existing Zoning: GENERAL OFFICE/PRESTON ROAD OVERLAY DISTRICT



○ 200' Notification Buffer







## CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		05/13/13		
Department:		Planning		
Department Head		Phyllis Jarrell		
Agenda Coordinator (include phone #): <b>Tammy Stuckey, ext. 7156</b>				
<b>CAPTION</b>				
Consideration of a request for a revised preliminary site plan/revised concept plan and to participate in a Parking Reduction Program for a health/fitness center and general office on two lots on 19.0± acres located generally at the northeast corner of Legacy Drive and Preston Road. Zoned General Office/Preston Road Overlay District with Specific Use Permit #468 for Health/Fitness Center. Applicant: Scherer I, Ltd.				
<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
BALANCE	0	0	0	0
<b>FUND(S):</b>				
<b>COMMENTS:</b>				
<b>SUMMARY OF ITEM</b>				
Subsection 3.1112 (Parking Reduction Program) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) of the Zoning Ordinance allows applicants to request approval for the deferment of required parking, subject to approval of a revised preliminary site plan/revised concept plan by the City Council. Developments meeting the criteria in Section 3.1112 may be granted a deferment between 5%-30% of the parking spaces required. The applicant is seeking a 5% reduction of the required parking. The Planning & Zoning Commission recommends approval of the request, by a vote of 8-0.				
List of Supporting Documents: P&Z Follow-up Memo Staff Report Locator Map Revised Preliminary Site Plan/Revised Concept Plan Letter from Applicant		Other Departments, Boards, Commissions or Agencies Planning & Zoning Commission		

**DATE:** April 16, 2013  
**TO:** Honorable Mayor & City Council  
**FROM:** Chris Caso, Chairman, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of April 15, 2013

**AGENDA ITEM NO. 6B - REVISED PRELIMINARY SITE PLAN/  
REVISED CONCEPT PLAN  
9/LEGACY CORPORATE CENTER, BLOCK A, LOTS 1R & 3  
APPLICANT: SCHERER I, LTD.**

Health/fitness center and general office on two lots on 19.0± acres located generally at the northeast corner of Legacy Drive and Preston Road. Zoned General Office/Preston Road Overlay District with Specific Use Permit #468 for Health/Fitness Center. Neighborhood #9.

**APPROVED:** 8-0 **DENIED:**                      **TABLED:**                     

**STIPULATIONS:**

Approved subject to:

1. City Council approval of the request for a parking reduction;
2. The applicant executing a performance agreement with the city, subject to approval by the City Attorney; and
3. Dedication of parking easements for the deferred parking areas on Lot 1R.

**FOR CITY COUNCIL MEETING OF:** May 13, 2013 (To view the agenda for this meeting, see [www.planotx.org](http://www.planotx.org))

TF/dc

xc: Adolf Scherer, Scherer I, LTD.  
William S. Dahlstrom

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 15, 2013

**Agenda Item No. 6B**

**Revised Preliminary Site Plan/Revised Concept Plan:**  
Legacy Corporate Center, Block A, Lots 1R & 3

**Applicant:** Scherer I, Ltd.

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**DESCRIPTION:**

Health/fitness center and general office on two lots on 19.0± acres located generally at the northeast corner of Legacy Drive and Preston Road. Zoned General Office/Preston Road Overlay District with Specific Use Permit #468 for Health/Fitness Center. Neighborhood #9.

**REMARKS:**

The subject property is 19.0± acres located generally at the northeast corner of Legacy Drive and Preston Road, of which the eastern portion of the property is currently developed as a health/fitness center. The remaining southern portion of the property is presently undeveloped.

The purpose for the revised preliminary site plan for proposed Lot 1R is to show the expansion of the existing health/fitness center use to include a free-standing indoor tennis court building, revised lot boundaries, and related site modifications. Additionally, the applicant is seeking a parking deferment as described below.

The purpose for the revised concept plan for proposed Lot 3 is to show a future general office building with related site improvements.

**Request for Parking Reduction**

The applicant is requesting a parking deferment under Subsection 3.1112 (Parking Reduction Program) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) of the Zoning Ordinance. The Parking Reduction Program may be used for single-tenant buildings or building expansions exceeding 100,000 square feet. This program applies specifically to general office, scientific and research laboratories, and governmental operations but may be utilized for other operations with approval by the Planning & Zoning Commission.

Developments meeting the criteria of this section may be granted a deferment of between 5%-30% of the parking spaces required (calculated using the standard parking rates for the particular use in the Zoning Ordinance). The ordinance states that the Planning & Zoning Commission shall review all proposed Parking Reduction Programs and that the Commission shall make a recommendation to the City Council for approval, modification, or denial of the proposed project, based on a finding that the Parking Reduction Program will not negatively impact adjacent streets or properties.

The Zoning Ordinance requires one parking space for each 200 square feet of building area for the health/fitness center use (578 spaces) and six parking spaces per court for the indoor tennis building (60 spaces). Therefore, the total required number of parking spaces for this development at build-out capacity would be 638 spaces.

Currently, the health/fitness center site has 607 parking spaces, and the applicant plans to maintain 606 parking spaces and defer construction of 32 spaces. Therefore, the applicant is requesting a five percent reduction of the required parking. While the site could accommodate the additional 32 parking spaces, the applicant is requesting to not provide the parking spaces due to the following: the amount of required parking is greater than the demand anticipated (638 spaces versus 574 spaces); parking in excess of actual demand is being proposed (606 spaces versus 574 spaces); and the addition of the parking results a loss of existing landscaping and trees on the site.

In accordance with the ordinance, the applicant has provided documentation of estimated actual demand and a revised preliminary site plan in support of the application. The applicant has shown on the revised preliminary site plan that 32 parking spaces could be provided along the northern and eastern portions of the site to satisfy the baseline parking requirements if the additional parking was deemed necessary in the future. In addition to the information on the revised preliminary site plan, the applicant shall be responsible for dedicating parking easements for Lot 1R; no building may be constructed on the areas reserved for deferred parking. Finally, if the parking reduction is granted, the applicant must enter into a performance agreement with the city which allows deferral of the spaces until demand for a greater number of parking spaces is reached or a change of occupancy occurs.

The performance agreement shall:

1. Specify the number of parking spaces that are being deferred, and the program used to decrease parking demand;
2. Specify the date the program will commence in relation to completion and occupancy of the structure;
3. Require annual parking demand monitoring reports, which will note any changes in occupancy or demand for additional parking; and

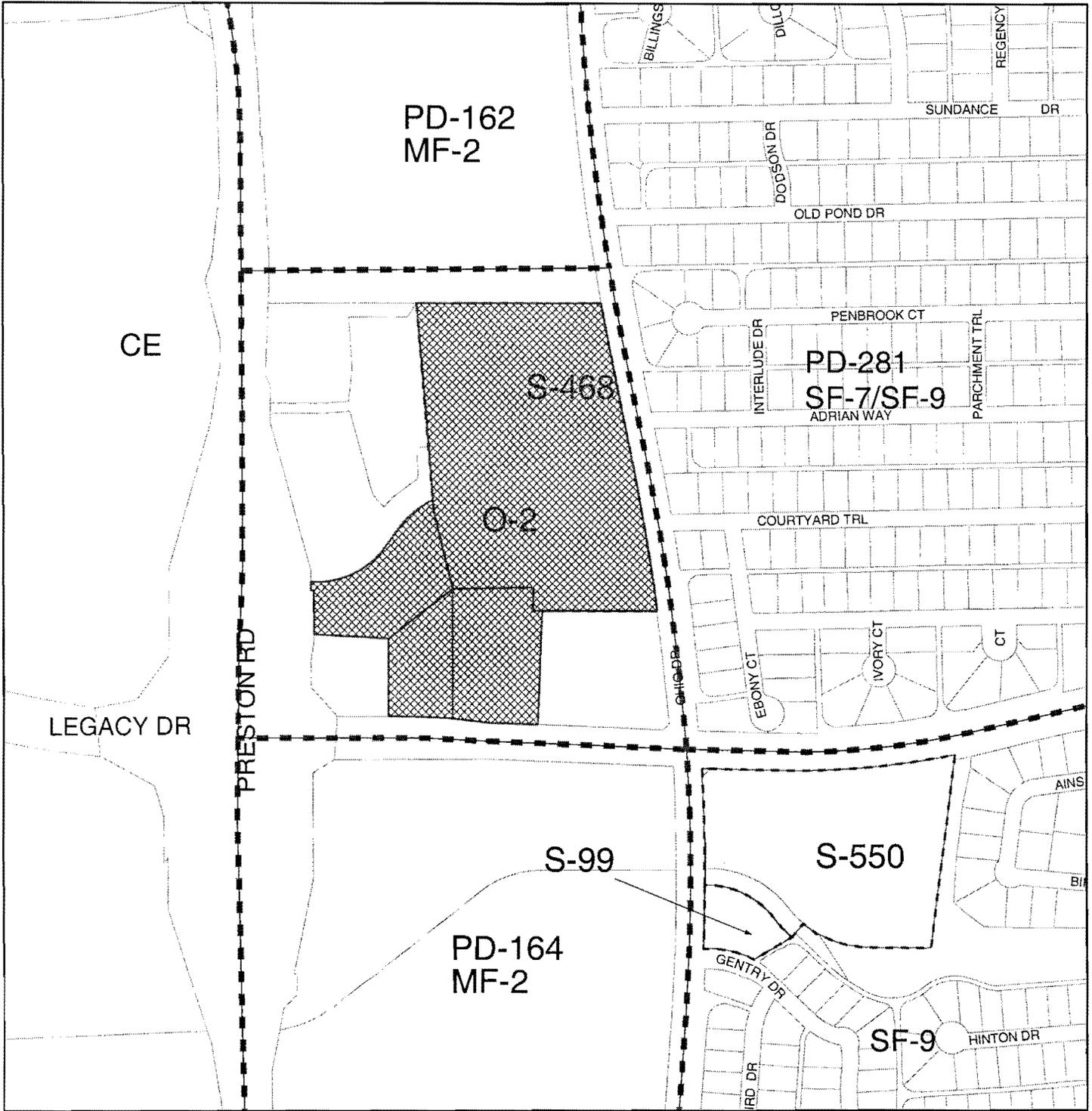
4. Provide penalties for failure to comply with the above as stated in Section 6.400 (Penalty for Violations) of Article 6 (Procedures and Administration) of the Zoning Ordinance. The performance agreement shall be revoked for failure to comply with the stated terms of agreement. The city shall have the right to require the construction of parking to meet the baseline parking assessment if the agreement is revoked.

Staff supports the request for parking deferment. The applicant has satisfied the conditions of the ordinance and provided a revised preliminary site plan designating future onsite parking that can be provided if needed. A replat for Lot 1R will also dedicate the required parking easements in addition to filing a separate parking performance agreement.

**RECOMMENDATION:**

Recommended for approval subject to:

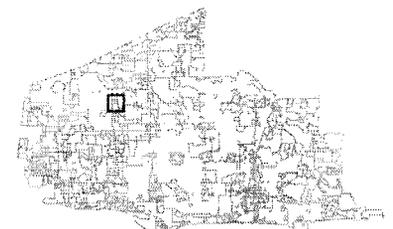
1. City Council approval of the request for a parking reduction;
2. The applicant executing a performance agreement with the city, subject to approval by the City Attorney; and
3. Dedication of parking easements for the deferred parking areas on Lot 1R.



Item Submitted: REVISED PRELIMINARY SITE PLAN/  
REVISED CONCEPT PLAN

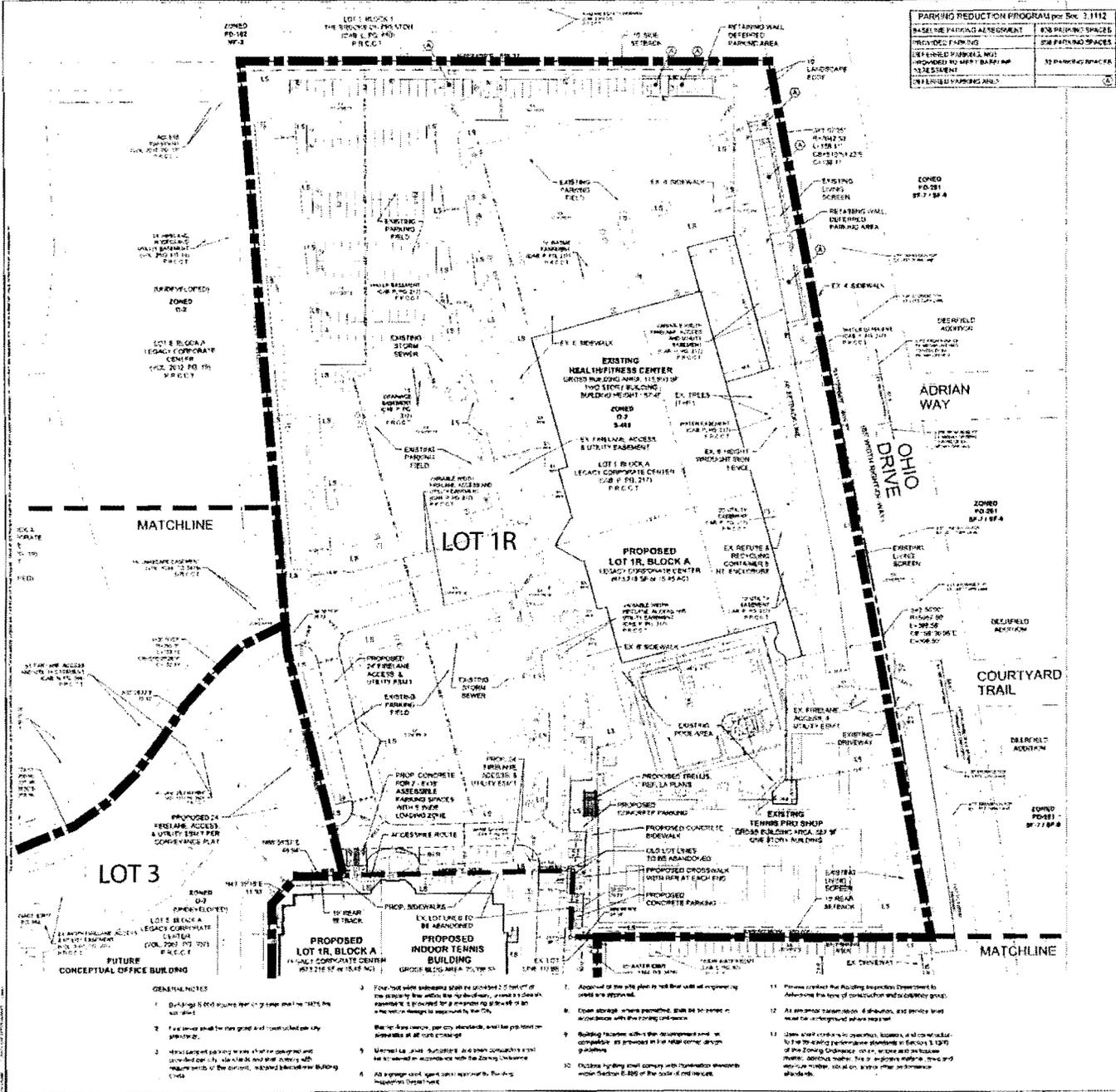
Title: LEGACY CORPORATE CENTER  
BLOCK A, LOTS 1R & 3

Zoning: GENERAL OFFICE/PRESTON ROAD OVERLAY DISTRICT  
w/SPECIFIC USE PERMIT #468



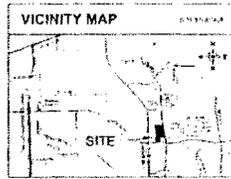
○ 200' Notification Buffer





**PARKING REDUCTION PROGRAM per Sec. 3.1112**

BASELINE PARKING ASSESSMENT	810 PARKING SPACES
PROPOSED PARKING	810 PARKING SPACES
REDUCED PARKING (NO IMPROVED TO MEET BASELINE ASSESSMENT)	810 PARKING SPACES
INTERLUDE PARKING AREA	810 PARKING SPACES



**Site Data Summary Table (Revised Prelim. Site Plan)**

Category	Item	Quantity
General Site Data	Site Area (Acres)	15.45
	Site Area (Sq. Ft.)	665,000
	Site Perimeter (Feet)	10,000
	Site Elevation (Feet)	100
	Site Slope (%)	0.5
	Site Orientation	North
	Site Access	Ohio Drive
	Site Zoning	Office
	Site Use	Office
	Site Notes	See Appendix A for Site Plan
Site Data Summary Table (Revised Concept Plan, Lot 3)	Site Area (Acres)	15.45
	Site Area (Sq. Ft.)	665,000
	Site Perimeter (Feet)	10,000
	Site Elevation (Feet)	100
	Site Slope (%)	0.5
	Site Orientation	North
	Site Access	Ohio Drive
	Site Zoning	Office
	Site Use	Office
	Site Notes	See Appendix A for Site Plan

**WATER METER SCHEDULE**

Item	Quantity	Unit	Price	Total
Water Meter	1	Each	\$50.00	\$50.00
Water Meter	1	Each	\$50.00	\$50.00
Water Meter	1	Each	\$50.00	\$50.00
Water Meter	1	Each	\$50.00	\$50.00
Water Meter	1	Each	\$50.00	\$50.00

THE SURFACE OF THE REVISIONS TO THE PREVIOUS EDITION OF THIS PLAN IS TO BE CONSIDERED AS PART OF THE ORIGINAL PLAN UNLESS OTHERWISE NOTED. THE REVISIONS TO THE PREVIOUS EDITION OF THIS PLAN ARE TO BE CONSIDERED AS PART OF THE ORIGINAL PLAN UNLESS OTHERWISE NOTED.

**REVISED PRELIMINARY SITE PLAN**  
 OF  
**LOT 1R, BLOCK A, LEGACY CORPORATE CENTER**  
 15.45 ACRES BEING ALL OF LOTS 1 & 2R AND A PORTION OF LOTS 3 & 5, BLOCK A, LEGACY CORPORATE CENTER AND  
**REVISED CONCEPT PLAN**  
 OF  
**LOT 3, BLOCK A, LEGACY CORPORATE CENTER**  
 BEING A PORTION OF LOTS 3 & 5, BLOCK A, LEGACY CORPORATE CENTER  
 SITUATED IN THE  
**JESSE STIFF SURVEY, ABSTRACT No. 793**  
 CITY OF PLANO, COLLIER COUNTY, TEXAS

- GENERAL NOTES**
1. Building is to be constructed in accordance with the 2015 International Building Code (IBC) and all applicable local ordinances.
  2. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
  3. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
  4. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
  5. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
  6. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

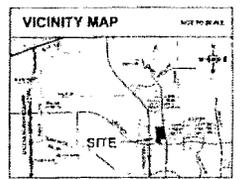
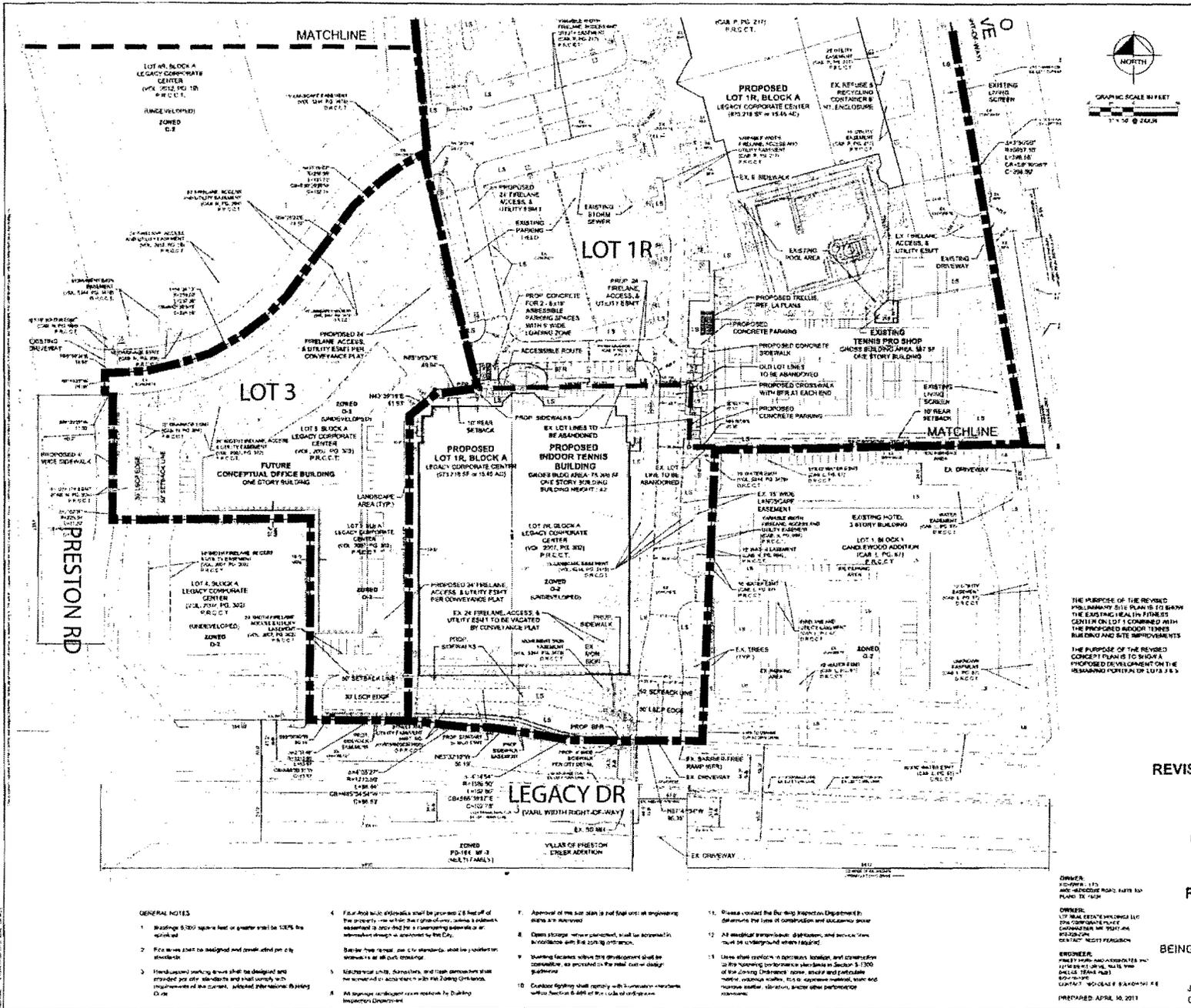
7. Approval of this plan by the City of Plano is required for construction.
8. Construction shall be in accordance with the approved plans and specifications.
9. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
10. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
11. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
12. The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

**Kimley-Horn and Associates, Inc.**  
 1100 WEST 19TH STREET, SUITE 100, PLANO, TEXAS 75075  
 PHONE: 972.372.1000 FAX: 972.372.1001  
 WWW.KIMLEY-HORN.COM

**LIFETIME FITNESS-PLANO**  
 PREPARED FOR  
**LIFETIME FITNESS**

**REVISED PRELIMINARY SITE PLAN AND REVISED CONCEPT PLAN**

DATE: APRIL 10, 2013  
 SCALE: AS SHOWN  
 SHEET: 1 OF 2



**WATER METER SCHEDULE**

GR	Type	Size	Material	Installation	Remarks
1	Domestic	1/2"	Cast Iron	Standard	Existing
2	Domestic	1/2"	Cast Iron	Standard	Existing
3	Domestic	1/2"	Cast Iron	Standard	Existing
4	Domestic	1/2"	Cast Iron	Standard	Existing
5	Domestic	1/2"	Cast Iron	Standard	Existing
6	Domestic	1/2"	Cast Iron	Standard	Existing
7	Domestic	1/2"	Cast Iron	Standard	Existing
8	Domestic	1/2"	Cast Iron	Standard	Existing
9	Domestic	1/2"	Cast Iron	Standard	Existing
10	Domestic	1/2"	Cast Iron	Standard	Existing

THE PURPOSE OF THE REVISED PRELIMINARY SITE PLAN IS TO SHOW THE EXISTING HEALTH FITNESS CENTER ON LOT 1 COMING WITH THE PROPOSED INDOOR TENNIS BUILDING AND SITE IMPROVEMENTS.

THE PURPOSE OF THE REVISED CONCEPT PLAN IS TO SHOW A PROPOSED DEVELOPMENT ON THE REMAINING PORTION OF LOTS 3 & 5.

**REVISED PRELIMINARY SITE PLAN**  
 OF  
**LOT 1R, BLOCK A, LEGACY CORPORATE CENTER**  
 15.45 ACRES BEING ALL OF LOTS 1 & 2R AND A PORTION OF LOTS 3 & 5, BLOCK A, LEGACY CORPORATE CENTER  
 AND  
**REVISED CONCEPT PLAN**  
 OF  
**LOT 3, BLOCK A, LEGACY CORPORATE CENTER**  
 BEING A PORTION OF LOTS 3 & 5, BLOCK A, LEGACY CORPORATE CENTER  
 SITUATED IN THE  
**JESSE STIFF SURVEY, ABSTRACT No. 793**  
 CITY OF PLANO, COLLIN COUNTY, TEXAS

- GENERAL NOTES**
1. Buildings 6,000 square feet or greater shall be 100% fire sprinkled.
  2. Fire alarm shall be designed and provided per city standards.
  3. Hazardous working areas shall be designated and attended per city standards and shall comply with requirements of the current applicable International Building Code.
  4. Four-foot wide sidewalks shall be provided 2 feet off of the property line within the groundline unless a different sidewalk is shown and is a complying sidewalk as determined through an approval by the City.
  5. Sanitary limits, separators, and trap assemblies shall be provided in accordance with the Texas Plumbing Code.
  6. All drainage collection lines require a Double Inspection Department.

7. Approval of this site plan is not final until engineering plans are approved.
8. Open storage when permitted, shall be screened in accordance with the city code.
9. Existing facilities within the development shall be maintained, as provided in the other outdoor design guidelines.
10. Outdoor lighting shall comply with minimum standards within Section 8.08 of the code of ordinances.

11. Please contact the Building Inspection Department to determine the time of construction and occupancy start.
12. All electrical permit-required equipment and services shall meet the requirements of the applicable code.
13. Use of all portions of adjacent, located, and contiguous to the proposed performance standards in Section 8.1300 of the existing Ordinance, noise, smoke and particulate matter, vibration, radiation, air or atmospheric material, over and above other applicable codes, shall be performed.

14. Please contact the Building Inspection Department to determine the time of construction and occupancy start.
15. Use of all portions of adjacent, located, and contiguous to the proposed performance standards in Section 8.1300 of the existing Ordinance, noise, smoke and particulate matter, vibration, radiation, air or atmospheric material, over and above other applicable codes, shall be performed.

**OWNER:**  
 LEGACY 1111  
 AND RESERVE ROAD FORT WORTH TX 76104

**ENGINEER:**  
 KIMLEY-HORN AND ASSOCIATES, INC.  
 15700 WEST DRYDEN STREET, SUITE 1000 DALLAS, TEXAS 75244  
 WWW.KIMLEY-HORN.COM TEL: 972.382.1000  
 CONTACT: MICHAEL BACHMANN  
 PREPARED APRIL 10, 2011

**Kimley-Horn and Associates, Inc.**

15700 WEST DRYDEN STREET, SUITE 1000 DALLAS, TEXAS 75244  
 WWW.KIMLEY-HORN.COM TEL: 972.382.1000  
 CONTACT: MICHAEL BACHMANN  
 PREPARED APRIL 10, 2011

**LIFETIME FITNESS-PLANO**  
 PREPARED FOR  
**LIFETIME FITNESS**  
 CITY OF PLANO, TEXAS

**REVISED PRELIMINARY SITE PLAN AND REVISED CONCEPT PLAN**

SHEET NUMBER  
**2 of 2**



JACKSON WALKER L.L.P.



ATTORNEYS & COUNSELORS

April 9, 2013

William S. Dahlstrom  
(214) 953-5932 (Direct Dial)  
(214) 661-6616 (Direct Fax)  
wdahlstrom@jw.com

**VIA ELECTRONIC MAIL**

Mr. Eric Hill  
Planner  
City of Plano Planning Department  
1520 Avenue K  
Plano, Texas 75074

Re: Lifetime Fitness;  
Northeast Corner of Preston Road and Legacy Drive;  
Request for Parking Reduction Program.

Dear Eric:

On behalf of Lifetime Fitness, we are submitting this request for approval of a reduction in the required number of parking spaces in accordance with the City of Plano Zoning Ordinance, Article 3.1112, Parking Reduction Program. The amount to be deferred is 5.02% of the total parking required for the existing facility and the proposed indoor tennis facility. Based on actual counts of occupied spaces at peak periods, the required amount of parking far exceeds the actual demand, as set forth below.

The existing building, which consists of 115,503 square feet, is used as a fitness center with multiple game courts, swimming pools, and exercise areas. The proposed indoor tennis facility would have ten tennis courts and contain 75,218 square feet of floor area.

**Baseline Parking Assessment**

According to Article 3.1107, Parking Space Schedule, of the City's Zoning Ordinance, the existing Lifetime Fitness facility is required to provide one space per 200 square feet of gross floor area, or 578 parking spaces. The proposed indoor tennis facility requires 60 parking spaces. The total parking requirement would then be 638 parking spaces. There are 606 spaces proposed for the entire site. Therefore, a parking reduction is being requested for 5.02% of the required parking.

Use	Parking Space Requirement	Parking Metric	Parking Spaces Required
Fitness Center	1/200 sq. ft.	115,503 sq. ft.	578
Indoor Tennis Court	6/ court	10 courts	60
Total Parking Required			638
Total Parking Proposed			606
Parking to be Deferred			32 (5.02%)

### **Estimated Actual Demand**

The subject site currently has 607 parking spaces available. Observations of actual parking usage were performed during times of peak demand on Thursday, March 28, 2103 and Saturday, March 30, 2013. An examination of building entry data for those times and previous weeks shows that the observations reflected typical activity on weekdays and Saturdays. Numbers of parked vehicles were counted each 30 minutes until a visible peak was observed. These observations of actual demands show that the present site has a significant amount of unused parking spaces, even during the busiest site activity.

During the weekday evening peak period observed on Thursday, March 28, 2013, the highest parking occupancy observed was 381 vehicles, which occurred at 6:30 PM. This number of occupied spaces would result in a surplus of 226 empty spaces on the site during the weekday evening peak. If the proposed tennis facility uses all 60 spaces required under the Zoning Ordinance, the entire facility would still have a surplus of 166 parking spaces.

During the Saturday midday peak period observed on Saturday, March 30, 2013, the highest parking occupancy observed was 514 vehicles which occurred at 10:30 AM. This number of occupied spaces would result in a surplus of 93 empty spaces on the site during the Saturday midday peak. If the proposed tennis facility uses all 60 spaces required under the Zoning Ordinance at that peak time, the entire facility would still have a surplus of 33 parking spaces.

### **Preliminary Site Plan**

The accompanying Preliminary Site Plan demonstrates that the additional 32 parking spaces can be provided throughout the subject property. Providing this additional parking would cost approximately \$65,075.00. However, providing the additional parking would require the unnecessary removal of existing landscaping and trees, and require the construction of retaining walls along existing berms. In order to maintain as much of the landscaping and trees as possible, we are requesting a minimal reduction in the parking requirement.

Based on the actual counts recently conducted, the parking requirement is substantially greater than actual demand at this time. A Performance Agreement would assure the City that the additional parking will be provided, if warranted in the future based on further required observation.

A Parking Management Plan is not necessary as part of this request because we are proposing to provide parking that is actually greater than the parking demand. Additionally, due to the surplus of parking already provided compared to actual demand, we do not anticipate overflow parking to occur.

Consequently, because (i) the amount of required parking is significantly greater than actual parking demand, (ii) parking in excess of actual demand is being proposed, and (iii) requiring the additional would result in the unnecessary loss of landscaping and trees, an increase in impervious surface and stormwater runoff, and require construction of retaining walls and other site improvements, we respectfully request that the Parking Reduction Program for a deferral of 5.3% of the required parking be approved for Lifetime Fitness.

Mr. Eric Hill  
April 9, 2013  
Page 3

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Thank you for your assistance with this request. Please do not hesitate to contact me if you have any questions regarding this matter.

Regards,

  
William S. Dahlstrom

cc: Scott Ferguson  
Nick Sulkowski  
Scot Johnson  
Jonathan Vinson