

PLANO CITY COUNCIL

WILL CONVENE INTO EXECUTIVE SESSION AT 5:00 P.M., AUGUST 8, 2005 AND PRELIMINARY OPEN MEETING IMMEDIATELY THEREAFTER, IN THE PLANO MUNICIPAL BUILDING, 1520 K AVENUE, IN COMPLIANCE WITH VERNON'S TEXAS CODES ANNOTATED, GOVERNMENT CODE CHAPTER 551 (OPEN MEETINGS ACT), AS FOLLOWS:

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

EXECUTIVE SESSION

- | | | | |
|------|---|-------------|---------|
| I. | Legal Advice | Wetherbee | 8 min |
| | A. Respond to questions and receive legal advice on agenda items | | |
| | B. Comcast cable transfer request to Time Warner | | |
| II. | Litigation: | Wetherbee | 7 min. |
| | A. City of Plano v. Comcast | | |
| | B. Harry Beam v. City of Plano | | |
| III. | Real Estate
Discussion and Direction on Rice Field Redevelopment Agreement | Turner | 5 min. |
| IV. | Economic Development | Muehlenbeck | 10 min. |
| | A. 380 Tax Abatement Agreement for a Site on Dallas North Tollway | | |
| | B. 380 Tax Abatement Agreement for a Site on Parkwood Boulevard | | |

PRELIMINARY OPEN MEETING

- | | | | |
|------|--|---------------------------------|---------|
| I. | Consideration and action resulting from executive session discussion | Council | 5 min. |
| II. | Tom Muehlenbeck Center Design and Art Element Update | Wendell | 15 min. |
| III. | Community Investment Program Review | Wendell,
Foster,
Upchurch | 30 min. |

IV.	Discussion and Direction re Request from MCOR to Use City Logo	Glasscock	5 min.
V.	Personnel Appointment Civil Service Commission	Muehlenbeck	2 min.
VI.	Council items for discussion/action on future agendas	Council	2 min.
VII.	Consent and Regular Agenda	Council	3 min.
VIII.	Council Reports	Council	3 min.
	A. Council May Receive Information, discuss and provide direction on the following reports:		
	B. Council may receive reports from its other members who serve as liaisons to boards, commissions, and committees		

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

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



CITY COUNCIL

1520 AVENUE K

DATE: August 8, 2005

CALL TO ORDER: 7:00 p.m.

INVOCATION: Associate Pastor Shannon Grubbs
First Christian Church Plano

PLEDGE OF ALLEGIANCE: Girl Scout Troop 1537

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>THE MISSION OF THE CITY OF PLANO IS TO PROVIDE OUTSTANDING SERVICES AND FACILITIES, THROUGH COOPERATIVE EFFORTS WITH OUR CITIZENS THAT CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.</p> <p>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p><u>CERTIFICATE OF APPRECIATION</u></p> <p><u>Tax Increment Financing Reinvestment Zone No.2 Board</u> Michael Wayne Tucker</p> <p><u>GENERAL DISCUSSION</u></p> <p>In accordance with the Open Meeting Act, the City Council will hear comments of public interest, but any discussion shall be limited to placing the item on a future agenda for further consideration.</p> <p>Remarks are limited to five (5) minutes per speaker, with a maximum of 30 total minutes of testimony. Other time restraints may be directed by the Mayor.</p> <p>Specific factual information or an explanation of current policy may be made in response to an inquiry; but any discussion or decision must be limited to a proposal to place the item on a future agenda. Speakers will be notified when speaking time has expired.</p> <p><u>BOARD/COMMISSION REPORTS</u></p> <p>Animal Shelter Advisory Committee – Roger Bolin, Chair Planning and Zoning Commission – Laura Williamson, Chair</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>CONSENT AGENDA</p> <p><u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial.</u></p> <p><u>Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. The Council will then take action on the remainder of the Consent Agenda items. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></p> <p>(a) <u>Approval of Minutes</u></p> <p>July 25, 2005 July 27, 2005</p> <p><u>Approval of Expenditures</u></p> <p>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</p> <p>(b) To approve Bid No. 2005-204-B for Tri-City Academy – HVAC Replacement to Berger Engineering in the amount of \$244,699.</p> <p>(c) To approve RFP No. 2005-200-C “Multi-Step RFP for Professional Services: Audit Services” in the amount of \$109,063 for an annual contract with four annual one-year renewals with a 6% annual increase for years 2-5.</p> <p>(d) To approve Bid No. 2005-216-C for an annual fixed price contract for AR-15 Semi-Automatic .223 Caliber Carbine Weapon Systems and Accessories for Police Department to Ameetec Arms LLC, Cavalry Arms Corp., DoubleStar Corp., and LECOR Technologies, LLC in the estimated annual amount of \$46,706 for an annual contract with two optional one-year renewals.</p> <p>(e) To approve Bid No. 2005-209-B for Animal Shelter Incinerator Replacement to Crawford Industrial Group, LLC in the amount of \$94,654.</p> <p>(f) To approve Bid No. 2005-211-B for Tri-City Police Academy Roof Replacement and Water Repellant Coating Installation to Supreme Systems, Inc. in the amount of \$306,958.</p> <p>(g) To approve Bid No. 2005-218-B for Oak Point Amphitheater Sound System and Lighting System to AV Pro, Inc. in the amount of \$74,713.</p> <p>(h) To approve Bid No. B106-05 for the purchase of an event management software application to Dean Evans and Associates, Inc. in the amount of \$33,870.</p> <p>(i) To approve Bid No. B202-05 for the Power Factor Improvements at Stadium, Custer and Shiloh Pump Stations to Dal-Ec Construction, LTD, in the amount of \$360,000</p> <p>(j) To cancel Bid Award for Bid No. B152-05 for 11,000 GVWR Extended Cab and Chassis with Utility Body (3-Door Minimum) to Gunn Chevrolet in the amount of \$25,287.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>Miscellaneous Purchase Authorization:</p> <p>(k) To approve the terms and conditions of a Depository Services Contract with COMERICA BANK, and authorizing the City Manager to execute the contract and all other necessary documents for Bid No. C119-05; and providing an effective date.</p> <p><u>Adoption of Resolutions</u></p> <p>(l) To accept the certified appraisal roll for Fiscal Year 2005-2006, and providing an effective date.</p> <p>(m) To approve the terms and conditions of an interlocal agreement by and between the City of Plano, Texas and the Plano Independent School District; providing terms and conditions for the operation of the Police/School Liaison Program; authorizing its execution by the City Manager; and providing an effective date.</p> <p>(n) To authorize the purchase of two above-ground fuel storage tanks in the amount of thirty-six thousand seven hundred ninety-five and no/100 dollars (\$36,795); authorizing the execution of all documents in connection therewith by the City Manager; and providing an effective date.</p> <p><u>Adoption of Ordinances</u></p> <p>(o) To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, amending Specific Use Permit No. 137 so as to expand the day care center on 1.8± acres of land located on one lot at the southwest corner of Hedgcoxe Road and Georgetown Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7/Planned Residential Development-2 with Specific Use Permit No. 137 for Day Care Center, directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. (Zoning Case 2005-09) Public Hearings held 05/09/05 and 07/25/05. Council approved the request on 07/25/05.</p> <p><u>Approval of License Agreement</u></p> <p>(p) To approve a license agreement between the City of Plano and Preston Ridge III, a homeowner association located in Plano, Collin County, Texas, for use of the Plano Logo.</p> <p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p><u>The purpose of a Public Hearing is to receive input and information with the clarification that the focus of the City Council is on the singularly presented position, and not on repetition. To more effectively consider all presentations, applicants will limit their presentations to 15 minutes with a five (5) minute rebuttal time, if needed. All other speakers will be limited to a maximum of 30 total minutes of testimony, and three minutes per individual on any single issue. Other time restraints may be imposed at the discretion of the Mayor.</u></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(1)	<p>Public Hearing and an ordinance as requested in Zoning Case 2005-21 – To amend Section 3.300 (Minimum Structure Standards) and Subsection 3.304 (Nonresidential Uses) of Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations); and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, to rename the title and to prohibit the use of membrane and/or metal exterior wall finishes for nonresidential structures; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano</p>	
(2)	<p>Public Hearing on the Proposed FY 2005-06 Budget and FY 2005-06 Community Investment Program (CIP).</p>	
(3)	<p>Vote on a proposal to consider an increase in total tax revenue.</p>	
(4)	<p>Adoption of City Council Strategic Plan for 2005-2020.</p>	
(5)	<p>A Resolution supporting funding for the construction of the State Highway 121 Main Lanes in Collin County. Public Hearings held 6/13/05 and 6/27/05 and further discussion 7/25/05.</p>	
(6)	<p>An Ordinance to amend Subsection (d) of Section 12-73 of Article IV (Speed) of Chapter 12 (Motor Vehicles and Traffic) of the City of Plano Code of Ordinances; to revise the designated times of operation for certain school zones providing a fine for criminal penalties not to exceed \$200 for each offence; and providing a repealer clause, a severability clause, a savings clause, a publication clause and an effective date.</p>	
	<p><u>Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. Training Room A is located on the first floor. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.</u></p>	



Pat Evans
Mayor

Ken Lambert
Mayor Pro Tem

Scott Johnson
Deputy Mayor Pro Tem

Shep Stahel
Place 1

Loretta Ellerbe
Place 3

Sally Magnuson
Place 4

Harry LaRosiliere
Place 5

Jean Callison
Place 7

Thomas H. Muehlenbeck
City Manager

August 3, 2005

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

Honorable Mayor and City Council:

We will begin our meeting Monday evening in Executive Session with legal advice, litigation, real estate and personnel.

The Preliminary Open Meeting agenda consists of an update on the Tom Muehlenbeck Center design and art elements and review of the Community Investment Program. You also have a request to use the City logo and one personnel appointment.

I look forward to seeing you Monday evening.

Sincerely yours,

Thomas H. Muehlenbeck
City Manager

THM/bn

Preliminary Open Meeting Item II.

Tom Muehlenbeck Center Design and
Art Element Update – Don Wendell

POM IIa



August 1, 2005

Pat Evans
Mayor

Ken Lambert
Mayor Pro Tem

Scott Johnson
Deputy Mayor Pro Tem

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Place 1

Loretta Ellerbe
Place 3

Sally Magnuson
Place 4

Harry LaRosiliere
Place 5

Jean Callison
Place 7

Thomas H. Muehlenbeck
City Manager

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

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

Dear Mayor Evans and Councilmembers:

The Planning & Zoning Commission reviewed the proposed Community Investment Program items for the 2005-2006 budget year. The Commission found the CIP to be consistent with the Comprehensive Plan's recommendations for growth management and facility and infrastructure maintenance. The program also addresses present trends in development and population growth.

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

Sincerely,

Laura Williamson, Chairman
Planning & Zoning Commission

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

City Council CIP Worksession
On the 2005-06 Proposed Community Investment Program

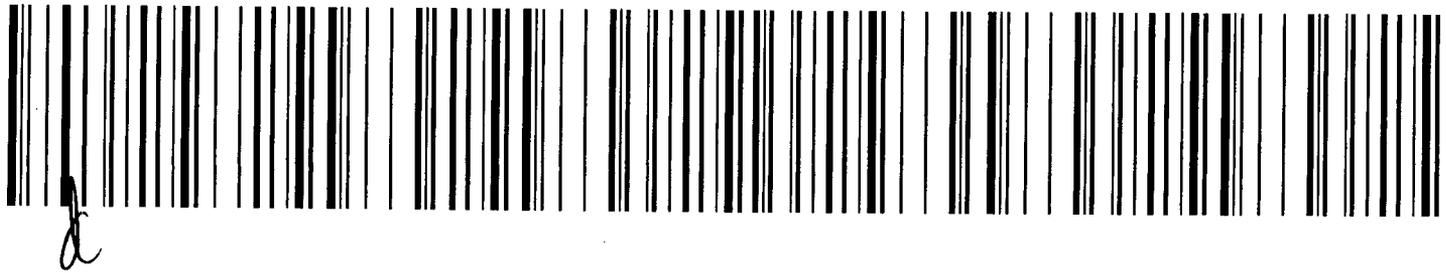
Council Chambers, Plano Municipal Center
Monday, August 8, 2005, 5:00 p.m.

- | | |
|-----------------------------------|-------------|
| A. Capital Improvement Program | Presenter |
| 1. Overview | Muehlenbeck |
| 2. Parks | Wendell |
| A. Park Improvements Bond Program | |
| B. Park Fee Program | |
| C. Parks Capital Reserve | |
| 3. Streets | Upchurch |
| A. Street Improvement | |
| B. Street Enhancements | |
| 4. Municipal Drainage | Upchurch |
| 5. DART | Upchurch |
| 6. Water & Sewer | Upchurch |
| A. Water Improvements | |
| B. Sewer Improvements | |
| 7. Municipal Facilities | Upchurch |
| 8. Capital Reserve | |
| A. Municipal Facilities | Upchurch |
| B. Streets | Foster |

COMBINED EXPENDITURE SUMMARY
(Includes All Resources)

Project Expenditures	Re-Estimate						Total	
	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10		Future
Police & Courts	2,839,000	20,000	930,000	0	0	0	5,500,000	9,289,000
Library Facilities	3,287,000	1,000,000	1,000,000	0	0	0	0	5,287,000
Fire Facilities	5,551,000	5,500,000	7,750,000	4,100,000	4,350,000	0	0	27,251,000
Animal Shelter	118,000	200,000	1,155,000	0	0	0	0	1,473,000
Service Center	19,000	0	0	0	0	0	0	19,000
Joint Use Facility	264,000	0	0	0	0	0	0	264,000
Municipal Parking	218,000	0	0	0	0	0	0	218,000
Creative & Performing Arts	696,000	0	0	0	0	0	0	696,000
Other Facilities	0	0	0	0	0	0	0	0
Park Improvements	10,761,000	16,253,000	15,568,000	17,420,000	14,708,000	13,900,000	41,550,000	130,160,000
Recreation Centers	1,867,000	12,153,000	7,200,000	400,000	6,000,000	0	0	27,620,000
Street Enhancements	65,000	272,000	320,000	320,000	320,000	288,000	0	1,585,000
Street Improvements	24,933,000	31,518,000	32,596,000	18,849,000	18,954,000	5,570,000	21,965,000	154,385,000
Total General Obligation	50,618,000	66,916,000	66,519,000	41,089,000	44,332,000	19,758,000	69,015,000	358,247,000
Park Fee Program	885,000	1,785,000	280,000	340,000	405,000	336,000	500,000	4,531,000
DART LAP	55,000	300,000	0	0	0	0	0	355,000
Capital Reserve	19,417,000	14,124,200	12,859,000	12,746,000	11,938,000	12,229,000	36,447,000	119,760,200
Total Other Funds	20,357,000	16,209,200	13,139,000	13,086,000	12,343,000	12,565,000	36,947,000	124,646,200
Municipal Drainage Projects	2,630,000	2,820,000	1,600,000	1,575,000	1,500,000	1,500,000	9,550,000	21,175,000
Total Municipal Drainage	2,630,000	2,820,000	1,600,000	1,575,000	1,500,000	1,500,000	9,550,000	21,175,000
Water Projects	6,058,908	3,334,721	7,175,433	4,590,436	4,724,436	2,653,436	11,208,739	39,746,109
Sewer Projects	6,024,908	4,209,721	5,193,433	5,055,436	5,074,436	4,968,436	9,353,739	39,880,109
Total Water & Sewer Projects	12,083,816	7,544,442	12,368,866	9,645,872	9,798,872	7,621,872	20,562,478	79,626,218
TOTAL	85,688,816	93,489,642	93,626,866	65,395,872	67,973,872	41,444,872	136,074,478	583,694,418

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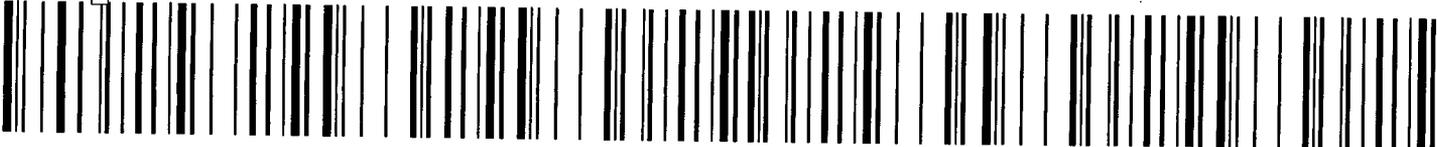


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Parks and Recreation

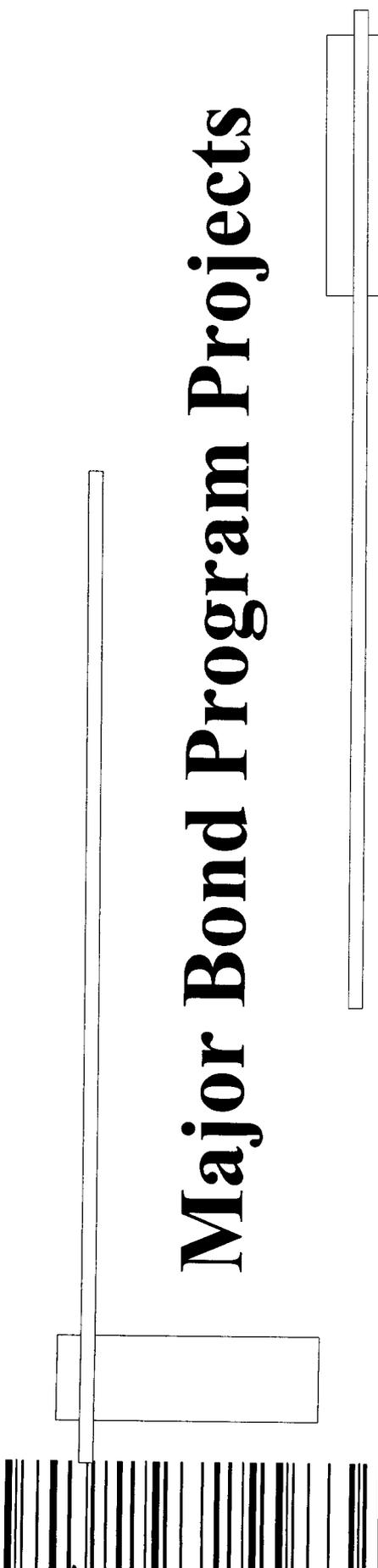
Proposed Community Investment Program

FY 2005 - 06



Parks and Recreation

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



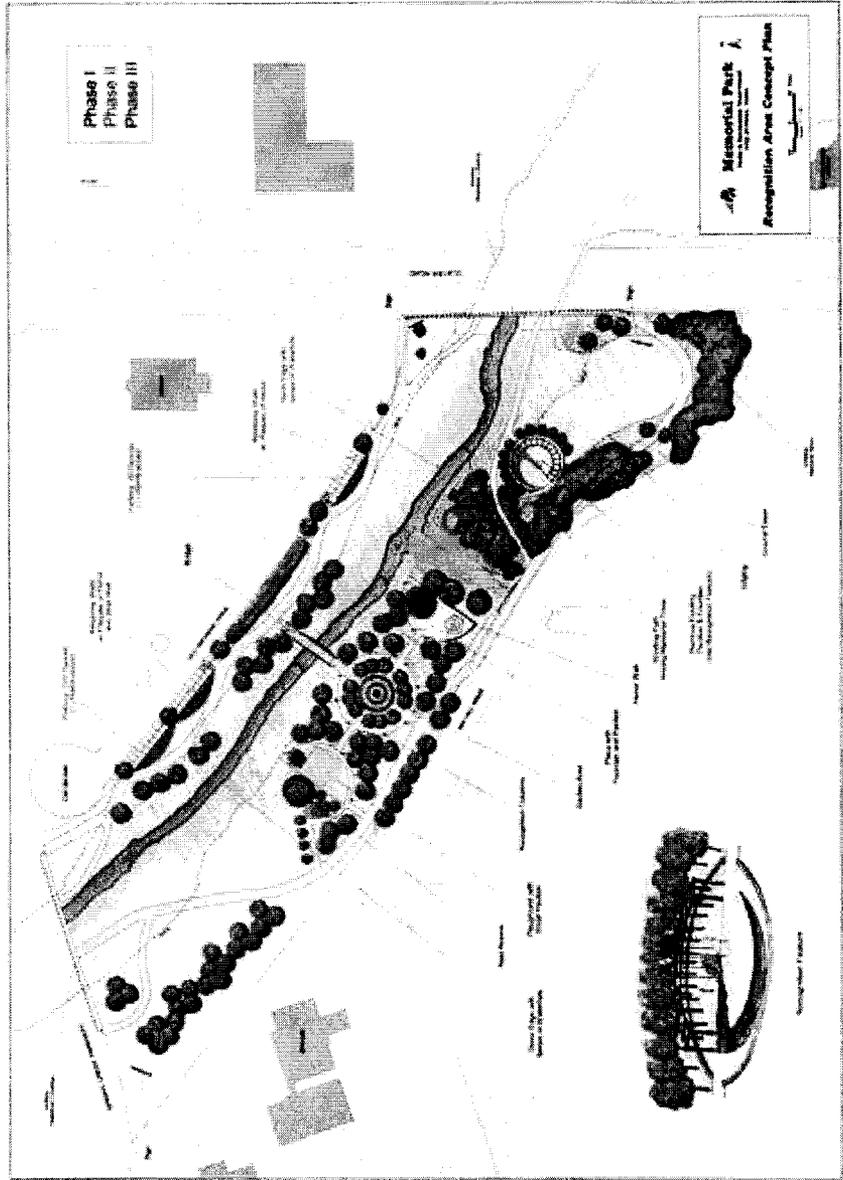
Major Bond Program Projects

Archgate Park	\$ 3,703,000
Memorial Park	\$ 1,900,000
Neighborhood Park Improvements	\$ 750,000
Oak Point Park	\$ 4,000,000
Tom Muehlenbeck Center	\$12,153,000
Trail Connections	\$ 750,000
White Rock Creek Acquisitions	\$ 3,000,000

Archgate Park

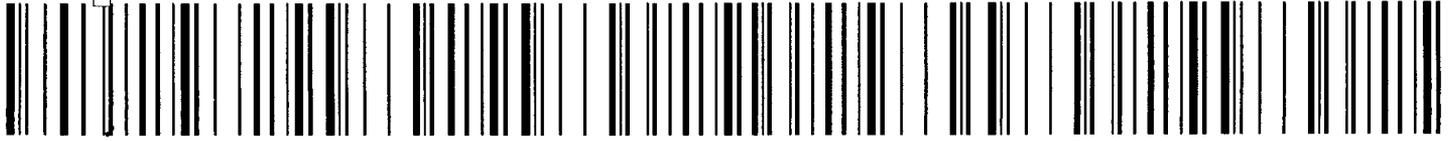
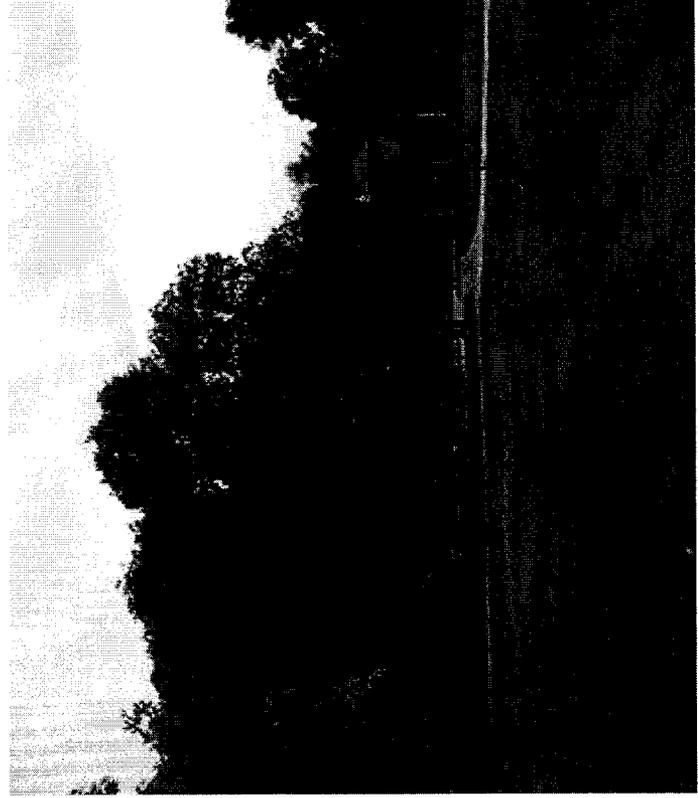
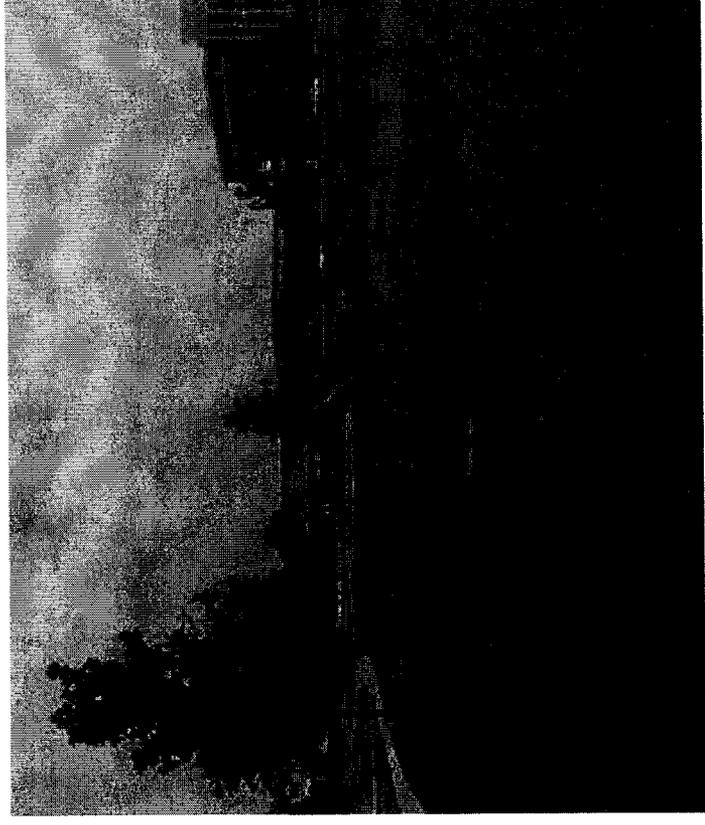


Memorial Park

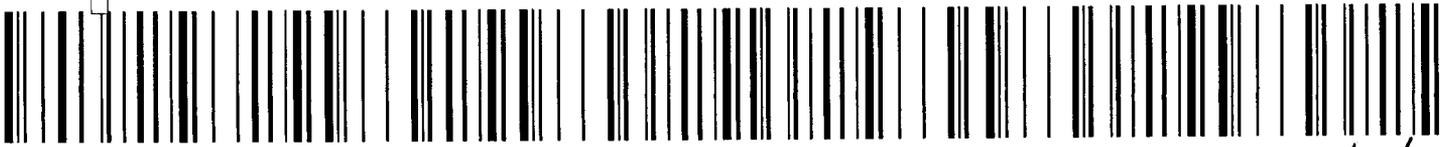


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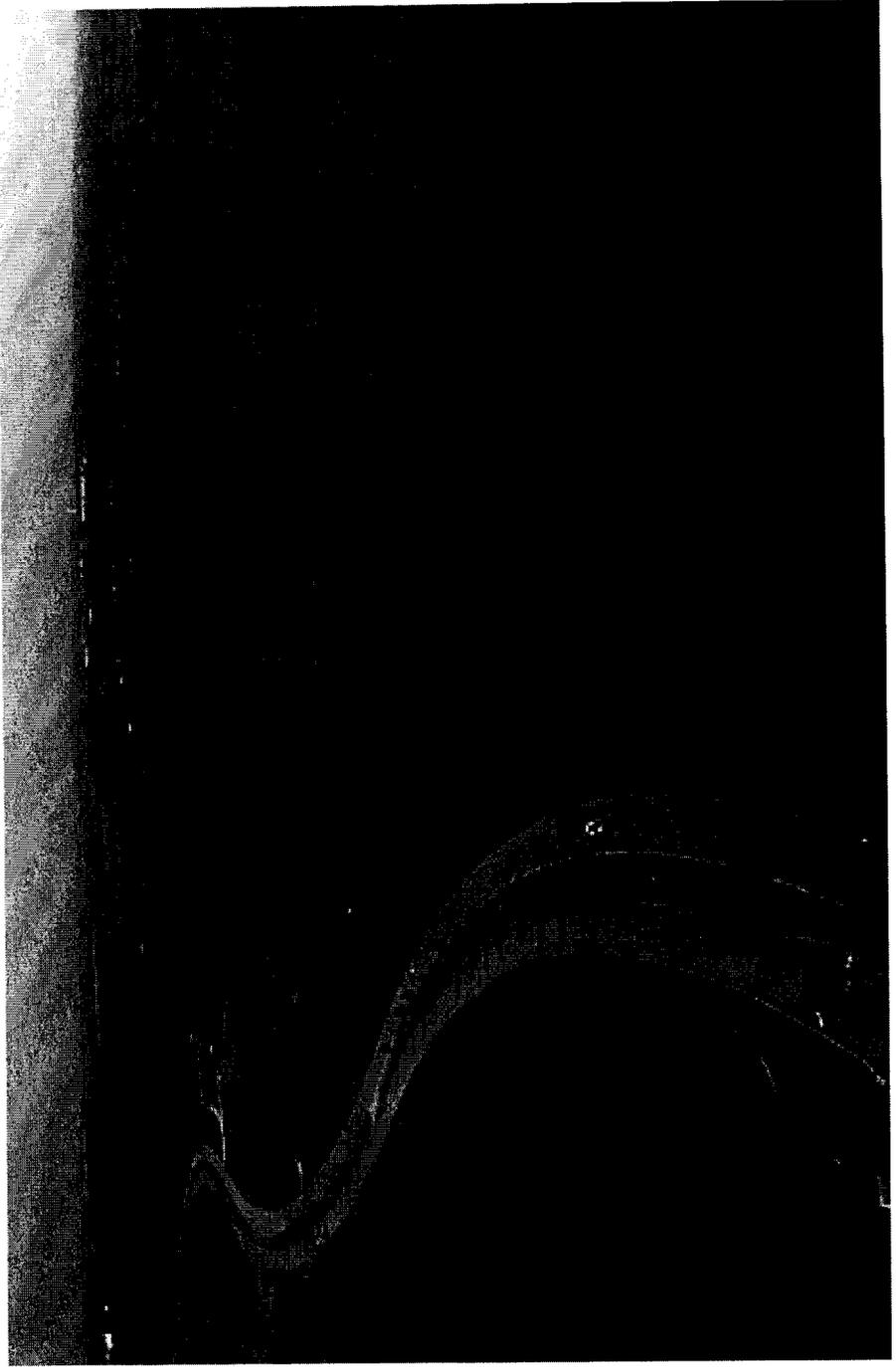
Neighborhood Park Improvements



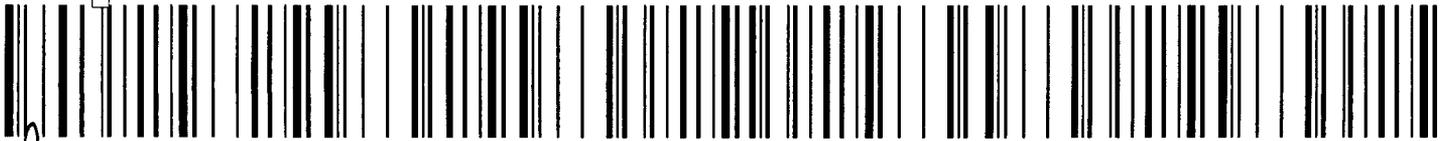
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Oak Point Park & Nature Preserve



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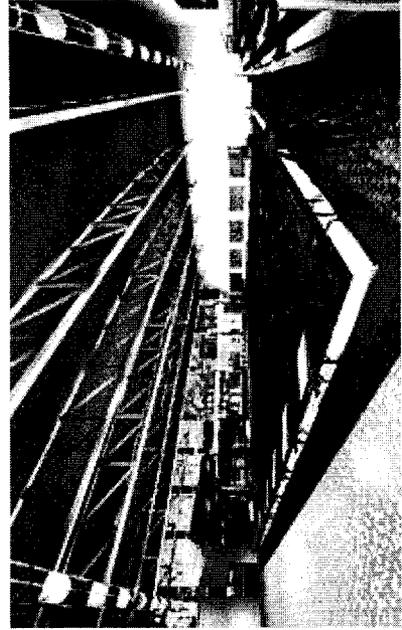
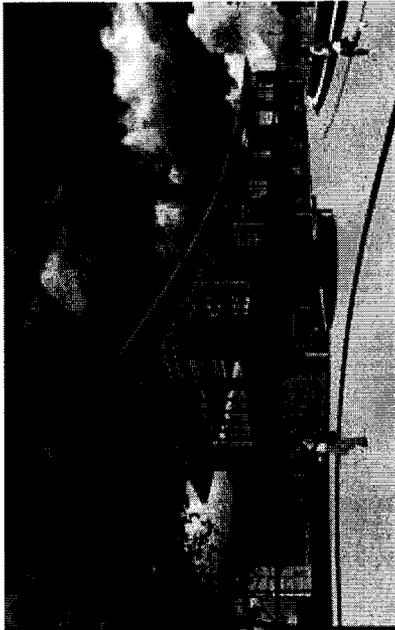
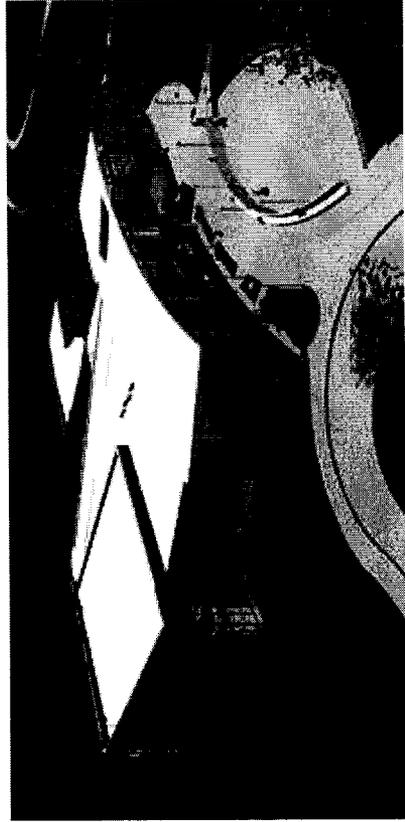


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Oak Point Park & Nature Preserve

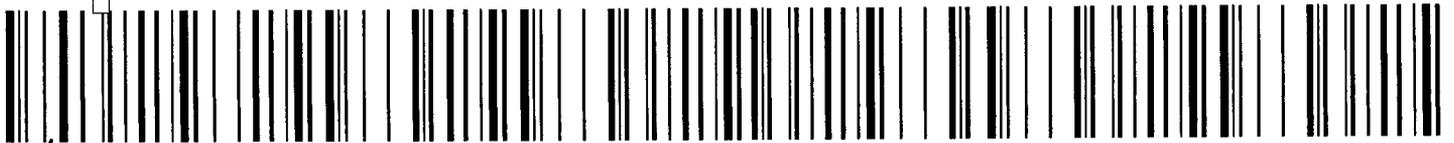


Tom Muehlenbeck Center



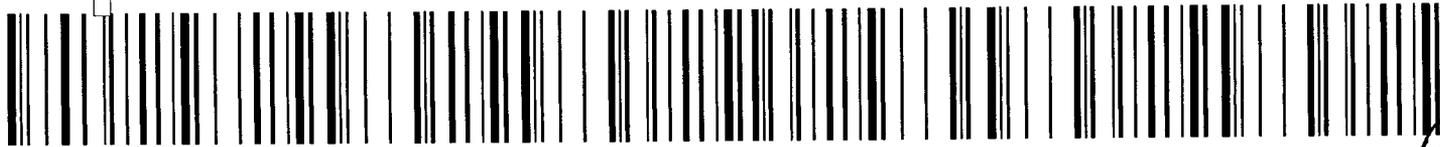
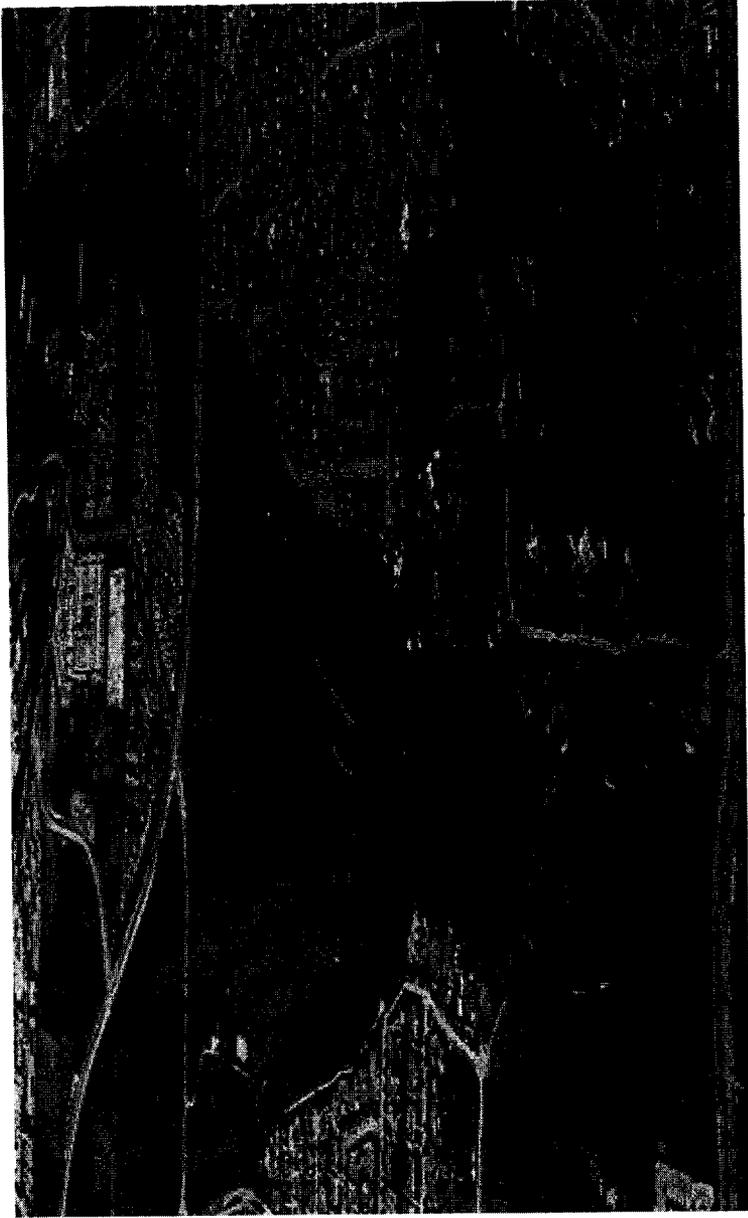
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Trail Connections

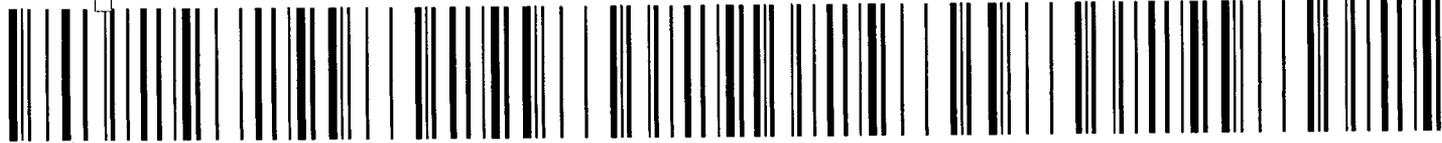


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White Rock Creek Acquisitions



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Park Fee Projects

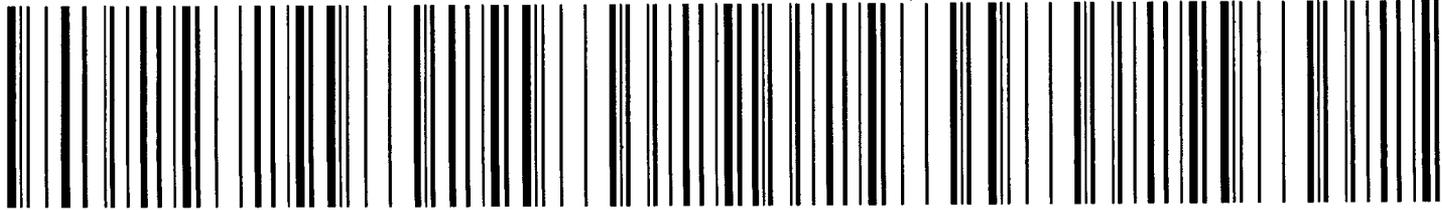


- Greenbelt Acquisition and Trail Development
- \$1,785,000

Park Capital Reserve Fund

• Athletic Field Renovations	\$ 600,000
• Big Lake Park	\$ 625,000
• Irrigation Renovations	\$ 150,000
• Parking Lot Replacements	\$ 500,000
• Park Shelter Replacements	\$ 135,000
• Playground Replacements	\$ 200,000
• Recreation Center Equipment	\$ 190,000
• Restroom Renovations	\$ 200,000
• Trail Repairs	\$ 500,000
• Other Projects	<u>\$ 815,000</u>
• Total	\$3,915,000





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ENGINEERING

Proposed Community Investment Program

FY 2005-06

Street Improvements

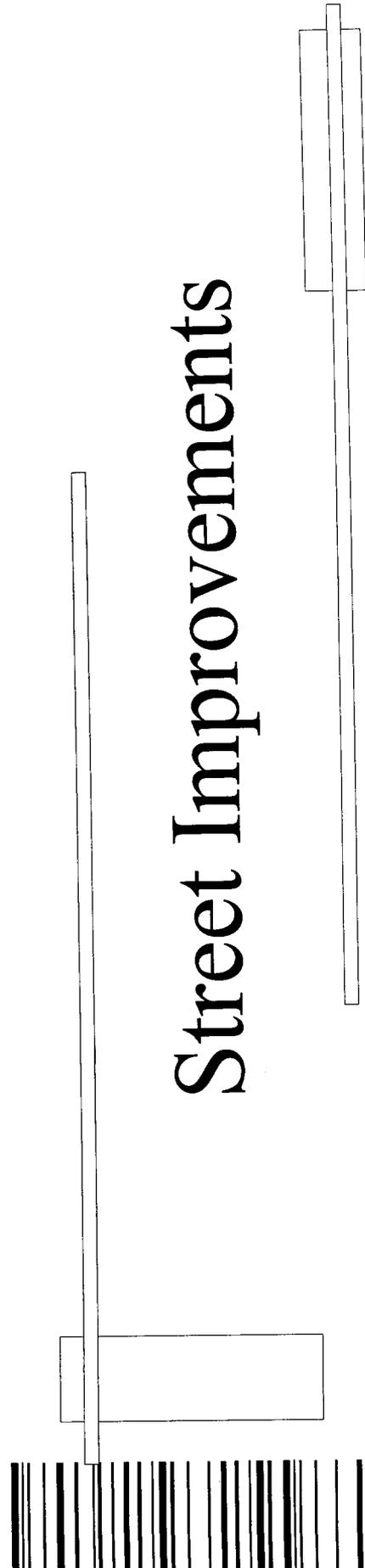
Rehabilitation Projects	\$ 4,800,000
Design Projects	2,600,000
Capacity Improvements	13,800,000
Funding Continuation	6,500,000
Miscellaneous	<u>3,318,000</u>
Total	\$31,018,000

Street Improvements

- Rehabilitation Projects - \$4,800,000
- Alley Reconstruction
- Screening Wall Reconstruction
- Street Reconstruction - 15th Street - G to I Avenue, Alma Road Whitetopping, P Avenue - Park Boulevard to 18th Street

Street Improvements

- Design projects future construction - \$2,600,000
- 15th Street – U.S. 75 to Avenue G
- Communications – Spring Creek Parkway to Tennyson
- Headquarters/Hedgcoxe Connector
- Parker Road/U.S. 75 Interchange



Street Improvements

- Design projects – Continued
- Parkwood – Park to Spring Creek Parkway
- Preston/Legacy Intersection
- Preston/Plano Parkway Intersection
- Spring Creek Parkway/Coit Intersection
- Wyatt North Addition

Street Improvements

Capacity Improvements - \$13,800,000

- Communications – Falls Road to Parker
- Intersection Improvements
- Jupiter/Plano Parkway Intersection
- McDermott – Coit to Custer
- Oversize Participation

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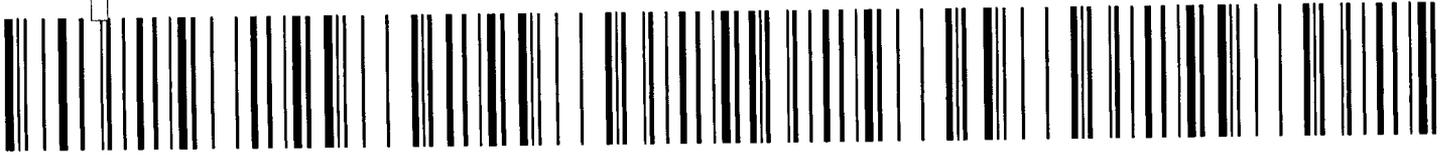
Street Improvements

Capacity Improvements Continued

- Parker Road – K Avenue to P Avenue
- Plano Parkway – Tollroad to Park
- Ridgetop Lane
- Signalization
- Tulane Drive
- U.S. 75 Ramps

Street Improvements

- ▶ Funding Continuation - \$6,500,000
- ▶ Hedgcoxe Road – Custer to Alma
- ▶ J Avenue/12th Street Reconstruction
- ▶ Janwood
- ▶ Plano Parkway – Los Rios to 14th Street
- ▶ Ravenglass
- ▶ Ridgeview Drive – Independence to Custer
- ▶ Shiloh Road Extension to Parker



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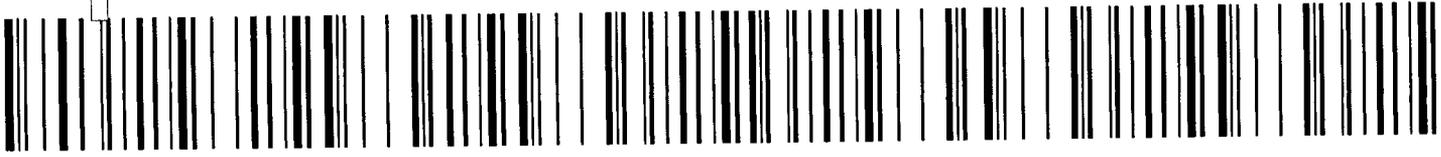


Street Improvements



▪ Miscellaneous - \$3,318,000

- Signal Upgrades
- Landscaping
- Alleys
- Park Streets
- Right of Way Acquisitions
- Railroad Crossing Quiet Zones
- Redevelopment Street Improvements
- Street Lighting

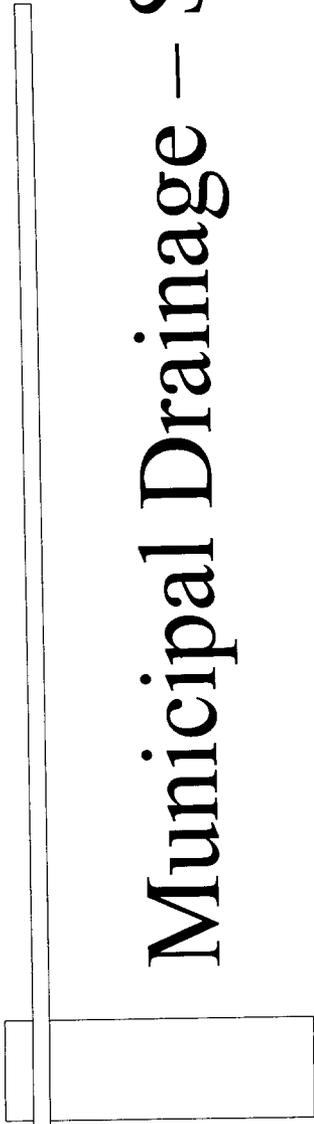


Street Enhancements - \$727,000

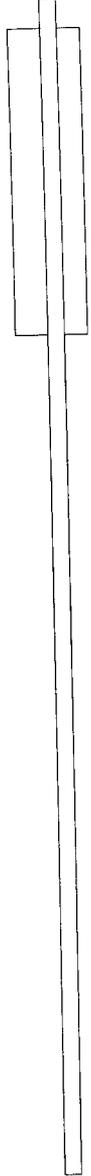
- Downtown
- Landscape Entryways
- Legacy Drive



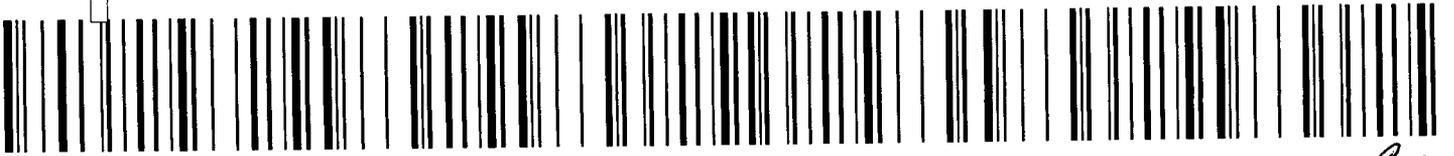
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Municipal Drainage – \$2,820,000



- Briarwood Erosion Control
- Erosion Control Projects - Miscellaneous
- Drainage Improvements
- Rice Field
- River Bend Lakes



DART - \$300,000



West Side Intersection Improvements

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Water Improvements

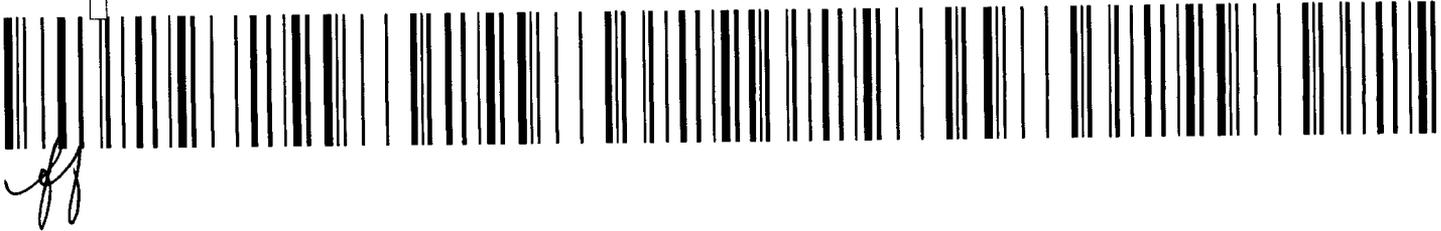
\$3,318,721

- 15th Street – G to I
- Fire Hydrants
- Oversize Participation
- P Avenue – 18th to Park
- Plano Parkway east of Los Rios
- S.H. 121 Utility Adjustments
- Whiffletree Water Rehabilitation

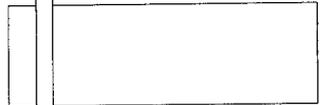
Sewer Improvements

\$4,209,721

- I & I Repairs
- Manhole Sealing
- P Avenue – 18th to Park
- Ridgeview/121 Sewer
- Oversize Participation



ss



Facility Projects

\$6,700,000



- Police Academy Expansion
- Fire Station No. 11
- Fire Station No. 12/Logistics Facility
- Emergency Operation Center
- Library Improvements
- Animal Shelter Expansion

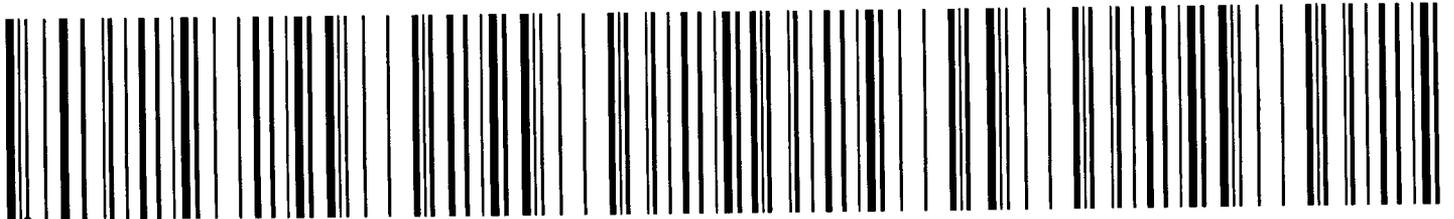
Capital Reserve - Facilities

\$2,034,000

- Asbestos and Mold Testing and Removal
- Energy Reduction
- Various Building Modifications
 - Carpenter Park Recreation Center
 - Fire Stations 1, 3, 5, 7 and 8
 - Municipal Center
 - Plano Centre
 - Robinson Justice Center
 - Schimelpfenig Library
 - Stadium Pump Station



hh



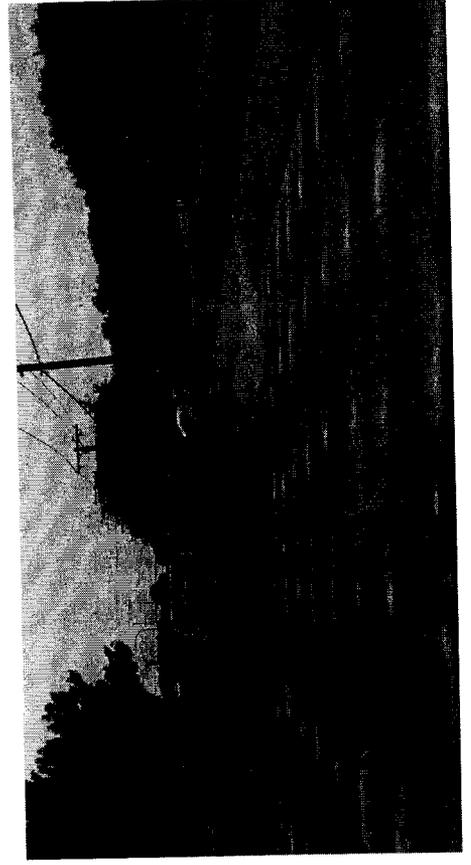
PUBLIC WORKS

Proposed Capital Reserve Program

FY 2005-06

Undersealing Program (Arterial & Residential Streets) \$2,000,000

- Extends life
- Low initial cost
- Traffic friendly
- Eliminates joint displacements for smoother ride



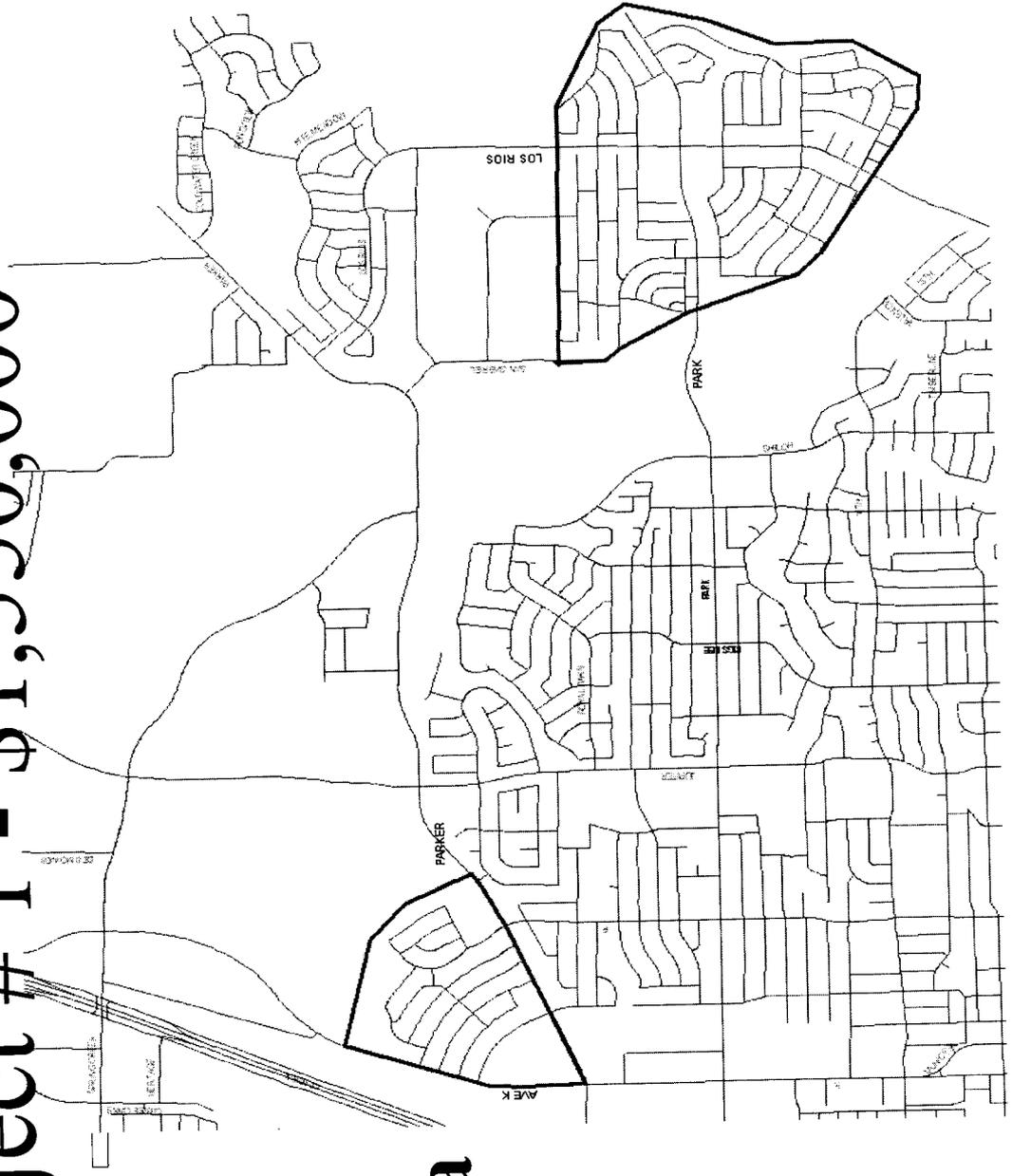
W

Residential Street and Alley

Project # 1 - \$1,550,000

**Village
North Area
(Ave K &
Parker)**

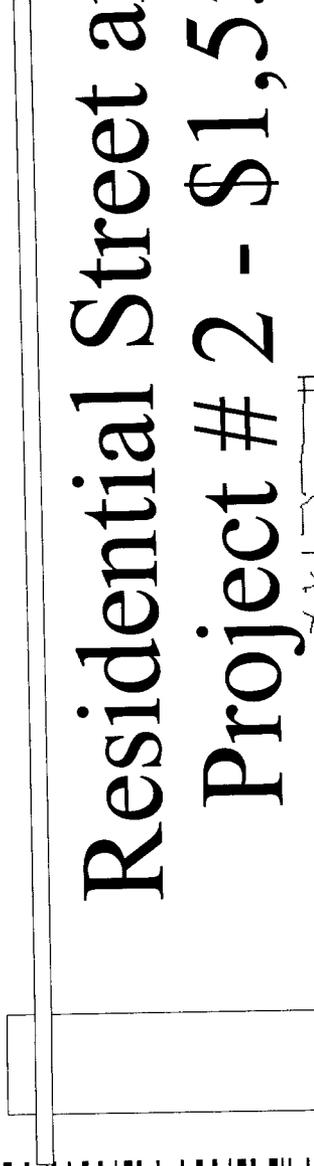
**Los Rios
Area**



pk



ll



Residential Street and Alley Project # 2 - \$1,550,000

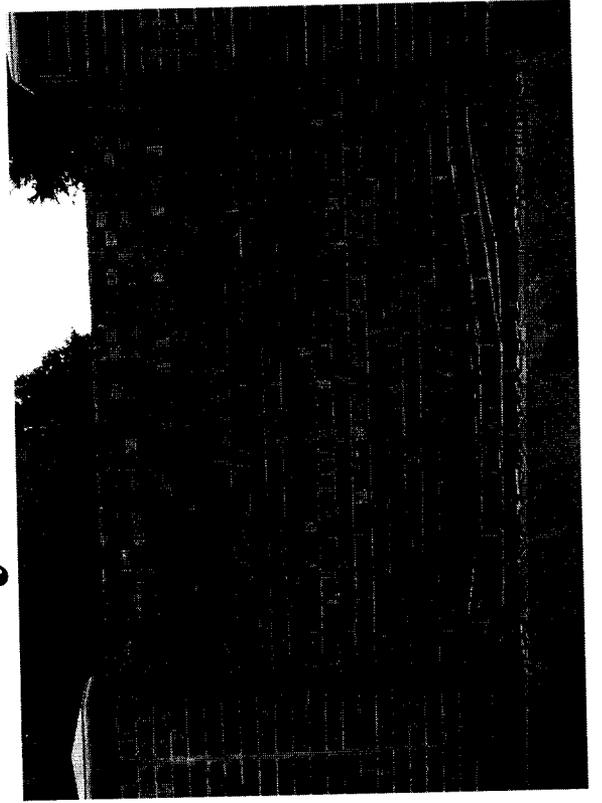
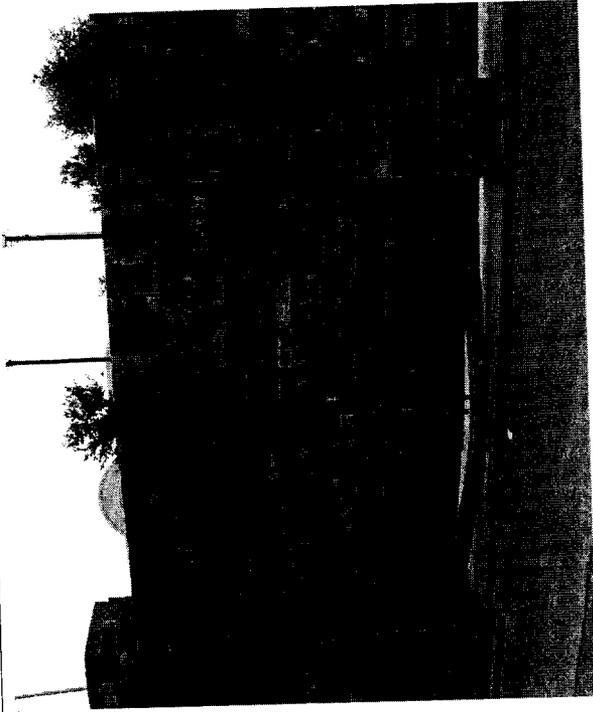
**Boundaries:
Custer Rd,
Hedgcoxe Rd,
Legacy Dr,
US 75**



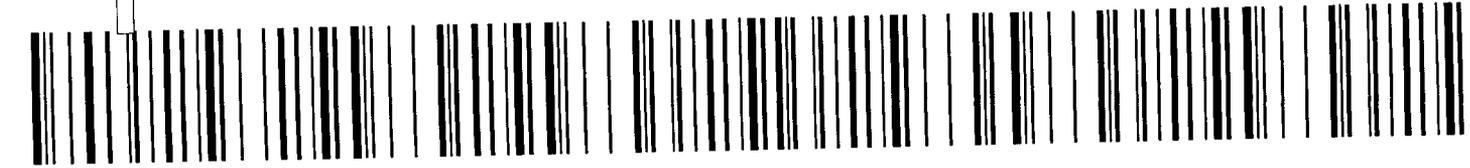
Screening Wall Reconstruction

\$250,000

Repair 500
Panels
Throughout
City



mm

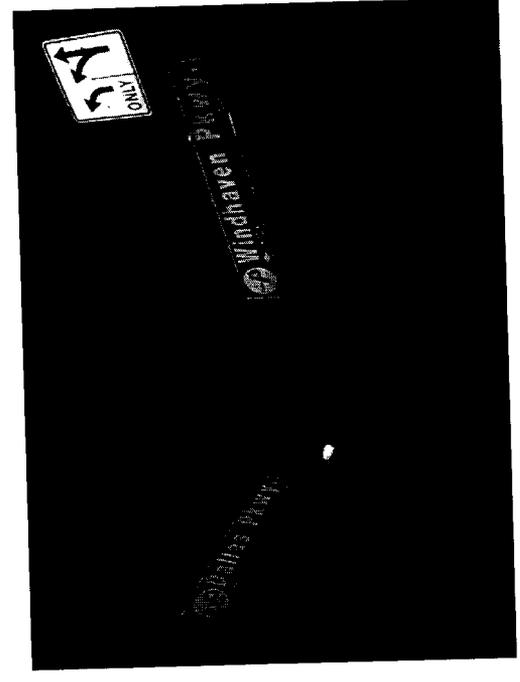
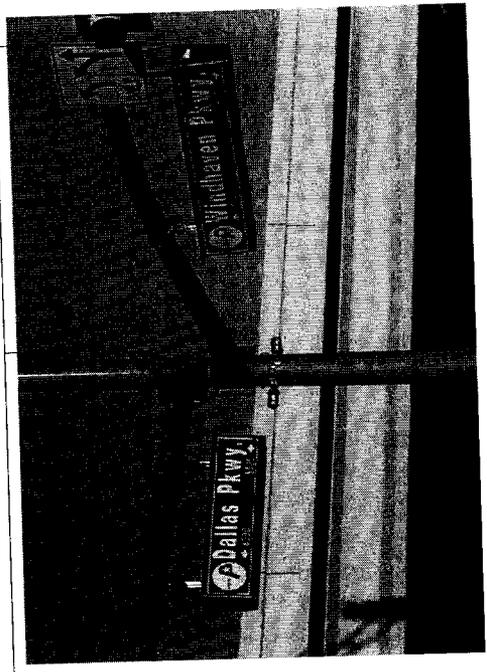


MR

Lighted Street Name Signs

\$100,000

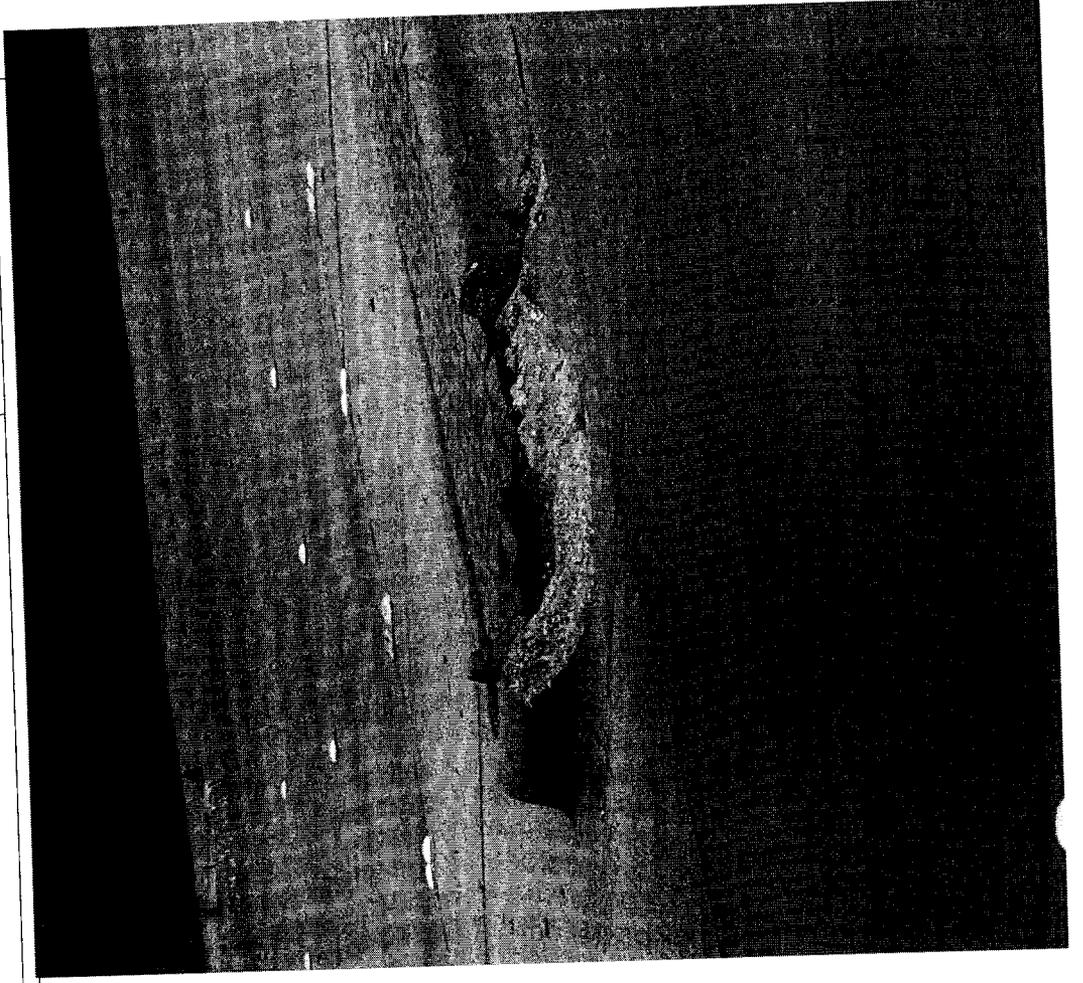
Lighted Street Name Signs at Major Intersections



Curb and Median Repair

\$175,000

- City-wide
- Within 500 feet of Intersections
- Repair of Median Noses
- Filling in Areas Around Street Lights, etc.



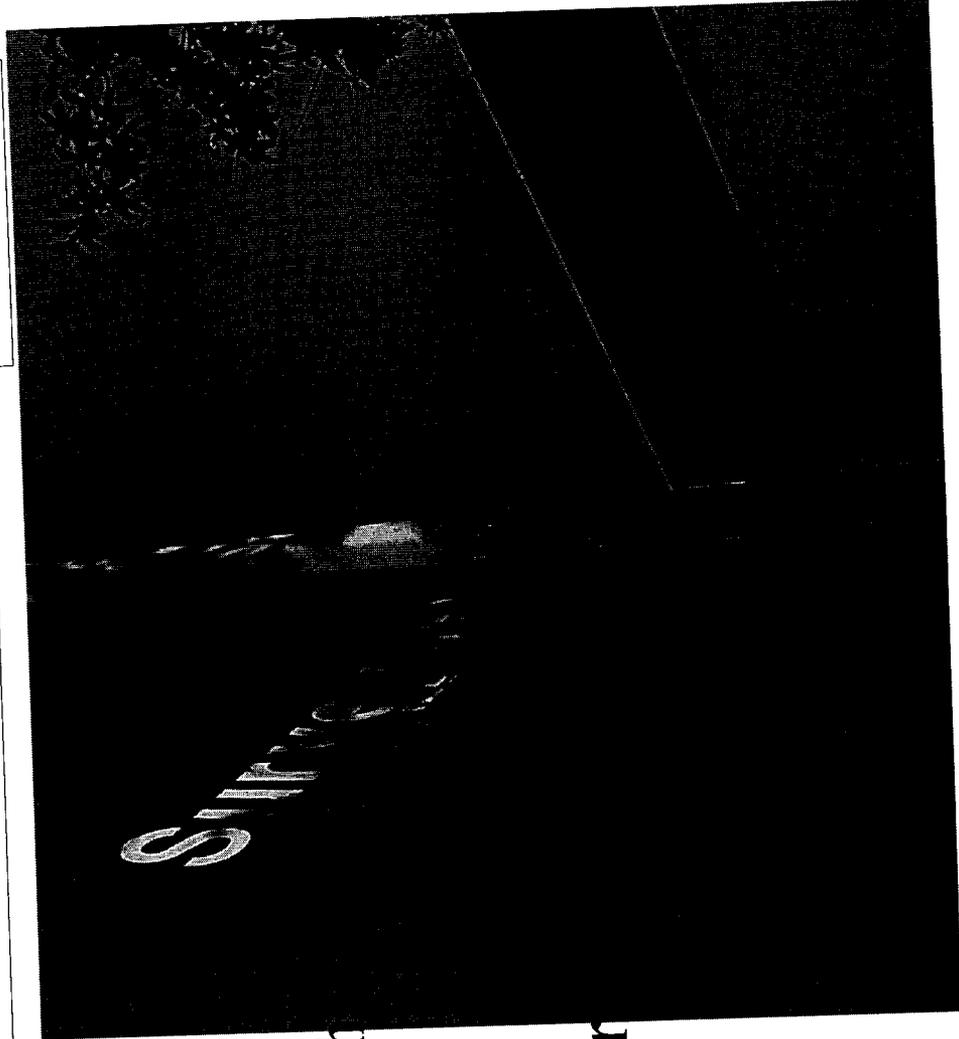
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pp

Street Name Signs (Mandated Program) \$90,000

- Federal Mandate
- Replace all 4-inch Lettering with 6-inch Lettering
- 2,100 Street Name Blades each Year for Five (5) Years



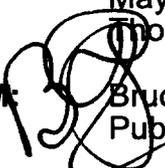


P.O. Box 860358
Plano, Texas 75086-0358
972-941-7000
Fax. No. 972-941-0099
<http://www.ci.plano.tx.us>

MEMORANDUM

DATE: August 1, 2005

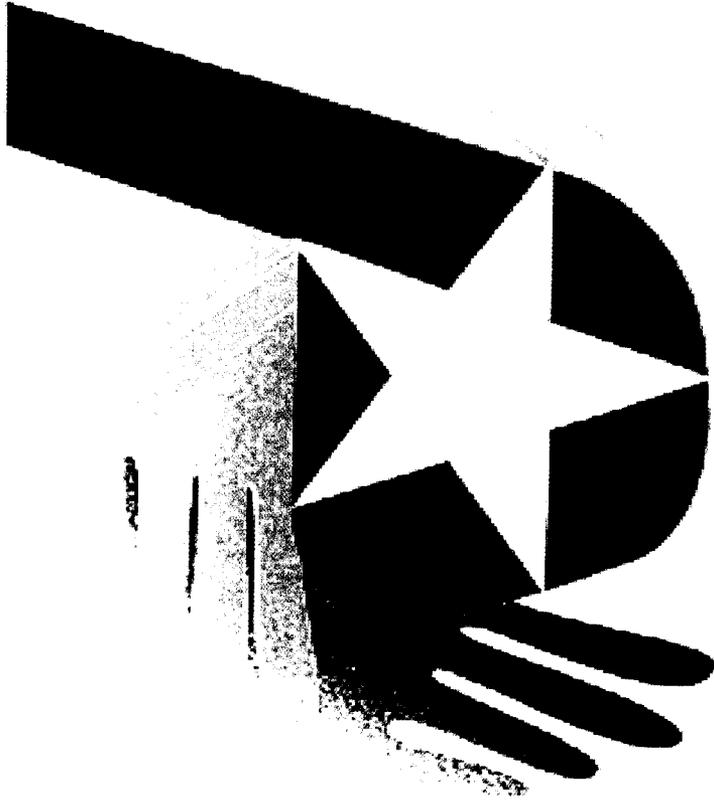
TO: Mayor Pat Evans and Members of City Council
Thomas H. Muehlenbeck, City Manager

FROM:  Bruce D. Glasscock, Executive Director
Public Safety Services and Technology Business Center

SUBJECT: Approval of Graphic for Plano International Festival Corporation Logo

The Plano International Festival Corporation requests City Council's approval for the "Plano P" to be incorporated into the logo of their organization. Attached is a representation of the graphic the Plano International Festival Corporation wishes to use to represent the annual festival and the corporation itself.

Iva



1/4

MEMO

DATE: August 1, 2005

TO: Honorable Mayor and City Council
City Manager Muehlenbeck

FROM: Di Zucco, Assistant City Secretary

RE: Personnel Appointment - Executive and Worksession Meetings

The following appointments will be considered on August 8, 2005.

<p><u>Executive Session</u> <u>No Items for Consideration</u></p>	<p><u>Worksession Meeting</u> <u>Reappointments:</u> Civil Service Commission</p>
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V. a

**Discussion/Action Items for Future Council Agendas
(as of August 2, 2005)**

Additional rescheduling of Council meetings may be necessary due to elections and the PISD calendar. These changes will be made as soon as the dates are confirmed.

August 11 – 6 – 7 p.m. – Board and Commission Applicant Reception – PSA Star Center – 6500 Preston Meadow

August 13

Council Budget Worksession - 8:00 a.m. – Council Chamber

August 13 – 2:00 – 3:00 p.m. - Board and Commission Applicant Reception – Building Inspections Training Room

August 18 - District 4 Roundtable - 7. p.m. – Vines High School Cafeteria

August 22

DART Status Report
Mobility Report
Comprehensive Monthly Financial Report
Plano Housing Authority Board and Self Sufficiency Committee Reports
Public Hearing on Tax Rate

August 31

Public Hearing - Budget

September 5 – Labor Day Holiday

September 12

Keep Plano Beautiful Commission and Transition Revitalization Commission Reports
Adoption of Operating Budget, Community Investment Program and Set Tax Rate

September 25 – 28 – ICMA - Minneapolis

September 26

DART Status Report
Mobility Report
Comprehensive Monthly Financial Report
Parks and Recreation Planning Board Report

October 3 – 7 – PISD Fall Break

October 10

Building Standards Commission and Board of Adjustment Reports

October 24

DART Status Report
Mobility Report
Comprehensive Monthly Financial Report

October 26 – 29 – TML – Gaylord Texan, Grapevine

November 10 – District 2 Roundtable – Plano Sports Authority – 2nd floor

November 14

November 24 – 25 – Thanksgiving Holidays

November 28

DART Status Report
Mobility Report
Comprehensive Monthly Financial Report

December 6 – 10 – NLC – Charlotte, NC

December 12

December 20 – Employee Holiday Luncheon – Plano Centre

December 23 – 26 – Christmas/ Winter Holidays

December 28 (rescheduled from 12/26) (Winter Holiday)

DART Status Report
Mobility Report
Comprehensive Monthly Financial Report

January 2, 2006 – New Year Holiday

**Animal Shelter Advisory Committee
2004-2005 Annual Report and Briefing**

Update on 2004-2005 Committee Recommendations

The ASAC recommends continuous six month review of Standard Operating Procedures.

Completed – July 2005, City of Plano Animal Services distributed updated SOP in July 2005.

The ASAC recommends review and update, if necessary, of Chapter 4 of the City of Plano Code of Ordinance, as it relates to “Animal Regulations”.

In Progress – ASAC has assigned an ad hoc committee.

The ASAC recommends the Animal Services Division develop and adopt a policy for micro-chipping all animals placed into adoption.

Completed - July 2005

The ASAC recommends that the Division should continue to evaluate implementing methods of lowering the euthanasia rate.

Completed and ongoing process:

1. Animal Services has worked closely with contract vet to reduce euthanasia of animals for health reasons.
2. Animal Services redesigned the cat adoption area to segregate air flow. This design aids in separation of potentially ill cats with healthy ones. This modification is assisting with illness reduction which in turn reduces the euthanasia rate.
3. Animal Services redesigned an area for a maternity room; this effort was to provide separation for the young animals from adult animals to reduce exposure to illness.
4. Animal Services provides first round of shots to adoptable animals.
5. Animal Services under the direction of a vet provides medication for animal welfare.

Committee Interaction

The FY 2004-2005 ASAC met October 27, 2004, January 12, 2005, April 13, 2005 and July 13, 2005. The next meeting is scheduled for October 19, 2005

The committee has a vacancy in the mandated position of Municipal Representative as of the date of this report.

The committee offered and received citizen input at each of its meetings.

Committee Activities

ASAC met October 27, 2004 with six members present. The October meeting is ordinance required. The ASAC approved minutes from the April 7, 2004 meeting and tabled minutes from the July 7, 2004 meeting. Animal Services provided the Animal Services Annual report August 1 as required. The ASAC recommendations for FY 2004-05 were review and discussed.

ASAC met January 12, 2005, with six members present. The January meeting is also ordinance required. The minutes from July 7, 2004 and October 27, 2004 were approved. The Board and Commission Policies were reviewed by ASAC members. A representative from Schering Plough provided information on micro-chipping animals for positive identification. Animal Services provided the Animal Services monthly report. Bond Referendum information including the addition of 5,000 square feet added to the shelter was presented to committee. The committee learned about the Emergency Animal Rescue Service, High School Volunteer programs and the Abusers Net Adoption program.

ASAC met April 13, 2005, with five members present. The April meeting is ordinance required. Minutes from January 12, 2005 were approved. Animal Services provided the Animal Services monthly report. Animal Services provided information on the Bond Referendum and Capital Improvement Program to the committee. The City of Plano Police Department provided a program on animal cruelty procedures. A report from the Ordinance Committee review team was provided.

ASAC met July 27, 2005. The July meeting is ordinance required. Minutes from April 13, 2005 were approved. Animal Services provided the monthly report. Animal Services informed the ASAC that the Bond Referendum passed and the addition to the shelter will be complete in three years. A recommendation and vote on the micro-chipping of animals was taken and approved for including into Chapter 4.

Committee Progress

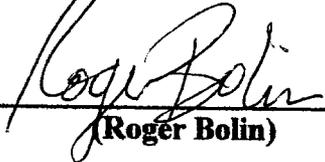
The FY 2004-2005 ASAS reviewed and provided guidance on micro-chipping of animals adopted from the shelter. Significant time was devoted to providing and responding to citizen input throughout the year.

2005-2006 ASAC Recommendations:

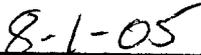
The ASAC recommends the Animal Services Division develop and adopt a policy for injured domestic animals.

The ASAC recommends the Animal Services Division develop and adopt a policy for injured wildlife.

The ASAC recommends the Animal Services Division develop SOP for animal welfare in disaster conditions.



(Roger Bolin)



(July 29, 2005)



August 1, 2005

Pat Evans
Mayor

Ken Lambert
Mayor Pro Tem

Scott Johnson
Deputy Mayor Pro Tem

Shep Stahel
Place 1

Loretta Ellerbe
Place 3

Sally Magnuson
Place 4

Harry LaRosiliere
Place 5

Jean Callison
Place 7

Thomas H. Muehlenbeck
City Manager

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

RE: Board and Commission Presentation on August 8th

Dear Mayor Evans and Council Members:

I appreciate this opportunity to update you on the recent activities of the Planning & Zoning Commission and to outline some of the important planning issues on which we are working.

As you know, in addition to our two regular meetings, the Commission also holds periodic work sessions for in-depth discussion of special projects, comprehensive planning objectives and development trends. The Commission also serves as the city's Impact Fee Advisory Committee.

The Commission has been working with staff to address the issues that affect Plano as a maturing community. We have seen many requests in the past year for infill housing, new styles and types of housing, and retail redevelopment. These types of projects will increasingly constitute the majority of development plans that the Commission will consider. One of our challenges is to ensure that the city's ordinances and regulations adequately address these new styles and types of development. Additionally, we will need to consider the impact of these new developments on existing uses. I think you will find that the Commission's work program, a copy of which is attached, focuses on many of these challenges.

The Commissioners and I appreciate your assistance and support as we work together to plan for the future of Plano.

Sincerely,

Laura Williamson
Chairman, Planning & Zoning Commission

**PLANNING & ZONING COMMISSION
WORK PROGRAM**

July 18, 2005

Immediate Priority – *These projects should receive priority in scheduling and allocation of staff and budget resources to ensure prompt completion.*

- Comprehensive Plan Update – Ongoing review and updating of the Comprehensive Plan. The updates to Housing, Urban Design, Public Services and Facilities and Parks and Recreation Elements are scheduled for this year. **Status: City Council adopted the updates to the Housing Element on March 28, 2005 and the Urban Design Element on May 23, 2005. Staff is starting work with the Planning & Zoning Commission on the Public Services and Facilities Element and with the Parks and Recreation Planning Board on the Parks and Recreation Element and the Parks Master Plan.**

High Priority – *These projects should receive priority in scheduling and allocation of staff and budget resources to ensure prompt completion after immediate priority items.*

- Neighborhood Plans – Specialized area plans focusing on issues and needs of specific maturing neighborhoods. **Status: Neighborhood plans for Park Forest II and Park Forest III/Ruisseau Place will be considered by the Planning & Zoning Commission in August.**
- Downtown Architectural Design Guidelines – create architectural design requirements for new construction and exterior renovation in the downtown area. **Status: The Heritage Commission has adopted guidelines for the downtown heritage district. Guidelines for properties outside the heritage district are on hold.**
- Retail Study Implementation Plan – Phase II – As a sequel to the ordinance amendments to the Retail zoning district, continue efforts to assist property owners in identifying institutional and regulatory obstacles to upgrading and redeveloping aging shopping centers. This activity may lead to the creation of incentives. **Status: Staff will be starting discussions with the Commission on this issue in August and is coordinating efforts with the Plano Economic Development Board.**
- Infill Housing Study -- Determine the characteristics of appropriate infill housing locations and devise policies and ordinances to support the development of infill housing and alternative housing types. **Status: The Planning & Zoning**

2

Commission held a worksession on this topic on July 6th to review specific properties that may be suitable for infill housing. Future worksessions are planned for September.

- Traffic Impact Analysis Ordinance Update – With the pending completion of the city's thoroughfare system, develop amendments to the traffic impact analysis regulations that recognize the lack of mitigation factors and that focus on site-specific traffic management. **Status: On hold.**

Mid-Term Priority – *These projects should be an active part of the Planning & Zoning Commission's work program and completed during FY 04-05. The projects should be delayed only if it is determined to be necessary to complete high priority projects.*

- Planned Development Zoning Review – Identify, evaluate and amend ten planned development districts judged to be ambiguous or otherwise inadequate to properly regulate development. **Status: Staff will be processing numerous rezoning cases to "clean up" or eliminate unneeded planned development districts. This is an on-going project.**
- Parking Garage Façade Design – develop façade and design requirements for parking structures. **Status: The Planning & Zoning Commission has discussed this issue at two worksessions, and given staff direction to develop façade requirements that recognize the additional costs of parking garages over surface parking. This topic will be presented again at the August 17th worksession.**
- Stormwater Management Plan – The City has entered into an agreement with the Environmental Protection Agency to develop a Storm Water Management Plan. Several of the provisions of the agreement may require amendments to the comprehensive plan, the zoning and subdivision ordinances, and development review procedures. **Status: Amendments were approved to the Zoning and Subdivision Ordinances to allow developers to present alternative stormwater designs for consideration. All developers now receive a brochure outlining alternative designs for consideration. The next major deadline in this process is April, 2006.**
- Revisions to Parking Regulations – review existing parking regulations and devise new standards to address stormwater design issues and to assist in redevelopment requests. **Status: New work program item.**

- Lot Coverage Regulations – review the maximum lot coverage requirements for single-family development and determine the appropriate percentages and method of calculation. **Status: New work program item.**

Longer Term Priority – *Work may proceed provided it does not compromise the timely completion of higher priority projects. Projects may be deferred until FY 05-06.*

- Urban Townhouse Zoning District – create a separate zoning district for urban townhouse development, with appropriate regulations for density, lot size, height, setbacks, and other design requirements. **Status: New work program item.**

Completed Projects since January 1, 2005

- Park Forest Neighborhood Plan – **Adopted by City Council on 1/24/05**
- Amendments to Superstore Regulations – **Adopted by City Council on 3/16/05**
- Housing Element Update – Adopted by City Council on 3/28/05
- Urban Design Element Update – **Adopted by City Council on 5/23/05**
- Amendments to Contract Construction Regulations – **Adopted by City Council on 6/13/05**

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
July 25, 2005**

COUNCIL MEMBERS

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

STAFF

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

Mayor Evans called the meeting to order at 5:04 p.m., Monday, July 25, 2005, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Council Member Callison arrived at 5:05. Mayor Evans then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice, Section 551.071, discuss matters of Personnel, Section 551.074, and discuss matters of Real Estate, Section 551.072 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Evans reconvened the meeting back into the Preliminary Open Meeting at 5:50 p.m. in the Council Chambers where the following matters were discussed:

Consideration and Action Resulting From Executive Session Discussion – Personnel Appointments

Arts of Collin County Commission Board of Directors

Upon a motion made by Council Member Magnuson and seconded by Council Member Ellerbe, the Council voted 8-0 to reappoint Maher Maso to the at-large position.

Board of Adjustment

Upon a motion made by Mayor Pro Tem Lambert and seconded by Council Member Stahel, the Council voted 8-0 to reappoint Christopher Caso.

Building Standards Commission

Upon a motion made by Mayor Pro Tem Lambert and seconded by Council Member Ellerbe, the Council voted 8-0 to reappoint Jeff Bulla and Jim Degnan.

Planning & Zoning Commission

Upon a motion made by Deputy Mayor Pro Tem Johnson and seconded by Council Member Magnuson, the Council voted 8-0 to reappoint Joy Flick and Dennis Abraham.

DART Status Report

DART Board of Directors representative Pope stated that the budget for DART will be provided to the Council at the end of August, spoke to economic projection forecasts, stated that the new DART Police Chief will be looking at making changes in the organization, and further spoke to the American Public Transportation Association annual meeting coming up in September in Dallas.

Mobility Report

Transportation Engineering Manager Neal spoke to the Safe Streets temporary plan approval for both Country Place and Mission Ridge Roads and to addressing citizen needs by moving forward with the audible pedestrian signal equipment for the hearing impaired. He spoke to the tactical plate located in the curb return area used for the seeing impaired and further spoke to the count down pedestrian signal.

Discussion and Direction Regarding Use of City of Plano Logo on Preston Ridge HOA Website

Preston Ridge III Homeowner Association (HOA) representative Rob Kirk requested permission to use the City of Plano logo in conjunction with their website. Upon concurrence with the Council, City Attorney Wetherbee advised that an agreement will be placed on the August 8 agenda for Council approval. She stated that this will be for a period of two years after which time a renewal will be required if desired by the HOA.

Personnel Appointments – Reappointments

Animal Shelter Advisory Committee

Upon a motion made by Mayor Pro Tem Lambert and seconded by Council Member LaRosiliere, the Council voted 8-0 to reappoint Roger Bolin.

Civil Service Commission

City Manager Muehlenbeck stated that consideration of this reappointment is held at this time.

Community Relations Commission

Upon a motion made by Council Member Stahel and seconded by Council Member LaRosiliere, the Council voted 8-0 to reappoint Susan Lavigne, Carol Moss, and Victoria Hoyos-Arango.

Cultural Affairs Commission

Upon a motion made by Council Member Magnuson and seconded by Council Member Ellerbe, the Council voted 8-0 to reappoint Patricia Madigan, Alex Johnson, and Christopher Griffith.

Heritage Commission

Upon a motion made by Council Member Callison and seconded by Council Member Stahel, the Council voted 8-0 to reappoint Pat Warren.

International Relations Advisory Commission

Upon a motion made by Council Member Magnuson and seconded by Council Member Callison, the Council voted 8-0 to reappoint James Falk, Mary Alice Garza, Mark Ball, and Mark Waterbury.

Keep Plano Beautiful Commission

Upon a motion made by Council Member Stahel and seconded by Council Member Callison, the Council voted 8-0 to reappoint C. Edwin Nalley, and Maycel Epps.

Library Advisory Board

Upon a motion made by Council Member Stahel and seconded by Council Member Magnuson, the Council voted 8-0 to reappoint Sue Yeh.

Parks and Recreation Planning Board

Upon a motion made by Deputy Mayor Pro Tem Johnson and seconded by Council Member Magnuson, the Council voted 8-0 to reappoint Karen Bellessa.

Plano Housing Authority

Upon a motion made by Mayor Evans and seconded by Council Member Ellerbe, the Council voted 8-0 to reappoint Myrtle Hightower.

Plano Transition & Revitalization Commission

Upon a motion made by Council Member Callison and seconded by Council Member Stahel, the Council voted 8-0 to reappoint Russell Kissick and Matt Shaheen.

Public Arts Committee

Upon a motion made by Council Member Ellerbe and seconded by Council Member Callison, the Council voted 8-0 to reappoint Michael Coleman, Mary Jo Forbes, and Vincent Bush.

Retirement Security Plan Committee

Upon a motion made by Mayor Evans and seconded by Council Member Stahel, the Council voted 8-0 to reappoint Ronald Timmons and Kien Liew.

Self Sufficiency Committee

Upon a motion made by Council Member Stahel and seconded by Council Member Callison, the Council voted 8-0 to reappoint Earnest Burke, Evelyn Sandberg, Walter Norris, and Brenda McDonald.

Senior Citizens Advisory Board

Upon a motion made by Council Member Callison and seconded by Council Member LaRosiliere, the Council voted 8-0 to reappoint Annette Vineyard, James Williams, and Naomi Sanit.

Tax Increment Financing Reinvestment Zone No. 2 Board

Upon a motion made by Council Member LaRosiliere and seconded by Council Member Magnuson, the Council voted 8-0 to reappoint Russell Coolik, Chris Hatcher, Alan Johnson, Chuck O'Reilly, and James Schell.

Technology Commission

Upon a motion made by Council Member Stahel and seconded by Council Member LaRosiliere, the Council voted 8-0 to reappoint Scott Copeland and Stacey Dees.

Transportation Advisory Committee

Upon a motion made by Council Member Magnuson and seconded by Council Member Ellerbe, the Council voted 8-0 to reappoint Nat Cohen and Candace Noble.

Comprehensive Monthly Financial Report

Director of Finance McGrane presented the Comprehensive Monthly Finance Report for the month of June. He spoke to reflection of the re-estimated budget numbers, stated that fund accounts are good, sales tax is up, unemployment remains the same, and that single family housing starts are down. Mr. McGrane stated that building permits are strong, spoke to water and sewer billings, hotel/motel occupancy, and to equity in the treasury pool and to portfolio diversification.

Discussion and Direction Regarding Natural Gas Drilling

Mayor Evans spoke to this topic coming up in the City of Frisco, natural gas drilling in the City of Denton and Denton County, and to looking into how this City addresses this topic. City Manager Muehlenbeck spoke to shale not extending into Collin County, and to limitations regarding heavy industrial equipment. He stated he is not aware of there being a problem regarding this issue. Mayor Evans spoke to the questions surrounding mineral rights ownership in a residential area. City Manager Muehlenbeck advised that he will look into this.

Discussion and Direction Regarding Establishment of Task Force for the Downtown Area

Mayor Evans spoke to forming a task force in the downtown area in an effort to address existing marketing concerns. She stated that she met with the downtown merchant's association executive board regarding their concerns and spoke to their request for assistance from the City in marketing the downtown area. Mayor Evans spoke to the task force functioning for one year and being composed of stakeholders, professionals in the downtown area, and City Staff, and further recommended that the study identify five big ideas.

Downtown merchants Richard Howe and Susan Lee spoke to difficulties in competing, lack of retail sales, the need for a private public partnership, and requested assistance from the City in creating the task force.

Mayor Pro Tem Lambert spoke to the success of the East Plano Task Force and to establishing this task force along those same lines. Council Member Stahel spoke to the downtown area experiencing the economic transition, the need for recruiting new businesses, and further spoke to applying for matching grants and recommended going forward. Mayor Evans spoke to the merchants determining who is interested among the business stakeholders, utilizing real estate professionals, attorneys, and whoever else might be interested in serving on the task force and further spoke to making this a part of the board and commission appointment application process.

Council Items for Discussion/Action on Future Agendas

No items were brought forward.

Consent Agenda

Deputy Mayor Pro Tem Johnson advised that he will step down from Consent Item "K," change order regarding the Los Rios Boulevard Extension, Phase I, due to a possible conflict of interest.

Council Reports

Council Member Stahel spoke to the National League of Cities mid-year Board of Director's meeting and to discussion of the implication of legislative action regarding limiting eminent domain rights for cities. He spoke to projects that the City might not have accomplished without the ability to use eminent domain.

Nothing further was discussed. Mayor Evans recessed the meeting at 6:50 p.m.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, City Secretary

PLANO CITY COUNCIL
July 25, 2005

COUNCIL MEMBERS

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

STAFF

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

Mayor Evans convened the Council into the Regular Session on Monday, July 25, 2005 at 7:10 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Dr. Leon Aduddell of the First Baptist Church Plano.

The Pledge of Allegiance was led by Representatives of Boys & Girls Clubs of Collin County, Plano.

Mayor Evans recognized the Council's Volunteer of the Month – James Edwards and City Manager Muehlenbeck recognized Executive Director Glasscock for his fifteen years of service to the City.

Mayor Evans administered an oath of office to Council Member Harry LaRosiliere as a member of the Tax Increment Financing Reinvestment Zone No. 2 Board.

GENERAL DISCUSSION

Randy Jennings, citizen of the City, spoke in opposition to tolling S.H. 121, reviewed the concept of "leasing versus buying" and proposed a bond item to fund the City of Plano's portion.

BOARD/COMMISSION PRESENTATIONS

Community Relations Commission

Jane Stephenson, chair of the Community Relations Commission, spoke to the development of a new application which would assist in the evaluation of information and design of a standard format for applicants to use when submitting budget information. She spoke to considering combining the processes for Community Development Block Grants and Community Services Grants and spoke to the quality of support provided by Staff.

Cultural Affairs Commission

Patricia Madigan, Chair of the Community Relations Commission, spoke to changes in applications to weigh different criteria and more heavily emphasize the fiscal and administrative responsibility of applicants. She spoke to a mandatory training workshop for all applicant organizations, revisions to small grant and special event guidelines and expressed appreciation for the work of Staff.

The Council resumed discussion of Board/Commission Reappointments.

Keep Plano Beautiful Commission

Upon a motion made by Council Member Stahel and seconded by Council Member Callison, the Council voted 8-0 to reappoint C. Edwin Nalley.

CONSENT AGENDA

Deputy Mayor Pro Tem Johnson requested that Consent Agenda Item "K" be removed for individual consideration due to a possible conflict of interest.

Upon a motion made by Deputy Mayor Pro Tem Johnson and seconded by Council Member Ellerbe, 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)]

June 27, 2005

Approval of Expenditures

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

To approve Bid No. B144-05 for Portable Trommel Screen to Norton Environmental Equipment in the amount of \$307,549. [Consent Agenda Item (B)] (See Exhibit "A")

To approve Bid No. C183-05 for Linen Service for Plano Centre to Metro Linen, in the estimated annual amount of \$39,329. This will establish a one-year contract with two City optional one-year renewals. [Consent Agenda Item (C)] (See Exhibit “B”)

To approve Bid No. B197-05 for High Point Tennis Center Resurfacing to Courts-N-Stuff in the amount of \$97,468. [Consent Agenda Item (D)] (See Exhibit “C”)

To approve Bid No. C196-05 for Chevrolet Automotive & Light Truck OEM Parts to Bankston Chevrolet in the estimated annual amount of \$36,000. This will establish an annual fixed price contract with two optional one-year renewals. [Consent Agenda Item (E)] (See Exhibit “D”)

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

To authorize the purchase of two (2) Ford One-Half Ton Extended Cab Pickups in the amount of \$38,917 from Philpott Motors, Inc., through H-GAC Cooperative Purchasing Program contract and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase. (VE10-03) [Consent Agenda Item (F)]

To authorize the purchase of material testing services for the Ridgeview Drive Widening from Custer Road to Independence Parkway in the amount of \$32,330.00 from Engineering Consulting Services, Ltd. through a City of Plano contract, and authorizing the City Manager to execute all necessary documents. (DO21-05 Entity’s Contract Number). [Consent Agenda Item (G)]

To authorize the purchase of four (4) Ford One Ton Utility Cargo Vans in the amount of \$81,364 from Philpott Motors, Inc., through H-GAC Cooperative Purchasing Program contract and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase (VE10-03) [Consent Agenda Item (H)]

To authorize the purchase of material testing services for Briarcreek Sanitary Sewer, Phase II in the amount of \$26,845 from Terracon Consultants, Inc. through a City of Plano contract, and authorizing the City Manager to execute all necessary documents. (DO21-05) [Consent Agenda Item (I)]

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

To approve the terms and conditions of a Landscape Architect Services Agreement contract by and between the City of Plano and Schrickel, Rollins and Associates, Inc., in the amount of \$327,000, for landscape architectural services in connection with Archgate Park – Phase II and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (J)]

Adoption of Resolutions

Resolution No. 2005-7-1(R): To authorize the City of Plano to participate in and receive funding through the Texas Highway Traffic Safety Program for a STEP – Impaired Driving Mobilization (IDM 402) Project, to be conducted during Labor Day Holiday Period; authorizing the City Manager to execute any other documents necessary to effectuate the action taken; and providing an effective date. [Consent Agenda Item (L)]

Resolution No. 2005-7-2(R): To approve the terms and conditions of a Local Transportation Project advance Funding Agreement between the State of Texas and the City of Plano for replanking the crossing at Plano Parkway with the DART Railroad; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (M)]

Resolution No. 2005-7-3(R): To approve and authorize refunds of property tax overpayments; and providing an effective date. [Consent Agenda Item (N)]

Adoption of Ordinances

Ordinance No. 2005-7-4: To amend Ordinance No. 2004-12-14, codified as Section 3-6 of Chapter 3, Alcoholic Beverages, of the Code of Ordinances, by removing language “on or adjacent to,” and correcting a spelling error; and providing repealing, severability and penalty clauses; providing an effective date. [Consent Agenda Item (O)]

Ordinance No. 2005-7-5: To establish linear and street crossing fees for licensed use of the City rights of way and providing an effective date. [Consent Agenda Item (P)]

Ordinance No. 2005-7-6: To deny the request of Atmos Energy Corp., Mid-Tex Division, for an annual Gas Reliability Infrastructure Program (GRIP) rate increase in this municipality, as a part of the company’s statewide gas utility distribution system; approving cooperation with other cities within the Atmos Energy Corp., Mid-Tex Division Distribution System as part of the Atmos Cities Steering Committee (ACSC); authorizing ACSC to hire legal and consulting services and to negotiate with the company and direct any necessary litigation; authorizing intervention as part of ACSC in any appeal of the City’s action to the Railroad Commission; approving costs incurred as reasonable and providing a requirement for prompt reimbursement of costs; finding that the meeting at which this ordinance is passed is open to the public as required by law; and providing for notice of this ordinance to Atmos Energy Corp., Mid-Tex Division; and providing an effective date. [Consent Agenda Item (Q)]

Ordinance No. 2005-7-7: To transfer the sum of \$117,549 from the Environmental Waste Services Fund Unappropriated Fund Balance to the Environmental Waste Services Fund Operating Appropriation for fiscal year 2004-05 for the purpose of additional funding for a trommel screen; amending the budget of the City and Ordinance 2004-9-15, as amended, to reflect the actions taken herein; declaring this action to be a case of public necessity; and providing an effective date. [Consent Agenda Item (R)]

END OF CONSENT

Due to a possible conflict of interest, Deputy Mayor Pro Tem Johnson stepped down from the bench on the following item.

Change Order: (Change to current City of Plano contract allowable under State law) To Mario Sinacola & Sons Excavating, Inc., increasing the contract by \$218,940 for Los Rios Boulevard Extension, Phase I, Change Order No. 6 (Original Bid #B096-04) [Consent Agenda Item (K)]

Upon a motion made by Mayor Pro Tem Lambert and seconded by Council Member Callison the Council voted 7-0 to approve a change order to Mario Sinacola & Sons Excavating, Inc., increasing the contract by \$218,940 for Los Rios Boulevard Extension, Phase I, Change Order No. 6

Deputy Mayor Pro Tem Johnson resumed his place on the bench.

Discussion and direction of funding options for SH 121 main lanes from Dallas North Toll Road to US 75. Public Hearings held 06-13-05 and 06-27-05 [Regular Agenda Item (1)]

City Engineer Upchurch spoke to the opposition to tolling expressed during Public Hearings and advised that since that time meetings have been held with other cities in Collin County to develop options so that if a decision were made to toll the roadway, stipulations would be included. He advised that consideration was given to city funding but that no municipalities came forward with a willingness to contribute funding to SH 121 as a freeway. Mr. Upchurch spoke to the highway department looking for a decision by August 15 to avoid delays in moving forward.

Mr. Upchurch responded to Mayor Pro Tem Lambert regarding limitations on toll facility designation advising that tolling SH 121 would result in more lanes being provided so that a September 1 deadline does not apply. He responded to Council Member Stahel regarding the roadway being 100% electronic tolls, stating that the feasibility analysis takes into account that there will be some non-payers and that cash payments would require extra lanes resulting in a change in the overall design of the roadway. Council Member Stahel spoke to problems that may be encountered with the implementation of 100% electronic tolls and to the possibility of having a cash booth at each end of the roadway. He spoke to addressing the issue before a vote is taken and Mr. Upchurch responded regarding discussion of this concern and spoke to an increase in toll facilities as the area continues to grow.

Discussion and direction of funding options for SH 121 (cont'd)

Mr. Upchurch responded to Council Member Stahel and spoke regarding limiting excess revenues and determination of the distribution of possible funds. City Manager Muehlenbeck spoke to plans to limit excess revenue. Council Member Stahel spoke to the division of revenues and Mr. Upchurch responded regarding Collin County being a partner based on their contribution of funds. Mr. Stahel spoke to defining a formula for distribution or an approximation of how figures were determined prior to taking a vote. Deputy Mayor Pro Tem Johnson stated that in order to help create an independent authority, the county has offered to put their full faith and credit behind the bonds. He spoke to the establishment of a local authority to make decisions in the future regarding improvements and excess revenues.

Mr. Upchurch responded to Council Member Magnuson regarding a 100% electronic tollroad recently opened in Houston and spoke to the decrease in the level of non-compliance. Ms. Magnuson spoke to safety concerns and Mr. Upchurch advised that Staff could look for evidence of this issue.

Mr. Upchurch responded to Council Member LaRosiliere stating that the highway department has left the definition of "local projects" wide open and further that if a local entity were established they would make decisions as to how funds were utilized. He further stated that if the North Texas Tollway Authority were to operate and maintain the project there would not be a problem if toll rates were different than other roadways. Mr. Upchurch spoke the highway commission giving this asset to the county and local governments at no cost as being a major caveat. Deputy Mayor Pro Tem Johnson spoke to the state leveraging their assets and to there being a chance that the City would not have a say in the decision. Mr. Upchurch spoke to the proposed resolution including a provision that if there is deviation from the agreement, the City would not support the use of tolls for the project.

Mayor Pro Tem Lambert spoke to the possibility of the cities and county deciding not to support tolling and Deputy Mayor Pro Tem Johnson responded regarding the possibility tolling would still occur and that the roadway might be sold to another entity. City Manager Muehlenbeck spoke to the state's control of the biggest asset, the right of way. Mr. Upchurch spoke to the highway department looking at roadways as revenue sources.

Collin County Commissioner Hatchell spoke to the county putting \$60 million into the project and to the Regional Transportation Authority (RTC) being the association designated by federal law to determine whether or not to toll and to the possibility that a legal battle might ensue. He spoke to the RTC support of the local agreement and to convincing the highway commission to allow the use of right-of-way if a tollroad is proposed. Mr. Hatchell spoke to retaining an engineering firm to develop a cost estimate regarding the automated tolling and to possible payment of fees at a main plaza.

Discussion and direction of funding options for SH 121 (cont'd)

Deputy Mayor Pro Tem Johnson reviewed the proposed resolution advising that if a decision were made to toll, it would be under these conditions and stated that the City would support funding the construction, maintenance and operation of SH 121 main lanes from the Collin/Denton County boundary to US 75, the interchange at the Dallas North Tollway/SH 121 and at US 75/SH121; that the project would be locally controlled including financial and operational decisions by Collin County and the cities of Allen, Frisco, McKinney and Plano ("Local Authority"); that the Local Authority will operate the project to NTTA standards and will contract to have NTTA initially operate and maintain the project; that the Local Authority will seek the best financing for issue bonds for the project which may include using the full faith and credit of Collin County; that the Local Authority will set tolls to pay debt service payments, maintenance and operation and decide how future excess revenues are used; and that any deviation by the state, TxDOT, RTC or any other entity having authority would result in opposition of tolls. He spoke to the favorable response to the resolution received from the County and stated that the Frisco City Manager requested a revision to state that the goal would be to have tolls no higher than those on the Dallas North Tollway (DNT) unless required for debt service, maintenance and operation and that when the project is complete and bonds are paid off the excess revenue would be shared equally or tolls set for maintenance/operation only. Mr. Johnson advised that no response has been received from the other cities.

Council Member Ellerbe spoke to retaining the freedom to use excess revenues to pay bonds off earlier and expressed a preference for the original document to which Council Member Magnuson concurred. Deputy Mayor Pro Tem Johnson stated his preference, that as bonds are paid off and expenses go down, tolls can follow. The Council discussed the revision referencing the rates on the DNT as a ceiling. Deputy Mayor Pro Tem Johnson spoke to it being restrictive and Council Member LaRosiliere questioned the relevance of using the DNT as a benchmark and to having a degree of flexibility. City Manager Muehlenbeck spoke to detailed analysis coming after agreement is reached.

Deputy Mayor Pro Tem Johnson stated his recommendation to move forward with the original version with no revision as it is straight forward, gives the greatest flexibility and puts trust in the local authority to be responsive to the needs of the people. Council Member Ellerbe and Council Member Magnuson stated agreement and Council Member LaRosiliere spoke to the possibility of conveying the intent of the revision while structuring the resolution to provide ample flexibility. Mr. Johnson advised that he would use the original resolution in discussion with the other entities and Council Member Callison stated agreement. Mayor Pro Tem Lambert stated support for the concept of a local authority, negotiating the best points with the other entities and striving to develop a unanimous agreement.

Discussion and direction of funding options for SH 121 (cont'd)

Sharon Overall, citizen of the City, spoke to the roadway between the DNT and Hillcrest already being paid for, opposition by citizens, the impact a tollroad would have on retail development, and stated that if tonight's proposal were passed, it would be best to have the cities do it together and when paid for it would be turned over to the state with no monies used on other roadways. Mayor Pro Tem Lambert spoke to the current TxDOT plans which currently include no money other than those for the environmental clearance. Mayor Evans spoke to the need for a decision at the August 8, 2005 Council Meeting.

Discussion and adoption of Ordinance No. 2005-7-8 amending Chapter Three (Alcoholic Beverages) of the City of Plano Code of Ordinances, as has been previously amended, to add a new Section 3-7 (Late Hours Operation) providing extended operating hours for mixed beverage late hours permit holders and Section 3-8 (Late Hours Permit & Fees) setting forth permit and fee requirements; providing a penalty clause, repealer clause, savings clause, severability clause and an effective date. [Regular Agenda Item (2)]

Director of Planning Jarrell spoke to the current need for action should the Council desire to extend operating hours for mixed beverage permit holders and advised that in 2010 the county's population should exceed the required level where the City would qualify without the Council taking such action. She further stated that it would affect both old and new establishments.

Upon a motion made by Council Member Magnuson and seconded by Council Member Ellerbe, the Council voted 8-0 to amend Chapter Three (Alcoholic Beverages) of the City of Plano Code of Ordinances, as has been previously amended, to add a new Section 3-7 (Late Hours Operation) providing extended operating hours for mixed beverage late hours permit holders and Section 3-8 (Late Hours Permit & Fees) setting forth permit and fee requirements; providing a penalty clause, repealer clause, savings clause, severability clause and an effective date; and further to adopt Ordinance No. 2005-7-8.

Public Hearing and an ordinance as requested in Zoning Case 2005-09 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, amending Specific Use Permit No. 137 so as to expand the Day Care Center on 1.8+ acres of land located on one lot at the southwest corner of Hedgcoxe Road and Georgetown Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7/Planned Residential Development-2 with Specific Use Permit No. 137 for Day Care Center; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #12. Applicant: Montessori Children's House Tabled 05-09-05 and 06-13-05 [Regular Agenda Item (3)]

Zoning Case 2005-09 (cont'd)

Upon a motion made by Council Member Stahel and seconded by Council Member Magnuson the Council voted 7-0 to remove the item from the table. (Council Member LaRosiliere was away from the bench.)

Director of Planning Jarrell spoke to meetings held with the applicant and homeowners and receipt of opposing letters from more than 20% of the land area within the 200-foot notice boundary which would trigger the requirement for a three-quarter vote by the Council. She spoke to the issue of parking the addition of a new lot on the southern end, redesign to eliminate one space, reorientation to have head-in spaces facing north towards the building, and spoke to the City's parking requirement. Ms. Jarrell advised that homeowners request a further reduction in parking. She spoke to plans for landscaping on Georgetown Drive and the homeowners' request for a minimum six-foot living screen and different types of plantings. Ms. Jarrell spoke to the applicant's agreement to limit the height of light standards to 15 feet and the use of wall-mounted lights. She spoke to their agreement to replace playground equipment with apparatus of more muted, earthtone colors and to placing signs directing parents not to park on Chatham Court.

Ms. Jarrell reviewed the stipulations as follows:

- The zoning exhibit shall be adopted as part of the ordinance;
- The day care center enrollment shall be capped at 245 children, based on the number of available parking spaces;
- A landscaped screen shall be installed, subject to visibility requirements, next to the playground fence along Georgetown Drive. The shrubs shall reach a height of 4 feet within 2 years of initial planting;
- A landscaped screen shall be installed, subject to visibility requirements, along the southern and western sides of the new parking area. The shrubs shall reach a height of 6 feet within 2 years of initial planting;
- Light standards in the new parking area shall be limited to 15 feet in height, and shall have shields to reduce light overspill.

Ms. Jarrell advised that the Planning and Zoning Commission recommended approval without the stipulations listed above and that at the Council's direction, Staff would add the stipulations and bring the ordinance back for consideration at a future meeting. She spoke to occasions when landscaping screening has exceeded 40 inches in height and to compliance with visibility requirements.

Zoning Case 2005-09 (cont'd)

Mayor Evans opened the Public Hearing. Shirley Walker, citizen of the City, stated concern regarding the large size of the facility, spoke to opposition expressed by area residents and to the need for a zoning ordinance requirement that day cares within residentially zoned areas have visual and acoustical barriers along with a "lights out" curfew. Dean Walker, citizen of the City, stated concerns related to traffic on Georgetown Drive, signage and the effect of increased enrollment. He stated concern about the future if there are no enforceable stipulations and possible ownership changes.

Peggy C. Scott, citizen of the City and parent of a child at the center, spoke in support of the expansion and to parents respecting the request not to park on Chatham Court. She spoke to traffic not being an issue. Lisa Carroll, citizen of the City, spoke in opposition to the request and to preservation of the property in its natural state. David Cotton, citizen of the City, spoke to the need for visual and acoustical barriers. Audra Forcht, citizen of the City, spoke in support of the request, to the beauty of the building, parking/traffic not being issues and to the center being an asset to the community. Kristianne Slayton, citizen of the City, spoke in support of the request, the staggering of drop-off/pickup times and stated that over time landscaping will grow and develop barriers.

Michael Gavaghan, citizen of the City, spoke regarding burdens that will be placed on area homeowners and stated opposition to the zoning change. Nancy Anderson, citizen of the City, spoke to the definition of single family zoning, homeowners researching zoning before purchasing property, those in support not living in the neighborhood, and requested the Council retain the current zoning and vote against the SUP. Diane Glaser, citizen of the City, spoke to her consideration when purchasing her home, the peace and tranquility of the area and the unfairness of changing the zoning. Martin Carroll, citizen of the City, stated that while not against the school or services, he believes an expansion magnifies the disruptive aspects of the current facility and destroys the tranquility of the neighborhood. He spoke to homeowners being aware of the current zoning when making their purchases.

James Cooper, representing the board of the Oakwood Glen Estates Neighborhood Association, spoke to the homeowner's association opposition to the request and asked that homeowner's recommendations be included if the item is approved. Peggy Green-Ernst, citizen of the City, spoke in support of the request and reviewed what would result should the property develop as a neighborhood park including the lack of visual privacy, parking along the street, and facilities open 24 hours a day. She spoke to the existing density of trees across the creek helping to screen the facility. Martha Watts, speaking on behalf of the Estates of Oakwood Glen Homeowners Association, spoke to the quietness and added value a greenbelt provides to homes. Ted Peters, citizen of the City, spoke to the quality of the facility, lack of traffic in the area, a school being superior to "box" houses, and to following the recommendations of the Planning and Zoning Commission.

Zoning Case 2005-09 (cont'd)

Paul Lee, citizen of the City, spoke to the benefits of the school, the building increasing home values, the facility attracting families with young children, maintenance of the landscaping and stated that there is no excess traffic or parked cars in the area. Azar Kesh, citizen of the City, spoke in support of the request and regarding the safety of lighting provided. She spoke positively regarding the design of the building and landscaping. Ray Zadeh, citizen of the City, spoke to the presence of schools increasing property values.

John Roach, Jr., spoke on behalf of the applicant and stated that some homeowners have withdrawn their opposition after meeting with the applicant. He spoke to the SUP for a Day Care Center being in place since 1983 before homes were built and the conversion of park land in 1994. Mr. Roach spoke to meetings held with homeowners, stated that enrollment is capped by City ordinances and spoke to revisions in the parking plan, the hike/bike trail, playground equipment and lighting. Phillip Morse, of Edifice Architecture spoke regarding the Heard Museum "wildlife option" calling for a natural hedge and advised regarding pavement being relocated to reduce the possibility that trees may be removed for a hike/bike trail. Mr. Roach spoke to installing permanent signage discouraging parents from parking on Chatham Court, addressing homeowner concerns and looking at the highest and best use of the property.

Nancy Zentner, citizen of the City, stated that all schools are located within neighborhoods and to homeowners planting trees on their property to shield light. No one else spoke either for or against the request. The Public Hearing was closed.

Mr. Roach responded to Council Member LaRosiliere regarding letters recently received in support of the request and Mayor Pro Tem Lambert spoke to some homes being rental property.

Mayor Pro Tem Lambert spoke to the opposition being expressed by homeowners in the area, concern related to changing the zoning from single family and advised of his opposition to the request. Council Member Stahel spoke to the quality of the facility, but spoke to the issue of the request being a significant expansion of a commercial use in a residential neighborhood. He spoke to giving greater weight to the opinions of area homeowners and stated his opposition to the request.

Council Member LaRosiliere spoke regarding land usage, the recommendation of the Heard Museum and to concessions made by the applicant and stated his support for the request including the five stipulations as outlined. Council Member Magnuson spoke to the analysis by the Heard Museum, plans for a living screen, adjustments made to minimize the impact on the bike trail, and stated her support. Council Members Ellerbe and Callison stated their support of the item with stipulations.

Zoning Case 2005-09 (cont'd)

A motion was made by Council Member Magnuson and seconded by Council Member LaRosiliere, to approve the request and direct Staff to bring back an ordinance to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, amending Specific Use Permit No. 137 so as to expand the Day Care Center on 1.8+ acres of land located on one lot at the southwest corner of Hedgcoxe Road and Georgetown Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7/Planned Residential Development-2 with Specific Use Permit No. 137 for Day Care Center; directing a change accordingly in the official zoning map of the City as requested in Zoning Case 2005-09; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date with the following stipulations:

1. The zoning exhibit shall be adopted as part of the ordinance.
2. The day care center enrollment shall be capped at 245 children, based on the number of available parking spaces.
3. New site landscaping is required as follows:
 - a. Within the existing playground along the Georgetown Drive frontage, a living screen shall be installed that consists of four-foot tall shrubs interspersed with two eight-foot tall shrubs at the northern and southern corners of the playground fence and three six-foot tall shrubs between the fence corners.
 - b. A combination of deciduous and evergreen canopy trees, understory trees, and shrubs, using native species, shall be planted along the southern and western perimeter of the new parking area. This visual screen will not form a solid barrier, but will minimize headlight overspill and visual clutter of the parking lot.
 - c. All plant heights specified within this section are mature plant heights. Plant materials shall be sized at the time of installation to reach the mature height within two years. Plant locations are subject to visibility requirements of the City of Plano development regulations.
4. Light standards in the new parking area shall be limited to 15 feet in height, and shall have shields to reduce light overspill.

The Council voted 6-2 with Mayor Pro Tem Lambert and Council Member Stahel voting in opposition. The motion passed.

Public Hearing and adoption of Ordinance No. 2005-7-9 as requested in Zoning Case 2005-22 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Specific Use Permit No. 559 so as to allow the additional use of Household Care Institution on one lot on 1.7± acres of land located on the west side of Independence Parkway, 117± feet south of Crickett Drive in the City of Plano, Collin County, Texas, presently zoned Neighborhood 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, and an effective date. Applicant: Collin Intervention to Youth, Inc. [Regular Agenda Item (4)]

Director of Planning Jarrell advised the Council that the applicant's proposal is to develop the property as emergency housing for children from newborn to nine years of age and the requirement for the installation of a screening wall or living screen along the western and northern edges of the property where it abuts residential zoning. She advised regarding access to the property, stated that the Planning and Zoning Commission recommended approval as submitted and that letters in opposition have been received by more than 20% of the property owners within the 200-foot boundary which would require a three-quarter vote of approval by the Council. Ms. Jarrell advised that no screening wall would be required to the south as the properties share the same zoning and that the applicant would probably install some type of fencing for an outdoor play area.

Mayor Evans opened the Public Hearing. Leslie Hayes, Director of Development for City House, spoke to the services that will be provided by the development, the need in the community, plans for the property and stated that visitations will not occur at the site. She responded to the Council, stating that currently there are only 120 foster families available in Collin County. Mayor Pro Tem Lambert spoke to the possibility of an age limit and to addressing concerns regarding other possible uses since the specific use permit goes with the land. Ms. Hayes spoke to the facility being tailored for younger residents and to the efforts made to identify this location. Director of Planning Jarrell spoke to Council's consideration of the land use and whether or not it is appropriate as defined.

Michael Martin, representing the Independence Estates Homeowners Association, stated support for the goals and services that the home will provide, however expressed concerns regarding changes that might occur once the SUP is granted including the age of occupants and size of the facility. He spoke to working with the applicant to address concerns. M. Nathan Barbera, representing the board of City House, spoke to services provided to the community and the board's commitment to the project advising that it will not "fall through." Christene Krupa, Treasurer of the City House Board of Directors, advised that financing has been secured, funds are set aside for construction and spoke to future fundraising efforts. Pete Schoemann, representing the Forest Creek Homeowners Association, spoke to the association's support of the proposal. Janet Stovall, citizen of the City, spoke to efforts to identify an appropriate property, the support received from the Planning and Zoning Commission and stated that compared to office and medical development this would be a less intrusive use.

Ordinance No. 2005-7-9 (cont'd)

Pam Hatcher, citizen of the City, spoke positively as a neighbor of the current City House facility. Janetta Michaels, of the Collin County Advocacy Center, spoke to their support, the number of children in foster care, their ages and addressed those that are sent out of Collin County for care. Craig Perry, representing the City House Advisory Council requested approval of the item. T. W. Bailey, Sr., of the Homebuilders' Association of Greater Dallas, spoke to the project being carried through to fruition and regarding the reduction in vehicle trips per day that will occur if the property is developed in this manner rather than as an office or assisted living facility. No one else spoke either for or against the request. The Public Hearing was closed.

Mayor Pro Tem Lambert spoke to the request placing a residential product on office zoning, having confidence that City House will complete the project and stipulations in place regarding screening.

Upon a motion made by Mayor Pro Tem Lambert and seconded by Council Member Stahel, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Specific Use Permit No. 559 so as to allow the additional use of Household Care Institution on one lot on 1.7± acres of land located on the west side of Independence Parkway, 117± feet south of Crickett Drive in the City of Plano, Collin County, Texas, presently zoned Neighborhood Office as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2005-22; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date and further to adopt Ordinance No. 2005-7-9.

Public Hearing and adoption of Ordinance No. 2005-7-10 as requested in Zoning Case 2005-24 – To amend Section 1.600 (Definitions) of Article 1 (General Regulations); Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses); and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, to permit winery use with approval of a specific use permit; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano [Regular Agenda Item (5)]

Director of Planning Jarrell advised the Council that the Planning and Zoning Commission recommended approval of the request with the following stipulations:

1. Amend Section 1.600 (Definitions) of Article 1 (General Regulations) to create the following definition for winery use:

Ordinance No. 2005-7-10 (cont'd)

Winery - A wine-making facility that: (1) ferments juices from grapes and/or other fruit, (2) blends wines, (3) manufactures, bottles, labels, and packages wine, and/or performs any other activity authorized by Chapter 16, Winery Permit, of the Texas Alcoholic Beverage Code as amended.

2. Amend the use charts in Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) to permit winery use with approval of a specific use permit in the Agricultural (A), Retail (R), Downtown Business/Government (BG), Light Commercial (LC), Commercial Employment (CE), Central Business-1 (CB-1), Light Industrial-1 (LI-1), Regional Commercial (RC), and Corridor Commercial (CC) zoning districts.

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

Upon a motion made by Council Member Stahel and seconded by Council Member Magnuson, the Council voted 8-0 to amend Section 1.600 (Definitions) of Article 1 (General Regulations); Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses); and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, to permit winery use with approval of a specific use permit as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2005-24; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date; and further to adopt Ordinance No. 2005-7-10.

There being no further discussion, Mayor Evans adjourned the meeting at 11:15 p.m.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, City Secretary

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
July 27, 2005**

COUNCIL MEMBERS

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

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Executive Director
Bruce Glasscock, Executive Director
Rod Hogan, Executive Director
Diane C. Wetherbee, City Attorney
John Gilliam, First Assistant City Attorney
Elaine Bealke, City Secretary

Mayor Evans called the Preliminary Open Meeting to order at 5:00 p.m., Wednesday, July 27, 2005, in the Council Chambers, 1520 K Avenue. All Council Members were present with the exception of Council Member Callison. The following matters were discussed:

Presentation of the 2005-2006 Recommended Budget and Proposed Community Investment Program (CIP) to City Council

City Manager Muehlenbeck stated that this year's budget was developed based on A Premier City for Families, Livable Neighborhoods and Urban Centers, Service Excellence, A Diverse Business Center, and Safe and Efficient Travel all of which are Council goals established at the June 1, 2005 Council Retreat. He stated that the total budget of \$332.6 million represents an increase of \$18.9 million over the 2004-05 re-estimated budget. The City Manager stated that the recommended budget maintains the current tax rate of 45.35 cents per \$100 of assessed property value and further stated that this is the fifteenth consecutive year where a tax rate increase is not proposed. He recommended that there be an average 4% salary increase for both civil service and non-civil service employees, and that non-civil service employees will be eligible for a merit increase of 0 to 5%. Mr. Muehlenbeck stated that information will be provided at the August 13 Budget Worksession regarding the compensation plan and the current employee compression issue that the City is experiencing.

Mr. Muehlenbeck stated that the recommended budget also adds a total of 35 new employees including 18 for Public Safety and 7 for Community Investment Projects coming on line.

Director of Budget and Research Rhodes stated that the total budget for 2005-06 is projected at \$332 million, 25% of this amount is designated for Public Safety, and 25% for Water & Sewer followed by 15% for General Government and 12% for Debt Service. She stated that of the \$172 million projected General Fund revenues, Property Tax is identified at \$61.8 million, Sales Tax at \$50.6 million, and Other Revenue identified at \$59 million which includes building and development related revenues, municipal court fines, park and recreation fees, and library fines.

Ms. Rhodes stated that final projections from the Central Appraisal District (CAD) identify assessed property values at \$21.6 billion for 2005-06 with a total tax base increase of \$779 million. She stated that the recommended budget proposes to remain at the current tax rate of 45.35 cents per \$100 of assessed property valuation, and that information regarding the effective tax rate and rollback rate will be available by August 1 from the CAD. Ms. Rhodes stated that based on preliminary information, the City will most likely exceed the notice and hearing rate this year based on new legislation which will require an additional Public Hearing. Ms. Rhodes spoke to the average home value and applicable tax bill and total tax bill from all taxing entities and further stated that the City of Plano continues to maintain one of the lowest tax rates in the metroplex. She stated that sales tax collections for the first nine months of the fiscal year are up compared to last year for the same time period with a projected increase of 2% but that due to the volatility of this revenue source, projections identify sales tax as remaining flat for the next year. Ms. Rhodes stated that building and development related revenues have done better than expected with original projections identifying a 15% decrease. She stated that a 15% decrease in all revenues related to building and development activities is projected for 2005-06.

Ms. Rhodes stated that the recommended budget does not include a tax rate increase but does include several rate increases. She stated that these include ambulance fees, the addition of both teen and corporate memberships at our recreation centers, and revenues for both the amphitheater and the Cox Administration Building totaling \$735,000 in the General Fund. Ms. Rhodes stated that the recommended budget does not include a water and sewer rate increase, spoke to receipt of a credit from the NTMWD for unused water, and a deficit balance in the Golf Course Fund resulting in a recommended fee increase effective April 1.

Ms. Rhodes reviewed the recommended percentages for salary increases identified by the City Manager, public safety increases and Community Investment Projects coming on line which include Fire Station 11 and the expansion of the Haggard Library. She spoke to retiree payouts, vacation buy back, additional library books, additions to park and recreation programs, and further spoke to an increase in the transfer to the Capital Reserve Fund by \$539,000 due to an increase in assessed property values.

Ms. Rhodes spoke to dollars set aside for Medicare premiums, contracting for extra curb, gutter and inlet repairs, and fuel costs. She stated that increases for health insurance are not being requested this year due to discounts from the health care provider and a reduction in employee claims. Ms. Rhodes stated that an additional 35 full-time positions are being requested, 18 for Public Safety, 3 additional police officers and 7 positions for CIP projects coming on line. She stated that the City continues to hold the line on adding new employees through increased productivity with a projection of 8.36 employees per 1000 citizens for 2005-06.

Ms. Rhodes stated that the Community Investment Program (CIP) proposed for 2005-06 totals \$93.5 million which includes Municipal Facilities, Park and Recreation Improvements, and Street Improvements that were recently approved by the voters in the 2005 bond election. She stated that other CIP expenditures include projects that are supported by Drainage Revenue bonds, and pay as you go Water and Sewer projects.

Ms. Rhodes reviewed upcoming dates including August 8 Council budget discussions and proposed CIP Program as well as a Public Hearing on the budget. She stated that the Council will be required to vote at this meeting on a projected tax rate, that the Council Budget Worksession is scheduled for August 13, and a possible additional Public Hearing on the tax rate August 22 and 31. Ms. Rhodes stated the budget will be adopted and the tax rate set on September 12 with the new fiscal year beginning October 1, 2005.

City Manager Muehlenbeck stated that the total salary increase numbers include all fringe benefits. He stated that the August 8 agenda item scheduled to set the tax rate will identify the maximum tax rate and can always be reduced at the Public Hearings to follow.

Discussion and Direction Concerning Issues Before the Second Special Session of the Texas Legislature

Executive Director Turner spoke to the second Legislative Session and where things stand and to receiving direction from the Council regarding these issues. He spoke to school finance issues and recent related defeats in the current session. Mr. Turner spoke to Tax Increment Financing and to this being adversely affected by any reduction in school tax property rates, stated that appraisal and revenue caps are of interest but as of yet remain on the table, and further spoke to recasting the gas tax to go more to road development and maintenance. He stated that 25% currently goes to support schools and that he sees little change in this area that might be available to cities. Mr. Turner spoke to imminent domain and limiting these powers to cities and counties and to this interest slowing down in the legislature.

Executive Director Glasscock spoke to possibly losing the ability to go forward with the use of technology (cameras) in red light enforcement, recent legislation introduced and then removed to take all revenue (from ticketing) in excess of \$1 for placement in the State General Fund which would then eliminate the ability of cities to install the equipment.

Mr. Glasscock stated that the senate sent a message to the house that they will support, by a narrow majority, the use of this technology by cities. He stated that he sees no overall support in this current session to move forward with this technology but stated that the City will move forward with installation of the technology, site visits have been completed, vendors have been looked at, bids have been requested, and a recommendation will be made by Staff and brought forward to the Council for implementation of this technology.

Assistant to the City Manager Israelson (Intergovernmental Relations) spoke to telecom/cable issues, authorizing broadband over power lines, deregulating the City for a local exchange service, and no longer being able to regulate the customer service aspect or the rates for telecommunication service. He stated that this would create a state-wide franchise for video service thereby losing local authority and that continuing to maintain local control is being sought after by the cities.

Mr. Turner stated that this City has been continually meeting with county and city governments in this area to communicate concerns over legislative matters especially regarding revenue and appraisal caps. He spoke to sending a message to the legislature via the city delegations to dedicate a special session principally to school finance, provisions regarding the method of advertising/posting tax rate changes, stated that adoption thereof should be applied and tested before any further consideration of legislation in this area, and further that all other issues should be referred to an interim committee which could be brought forward in the eightieth regular session. Mr. Turner spoke to bringing this back in the form of a resolution.

Council Member Stahel stated that SH 121 and transportation issues collectively should be conveyed (to the Legislature) regarding devoting the gas tax to transportation, neighboring cities facing enormous growth, and possibly lobbying for placing this on a legislative session. He further spoke to indexing the gas tax for inflation. Mr. Turner spoke to bringing this matter before Texas Municipal League (TML) under the resolutions process and developing a broad consensus among the cities. Mayor Pro Tem Lambert spoke to comments made by the Governor indicating concurrence that use of the gas tax for transportation needs would eliminate current problems but that school financing remains to be the issue. Deputy Mayor Pro Tem Johnson spoke in favor of going through TML and stated that presently all gas tax goes to the state. Mr. Stahel spoke to moving forward with a resolution via TML and encouraging other cities in the area to join in. Mayor Evans spoke to advocating indexing and restructuring and asked that Staff prepare a document for Council review. Mr. Johnson spoke to ticket revenues for state troopers being brought forward also. Council Member Ellerbe spoke to having the county communicate the desires of the cities to the legislature to which Mayor Evans agreed. The Council concurred that a resolution be brought forward. Ms. Ellerbe recommended that interim committees look at the issues. Mr. Stahel recommended restating the message from the City to the Legislature regarding the telecom local franchise issues to which the Council concurred.

Nothing further was discussed. Mayor Evans adjourned the meeting at 5:50 p.m.

Pat Evans, **MAYOR**

ATTEST:

Elaine Bealke, City Secretary



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Council Meeting Date:	8/08/05	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Purchasing	Initials	Date		
Department Head:	Mike Ryan	Executive Director			
Dept Signature:	<i>Dianna Wike</i>	City Manager	<i>AW</i>	<i>8/1/05</i>	
Agenda Coordinator (include phone #): Dianna Wike Ext. 7549					
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input checked="" type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER					
CAPTION					
Award/Rejection of Bid/Proposal for Bid No 2005-204-B for Tri-City Academy – HVAC Replacement to Berger Engineering in the amount of \$244,699.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP					
FISCAL YEAR:	2004-05	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		8,510	3,590,490	0	3,599,000
Encumbered/Expended Amount		-8,510	-138,652	0	-147,162
This Item		0	-244,699	0	-244,699
BALANCE		0	3,207,139	0	3,207,139
FUND(S): GENERAL FUND AND EQUIPMENT REPLACEMENT FUND					
COMMENTS: Funds are included in the 2004-05 Police & Courts Facilities CIP. This item, in the amount of \$244,699 will leave a current year balance of \$3,207,139 for the Tri-City Academy Expansion project.					
STRATEGIC PLAN GOAL: The Tri-City Academy relates to the City's goal of "Service Excellence."					
SUMMARY OF ITEM					
Staff recommends alternate bid of Berger Engineering Company in the amount of \$244,699.00 be accepted as lowest responsive, responsible bid, conditioned upon timely execution of any necessary contract documents. This is for the purchase of Tri-City Academy HVAC Replacement. Alternate bid amount includes replacement of existing duct per specification.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
Bid Summary					

b-1

CITY OF PLANO
BID NO. 2005-204-B
TRI-CITY ACADEMY – HVAC REPLACEMENT

BID RECAP

Bid opening Date/Time:	07/08/2005 @ 3:00 PM
Number of Vendors Notified:	1799
Vendors Submitting “NO BIDS”:	20
Vendors Non-Responsive to Specification:	None

Responsive Bidders:

Berger Engineering Company	\$244,699.00 Alternate Bid Amount
Berger Engineering Company	\$234,571.00 Base Bid Amount

Dianna Wike

7/13/2005

Dianna Wike, C.P.M., Buyer

Date

b-2

MEMORANDUM

TO: Dianna Wike
FROM: Richard Medlen
DATE: July 13, 2005
SUBJECT: TRI-CITY ACADEMY HVAC REPLACEMENT

I have reviewed the bid submitted for the HVAC Replacement at Tri-City Academy, and recommend that the bid be awarded to Berger Engineering, who provided the lowest bid that also meets specs for the alternate bid amount of \$244,699, which includes replacement of existing duct per specification.

The funding for the project is provided in the CIP account for the Tri-City Academy remodel, and Melody Morgan will provide the Financial Summary Work Sheet. Also, I am recommending that the contract be for 90 days for completion.

Please let me know if you have any questions.

/rmt

Cc: Bill Morris
Melody Morgan
Glen Brashear
Kent McIlyar

b-3



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date:	08/08/05	Reviewed by Legal	<input type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Purchasing	Initials	Date	
Department Head:	Mike Ryan	Executive Director		
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	<i>8/28/05</i>
Agenda Coordinator (include phone #):		Glenna Hayes x7074		

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

CAPTION

Award/Rejection of Bid/Proposal for RFP No. 2005-200-C "Multi-Step RFP for Professional Services: Audit Services" in the amount of \$109,063.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR:	FY 05/06, 06/07, 07/08, 08/09, 09/10	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0		110,000	110,000
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	-109,063	-109,063
BALANCE		0	0	937	937

FUND(S): **GENERAL**

Comments: This item approves price quotes for a one year contract with four annual one year renewals. The single audit portion is \$17,497 with a 6% annual increase for years two through five totaling \$109,063.

STRATEGIC PLAN GOAL: Audit Services relate to the City's goal of "Service Excellence"

SUMMARY OF ITEM

Annual Contract with Renewals

Staff recommends bid of Deloitte & Touche LLP be accepted as the best value bidder meeting specifications for **MULTI-STEP RFP FOR PROFESSIONAL SERVICES: AUDIT SERVICES**. Award is in the amount of \$109,063, with four annual one year renewals with a 6% annual increase for years 2-5.

2005-200-C

List of Supporting Documents:
Bid Recap; Memo; Evaluation Matrix

Other Departments, Boards, Commissions or Agencies

CITY OF PLANO
PROPOSAL NO. C200-05
MULTI-STEP RFP FOR PROFESSIONAL SERVICES: AUDIT SERVICES

Opening Date/Time: 6/29/05 @ 3:00 PM

Number of Vendors Notified/Viewed: 1874

Vendors Submitting "NO RESPONSE":
GenesysHCM

Responsive Vendors:

Deloitte & Touche LLP
Grant Thornton LLP
KPMG LLP

January M. Cook

January M. Cook, Sr. Buyer

June 29, 2005

Date

PROPOSAL SUBMISSION STATEMENT

ALL PROPOSALS SUBMITTED FOR THE DESIGNATED PROJECT ARE REFLECTED ON THIS RECAP SHEET. HOWEVER, THE LISTING OF A PROPOSAL ON THIS SHEET SHOULD NOT BE CONSTRUED AS A COMMENT ON THE RESPONSIVENESS OF SUCH PROPOSAL OR AS ANY INDICATION THAT THE CITY ACCEPTS SUCH PROPOSAL AS RESPONSIVE. THE CITY WILL MAKE A DETERMINATION AS TO THE RESPONSIVENESS OF PROPOSALS SUBMITTED BASED UPON COMPLIANCE WITH ALL APPLICABLE LAWS, CITY OF PLANO PURCHASING GUIDELINES, AND PROJECT DOCUMENTS, INCLUDING BUT NOT LIMITED TO THE PROJECT SPECIFICATIONS AND CONTRACT DOCUMENTS. THE CITY WILL NOTIFY THE SUCCESSFUL VENDOR UPON AWARD OF THE CONTRACT AND, ACCORDING TO LAW, ALL PROPOSALS RECEIVED WILL BE AVAILABLE FOR INSPECTION AT THAT TIME.

PURCHASING DIVISION
CITY OF PLANO TEXAS

C-2

Date: July 26, 2005
To: Mike Ryan, Chief Purchasing Officer
From: Denise Tacke, Controller
RE: RFP C200-05 – Multi-Step RFP for Professional Services: Audit Services

Upon review of the three responses to the above mentioned request for proposal I would like to propose on the committee's behalf to award the services to Deloitte Touche LLP.

I am available to discuss any further questions you may have.

C-3

**City of Plano, TX
 Evaluation of Audit RFP Responses
 For year ended September 30, 2005**

2005-200-C

	Max			
	Points	KPMG	Deloitte Touche	Grant Thornton
Past experience	10	10	10	10
Quality of professional personnel	20	10	18	15
Firm's past experience	20	20	20	18
Firm's computer expertise	10	10	10	10
Adequacy of staffing plan	25	22	22	22
Adequacy of sampling techniques	5	5	5	5
Adequacy of analytical procedures	5	5	5	5
Adequacy of audit plan for EDP	5	3	5	3
Total @ 70%	<u>70</u>	<u>59.5</u>	<u>66.5</u>	<u>61.6</u>
Price	30	6	7.5	9
Total @ 30%	<u>30</u>	<u>6</u>	<u>7.5</u>	<u>9</u>
Total	<u>100</u>	<u>65.5</u>	<u>74</u>	<u>70.6</u>

Notes:

KPMG Audit Staff included a second year Partner so the experience level was not what the City of Plano would require.
 Deloitte Touche had more hours budgeted indicating the desire to spend more time on the audit. Best and Final further improved pricing
 Grant Thornton did not have the level of experience as the prior two firms. The Audit Staff was not as strong as Deloitte Touche.

C-4



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date:	8/08/05	Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	Purchasing	Initials		Date
Department Head	Mike Ryan	Executive Director		
Dept Signature:	<i>[Signature]</i>	City Manager		<i>[Signature]</i> <i>1/29/05</i>
Agenda Coordinator (include phone #): Dianna Wike, Ext. 7549				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input checked="" type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER				

CAPTION

Award/Rejection of Bid/Proposal for Bid No. 2005-216-C for an annual fixed price contract for AR-15 Semi-Automatic .223 Caliber Carbine Weapon Systems and Accessories for Police Department to Ametec Arms LLC, Cavalry Arms Corp., DoubleStar Corp., and LECOR Technologies, LLC in the estimated annual amount of \$46,706.00.

FINANCIAL SUMMARY

<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	04-05, 2005-06, 2006-07	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		0	0	0	0

FUND(S): CRIMINAL INVESTIGATION FUND

COMMENTS: This item approves price quotes and establishes a one-year contract with two optional one-year renewals. Expenditures will be made in the Criminal Investigation Fund for the Police Department within the approved annual budget appropriations. The estimated annual amount is \$46,706.00 for AR-15 Semi-Automatic .223 Caliber Carbine Weapon Systems and Accessories.

STRATEGIC PLAN GOAL: Fixed Price Contracts for the purchase of weapons and accessories relates to the City's Goal of "Service Excellence".

SUMMARY OF ITEM

ANNUAL CONTRACT WITH RENEWALS

Staff recommends bids of Ametec Arms, LLC (Item 1) in the estimated annual amount of \$32,250.00, DoubleStar Corp. (Items 2 and 4-5) in the estimated annual amount of \$7,160.00, LECOR Technologies, LLC (Item 3) in the estimated annual amount of \$1,646.00, and Cavalry Arms Corp. (Items 6-7) in the estimated annual amount of \$5,650.00 be accepted as lowest responsive, responsible bids conditioned upon timely execution of any necessary contract documents. This will establish a one year contract with two optional one-year renewals in the total estimated annual amount of \$46,706.00 for AR-15 Semi-Automatic .223 Caliber Carbine Weapon Systems and Accessories for Police Department.



**CITY OF PLANO
COUNCIL AGENDA ITEM**

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

d-2

CITY OF PLANO
BID NO. 2005-216-C
AR-15 SEMI-AUTOMATIC .223 CALIBER CARBINE WEAPON SYSTEMS
AND ACCESSORIES

BID RECAP

Bid opening Date/Time:	07/13/2005 @ 4:00 PM
Number of Vendors Notified:	1043
Vendors Submitting "NO BIDS":	14
Vendors Non-Responsive to Specification:	One

<u>Responsive Bidders</u>	<u>Item</u> 1	<u>Items</u> 2 and 4-5	<u>Item</u> 3	<u>Items</u> 6-7
Ameetec Arms, LLC	\$32,250.00	\$ 3,450.00*	\$ 0.00*	\$ 0.00*
DoubleStar Corp.	\$ 0.00*	\$ 7,160.00	\$ 0.00*	\$ 0.00*
LECOR Technologies, LLC	\$ 0.00*	\$ 0.00*	\$1,646.00	\$ 7,997.50*
Cavalry Arms Corp.	\$32,497.50	\$ 8,550.00	\$3,750.00	\$ 5,650.00
Davidsons	\$41,326.50	\$ 4,719.00*	\$ 0.00*	\$ 0.00*
GT Distributors	\$46,820.00	\$10,081.00	\$2,900.00	\$14,640.00
Keislars Police Supply	\$55,298.00	\$11,030.00	\$3,515.00	\$13,280.50
Rock River Arms Inc.	\$42,100.00	\$ 9,047.50	\$3,875.00	\$ 1,725.00*
Tactical Rescue Gear, Ltd.	\$49,500.00	\$10,864.50	\$3,276.00	\$11,158.50

(*) Denotes vendor did not bid all items

Dianna Wike

7/26/2005

 Dianna Wike, C.P.M., Buyer

 Date

d-3



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date:	8/08/05	Reviewed by Legal <i>ls</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department:	Purchasing		Initials	Date
Department Head	Mike Ryan	Executive Director		
Dept Signature:	<i>Mike Ryan</i>	City Manager	<i>Dianna Wike</i>	<i>8/29/05</i>
Agenda Coordinator (include phone #):		Dianna Wike Ext. 7549		

ACTION REQUESTED:

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

CAPTION

Award/Rejection of Bid/Proposal for Bid No 2005-209-B for Animal Shelter Incinerator Replacement to Crawford Industrial Group, LLC in the amount of \$94,654.

FINANCIAL SUMMARY

<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP				
2004-05	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	4,160	3,000	29,000	36,160
Encumbered/Expended Amount	-4,160	-550	0	-4,710
This Item	0	-94,654	0	-94,654
BALANCE	0	-92,204	29,000	-63,204

FUND(S): GENERAL FUND AND EQUIPMENT REPLACEMENT FUND

COMMENTS: Funds are included in the 2004-05 Capital Reserve Re-Estimate for the Animal Shelter project. This item, in the amount of \$94,654, will exceed the original budget amount by \$92,204. The overage will be funded in the 2004-05 Re-Estimate.

STRATEGIC PLAN GOAL: The incinerator replacement relates to the City's goal of "Service Excellence."

SUMMARY OF ITEM

Staff recommends bid of Crawford Industrial Group, LLC in the amount of \$94,654.00 be accepted as lowest responsive, responsible bidder meeting specifications, conditioned upon timely execution of any necessary contract documents. This is for the purchase of Animal Shelter Incinerator Replacement.

List of Supporting Documents:
Bid Summary

Other Departments, Boards, Commissions or Agencies

e-1

CITY OF PLANO
BID NO. 2005-209-B
ANIMAL SHELTER INCINERATOR REPLACEMENT

BID RECAP

Bid opening Date/Time:	07/15/2005 @ 3:00 PM
Number of Vendors Notified:	1060
Vendors Submitting "NO BIDS":	10
Vendors Non-Responsive to Specification:	One

Responsive Bidders:

Crawford Industrial Group, LLC	\$94,654.00
---------------------------------------	--------------------

Dianna Wike

7/28/2005

Dianna Wike, C.P.M., Buyer

Date

e-2

MEMORANDUM

DATE: July 25, 2005
TO: Dianna Wike, Buyer
FROM: Richard Medlen, Facilities Maintenance Supervisor
SUBJECT: Animal Shelter Incinerator Replacement

I have reviewed the bids submitted for the Animal Shelter Incinerator replacement. The bid submitted by APC Products, Inc. is rejected due to APC Products not submitting a substitution request for the product submitted in their bid as required for approval before the bid opening per bid specifications. Therefore, I am recommending that the bid be awarded to Crawford Industrial Group, who provided the lowest responsive bid, in the amount of \$94,654, and also meets bid specifications. I spoke to Chris White in Budget and he said he would provide the Financial Summary Worksheet. Please contact me if you have any questions.

/ap

Xc: Bill Morris, Facilities Manager
Brian Collins, Environmental Health Director
Keith Clark, Animal Shelter Manager
Chris White, Budget Analyst

e-3



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/08/05		Reviewed by Legal <i>W</i>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Purchasing			Initials	Date
Department Head	Mike Ryan			Executive Director	
Dept Signature:	<i>Mike Ryan</i>			City Manager	<i>W</i>
Agenda Coordinator (include phone #):		Dianna Wike Ext. 7549			

ACTION REQUESTED:

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

CAPTION

Award/Rejection of Bid/Proposal for Bid No 2005-211-B for Tri-City Police Academy Roof Replacement and Water Repellant Coating Installation to Supreme Systems, Inc. in the amount of \$306,957.99.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 2004-05	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	8,510	3,590,490	0	3,599,000
Encumbered/Expended Amount	-8,510	-138,652	0	-147,162
This Item	0	-306,958	0	-306,958
BALANCE	0	3,144,880	0	3,144,880

FUND(S): GENERAL FUND AND EQUIPMENT REPLACEMENT FUND

COMMENTS: Funds are included in the 2004-05 Police & Courts Facilities CIP. This item, in the amount of \$306,958 will leave a current year balance of \$3,144,880 for the Tri-City Academy Expansion project.

STRATEGIC PLAN GOAL: The Tri-City Academy relates to the City's goal of "Service Excellence."

SUMMARY OF ITEM

Staff recommends alternate bid of Supreme Systems, Inc. in the amount of \$306,958.00 be accepted as lowest responsive, responsible bid, conditioned upon timely execution of any necessary contract documents. This is for the purchase of Tri-City Academy Roof Replacement and Water Repellant Coating Installation.

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

CITY OF PLANO
BID NO. 2005-211-B
TRI-CITY POLICE ACADEMY ROOF REPLACEMENT AND WATER
REPELLANT COATING INSTALLATION

BID RECAP

Bid opening Date/Time:	07/25/2005 @ 3:00 PM
Number of Vendors Notified:	991
Vendors Submitting "NO BIDS":	20
Vendors Non-Responsive to Specification:	One

Responsive Bidders:

Supreme Systems, Inc.

\$306,958.00 Total Cost of All Bid Items

Dianna Wike

7/29/2005

Dianna Wike, C.P.M., Buyer

Date

MEMORANDUM

DATE: July 27, 2005
TO: Dianna Wike, Buyer
FROM: Richard Medlen, Facilities Maintenance Supervisor
SUBJECT: Bid 2005-211-B – Tri-City Police Academy Roof Replacement and Water Repellant Coating Installation

I have reviewed the bids submitted for the Tri-City Police Academy Roof Replacement and Water Repellant Coating Installation. The lowest bid submitted by KPost Company is non-responsive due to their failure to provide required qualifications and client information with their bid as required by bid specifications. Therefore, Supreme Systems, Inc. is the lowest responsive, responsible bidder in the amount of \$306,957.99 that meets bid specifications. Therefore, I recommend that they be awarded the bid, provided they submit the Affidavit of No Prohibited Interest and supplemental documents. The funding for the project is in CIP for the Tri-City Academy and Melody Morgan will provide the Financial Summary Worksheet.

Please let me know if you have any questions.

/ap

Xc: Bill Morris, Facilities Manager
Glen Brashear, Police Administrative Manager
Diane Palmer, Purchasing Manager
Melody Morgan, CIP Budget Coordinator
Steve Drennan, Conley Group, Inc.

f2

f-3



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date:	8/8/05		Reviewed by Legal <i>HL</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Purchasing		Initials	Date	
Department Head	Mike Ryan		Executive Director		
Dept Signature:	<i>[Signature]</i>		City Manager	<i>[Signature]</i>	
Agenda Coordinator (include phone #):	Sharron Mason, Ext. 7247				

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

CAPTION

Award/Rejection of Bid/Proposal for Bid No. 2005-218-B for Oak Point Amphitheater Sound System and Lighting System in the amount of \$74,713.00.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 2004-05	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	251,720	5,045,280	5,000,000	10,297,000
Encumbered/Expended Amount	-251,720	-2,798,350	0	-3,050,070
This Item	0	-74,713	0	-74,713
BALANCE	0	2,172,217	5,000,000	7,172,217

FUND(S): CAPITAL RESERVE

COMMENTS: Funds are included in the 2004-05 Park Improvement CIP. This item in the amount of \$74,713 will leave a current year balance of \$2,172,217 for the Oak Point Park Development project.

STRATEGIC PLAN GOAL: The amphitheater sound and lighting systems relate to the City's Goal of "Premier City for Families."

SUMMARY OF ITEM

Staff recommends bid of A V Pro, Inc. in the amount of \$74,713.00 be accepted as lowest responsible bid meeting specifications.

Sound System and Lighting Systems - A V Pro, Inc. - to furnish, fabricate, deliver and install operational production sound and lighting systems as described in the Specifications.

List of Supporting Documents: Bid Recap and Recommendation Memo	Other Departments, Boards, Commissions or Agencies
--	--

MEMO

TO: DIANE PALMER, PURCHASING MANAGER
FROM: RUSSELL H READ
DATE:
RE: RECOMMENDATION OF AWARD FOR 2005-218-B OAK POINT AMPHITHEATER
SOUND SYSTEM AND LIGHTING SYSTEM

Based on the bid evaluation for 2005-218-B Oak Point Amphitheater Sound System and Lighting System, I recommend that the bid be awarded to AV Pro as the lowest responsive bidder in the amount of \$74,713.00.

g-2

CITY OF PLANO
BID NO. 2005-218-05
OAK POINT AMPHITHEATER SOUND SYSTEM AND LIGHTING SYSTEM

BID RECAP

Bid opening Date/Time: 07/25/05 @ 3:30 PM

of vendors notified: 840

Vendors Submitting "No Bids"

14

Vendors Non-Responsive to Specification

None

Responsive Bidders:

Bidder

A V Pro, Inc.

Quickbeam Systems, Inc.

I certify that the above includes all firms contacted to bid and that replies are exactly as stated.

Sharron Mason

July 26, 2005

Sharron Mason, Buyer

Date

g-3



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/8/05		Reviewed by Legal <i>mt</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Technology Services			
Department Head	David Stephens	Executive Director	Date <i>1-25-05</i> <i>1/25/05</i>	
Dept Signature:	<i>[Signature]</i>	City Manager		
Agenda Coordinator (include phone #):		Kathy Kargol, ext 7342		

ACTION REQUESTED:

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

CAPTION

Award/Rejection of Bid/Proposal for Bid No. B106-05 for the purchase of an event management software application to Dean Evans and Associates, Inc. in the amount of \$33,870.

FINANCIAL SUMMARY

NOT APPLICABLE
 OPERATING EXPENSE
 REVENUE
 CIP

FISCAL YEAR: 2004-05	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	152,000	0	152,000
Encumbered/Expended Amount	0	-23,640	0	-23,640
This Item	0	-33,870	0	-33,870
BALANCE	0	94,490	0	94,490

FUND(S): **TECHNOLOGY FUND (062)**

COMMENTS: Funds are included in the 2004-05 Technology Fund Budget for the Plano Centre Wiring Project which includes the purchase of Event Management Software. The remaining funds will be used for other expenses associated with the project.

STRATEGIC PLAN GOAL: Software that matches functionality requirements at the Plano Centre relates to the City's Goal of "Service Excellence".

SUMMARY OF ITEM

Plano Centre and Technology Services staff recommends Council approve the purchase of an event management software license application for Plano Centre in an amount of \$33,870 with Dean Evans and Associates, Inc. There were two qualified responses to the Request for Proposal (B106-05). The result of the evaluation process shows the proposal from Dean and Associates, Inc. to be the best value proposal.

List of Supporting Documents: Memo; Evaluation Matrix; Contract	Other Departments, Boards, Commissions or Agencies Plano Centre
--	--

A-1

Memorandum

Date: July 19, 2005
To: Mike Ryan, Purchasing Manager
From: Jim Stroup, Plano Centre Manager
Subject: Recommendation of the Request for Proposal No. B106-05
Software System for Plano Centre

Plano Centre staff determined that there was need to search for a new event management software application that would be simpler to learn and use and be a better match with the functionality required at Plano Centre. A Request for Proposal No B106-05 was accepted on March 21, 2005. There were two qualified, responsive bidders to the request; Fast Books Software by Event Software Inc. and EMS by Dean Evans and Associates Inc.

The evaluation process included web based demonstrations of the respective vendors' products, conference calls with each vendor regarding technology direction and requirements, and reference calls to insure satisfaction of current customers. At the completion of this process the vendors were evaluated in accordance with the best value criteria as outlined in the bid package. The criteria included the system's functionality and ability to meet the City's Scope of Services as outlined in the bid, cost, work history, and any other information relevant to the project. The result of the evaluation process shows the proposal for the EMS Software application from Dean and Associates to be the best value proposal.

Therefore, it is the recommendation by both Plano Centre and Technology Services staff that the City purchase the EMS Software application from Dean Evans and Associates Inc. in the amount of \$33,870.

h-2

**Evaluation Matrix for Request for Proposal No. B106-05
Software System for Plano Centre**

Evaluation Criteria	Dean & Associates	Event Software
Functionality and ability to meet Scope of Services	Meets functionality requirements	Meets functionality requirements
Pricing	\$33,870	\$17,900
Detailed work history	Good References	Good References
Other information relevant to the project	Matches technology direction of the City	Does not match technology direction of the City
Overall Rating	Best Value Choice	Not an option due to technology issues

A-3



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/8/05		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Public Works Administration / Michael Rapplean		Initials	Date	
Department Head	Jimmy Foster	Executive Director	<i>[Signature]</i>	8/1-05	
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	8/1/05	
Agenda Coordinator (include phone #): Margie Stephens (X4104)					
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input checked="" type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER					
CAPTION					
<i>Award/Rejection of Bid/Proposal for Bid No. B202-05 for the Power Factor Improvements at Stadium, Custer and Shiloh Pump Stations to Dal-Ec Construction, LTD. in the amount of \$360,000.00.</i>					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input checked="" type="checkbox"/> CIP					
FISCAL YEAR:	2004-05	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	110,000	0	110,000
Encumbered/Expended Amount		0	-12,865	0	-12,865
This Item		0	-360,000	0	-360,000
BALANCE		0	-262,865	0	-262,865
FUND(S): WATER CIP					
COMMENTS: Funds are included in the 2004-05 Water CIP Re-Estimate for the Pump Station project. This item, in the amount of \$360,000, will exceed the original budget amount by \$262,865. The overage will be funded in the 2004-05 Re-Estimate. STRATEGIC PLAN GOAL: Power factor improvements for the pump station relate to the City's Goals of Safe, Livable Neighborhoods.					
SUMMARY OF ITEM					
<p>Staff recommends bid of Dal-Ec, LTD in the amount of \$360,000 be accepted as the lowest responsible bid for the project conditional upon timely execution of all necessary documents.</p> <p>The project involves making corrections to the efficiency of power consumed at three of the City's water pumping stations and some upgrades to existing equipment at Stadium Pump Station.</p> <p>The upgrade to the Stadium facility is to replace three transfer switches with new motor operated breakers and to upgrade the facilities service conductors in the amount of \$95,000.</p> <p>TXU Delivery began 10 months ago billing the City for Power Factor at its water pumping stations. The monthly fee being charged to the Custer Pumping Station ranges between \$400 to \$525 per month and at the Stadium facility ranges between \$600 to \$850 per month. The Power Factor charge is not currently being billed to the Shiloh Pumping Station.</p>					

(Cont'd on next page)

i-1



CITY OF PLANO COUNCIL AGENDA ITEM

Summary of Item (Cont'd)

TXU Delivery is requiring users to have a 95% Power Factor rating at its facilities and if this is accomplished this monthly fee will not be assessed. The project when completed will provide the City with a 97% Power Factor rating at these facilities.

The Power Factor cost at the Stadium station is \$103,000. The yearly cost for this fee is estimated at \$8,148 with a pay back in 12.6 years. At the Custer station, the Power Factor cost is \$90,000 with a yearly cost of \$5,573 with a pay back of 16.1 years.

The secondary vendor being recommended is TD Industries, LTD in the amount of \$370,907.

Engineer's estimate for the contract is \$350,000.

List of Supporting Documents:

Bid Tabulation

Location Map

Other Departments, Boards, Commissions or Agencies

i-2

CITY OF PLANO
BID TABULATION
B202-05
POWER FACTOR IMPROVEMENT AT STADIUM, CUSTER
AND SHILOH PUMP STATIONS
Project No. 5571
Wednesday, July 6, 2005 @ 3:30 PM

CONTRACTOR	ADDENDUM #1	BID BOND	TOTAL BID
Dal-Ec. Construction, Ltd.	Yes	Yes	\$360,000.00
TD Industries	No	Yes	\$370,907.00
Design Electric	Yes	Yes	\$404,705.00
Humphrey & Associates, Inc.	Yes	Yes	\$501,961.00

I certify that the above includes all firms contacted to bid and that replies are exactly as stated.

Sharron Mason

Sharron Mason, Buyer

July 6, 2005

Date

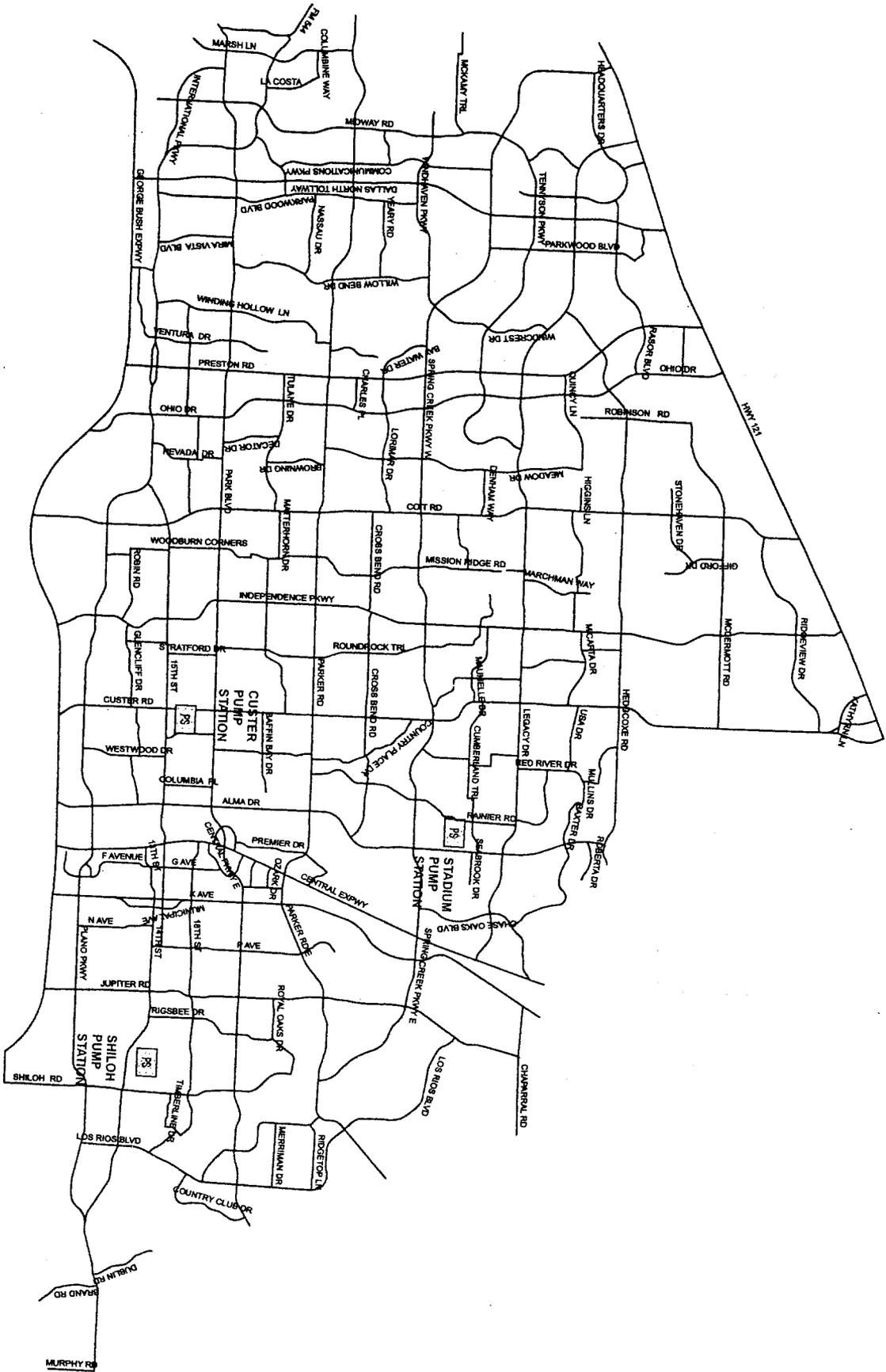
“BID TABULATION STATEMENT”

ALL BIDS SUBMITTED FOR THE DESIGNATED PROJECT ARE REFLECTED ON THIS BID TAB SHEET. HOWEVER, THE LISTING OF A BID ON THIS SHEET SHOULD NOT BE CONSTRUED AS A COMMENT ON THE RESPONSIVENESS OF SUCH BID OR AS ANY INDICATION THAT THE CITY ACCEPTS SUCH BID AS RESPONSIVE. THE CITY WILL MAKE A DETERMINATION AS TO THE RESPONSIVENESS OF BIDS SUBMITTED BASED UPON COMPLIANCE WITH ALL APPLICABLE LAWS, CITY OF PLANO PURCHASING GUIDELINES, AND PROJECT DOCUMENTS, INCLUDING BUT NOT LIMITED TO THE PROJECT SPECIFICATIONS AND CONTRACT DOCUMENTS. THE CITY WILL NOTIFY THE SUCCESSFUL BIDDER UPON AWARD OF THE CONTRACT AND, ACCORDING TO LAW, ALL BIDS RECEIVED WILL BE AVAILABLE FOR INSPECTION AT THAT TIME.

PURCHASING DIVISION
CITY OF PLANO TEXAS

i-3

POWER FACTOR IMPROVEMENTS TO STADIUM, CUSTER & SHILOH PUMP STATIONS LOCATION MAP



i-4



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date: 8/8/05		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Purchasing			Initials	Date
Department Head	Mike Ryan			Executive Director	
Dept Signature:				City Manager	8/28/05
Agenda Coordinator (include phone #):		Lauren Roberts Ext. 7248			

ACTION REQUESTED:

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

CAPTION

Cancellation of Bid Award for Bid No. B152-05 for 11,000 GVWR Extended Cab and Chassis with Utility Body (3-Door Minimum) to Gunn Chevrolet in the amount of \$25,287.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

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

FUND(s):

COMMENTS:

STRATEGIC PLAN GOAL:

SUMMARY OF ITEM

Staff recommends cancellation of bid award for 11,000 GVWR Extended Cab and Chassis with Utility Body (3-Door Minimum) (B152-05). Initial delivery was not met and second delivery requirement was not met by Gunn Chevrolet. Vendor has not submitted any information as to when the delivery will be made since default on second delivery requirement.

List of Supporting Documents: Letter to Vendor (Gunn Chevrolet)	Other Departments, Boards, Commissions or Agencies
--	--



July 28, 2005

Gunn Chevrolet Ltd.
12602 IH 35 North
San Antonio, Texas 78233
Jeff Chamberlain, Governmental Fleet Manager

RE: Delivery / B152-05 11,000 GVWR Extended Cab and Chassis with Utility Body

Dear Mr. Chamberlain,

This letter will serve as your notice of intent to terminate the contract awarded for B152-05 at the August 8, 2005 Council Meeting, re-bid the vehicle and the City's right to charge any increased costs to Gunn Chevrolet.

Purchase Order 102824 for an 11,000 GVWR Extended Cab and Chassis with Utility Body in accordance with Bid Specifications B152-05, was issued to Gunn Chevrolet on June 7, 2005. Delivery was required, in accordance with the bid award, within 15 days After Receipt of Order. On July 1st you informed Lauren Roberts, Buyer, that the vehicle you had on order for the City was sold and you were attempting to find another vehicle. On July 5th you and I spoke in the morning and you indicated you had found a vehicle that met all specifications with one exception, cloth seats instead of vinyl. At that time I stated that I would be meeting with Equipment Services and would get back with you. In the meantime, you emailed Lauren Roberts, that you could deliver a vehicle that met all of our specifications in 15 days. The City of Plano expected delivery on July 21st. As of July 22nd the vehicle had not been delivered. Lauren Roberts spoke with you on July 22nd to get the status of the order. At that time you told Lauren you would call her back to report the status of the order. She called again on July 25th and left you message because she had not received any information regarding the status of the delivery. As of July 28th no delivery has been made and no information has been given to the City of Plano explaining the second delay in delivery.

I would like to bring to your attention item number 14 of the City of Plano's standard terms and conditions, which reads as follows:

Delivery Promise – Penalties:

When delivery delay can be foreseen, the bidder shall give prior notice to the Purchasing Division, who shall have the right to extend the delivery date if reasons for the delay appear acceptable. Default in promised delivery, without acceptable reasons, or failure to meet specifications, authorizes the Purchasing Division to purchase goods elsewhere, and charge any increase in cost and handling to the defaulting bidder.

Pat Evans
Mayor

Shep Stahel
Mayor Pro Tem

Ken Lambert
Deputy Mayor Pro Tem

Scott Johnson
Place 2

Phil Dyer
Place 3

Sally Magnuson
Place 4

Steve Stovall
Place 5

Jean Callison
Place 7

Thomas H. Muehlenbeck
City Manager

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

J-2



The past history as outlined above may be taken into consideration on future awards when determining vendor responsibility.

If you have any questions or concerns please contact me at 972-941-7136.

Sincerely,

Diane C. Palmer

Diane C. Palmer, CPPB
Purchasing Manager

Pat Evans
Mayor

Shep Stahel
Mayor Pro Tem

Ken Lambert
Deputy Mayor Pro Tem

Scott Johnson
Place 2

Phil Dyer
Place 3

Sally Magnuson
Place 4

Steve Stovall
Place 5

Jean Callison
Place 7

Thomas H. Muehlenbeck
City Manager

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

J-3



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input checked="" type="checkbox"/> Consent	Regular <input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date:	August 8, 2005	Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Finance		Initials	Date
Department Head	John F. McGrane	Executive Director		
Dept Signature:	<i>[Signature]</i>	City Manager	<i>[Signature]</i>	8/11/05
Agenda Coordinator (include phone #):	Steve Teiper X7303			

ACTION REQUESTED: ORDINANCE RESOLUTION CHANGE ORDER AGREEMENT
 APPROVAL OF BID AWARD OF CONTRACT OTHER Misc. Purchase Author:

CAPTION

Approval of contract to approve the terms and conditions of a Depository Services Contract with COMERICA BANK, and authorizing the City Manager, or in his absence an Executive Director to execute the contract and all other necessary documents Bid No. C119-05; and providing an effective date.

FINANCIAL SUMMARY

NOT APPLICABLE OPERATING EXPENSE REVENUE CIP

FISCAL YEAR: 2005-06	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0

FUND(s):

COMMENTS:

SUMMARY OF ITEM

The City of Plano requires a Depository Bank to receive, hold and release funds in the course of normal business operations. As a result, the City seeks an appropriate financial institution to provide these valuable services. The City of Plano received seven (7) proposals for Depository Services. Each proposal offered service options that could, to a greater or lesser extent, be of use to the City. Some responses met the City's needs better than others. The seven respondents are named in Exhibit "A".

List of Supporting Documents: Other Departments, Boards, Commissions or Agencies
 Exhibit "A" - Analysis and Evaluation Matrix
 Exhibit "B" - Depository Services Contract

A-1

EXHIBIT "A"

History:

The City of Plano requires a Depository Bank to receive, hold and release funds in the course of normal business operations. As a result, the City seeks an appropriate financial institution to provide these valuable services. After thorough and indepth analysis, the most appropriate responder of this RFP will be the recommended financial institution.

Respondents:

JP Morgan Chase	Bank of America
Wells Fargo Bank	First National Bank Southwest
Legacy Texas Bank	Bank of Texas
Comerica	

Review Committee Members:

John McGrane (Finance Director)	Denise Tacke (Controller)
Steve Teiper (Treasurer)	Mike Ryan (Chief Purchasing Officer) (Advisory only)

Analysis:

The City of Plano received seven (7) proposals for Depository Services. Each proposal offered service options that could, to a greater or lesser extent, be of use to the City. Some responses met the City's needs better than others. The seven respondents are named above. The results of this analysis are:

<u>Respondent</u>	<u>Areas of Concern</u>
First National Bank Southwest	Ratings (Baa3/BBB/BBB)
Bank of Texas	Ratings (Baa1/BBB/A-)
JP Morgan Chase	Customer Service, based upon history.
Bank of America	Internal Controls, Lack of safeguards placed on secure items. e.g. the recent release of financial information by Bank of America employees
Wells Fargo Bank	No ATMs, Safekeeping and Collateral Costs
Legacy Texas Bank	Size (McKinney largest client), Reliability of Online Banking System, as stated by References

Recommendation:

The Review Committee recommends **Comerica Bank**. Comerica Bank more fully meets the evaluative criteria, as set forth in the Request for Proposal (RFP) and the City's overall Depository Service needs.

R-2

Evaluation of Depository RFP
7/25/2005

<u>Financial Institution</u>	Ability to Perform	Agreement to Details	Cost of Services	Financial Stability	Ability to Provide Sufficient Collateral	Ability of Staff	CRA Ratings	Number & Location of Branches	\$ Amount & Participation of Plano Events	Benefits to Employees	Rankings
JP Morgan Chase	2	1	3	1	1	2	High Satisfactory	8	1	1	3
Bank of America	1	1	6	1	1	2	Outstanding	13	1	1	4
Wells Fargo	1	2	5	1	1	1	Outstanding	10	1	1	5
First National Bank	2	1	7	2	1	1	Satisfactory	2	1	1	6
Legacy Texas Bank	2	1	1	1	1	1	Satisfactory	12	1	1	2
Bank of Texas	1	1	4	2	1	1	Satisfactory	N/R	1	1	6
Comerica Bank	1	1	2	1	1	1	Satisfactory	3	1	1	1

Rankings = 1 for best and 7 for worst.

N/R = No Response

R-3



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Council Meeting Date:	8/8/05	Reviewed by Legal <i>GR</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Customer & Utility Services	Initials	Date		
Department Head	Linda Keyton	Executive Director	<i>DK</i>	7-29-05	
Dept Signature:	<i>Linda Keyton</i>	City Manager	<i>GR</i>	7/29/05	
Agenda Coordinator (include phone #):		Becky Rodgers x5105			
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER					
CAPTION					
A resolution accepting the Certified Appraisal Roll for fiscal year 2005-2006					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2005-2006	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	98,052,501	98,052,501
BALANCE		0	0	98,052,501	98,052,501
FUND(s): GENERAL FUN; GENERAL OBLIGATION FUND					
COMMENTS: The 2005-2006 appraisal roll will generate revenues of approximately \$98,052,501 which have been included in the proposed 2005-2006 Budget.					
STRATEGIC PLAN GOAL: Accepting the Certified Appraisal Rolls relates to the City's Goal of "Service Excellence".					
SUMMARY OF ITEM					
Acceptance of the 2005-2006 Certified Appraisal Roll totals.					
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies			
Exhibit A - Certification of the 2005 Appraisal Roll by Chief Appraiser Exhibit - 2005 Certified Totals					

e-1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, ACCEPTING THE CERTIFIED APPRAISAL ROLL FOR FISCAL YEAR 2005-2006, AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the certification of the 2005 Appraisal Roll by the Chief Appraiser, Central Appraisal District of Collin County, is attached hereto as Exhibit "A," and

WHEREAS, the calculation of the 2005 certified total value, including the value of new property is attached hereto as Exhibit "B;" and

WHEREAS, upon review of the Appraisal Roll and all matters attendant and related thereto, the City Council finds that the Certified Appraisal Roll for Fiscal Year 2005-2006, should be accepted.

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

Section I. The Certified Appraisal Roll for Fiscal Year 2005-2006, as submitted by the City Tax Assessor/Collector, is hereby accepted.

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

DULY PASSED AND APPROVED this _____ day of _____, 2005.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

l-2



Collin Central Appraisal District

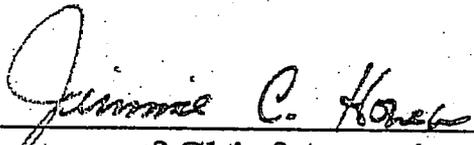
PROPERTY TAX CODE, SECTION 26.01(a)

CERTIFICATION OF 2005 APPRAISAL ROLL

FOR: PLANO CITY

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

July 22, 2005



Signature of Chief Appraiser

Approval of the appraisal records by the Collin Central Appraisal District Appraisal Review Board recorded on the 16th day of July, 2005.

l-3

2005 CERTIFIED TOTALS

Property Count: 83,833

CPL - PLANO CITY
Grand Totals

7/22/2005 12:19:59AM

Land		Value			
Homesite:		3,809,807,938			
Non Homesite:		2,885,975,113			
Ag Market:		618,227,459			
Timber Market:		0		Total Land	(+) 7,314,010,510
Improvement		Value			
Homesite:		11,692,612,930			
Non Homesite:		5,508,405,727		Total Improvements	(+) 17,201,018,657
Non-Real		Count	Value		
Personal Property:	9,132	2,234,874,937			
Mineral Property:	0	0			
Autos:	0	0		Total Non Real	(+) 2,234,874,937
				Market Value	= 26,749,904,104
Ag		Non-Exempt	Exempt		
Total Productivity Market:	617,836,163	391,296			
Ag Use:	1,372,723	1,303			
Timber Use:	0	0			
Productivity Loss:	616,463,440	389,993		Productivity Loss	(-) 616,463,440
				Appraised Value	= 26,133,440,664
				Homestead Cap	(-) 22,630,340
				Assessed Value	= 26,110,810,324

Exemption	Count	Local	State	Total	
AB	109	447,521,736	0	447,521,736	
CH	1	1,670,340	0	1,670,340	
DP	588	23,181,214	0	23,181,214	
DV1	437	0	3,146,000	3,146,000	
DV1S	9	0	42,500	42,500	
DV2	93	0	810,750	810,750	
DV2S	1	0	7,500	7,500	
DV3	49	0	522,000	522,000	
DV3S	2	0	20,000	20,000	
DV4	85	0	1,020,000	1,020,000	
DV4S	58	0	690,000	690,000	
EX	1,474	0	755,840,010	755,840,010	
EX (Prorated)	6	0	11,113,572	11,113,572	
EX366	361	0	83,191	83,191	
FR	67	246,047,737	0	246,047,737	
HS	57,073	2,697,036,541	0	2,697,036,541	
HT	76	6,024,569	0	6,024,569	
OV65	6,616	261,981,371	0	261,981,371	
OV65S	62	2,480,000	0	2,480,000	
PC	14	2,305,908	0	2,305,908	
				Total Exemptions	(-) 4,461,544,939
				Net Taxable	= 21,649,265,385

Freeze	Assessed	Taxable	Actual Tax	Ceiling	Count	
DP	94,307,429	54,361,890	238,292.19	240,703.39	525	
OV65	1,160,178,855	685,200,448	2,992,234.10	3,014,399.28	6,018	
Total	1,254,486,284	739,562,338	3,230,526.29	3,255,102.67	6,543	
Tax Rate	0.4535					Freeze Taxable (-) 739,562,338

Transfer	Assessed	Taxable	Post % Taxable	Adjustment	Count	
DP	120,742	56,594	55,739	855	1	
OV65	3,654,680	2,602,335	1,825,150	777,185	16	
Total	3,775,422	2,658,929	1,880,889	778,040	17	
				Transfer Adjustment	(-) 778,040	
				Freeze Adjusted Taxable	= 20,908,925,007	

APPROXIMATE LEVY = (FREEZE ADJUSTED TAXABLE * (TAX RATE / 100)) + ACTUAL TAX
 98,052,501.20 = 20,908,925,007 * (0.4535 / 100) + 3,230,526.29

l-4
CPL/519018

Collin County

2005 CERTIFIED TOTALS

As of Certification

Property Count: 83,833

CPL - PLANO CITY
Grand Totals

7/22/2005 12:19:59AM

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

l-5

2005 CERTIFIED TOTALS

Property Count: 83,833

CPL - PLANO CITY
Grand Totals

7/22/2005

12:20:13AM

State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
A	Single Family Residence	67,722		\$126,029,171	\$15,320,521,599
B	Multifamily Residence	927		\$30,227,411	\$1,529,906,070
C	Vacant Lot	1,043		\$0	\$252,738,676
D1	Qualified Ag Land	285	4,435.0197	\$0	\$617,836,163
D2	Non-Qualified Land	183	1,755.6863	\$0	\$216,120,081
E	Farm or Ranch Improvement	50		\$27,826	\$11,115,193
F1	Commercial Real Property	1,772		\$168,605,916	\$5,192,642,548
F2	Industrial Real Property	182		\$3,349,866	\$519,238,734
J2	Gas Distribution System	2		\$0	\$16,083,058
J3	Electric Company (including Co-op)	44		\$0	\$176,930,008
J4	Telephone Company (including Co-op)	22		\$0	\$6,771,872
J5	Railroad	4		\$0	\$9,168
J6	Pipelnd Company	4		\$0	\$1,408,832
J7	Cable Television Company	9		\$0	\$314,861
L1	Commercial Personal Property	8,461		\$64,569,518	\$1,895,375,997
L2	Industrial Personal Property	132		\$0	\$70,225,097
M1	Tangible Other Personal, Mobile Homes	344		\$514,431	\$4,860,461
O	Residential Inventory	1,113		\$25,342,828	\$77,868,389
S	Special Inventory Tax	79		\$0	\$84,014,096
X	Totally exempt property	1,809		\$60,989,358	\$755,923,201
	Totals		6,190.7060	\$479,656,325	\$26,749,904,104

Q-4

2005 CERTIFIED TOTALS

Property Count: 83,833

CPL - PLANO CITY
Grand Totals

7/22/2005

12:20:13AM

CAD State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
A1	RESIDENTIAL SINGLE FAMILY	64,802		\$109,759,060	\$15,083,078,804
A11	A	1		\$0	\$145,000
A2	RESIDENTIAL MOBILE HOME (OWN LAND)	1		\$29,463	\$29,463
A3	RESIDENTIAL CONDOMINIUMS	1,174		\$1,422,215	\$98,457,850
A4	RESIDENTIAL TOWNHOMES	996		\$8,404,859	\$124,500,636
A6	IMPROVEMENT % COMPLETE RESIDENTI/	35		\$6,413,574	\$13,437,127
A9	NEW IMP CLASSED NV (NO VALUE)	355		\$0	\$0
B1	RESIDENTIAL MULTI-FAMILY	127		\$4,148,747	\$1,392,100,776
B2	RESIDENTIAL DUPLEX	793		\$6,589	\$105,942,363
B3	RESIDENTIAL TRIPLEX	1		\$105,098	\$177,093
B4	RESIDENTIAL QUADPLEX	4		\$0	\$543,889
B6	IMPROVEMENT % COMPLETE	6		\$25,966,977	\$31,141,949
C1	VACANT RESIDENTIAL LOTS IN CITY UNDI	612		\$0	\$43,103,832
C2	VACANT RESIDENTIAL LOTS OUT OF CITY	20		\$0	\$8,345,601
C3	VACANT COMMERCIAL LOTS IN CITY UNDI	403		\$0	\$198,508,505
C4	VACANT COMMERCIAL OUT OF CITY UNDI	7		\$0	\$938,685
C5	VACANT INDUSTRIAL IN CITY UNDER 5 AC	2		\$0	\$1,842,053
D1	NATIVE PASTURE	285	4,435.0197	\$0	\$617,836,163
D2	IMPROVED PASTURE	183	1,755.6863	\$0	\$216,120,081
E1	REAL FARM & RANCH SINGLE FAMILY	38		\$0	\$10,271,113
E3	FARM AND RANCH OTHER IMPROVEMENT	16		\$27,826	\$844,080
F1	REAL COMMERCIAL	1,202		\$90,178,546	\$2,948,188,729
F2	REAL INDUSTRIAL	182		\$3,349,866	\$519,238,734
F3	OFFICE COMMERCIAL REAL	435		\$13,933,376	\$2,095,074,891
F4	CONDOMINIUM COMMERCIAL REAL	121		\$1,555,329	\$31,437,189
F6	COMMERCIAL REAL IMP PERCENT COMPI	79		\$62,938,665	\$117,941,739
F9	COMMERCIAL NEW IMP CLASSED NV (NO	4		\$0	\$0
J2A	REAL GAS COMPANIES	1		\$0	\$34,031
J2B	PERSONAL GAS COMPANIES	1		\$0	\$16,049,027
J3	ELECTRIC COMPANIES	1		\$0	\$31,110
J3A	REAL ELECTRIC COMPANIES	34		\$0	\$14,922,468
J3B	PERSONAL ELECTRIC COMPANIES	9		\$0	\$161,976,430
J4A	REAL TELEPHONE COMPANIES	9		\$0	\$5,209,647
J4B	PERSONAL TELEPHONE COMPANIES	13		\$0	\$1,562,225
J5	RAILROADS	4		\$0	\$9,168
J6B	PERSONAL PIPELINES	4		\$0	\$1,408,832
J7	RAILROAD CORRIDORS	9		\$0	\$314,861
L1	TANGIBLE COMMERCIAL PERSONAL	8,461		\$64,569,518	\$1,895,375,997
L2	TANGIBLE INDUSTRIAL PERSONAL	132		\$0	\$70,225,097
M3	TANGIBLE PERSONAL MOBILE HOMES	344		\$514,431	\$4,860,461
M4	MISCELLANEOUS	460		\$0	\$872,719
O	RESIDENTIAL INVENTORY	1,113		\$25,342,828	\$77,868,389
S	SPECIAL INVENTORY BPP	79		\$0	\$84,014,096
X	Totally Exempt Property	1,809		\$60,989,358	\$755,923,201
	Totals		6,190.7060	\$479,656,325	\$26,749,904,104

L-7

2005 CERTIFIED TOTALS

Property Count: 83,833

CPL - PLANO CITY
Effective Rate Assumption

7/22/2005 12:20:13AM

New Value

TOTAL NEW VALUE MARKET: \$479,656,325
TOTAL NEW VALUE TAXABLE: \$376,517,872

New Exemptions

Exemption	Description	Count		
EX	TOTAL EXEMPTION	92	2004 Market Value	\$70,536,716
EX366	HOUSE BILL 366	182	2004 Market Value	\$931,460
ABSOLUTE EXEMPTIONS VALUE LOSS				\$71,468,176

Exemption	Description	Count	Exemption Amount
DP	DISABILITY	33	\$1,280,000
DV1	DISABLED VET	36	\$240,500
DV1S	DISABLED VET	1	\$2,500
DV2	DISABLED VET	10	\$75,000
DV3	DISABLED VET	6	\$64,000
DV3S	DISABLED VET	1	\$10,000
DV4	DISABLED VET	13	\$156,000
DV4S	DISABLED VET	1	\$12,000
HS	HOMESTEAD	1,446	\$71,276,059
OV65	OVER 65	486	\$19,040,785
PARTIAL EXEMPTIONS VALUE LOSS		2,033	\$92,156,844
TOTAL EXEMPTIONS VALUE LOSS			\$163,625,020

New Ag / Timber Exemptions

New Annexations

Average Homestead Value

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
56,644	\$237,202	\$47,436	\$189,766

l-8

2005 CERTIFIED TOTALS

TP1 - PLANO #1 TIF

Grand Totals

7/22/2005

12:19:59AM

Property Count: 27

Land Value

Homesite:	0		
Non Homesite:	45,899,603		
Ag Market:	8,309,201		
Timber Market:	0	Total Land	(+) 54,208,804

Improvement Value

Homesite:	0		
Non Homesite:	162,869,102	Total Improvements	(+) 162,869,102

Non Real Property Value

Personal Property:	0	0	
Mineral Property:	0	0	
Autos:	0	0	
		Total Non Real Market Value	(+) 0
			= 217,077,906

Ag Use Non Exempt Exempt

Total Productivity Market:	8,309,201	0	
Ag Use:	1,327	0	
Timber Use:	- 0	0	
Productivity Loss:	8,307,874	0	
		Productivity Loss Assessed Value	(-) 8,307,874
			= 208,770,032
		Homestead Cap Assessed Value	(-) 0
			= 208,770,032

Exemption Count Local State Total

EX	9	0	5,394,761	5,394,761	Total Exemptions	(-) 5,394,761
					Net Taxable	= 203,375,271

APPROXIMATE TOTAL LEVY = NET TAXABLE * (TAX RATE / 100)
 0.00 = 203,375,271 * (0.0000 / 100)

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

l-9

2005 CERTIFIED TOTALS

TP1 - PLANO #1 TIF
Grand Totals

Property Count: 27

7/22/2005 12:20:13AM

State Category Breakdown

State Code	Description	Count	Acres	New Value	Market Value
C	Vacant Lot	1		\$0	\$1,146,717
D1	Qualified Ag Land	2	18.4280	\$0	\$8,309,201
F1	Commercial Real Property	15		\$10,126,294	\$202,227,227
X	Totally exempt property	9		\$0	\$5,394,761
Totals			18.4280	\$10,126,294	\$217,077,906

2-10

2005 CERTIFIED TOTALS

Property Count: 27

TP1 - PLANO #1 TIF
Grand Totals

7/22/2005

12:20:13AM

CAD State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
C3	VACANT COMMERCIAL LOTS IN CITY UND	1		\$0	\$1,146,717
D1	NATIVE PASTURE	2	18.4280	\$0	\$8,309,201
F1	REAL COMMERCIAL	11		\$8,707,002	\$169,096,445
F3	OFFICE COMMERCIAL REAL	3		\$0	\$26,828,722
F6	COMMERCIAL REAL IMP PERCENT COMPL	3		\$1,419,292	\$6,302,060
X	Totally Exempt Property	9		\$0	\$5,394,761
	Totals		18.4280	\$10,126,294	\$217,077,906



Collin County

2005 CERTIFIED TOTALS

As of Certification

Property Count: 27

TP1 - PLANO #1 TIF
Effective Rate Assumption

7/22/2005 12:20:13AM

New Value

TOTAL NEW VALUE MARKET:	\$10,126,294
TOTAL NEW VALUE TAXABLE:	\$9,777,174

New Exemptions

Exemption	Description	Count
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ABSOLUTE EXEMPTIONS VALUE LOSS

Exemption	Description	Count	Exemption Amount
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PARTIAL EXEMPTIONS VALUE LOSS

TOTAL EXEMPTIONS VALUE LOSS	\$0
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New Ag / Timber Exemptions

New Annexations

Average Homestead Value

Q-12

2005 CERTIFIED TOTALS

Property Count: 606

TP2 - PLANO #2 TIF
Grand Totals

7/22/2005 12:19:59AM

Land		Value			
Homesite:		2,865,206			
Non Homesite:		188,866,176			
Ag Market:		5,442,627			
Timber Market:		0	Total Land	(+) 197,174,009	
Improvement		Value			
Homesite:		2,907,271			
Non Homesite:		264,909,901	Total Improvements	(+) 267,817,172	
Non Real		Count	Value		
Personal Property:	0	0			
Mineral Property:	0	0			
Autos:	0	0	Total Non Real	(+) 0	
			Market Value	= 464,991,181	
Ag		Non Exempt	Exempt		
Total Productivity Market:	5,442,627	0			
Ag Use:	2,819	0			
Timber Use:	0	0			
Productivity Loss:	5,439,808	0	Productivity Loss	(-) 5,439,808	
			Appraised Value	= 459,551,373	
			Homestead Cap	(-) 139,564	
			Assessed Value	= 459,411,809	
Exemption		Count	Local	State	Total
EX		103	0	34,795,500	34,795,500
					Total Exemptions
					(-) 34,795,500
					Net Taxable
					= 424,616,309

APPROXIMATE TOTAL LEVY = NET TAXABLE * (TAX RATE / 100)
 0.00 = 424,616,309 * (0.0000 / 100)

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

0-13

2005 CERTIFIED TOTALS

Property Count: 606

TP2 - PLANO #2 TIF
Grand Totals

7/22/2005

12:20:13AM

State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
A	Single Family Residence	50		\$0	\$3,263,501
B	Multifamily Residence	15		\$3,768,747	\$43,094,939
C	Vacant Lot	91		\$0	\$8,373,980
D1	Qualified Ag Land	5	17.1921	\$0	\$5,442,627
D2	Non-Qualified Land	4	20.9960	\$0	\$5,186,974
F1	Commercial Real Property	277		\$1,384,173	\$326,349,978
F2	Industrial Real Property	37		\$0	\$35,694,388
J2	Gas Distribution System	1		\$0	\$34,031
J3	Electric Company (including Co-op)	2		\$0	\$21,902
J4	Telephone Company (including Co-op)	2		\$0	\$936,424
J7	Cable Television Company	3		\$0	\$0
O	Residential Inventory	20		\$893,501	\$1,796,937
X	Totally exempt property	103		\$0	\$34,795,500
	Totals		38.1881	\$6,046,421	\$464,991,181

Q-14

2005 CERTIFIED TOTALS

Property Count: 606

TP2 - PLANO #2 TIF
Grand Totals

7/22/2005 12:20:13AM

CAD State Category Breakdown

State Code	Description	Count	Acres	New Value Market	Market Value
A1	RESIDENTIAL SINGLE FAMILY	49		\$0	\$3,262,501
B1	RESIDENTIAL MULTI-FAMILY	13		\$3,768,747	\$42,832,478
B2	RESIDENTIAL DUPLEX	1		\$0	\$173,472
B4	RESIDENTIAL QUADPLEX	1		\$0	\$88,989
C1	VACANT RESIDENTIAL LOTS IN CITY UNDI	6		\$0	\$147,732
C3	VACANT COMMERCIAL LOTS IN CITY UNDI	83		\$0	\$7,988,224
C4	VACANT COMMERCIAL OUT OF CITY UNDI	2		\$0	\$238,024
D1	NATIVE PASTURE	5	17.1921	\$0	\$5,442,627
D2	IMPROVED PASTURE	4	20.9960	\$0	\$5,186,974
F1	REAL COMMERCIAL	215		\$1,119,993	\$231,684,236
F2	REAL INDUSTRIAL	37		\$0	\$35,694,388
F3	OFFICE COMMERCIAL REAL	61		\$0	\$93,183,665
F4	CONDOMINIUM COMMERCIAL REAL	1		\$0	\$51,235
F6	COMMERCIAL REAL IMP PERCENT COMPI	3		\$264,180	\$1,430,842
J2A	REAL GAS COMPANIES	1		\$0	\$34,031
J3A	REAL ELECTRIC COMPANIES	2		\$0	\$21,902
J4A	REAL TELEPHONE COMPANIES	2		\$0	\$936,424
J7	RAILROAD CORRIDORS	3		\$0	\$0
M4	MISCELLANEOUS	1		\$0	\$1,000
O	RESIDENTIAL INVENTORY	20		\$893,501	\$1,796,937
X	Totally Exempt Property	103		\$0	\$34,795,500
	Totals		38.1881	\$6,046,421	\$464,991,181

L-15

2005 CERTIFIED TOTALS

Property Count: 606

TP2 - PLANO #2 TIF
Effective Rate Assumption

7/22/2005 12:20:13AM

New Value

TOTAL NEW VALUE MARKET:	\$6,046,421
TOTAL NEW VALUE TAXABLE:	\$6,046,421

New Exemptions

Exemption	Description	Count		Exemption Amount
EX	TOTAL EXEMPTION	4	2004 Market Value	\$56,706
ABSOLUTE EXEMPTIONS VALUE LOSS				\$56,706

Exemption	Description	Count	Exemption Amount
PARTIAL EXEMPTIONS VALUE LOSS			
TOTAL EXEMPTIONS VALUE LOSS			\$56,706

New Ag / Timber Exemptions

New Annexations

Average Homestead Value

Count of HS Residences	Average Market	Average HS Exemption	Average Taxable
21	\$75,955	\$0	\$75,955

Q-16



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 08/08/2005		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Department:	Police Department				
Department Head	Gregory W. Rushin	Executive Director	Date 7-29-05		
Dept Signature:	<i>Gregory W. Rushin</i>	City Manager	Date 7/29/05		
Agenda Coordinator (include phone #):		Pam Haines, Ext 2526			

ACTION REQUESTED:

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

CAPTION

A Resolution of the City Council of the City of Plano, Texas, approving the terms and conditions of an interlocal agreement by and between the City of Plano, Texas and the Plano Independent School District; providing terms and conditions for the operation of the Police/School Liaison Program; authorizing its execution by the City Manager, or in his absence, an Executive Director; and providing an effective date.

FINANCIAL SUMMARY

NOT APPLICABLE
 OPERATING EXPENSE
 REVENUE
 CIP

FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	274,072	274,072
BALANCE	0	0	274,072	274,072

FUND(s): GENERAL FUND

COMMENTS: Plano Independent School District (PISD) agrees to reimburse the City of Plano Police Department for 15% of the total cost of nineteen (19) Police Officers and two (2) Sergeants assigned to the School Liaison Program from October 1, 2005 through September 30, 2006.

STRATEGIC PLAN GOAL: Reimbursement of Plano Police in PISD schools relates to the City's Goal of a "Premiere City for Families".

SUMMARY OF ITEM

This agreement is for the period October 1, 2005 through September 30, 2006. It is an ongoing agreement in which for the fiscal year 2005-2006, PISD is contributing 15% of the funding for nineteen (19) Plano Police Officers and two (2) Sergeants assigned to the School Liaison Program.

List of Supporting Documents:
Agreement and Attachments

Other Departments, Boards, Commissions or Agencies

M-1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF PLANO, TEXAS AND THE PLANO INDEPENDENT SCHOOL DISTRICT FOR THE OPERATION OF THE POLICE/SCHOOL LIASION PROGRAM; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER, OR IN HIS ABSENCE, AN EXECUTIVE DIRECTOR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed Agreement by and between City of Plano and Plano Independent School District, a substantial copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter called "Agreement"); and,

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

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

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

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

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

M-2

Resolution No. _____

Page 2

DULY PASSED AND APPROVED this the _____ day of _____, 2005.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

POLICE/SCHOOL LIAISON INTERLOCAL AGREEMENT

This Agreement is entered into this 1st day of October 2005, between the City of Plano, a home-rule municipal corporation, Collin County, Texas (hereinafter called "CITY") and the Plano Independent School District of the City of Plano, an independent school district of Collin County, Texas (hereinafter called "PISD").

WHEREFORE, for and in consideration of the payments and mutual covenants contained herein, and for other good and valuable consideration, the parties agree as follows:

I.

SCOPE OF AGREEMENT

CITY shall provide twenty-one (21) employees who are certified police officers for the School Liaison Program in the 2005-2006 fiscal year, to be assigned to duties described in the 2005-2006 Memo of Understanding, Administrative Guidelines, attached hereto as Attachment "1" and incorporated herein for all purposes.

II.

TERM OF THE AGREEMENT

The term of this Agreement shall be for a period of one year beginning the 1st day of October 2005, and ending the 30th day of September 2006.

Subject to Section VI availability of funds, this Agreement may be renewed for subsequent fiscal years if PISD provides CITY with written intent of their desire to renew no later than June 15 preceding the fiscal year, AND if CITY provides PISD with written acceptance. Renewals of this Agreement shall be at the then current actual costs for officers.

III.

PAYMENT FOR SERVICES

PISD shall pay CITY the sum of \$22,839.35 per month for twelve (12) months for services rendered. Payment for service shall be made no later than the 15th day of each month following the month in which service is rendered. This payment is for 15% of nineteen (19) certified police officers and two (2) sergeants provided by the CITY.

PISD shall not be relieved of its obligation to pay the entire amount described in this Agreement in the event a liaison officer is absent due to sick leave, training, subpoena or court appearance, compensation time, worker's compensation, holiday, vacation, or emergency, military, or bereavement leave.

In the event CITY exercises its right to reassign one or more liaison officers when in the sole judgment of CITY their services are required in response to a citywide or major emergency for more than thirty (30) consecutive school days, payment for service shall be reduced on a prorated basis.

M-4

IV.

INDEPENDENT CONTRACTOR

CITY is and at all times shall be deemed to be an independent contractor and shall be wholly responsible for the manner in which it determines which officers are assigned to the School Liaison Program and the way CITY performs the services required by the terms of this Agreement. Nothing herein shall be construed as creating the relationship of employer and employee, or principal and agent, between PISD and CITY or any of CITY's agents or employees. CITY assumes exclusive responsibility for the acts of its employees as they relate to the services provided during the course and scope of their employment. CITY, its agents and employees, shall not be entitled to any rights or privileges of PISD employees and shall not be considered in any manner to be PISD employees.

V.

INSURANCE

CITY is self-insured, and shall provide PISD documentation of its coverage, said coverage to meet the approval of PISD. CITY shall also provide, during the term of this Agreement, workers' compensation insurance, including liability coverage, in the amounts required by Texas state law, for all employees engaged in work under this Agreement. As to all insurance provided by CITY, it shall provide PISD with documentation indicating such coverage prior to the beginning of any activities under this agreement.

VI.

AVAILABILITY OF FUNDS

Funds are not presently budgeted for performance under this Agreement beyond the end of the 2005-2006 fiscal year. PISD shall have no liability for payment of any money for services performed after the end of any fiscal year unless and until such funds are budgeted and this Agreement renewed upon the terms and conditions set forth for renewal in Section II hereof. Likewise, all expenditures made by City in fulfilling its obligations hereunder shall be paid only from current revenues legally available to City.

VII.

TERMINATION

This Agreement may be terminated by either party at its sole option and without prejudice by giving sixty (60) days written notice of termination to the other party.

VIII.

ASSIGNMENT OF AGREEMENT

Neither party shall assign, transfer, or sub-contract any of its rights, burdens, duties or obligations under this Agreement without the prior written permission of the other party to this Agreement.

M-5

IX.

WAIVER

No waiver of a breach or any provision of this Agreement by either party shall constitute a waiver of any subsequent breach of such provision. Failure of either party to enforce at any time, or from time to time, any provision of this Agreement shall not be construed as a waiver thereof.

X.

PLACE OF PERFORMANCE: VENUE

All obligations of each party to this Agreement shall be performed in Collin County, Texas. The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of this Agreement, and the exclusive venue for any legal proceedings involving this Agreement shall be Collin County, Texas.

XI.

NOTICES

Notices to PISD shall be deemed given when delivered in person to the Superintendent of Schools of PISD or on the next business day after the mailing of said notice addressed to said PISD by United States mail, certified or registered mail, return receipt requested, and postage paid at 2700 W. 15th Street, Plano, Texas 75075.

Notices to CITY shall be deemed given when delivered in person to the City Manager of CITY or on the next business day after the mailing of said notice addressed to said CITY by United States mail, certified or registered mail, return receipt requested, and postage paid at P. O. Box 860358, Plano, Texas, 75086-0358.

The place for mailing notices for a party may be changed only upon written notice given to the other in the manner herein prescribed for notices sent to the last effective place of mailing for the notifying party.

XII.

SEVERABILITY PROVISIONS

If any provisions of this Agreement is held to be illegal, invalid or unenforceable under present or future laws, (1) such provision shall be fully severable; (2) this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never been a part of this Agreement; and (3) the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provision or by its severance from this Agreement.

XIII.

MUTUAL HOLD HARMLESS

To the extent allowed by law PISD does hereby agree to waive all claims against, release, and hold harmless CITY and all of its officials, officers, agents, employees, in both their public and private capacities, from any and all liability, claims, suits, demands, losses, damages, attorneys fees, including

M-6

all expenses of litigation or settlement, or causes of action which may arise by reason of injury to or death of any person or for loss of, damage to, or loss of use of any property arising out of or in connection with this Agreement.

To the extent allowed by law CITY does hereby agree to waive all claims against, release, and hold harmless PISD and all of its officials, officers, agents, employees, in both their public and private capacities, from any and all liability, claims, suits, demands, losses, damages, attorneys fees, including all expenses of litigation or settlement, or causes of action which may arise by reason of injury to or death of any person or for loss of, damage to, or loss of use of any property arising out of or in connection with this Agreement.

It is the intention of both parties that this mutual hold harmless clause shall be interpreted to mean each party shall be responsible for the actions of each party's own employees, officials, officers, and agents.

XIV.

ENTIRE AGREEMENT OF PARTIES

This Agreement shall be binding upon the parties hereto, their successors and assigns, and constitutes the entire Agreement between the parties. No other Agreements, oral or written, pertaining to the performance of this Agreement exists between the parties. This Agreement can be modified only by an Agreement in writing, signed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement in the year and day first above written.

Approved as to Form:

City of Plano

Diane Wetherbee, City Attorney

By:

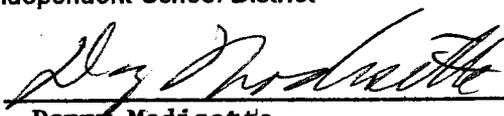
Thomas H. Muehlenbeck, City Manager

Approved as to Form:

Plano Independent School District

Attorney for PISD

By:



Danny Modissette

Title:

Deputy Superintendent

ACKNOWLEDGMENT

STATE OF TEXAS)
)
COUNTY OF COLLIN)

This instrument was acknowledged before me on the _____ day of _____, 2005 by **THOMAS H. MUEHLENBECK**, City Manager of the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation, on behalf of said corporation.

Notary Public in and for the State of Texas

ACKNOWLEDGMENT

STATE OF TEXAS)
)
COUNTY OF COLLIN)

This instrument was acknowledged before me on the 15th day of June, 2005 by **DANNY MODISETTE**, Assistant Superintendent of the **PLANO INDEPENDENT SCHOOL DISTRICT**, on behalf of said organization.



Margie J. Grounds
Notary Public in and for the State of Texas

M-8

MEMORANDUM OF UNDERSTANDING
Administrative Guidelines
Plano Police Department – Plano Independent School District
School Year 2005-2006

The following administrative guidelines are adopted for the School Liaison Officer program during school year 2005-2006:

1. The School Liaison Officer (SLO) program is provided with the understanding that each school has different needs. School Liaison Officers will provide an approach that is most appropriate for the school they work and the circumstances they encounter. Officers and supervisors will coordinate with school principals and prioritize their work so that it helps both the school and the Plano Police Department (Department) reach their stated goals.
2. At the beginning of each school year, the appropriate SLO supervisor shall meet with each school principal to determine the most effective hours, for the school and the department, for the SLO assigned to that school.
3. The assignment and scheduling of officers to specific campuses will be coordinated with PISD administrators to ensure the best working relationship possible is maintained. PPD SOP 403.001 (attached) contains procedures for assignment and reassignment of SLOs.
4. SLO vacancies will be filled according to the procedures of the Plano Police Department. Priorities for filling these vacancies will be determined by the staffing requirements of the Department in relation to the need for SLOs at the time the vacancy occurs.
5. The Department will make every effort to minimize mandatory absences by SLOs from the school campuses. However, there may be occasions due to mandated training requirements, court attendance, or other situations beyond the control of the SLO, which will require their absence. The SLO will keep the principal informed of any of these absences when they occur.
6. The SLOs will staff summer school as needed.
7. Payment for SLO activities which exceed the normal forty-hour work week will be handled as follows.
 - a. In addition to PISD's monthly payment for services, SLOs attending school extracurricular activities at the request of principals or other PISD staff will be compensated at the Plano Police Department overtime rate by PISD. Examples include but are not limited to attendance at athletic events and open house.
 - b. Police-related duties, such as late calls, late reports, or late arrests, will be compensated by the City of Plano.

M-9

Page 2
Administrative Guidelines
School Year 2005-2006

- c. Attendance at other events when such attendance has not been requested by PISD staff pursuant to 7(a), above, and which are not a normal police function, such as field trips when the officer is invited as a guest, will not be compensated.
- 8. At the end of the school year, the principal of each school having a liaison officer assigned will be asked to comment on the effectiveness of the officer on a form provided by the Plano Police Department. The appropriate SLO supervisor will be responsible for providing and collecting these forms.
- 9. All comments, criticisms, suggestions, and recommendations for SLO assignments or performance will be immediately referred, without delay, to the appropriate SLO supervisor. The supervisor will be given the opportunity to take the appropriate action to resolve problems or investigate complaints prior to any other action or decision.
- 10. The department shall have the final authority in all criminal matters in which SLOs become involved as directed by departmental policies and procedures as well as federal, state, and local laws.
- 11. School administrators must realize that once the police arrive at the scene of an incident, they are in charge of that scene and will make the decisions they feel are appropriate.

Nothing in this memorandum of understanding or the contract for police liaison services should be construed to prevent a police officer from acting solely as a law enforcement or peace officer, and when doing so the officer shall not be subject to the terms and conditions of this agreement. Nothing in this agreement or contract shall override any policy or procedure of the Plano Police Department.

The officer's actions and options are governed by law and police department policy.

Gregory W. Rushin
Chief, Plano Police Department

Date

Danny Modisette

Danny Modisette
Deputy Superintendent
Plano ISD

6-15-05

Date

M-10

PLANO POLICE DEPARTMENT

**SSD/SCHOOL LIAISON UNIT
STANDARD OPERATING PROCEDURES**

EFFECTIVE DATE: December 15, 1991

LATEST REVISION: July 7, 2005

REPLACES: NA

NUMBER 403.001

REVIEW: ANNUAL

SUBJECT: SCHOOL LIAISON OFFICER PROGRAM

The School Liaison Officer (SLO) program is established to generate better communication and rapport between the City's youth, the police department, and the Plano Independent School District.

I. PROGRAM GOALS

- A. The primary goal of this program is to create positive rapport with students and Plano Independent School District personnel to foster partnerships towards the achievement of common goals.
- B. In achieving this goal, the officers selected for the program are responsible for establishing a viable and workable communications link between students, the police department, and the school district. Ideally, this link will create a free-flow of information between all parties. A greater understanding of other's feelings and responsibilities should result from this communication.
- C. Other goals include (1) a reduction in the number of offenses committed by juvenile offenders, and (2) receiving information from students which may help solve reported crimes.

II. DUTIES AND RESPONSIBILITIES

- A. School liaison officer responsibilities
 - 1. Counsel students, parents, principals, and teachers to resolve specific problems or misunderstandings concerning the criminal justice system.
 - 2. Coordinate police and school shared activities.
 - 3. Act as liaison between various community service agencies and students, teachers, parents, and others needing help in areas not related to criminal justice.
 - 4. When possible, divert juveniles from the criminal justice system to other social service agencies.

**SSD/SCHOOL LIAISON UNIT
STANDARD OPERATING PROCEDURE**

**EFFECTIVE DATE: December 15, 1991
LATEST REVISION: July 7, 2005
REPLACES: NA**

NUMBER 403.001

5. Provide periodic teaching services in the area of narcotics, safety instruction, social science, public relations, athletics, and occupational training.
6. Lecture classes on topics such as law, government, drug abuse, home security, and drivers education.
7. Counsel students and faculty members on school and/or personal problems.
8. Assist the Criminal Investigative Services Division on cases involving students by providing personal information on suspects from school records (as allowed by law), interviewing, and acquiring other requested information.
9. Handle law violations that occur on school property such as trespass, burglary, thefts, fights, and other offenses. Officers will not enforce school rules.
10. Attempt to identify drug abusers and obtain a drug assessment from the school district's drug counselor.
11. Be on campus during school hours.
 - a. Without prior supervisory approval, vacation time can only be used when school is out of session. School principals will be notified when the SLO is away from campus during school hours. The SLO supervisor must approve all absences.
 - b. The SLO will not perform duties that cause him/her to be off-campus. Officers will maintain a high state of visibility on and around school campuses.
12. Counsel parents concerning their child's behavior at school and/or problems with the law.
13. Counsel neighbors adjacent to the schools about students causing criminal mischief and other criminal activities.

711-12

**SSD/SCHOOL LIAISON UNIT
STANDARD OPERATING PROCEDURE**

**EFFECTIVE DATE: December 15, 1991
LATEST REVISION: July 7, 2005
REPLACES: NA**

NUMBER 403.001

14. Provide a positive role model to students and maintain good relations with the school community.
15. Interact with students on a positive basis during daily contacts when possible. Officers are reminded that any actions they take regarding custody situations must be done within their statutory authority and not to enforce school rules.
16. Notify principals when an arrest is made on campus.
17. Coordinate the Campus Crime Stoppers Program at the assigned school.
18. Perform other duties as necessary to achieve the goals of the program.

B. School liaison sergeant responsibilities

1. Coordinate activities with PISD staff to ensure the goals of the Department and the District are being met in the most effective and efficient manner possible.
2. Keep school administrators informed of significant SLO activity.
3. Make scheduled visits with principals.
4. Keep the Director of Safety and Security informed of notable activities of the school liaison officers and significant other police activities affecting schools.
5. Assign and schedule officers to specific campuses, in coordination with PISD administration, to ensure the best working relationship is maintained.

III. OFFENSE REPORTING AND CALLS FOR SERVICE

- A. SLOs are responsible for generating reports on offenses occurring at their schools. To this end, SLOs shall encourage school personnel and students to report offenses to them.

SSD/SCHOOL LIAISON UNIT
STANDARD OPERATING PROCEDURE

EFFECTIVE DATE: December 15, 1991
LATEST REVISION: July 7, 2005
REPLACES: NA

NUMBER 403.001

- B. Under certain circumstances, patrol officers may answer calls for service at schools. These include but are not limited to the following.
 - 1. If the call was received by Dispatch and not reported to the SLO
Note: Dispatch will not hold calls for notification of the school officer. A beat unit will be assigned to the call
 - 2. If the call will remove the SLO from the school
 - 3. If the call will take an extended period of time
 - 4. If the SLO is, or will be, busy with other calls, talks, meetings, etc.
- C. The goal is to have campus SLOs generate all offense/information reports, statements, and other related paperwork whenever it is reasonable to do so. SLOs will not transport prisoners; whenever possible, however, the SLO will have arrest reports and other needed paperwork completed prior to calling a patrol officer for transport.
- D. Occasionally, criminal mischief and burglary of motor vehicle offenses occur on campus parking lots. Although SLOs are not prohibited from handling calls on the parking lot, they are not responsible for these type calls. If the campus has a parking lot officer, that officer will complete the reports; otherwise a beat officer will be dispatched.

IV. CHAIN OF COMMAND

While reasonable attempts will be made to create a strong partnership with the school district, school liaison officers are under the direct supervision of the Plano Police Department and not the School District. Memoranda of understanding will govern the program and will be renewed annually.

V. EXTRACURRICULAR ACTIVITIES

SLOs attending school extracurricular activities at the request of principals or other PISD staff in conjunction with their SLO assignments will be compensated at their overtime rate by PISD. SLOs requesting overtime compensation for school activities will obtain the signature or initials of the principal or the

M-14

**SSD/SCHOOL LIAISON UNIT
STANDARD OPERATING PROCEDURE**

**EFFECTIVE DATE: December 15, 1991
LATEST REVISION: July 7, 2005
REPLACES: NA**

NUMBER 403.001

assistant principal on the overtime request form (for verification purposes) before submitting them to the SLO supervisor for approval.

VI. SLO TRANSFERS

- A. On occasion, the necessity may arise for an SLO to be transferred from a campus or totally removed from the program. An event of this type can be distressing to all parties involved, including students, school district administrators and staff, the SLO, and police department administration.
- B. As stated above, SLOs will receive their supervision from the police department. It is the responsibility of the SLO to develop a working relationship with campus administration. This relationship should promote a mutual trust and an understanding of what functions the SLO can perform.
- C. If a conflict should develop between an SLO and his/her campus administrators, the SLO should first be given the opportunity to work through the problem. If not successful, mediation should be attempted and will include the SLO, his/her first line supervisor, and the campus administrator.
- D. If the conflict can not be resolved, a written request for the SLO to be transferred or removed will be directed to the Chief of Police. At the discretion of the Chief of Police, an internal investigation may be initiated to gather facts relating to the situation.
- E. No SLO shall be reassigned without approval of the Chief of Police. If it is agreed that a reassignment is necessary, the Chief of Police will provide written notification to the PISD Director of Security. This notification will include the reasons for the reassignment and the expected effective date. Copies of the notification will be provided to the affected SLO and the SLO's supervisors.
- F. The SLO sergeant will immediately notify the school principals of the reassignment and the expected effective date. The sergeant may briefly explain the reasons for the reassignment. At least two days prior to the effective date, when practicable, the sergeant will accompany the SLO to his/her new campus and provide introductions to the SLO and appropriate campus administrators and staff.

SSD/SCHOOL LIAISON UNIT
STANDARD OPERATING PROCEDURE

EFFECTIVE DATE: December 15, 1991
LATEST REVISION: July 7, 2005
REPLACES: NA

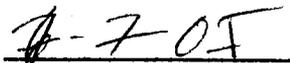
NUMBER 403.001

- G. The Chief of Police reserves the right to reassign an SLO at any time such move is deemed to be in the best interests of the police department and the school liaison program.

APPROVED BY:



Division Commander



Date

M-16

MEMORANDUM OF UNDERSTANDING
Campus Crime Stoppers Program
Plano Police Department – Plano Independent School District
School Year 2005-2006

Purpose Statement: Plano Campus Crime Stoppers is operated by student board members under guidance of a PISD sponsor and liaison officer following guidelines issued by the State of Texas. Reward funding is from probation fees collected by the State and distributed through the Dallas Area Crime Commission. Specific guidelines must be followed to ensure the credibility of the program and to meet legal requirements. The benefits of the program are anonymity of informants, an anonymous tip line, and student involvement in campus safety and security.

The following guidelines are adopted for the Campus Crime Stoppers (CCS) program during the school year 2005-2006.

1. Student board members operate the program under the guidance of the Plano Police Department and the Plano Independent School District.
2. The police department will provide the coordinator to oversee the program, perform annual audits, and maintain the reward funds.
3. School liaison officers will act as campus advisors.
4. The school district will provide an administrative advisor and a sponsor at each campus.
5. The sponsors will be responsible for:
 - Help select student board members
 - Act as advisors for student board members
 - Help educate students and staff about the program
 - Attend training
 - Coordinate student board activities, training, fundraising, community service projects, and functions
 - Attend annual state conferences as needed
6. The liaison officers will be responsible for:
 - Completing and distributing bank slips for reward payments
 - Presenting cases to the student board
 - Selecting student board members
 - Providing annual training to the students and staff
 - Completing and maintaining reward records and monthly statistical reports
 - Maintaining required records in locking file cabinet

M-17

Page 2
Campus Crime Stoppers
School Year 2005-2006

7. The student board members are considered a school committee, established under the student government organization. Each student committee will maintain accounts at their campus for funds raised and donated. These funds will be used for advertisement of the program, training, and student board member activities.
8. Investigations will follow school district and police department policies, procedures, and applicable laws.
9. The anonymous tip line is maintained at the police department.
10. The State has an annual conference for the students and adults involved in the program. Up to two students from each campus can attend the training conference. The number of adults needed to accompany the students depends on how many students attend. The police department will send two liaison officers to accompany the students and the school district will send an appropriate number of school sponsors. Substitutes to cover classes for the sponsors who attend the conference will be provided by Plano Independent School District up to a maximum of three days per campus.
11. All tips from middle school through senior high students made to a school district employee or representative regarding a criminal act must be reported to the liaison officer, regardless of whether charges are filed. The liaison officer will complete the appropriate paperwork so that the student making the tip will be protected with Crime Stopper anonymity.
12. Only persons who have successfully completed the Crime Stopper training provided by the coordinator can present Crime Stopper information to the staff, students, and public. Any other presenters must be pre-approved by the coordinator.
13. The liaison officers need approximately 20 minutes of core class time once a year, preferably, during the first two weeks of school to explain the program to the students and solicit board members. This presentation should be scheduled in a manner that the liaison officer will present the program to the entire student body in groups no larger than three combined classes.
14. The Crime Stopper student activity accounts are kept at each campus with funds raised or donated. These funds are to be used for approved Crime Stopper expenses only, as outlined in Plano Police Department SOP 403.002. The school liaison officer or sponsor will approve expenses less than \$300 and the coordinator must approve expenses \$300 and over.

M-18

EXHIBIT "A" OF RESOLUTION _____

Page 3
Campus Crime Stoppers
School Year 2005-2006

Gregory W. Rushin
Chief, Plano Police Department

Date



6-15-05

Danny Modisette
Deputy Superintendent
Plano ISD

Date

M-19

MEMORANDUM OF UNDERSTANDING
Operational Guidelines
Plano Police Department – Plano Independent School District
School Year 2005-2006

The following operational guidelines are adopted for school/police operations during school year 2005-2006. In all situations, school authorities will be notified of action taken in accordance with Article 15.27, Texas Code of Criminal Procedure.

1. Incident – Class C misdemeanors (smoking, consumption or possession of an alcoholic beverage, fighting, or other disorderly conduct) that are not observed by a police officer.

Guideline – Except as noted below, police officers will not file complaints on Class C offenses that they do not witness. School administrators who witness the event may file the complaint with the municipal court.

School Liaison Officers will have complaint forms available at their respective schools. Once the complaint form is completed, it should be submitted to the municipal court clerk for consideration. The City Prosecutor will determine if the complaint will be accepted for prosecution.

If the complaint is accepted, the school administrator will be called as a witness.

A school administrator who believes that a person on school property or at a school-related event is intoxicated will notify the police. The responding officer will determine whether the elements justifying an arrest for public intoxication exist. If the elements exist, the officer will arrest and remove the person from school property or the school-related event. If the officer determines that the elements do not exist, the issue will be handled by district officials according to discipline management guidelines.

A school administrator observing a fight will notify a police officer. The officer will determine if the elements justifying an arrest for disorderly conduct or assault are present. If the elements are present the officer will, in his/her discretion, take the appropriate actions as dictated by departmental policy and procedures. If the elements justifying an arrest are not present, the issue shall be handled by the school administrator according to discipline management guidelines.

Officers may investigate incidents reported by parents and issue citations if appropriate under departmental policy and procedures.

2. Incident – Class C misdemeanors that are observed by an officer:

Guideline – Police officers who observe Class C misdemeanors on school property will take action as indicated by departmental policy and procedures. Any decision by the officer not to arrest or issue a citation is not determinative of any action taken by the district under the student code of conduct.

M-20

3. Incident – Persons found in possession of any controlled substance on school property.

Guideline – The school administrator shall call the police. The officer shall determine if the elements justifying an arrest are present. If those elements exist, the officer shall have the discretion to arrest, issue a citation, or file at large.

4. Incident – A person is found on school property in possession of a firearm, illegal knife, or prohibited weapon and that possession is listed as a felony in section 46.03 of the Penal Code.

Guideline – The school administrator shall notify the police. The responding officer shall determine whether or not the weapon is listed in the above section. If it is, and if permitted by law, the officer shall arrest and place the person in jail. Officers shall at all times give due consideration to the case law interpreting search and seizure issues.

5. Incident – School administrators are informed that a person has within the past five (5) days possessed a weapon on school property.

Guideline – The school administrator will call the police who will take the information and complete an offense report. A detective will be assigned to investigate the offense.

6. Incident – Trespasser on school property.

Guideline – The school administrator will ask the trespasser to leave. If the trespasser refuses; the administrator will call the police. The responding officer will follow departmental guidelines in handling the call.

7. Incident – A Plano police officer asks to see a student for an interview or to be taken into custody.

Guideline – Police Department Administrative Directive 112.029 (copy attached) will be followed.

8. Incident – A teacher, school counselor, or administrator is assaulted on campus.

Guideline – The school administrator shall immediately report the assault to the police. The responding officer will determine if the elements to justify an arrest are present. If so, the officer shall arrest and remove the student from the campus.

Citations will not be issued for an assault on school personnel engaged in their official duties, but, depending on circumstances, it may be necessary to file at large in lieu of arrest.

Page 3
Operational Guidelines
School Year 2004-2006

9. Incident – Indecent exposure or other sexual offenses.

Guideline – The school administrator shall notify the police. The responding officer shall determine if the elements justifying an arrest exist. If those elements do exist, the officer shall arrest and remove the perpetrator from campus. Depending on the circumstances, an officer may have to file at large.

10. Incident – Bomb threats.

Guideline –Officers responding to the report of a bomb threat on school property shall act in accordance with Police Department Administrative Directive 112.002 (copy attached).

All bomb threats shall be reported to the police and district security in keeping with district procedures listed in the emergency procedure manual. The principal or administrator in charge of the district facility will make the decision whether or not to evacuate the facility unless a device is found. Once a device is found, the senior officer present takes charge of the scene.

11. Incident – Drug Interdiction Program.

Guideline – Plano ISD has an active drug interdiction program. This is usually done by contract with the private sector. Officers, when called to the scene of a drug interdiction incident, will take appropriate action according to state law and departmental policy and procedures.

These guidelines are generated in an effort to provide a consistent response to the most common events occurring on campus. However, there will be instances where circumstance will dictate a different response by both officers and administrators. Both are encouraged to contact their respective supervisors with questions.



Gregory W. Rushin
Chief, Plano Police Department
Date



Danny Modisette
Deputy Superintendent
Plano Independent School District
6-15-05
Date

M-22

PLANO POLICE DEPARTMENT **Administrative**
Directive 112.002

Effective: October 15, 1991

BOMB THREATS

Replaces:

Revised: July 9, 2001

Affects: All Personnel

This directive establishes procedures for handling bomb threats and actual bomb emergencies and identifies the responsibilities of Communications and Police personnel.

II. POLICY

Bomb threats and actual bomb emergencies present a serious threat to officers, the public and to property. It is the policy of the Plano Police Department to respond effectively to all bomb threats, assess each threat individually, and handle each threat in the manner intended to provide for the greatest safety of the general public.

III. PROCEDURES

A. Notification of Bomb Threat

1. While the method of notification may vary, the Department member receiving the report shall:
 - a. Record as much information as possible regarding:
 - (1) The exact location of the reported bomb,
 - (2) The time set for detonation,
 - (3) Description of the bomb,
 - (4) The type of explosive,
 - (5) The type of bomb (pipe, etc.), and
 - (6) The reason for the bombing.
 - b. Immediately notify Public Safety Communications personnel.
2. Public Safety Communications will notify the following personnel by telephone or personal contact when possible:
 - a. The patrol sergeant and district squad affected,
 - b. The Patrol Shift Supervisor in the affected sector. In the absence of the sector sergeant, a supervisor from an adjacent sector will be notified along with the Watch Commander,
 - c. A member of the Criminal Investigative Services Division,
 - d. The designated departmental bomb investigations personnel,
 - e. The Fire Department,
 - f. Commanders of the Patrol and Criminal Investigative Services Divisions,
 - g. The Field Operations Bureau Commander,
 - h. The person in charge of the involved property or facility affected unless this is the reporting party.

B. Notification of Actual Bomb Emergency

1. While the method of notification may vary, the Department member receiving the report shall:

- a. Record as much information as possible regarding:
 - (1) The exact location of the bombing,
 - (2) The extent of injury and damage,
 - (3) Identification and location of the reporting person.
 - b. Immediately notify Public Safety Communications personnel.
2. Public Safety Communications will notify the following personnel by telephone or personal contact when possible:
- a. The patrol sergeant and district squad affected,
 - b. The Patrol Shift Supervisor in the affected sector. In the absence of the sector sergeant, a supervisor from an adjacent sector will be notified along with the Watch Commander,
 - c. A member of the Criminal Investigative Services Division,
 - d. ~~The designated departmental bomb investigations personnel~~ Hazardous Device Unit Bomb Technicians,
 - e. The Fire Department,
 - f. Commanders of the Patrol and Criminal Investigative Services Divisions,
 - g. The Field Operations Bureau Commander,
 - h. The person in charge of the involved property or facility affected unless this is the reporting party,
 - i. The Chief of Police
 - j. The local office of the FBI
 - k. Local hospitals, if injuries are extensive enough to exceed normal operating capacities.
- C. Responsibilities
- 1. Employee taking the initial call for service
 - a. Maintain a calm and professional demeanor when taking the call. Notes should be kept indicating times, places, and other pertinent facts regarding the incident.
 - b. The call taker should attempt to ascertain the location of the bomb and detonation time.
 - c. If an employee of the Police Department receives the actual bomb threat, the call taker should pay attention to distinctive speech patterns of the caller and listen for any background noises.
 - d. If an employee of the Police Department receives the actual bomb threat, he/she should attempt to keep the caller on the line for as long as possible and try to find out the reason for the bomb threat or actual bomb placement, i.e. what he/she is attempting to achieve through this action.
 - 2. Responding Police Units
 - a. When patrol personnel arrive at the scene they shall advise communications of the situation. **Radio, MDT, and cellular phone use must be avoided and notification made through use of the nearest available telephone. Responding units should turn off all radios, MDCs, and cellular phones. Bomb investigations personnel may also request that pagers be disabled.**
 - b. The shift sergeant and one on-duty patrol officer will respond to the call.
 - c. The shift sergeant will determine if additional patrol units are needed at the scene and determine if specialized units are needed, i.e., criminal investigators, bomb disposal, or evidence technicians.
 - d. The first units to arrive will:
 - (1) Establish a security perimeter,

M-24

- (2) Organize a search team if needed,
- (3) Coordinate with the Fire Department, and
- (4) Arrange for post-explosion notifications if the device has already detonated.

3. Determination of Actions to Be Taken

- a. The victim or complainant will be responsible for determining what action he/she wishes to take with respect to evacuation, searching the building or disregarding the threat. Officers at the scene will provide any reasonable assistance.
- b. The supervisor at the scene may request that the management clear the building. If management will not comply, the name and identification of the person contacted with the request shall be noted. If a bomb is located or there is strong evidence that a bomb is on premises the supervisor may order evacuation of the building.
- c. ~~If additional bomb disposal personnel or equipment are required, a request for assistance to DPD will be initiated through the departmental bomb investigator.~~ Calling for mutual aid assistance may, in some instances, be necessary and will be done based upon the recommendations of the Hazardous Devices Unit Bomb Technicians.

4. Searching the Premises

- a. If the victim or complainant determines that he/she wishes to have the building searched, he/she will provide persons who are familiar with the area to assist in the search.
- b. The on-scene supervisor will designate search teams based on the number of personnel available and the size and complexity of the area to be searched. The search pattern shall be coordinated to avoid repetition. If possible, a copy of the building floor plan should be used to assist in planning the search.
- c. Searchers shall be instructed to not use radios or cellular phones and to not smoke. Searchers should be warned not to change the environment of the area to be searched such as turning light switches off or on. Flashlights should be used if auxiliary light is needed.
- d. All areas open to the public should be given special attention: restrooms, trash receptacles, stairwells, elevator shafts, etc. If possible, workers should be asked to check their own work areas for suspicious or unusual objects.
- e. Searchers shall use extreme caution not to disturb any ~~bomb~~ suspicious package that may be located. If the search reveals any item that could possibly be an explosive device, searchers should not attempt to remove or disarm it in any way. ~~The device should only be dismantled by an explosive expert or a disposal team called to the scene to handle the device.~~ Searchers should note the location of the device, exit the area, and notify Hazardous Device Unit personnel.
- f. Upon completion of the search, if a device is not found, the complainant should be informed that the search revealed nothing. The complainant or manager of the building must decide if re-occupation of the area is to be permitted.

D. Reports

1. The primary officer will prepare an Offense report at the completion of the incident response.
2. The on-scene supervisor shall complete an after action report to the Chief. The report shall identify the extent of personnel and resources utilized and identify any deficiencies in departmental policy or procedure relative to the incident.

PLANO POLICE DEPARTMENT **Administrative**
Directive 112.029

Effective: March 1, 2000
Replaces:
Revised:
Affects: Sworn Personnel

INTERVIEWS OF STUDENTS AT SCHOOLS

I. Purpose

The purpose of this directive is to provide procedures to be followed by officers of the Plano Police Department who intend to interview students at schools.

II. Policy

If an interview with a student is to be conducted at a school, it is the policy of the Plano Police Department to notify school officials before the contact.

III. Procedure

- A. Prior to interviewing any student at a school, the interviewing officer will contact the principal or vice principal of the school concerned.
 - 1. The interviewing officer will produce police identification, notify the school official that the officer needs to interview a student pursuant to an official police investigation, identify the student, and request the official to produce the student for the interview.
 - 2. As needed, the interviewing officer may seek the assistance of a School Liaison Officer (SLO) for the purpose of ascertaining the student's schedule, arranging for an interview location, and/or providing needed background information. In no case, however, will the SLO be responsible for the notification required above.
- B. Except as noted in Section IV below, PISD policy requires a school official to notify the parent/guardian of a student produced for interview by a police officer. This is regardless of the student's age.
 - 1. If the parent objects to the interview, the interviewing officer will be notified immediately, and the interviewing officer will speak directly with the parent/guardian prior to any further interview.
 - 2. In no case will a school official be placed in the position of serving as an intermediary between the parent/guardian and the officer.
- C. A school official may ask to sit in on an interview with the student, but this will be at the discretion of the interviewing officer. In case of a conflict over this matter, the officer will notify his/her supervisor. The supervisor will attempt to resolve the conflict through appropriate contact with a school administrator.
- D. In the case of a juvenile interviewee, if reasonable suspicion exists or develops which indicates the student has committed a crime, the officer shall comply with Sections 51.09 and 51.095 of the Texas Family Code prior to any further interview of the student.
- E. Prior to leaving the school, the interviewing officer shall check with the school official to verify a parent/guardian was contacted. If a parent/guardian was not contacted, the interviewing officer shall arrange for the

M-26

Effective: March 1, 2000

Revised:

ATTACHMENT "A"



P.O. Box 80358
Plano, Texas 75086-0358
972-941-7000
Fax. No. 972-941-0099
<http://www.ci.plano.tx.us>

MEMORANDUM

DATE: _____
TO: _____
FROM: _____
SUBJECT: School Interview

I, _____, am conducting an investigation related to
Plano Police Department file number(s) _____.

Pursuant to this investigation, I desire to interview _____
DOB _____, a student attending _____ School.

For the following reason(s), I intend to request the administrator of the student's
school to refrain from making pre-interview parental/guardian contact.

Approved by _____ (supervisor/title)

Date: _____ Time: _____

Effective: March 1, 2000

Revised:

ATTACHMENT "B"



909 14th Street, Plano, Texas 75074

P.O. Box 880358
972 / 424-5878

Bruce D. Glasscock
Chief of Police

Date: _____

To Whom It May Concern:

I, _____ of the Plano Police Department, am conducting an official investigation. Pursuant to the investigation, I desire to interview _____, a student attending _____ School.

The nature of this investigation requires me to request no parent/guardian notification (check one) prior to after prior to or after my interview of this student.

I, _____, assume full responsibility for parent/guardian notification in accordance with Plano Police Department policies and procedures.

Sincerely,

Police Supervisor Approving: _____ (Title)

"Professionalism - Integrity - Progress"

A National Accredited Agency



M-28



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/8/05		Reviewed by Legal <i>RB</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Equipment Services		Initials	Date
Department Head:	Karl Henry	Jim Foster	<i>JA</i>	8-1-05
Dept Signature:	<i>[Signature]</i>		<i>[Signature]</i>	8/1/05
Agenda Coordinator (include phone #):		Linda Robinson x4180		
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER				
CAPTION				
To authorize the purchase of two above-ground fuel storage tanks in the amount of thirty-six thousand seven hundred ninety-five and no/100 dollars (\$36,795); authorizing the execution of all documents in connection therewith by the City Manager; and providing an effective date.				
FINANCIAL SUMMARY				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 04/05	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	-36,795	0	-36,795
BALANCE	0	-36,795	0	-36,795
FUND(S): EQUIPMENT REPLACEMENT FUND				
COMMENTS: Funds are available within the Equipment Replacement Fund Balance for unscheduled and emergency replacement of City equipment.				
STRATEGIC PLAN GOAL: Emergency replacement of fuel tanks relates to the City's Goal of "Service Excellence".				
SUMMARY OF ITEM				
A fuel leak at the Pecan Hollow Golf Maintenance Facility has necessitated the removal of two 1,000 gallon underground fuel storage tanks to allow for inspection or excavation of the impacted tank hold. The underground tanks will be replaced with aboveground, environmentally safe fuel storage tanks to prevent any future occurrences.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		

M-1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS AUTHORIZING THE PURCHASE OF TWO ABOVE GROUND FUEL STORAGE TANKS IN THE AMOUNT OF THIRTY-SIX THOUSAND SEVEN HUNDRED NINETY-FIVE AND NO/100 DOLLARS (\$36,795.00); AUTHORIZING THE EXECUTION OF ALL DOCUMENTS IN CONNECTION THEREWITH BY THE CITY MANAGER, OR HIS DESIGNEE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City maintains two one-thousand (1000) gallon underground fuel storage tanks at its Pecan Hollow Golf Maintenance Facility which provide fuel for the City's golf course maintenance equipment; and

WHEREAS, due to unforeseen damage to these tanks a leak has occurred which will require an immediate cleanup of the site and replacement of the underground fuel storage tanks with new above ground fuel storage tanks;

WHEREAS, the Equipment Services Manager has solicited quotes from fuel storage tank vendors and determined that it will cost \$36,795.00 to purchase and install two new 1000 gallon above ground fuel storage tanks;

WHEREAS, the purchase of the new above ground fuel storage tanks is necessary due to unforeseen damage to public machinery, equipment, or other property and is exempt from competitive bidding pursuant to Section 252.022(a)(3) of the Texas Local Government Code; and

WHEREAS, upon full review and consideration of all matters attendant and related to the purchase of two above ground fuel storage tanks, such expenditure should be approved, and the City Manager, or his designee, should be authorized to execute any and all documents on behalf of the City of Plano related thereto.

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

Section I. The City Council hereby finds and determines that the purchase of two above ground fuel storage tanks from Earth One, Incorporated, in the amount of **THIRTY-SIX THOUSAND SEVEN HUNDRED NINETY-FIVE AND NO/100 DOLLARS (\$36,795.00)** is necessary due to unforeseen damage to public machinery, equipment, or other property and is exempt from competitive bidding pursuant to Section 252.022(a)(3) Texas Local Government Code.

Section II. The City Council hereby authorizes the City Manager or his designee to execute any and all documents necessary to effectuate the purchase of two (2) new fuel storage tanks.

71-2

RESOLUTION NO. _____

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

DULY PASSED AND APPROVED this _____ day of _____, 2005.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

71-3



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY			Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date: 8/8/05			Reviewed by Legal <i>SW</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department: Planning			Initials		Date
Department Head: Phyllis Jarrell		Executive Director			
Dept Signature: <i>P. Jarrell</i>		City Manager		<i>JHE 8/1/05</i>	
Agenda Coordinator (include phone #): Lynn Woodall, ext. 7156					
ACTION REQUESTED: <input checked="" type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT					
<input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER					

CAPTION

ADOPTION OF AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 2004-9-37, AS HERETOFORE AMENDED, AMENDING SPECIFIC USE PERMIT NO. 137 SO AS TO EXPAND THE DAY CARE CENTER ON 1.8± ACRES OF LAND OUT OF THE GRIZZEL KENNEDY SURVEY, ABSTRACT NO. 499, LOCATED ON ONE LOT AT THE SOUTHWEST CORNER OF HEDGCOXE ROAD AND GEORGETOWN DRIVE IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, PRESENTLY ZONED SINGLE-FAMILY RESIDENCE-7/PLANNED RESIDENTIAL DEVELOPMENT-2 WITH SPECIFIC USE PERMIT NO. 137 FOR DAY CARE CENTER; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; AND PROVIDING A PENALTY CLAUSE, A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE. TABLED 5/9/2005 AND 6/13/2005.

FINANCIAL SUMMARY

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

FUND(S):

COMMENTS:

SUMMARY OF ITEM

A hearing for this item was conducted at the May 9th and July 25th meetings, and Council approved the zoning request with stipulations by a 6-2 vote. This ordinance finalizes the Council's actions on this request.

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

0-1

ORDINANCE NO. _____
(Zoning Case 2005-09)

AN ORDINANCE OF THE CITY OF PLANO, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 2004-9-37, AS HERETOFORE AMENDED, AMENDING SPECIFIC USE PERMIT NO. 137 SO AS TO EXPAND THE DAY CARE CENTER ON 1.8± ACRES OF LAND OUT OF THE GRIZZEL KENNEDY SURVEY, ABSTRACT NO. 499, LOCATED ON ONE LOT AT THE SOUTHWEST CORNER OF HEDGCOXE ROAD AND GEORGETOWN DRIVE IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, PRESENTLY ZONED SINGLE-FAMILY RESIDENCE-7/PLANNED RESIDENTIAL DEVELOPMENT-2 WITH SPECIFIC USE PERMIT NO. 137 FOR DAY CARE CENTER; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; AND PROVIDING A PENALTY CLAUSE, A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 25th day of July, 2005, for the purpose of considering amending Specific Use Permit No. 137 so as to expand the Day Care Center on 1.8± acres of land out of the Grizzel Kennedy Survey, Abstract No. 499, located on one lot at the southwest corner of Hedgcoxe Road and Georgetown Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7/Planned Residential Development-2 with Specific Use Permit No. 137 for Day Care Center; 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 25th day of July, 2005; and

WHEREAS, the City Council is of the opinion and finds that the amending of Specific Use Permit No. 137 so as to expand existing Specific Use Permit #137 for Day Care Center on 1.8± acres of land out of the Grizzel Kennedy Survey, Abstract No. 499, located on one lot at the southwest corner of Hedgcoxe Road and Georgetown Drive in the City of Plano, Collin County, Texas, would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

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

0-2

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

Section I. The Comprehensive Zoning Ordinance No. 2004-9-37, as the same has been heretofore amended, is hereby further amended so as to amend Specific Use Permit No. 137 so as to expand the Day Care Center on 1.8± acres of land out of the Grizzel Kennedy Survey, Abstract No. 499, located on one lot at the southwest corner of Hedgcoxe Road and Georgetown Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7/Planned Residential Development-2 with Specific Use Permit No. 137 for Day Care Center, said property being more fully described on the legal description in Exhibit "A" attached hereto.

Section II. The change granted in Section I is granted subject to:

1. The zoning exhibit shall be adopted as part of the ordinance.
2. The day care center enrollment shall be capped at 245 children, based on the number of available parking spaces.
3. New site landscaping is required as follows:
 - a. Within the existing playground along the Georgetown Drive frontage, a living screen shall be installed that consists of four-foot tall shrubs interspersed with two eight-foot tall shrubs at the northern and southern corners of the playground fence and three six-foot tall shrubs between the fence corners.
 - b. A combination of deciduous and evergreen canopy trees, understory trees, and shrubs, using native species, shall be planted along the southern and western perimeter of the new parking area. This visual screen will not form a solid barrier, but will minimize headlight overspill and visual clutter of the parking lot.
 - c. All plant heights specified within this section are mature plant heights. Plant materials shall be sized at the time of installation to reach the mature height within two years. Plant locations are subject to visibility requirements of the City of Plano development regulations.
4. Light standards in the new parking area shall be limited to 15 feet in height, and shall have shields to reduce light overspill.

Section III. 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.

0-3

Section IV. 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 V. 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 VI. Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

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

PASSED AND APPROVED THIS THE 8TH DAY OF AUGUST, 2005.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

0-4

EXHIBIT "A"
LEGAL DESCRIPTION

BEING a tract of land situated in the City of Plano, Collin County, Texas, out of the Grizzel Kennedy Survey, Abstract No. 499, and being all of Lot 1, Block A, Hedgcoxe-Georgetown Addition according to the plat thereof recorded in Cabinet P, Page 778, Map Records, Collin County, Texas, also being a portion of Lot 1, Block 1, Hobitzelle Park Addition No. 3, according to the plat thereof recorded in Cabinet G, Page 687, Map Records, Collin County, Texas, also being the remainder of a 1.775 acre tract of land conveyed to Effat Saifi according to the deed recorded in Clerk's File No. 95-0074790, Deed Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1" iron rod found in the south right-of-way line of Hedgcoxe Road (110' right-of-way) also being at the northerly line of said Lot 1;

THENCE South 45° 23' 00" East, a distance of 28.28 feet to an aluminum disk set in concrete, lying in the west right-of-way line of Georgetown Drive (60' right-of-way), the northeast corner of said Lot 1;

THENCE along said west right-of-way line, South 00° 23' 00" East, a distance of 139.09 feet to a 1" iron rod found, the beginning of a tangent curve to the left;

THENCE continuing along said west right-of-way line, along said curve to the left through a central angle of 23° 40' 34", a radius of 580.00 feet, an arc length of 239.67 feet, a chord bearing South 12° 13' 17" East, a chord distance of 237.97 feet to a 1" iron rod found at the southeast corner of said 1.775 acre tract;

THENCE departing said west right-of-way line, along the southeast line of said 1.775 acre tract, South 44° 39' 37" West, a distance of 100.00 feet to a 1/2" iron rod found at the most southerly corner thereof;

THENCE along the southwesterly line of said 1.775 acre tract, North 45° 20' 23" West, a distance of 252.00 feet to a 1" iron rod found at the southeast corner of Lot 1, Block A, Kingdom Hall Addition, according to the plat filed for record in Cabinet G, Page 401, Map Records, Collin County, Texas, also being the southwest corner of Lot 2, Block A of said Hedgcoxe-Georgetown Addition;

THENCE along the common line of said Lot 2, Block A and said 1.775 acre tract, North 89° 37' 00" East, a distance of 45.77 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199", the southeast corner of said Lot 2, the southwest corner of said Lot 1, Block A;

THENCE along the common line of said Lot 1, Block A and Lot 2, Block A, Hedgcoxe-Georgetown Addition, North 36° 56' 39" West, a distance of 2.07 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199";

THENCE continuing along said common line, North 39° 47' 18" West, a distance of 18.02 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S 5199";

THENCE continuing along said common line, North 31° 35' 26" West, a distance of 26.34 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199";

THENCE continuing along said common line, North 70° 04' 17" West, a distance of 13.11 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199";

THENCE continuing along said common line, South 86° 36' 16" West, a distance of 7.17 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199", the southwest corner of said Lot 1, Block A, Hegcoxe-Georgetown Addition, and lying in the east line of said Lot 1, Block A, Kingdom Hall Addition;

THENCE along the westerly line of said Lot 1, Block A, Hedgcoxe-Georgetown Addition, and along the east line of said Lot 1, Block A, Kingdom Hall Addition, North 00° 23' 00" West, a distance of 222.04 feet to a 1" iron rod found in the south right-of-way line of said Hedgcoxe Road, the northwest corner of said Lot 1, Block A, Hedgcoxe-Georgetown Addition, and the northeast corner of said Lot 1, Block A, Kingdom Hall Addition;

THENCE along said south right-of-way line, North 89° 37' 00" East, a distance of 180.00 feet to the POINT OF BEGINNING and CONTAINING 75,862 square feet or 1.7416 acres of land, more or less.

0-6



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date: 8/8/05		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Legal		Initials	Date
Department Head	Diane Wetherbee	Executive Director		
Dept Signature:		City Manager	<i>[Signature]</i>	<i>8/29/05</i>
Agenda Coordinator (include phone #): Lynne Jones - 7109				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input checked="" type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER				
CAPTION				
LICENSE AGREEMENT FOR USE OF PLANO LOGO				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(s):				
COMMENTS:				
SUMMARY OF ITEM				
This is a license agreement for the use of the City of Plano logo by Preston Ridge III Homeowner Association.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
n/a		n/a		

P-1

STATE OF TEXAS §
 § **LICENSE AGREEMENT FOR USE**
COUNTY OF COLLIN § **OF PLANO LOGO**

This Agreement entered into effective as of the ____ day of _____, 2005, by and between the City of Plano, a Texas home-rule municipality, located in Collin and Denton Counties, Texas, hereinafter called the **LICENSOR**, and Preston Ridge III, a Homeowner Association located in Plano, Collin County, Texas, whose President's address is 4608 Normandy Lane, Plano, Texas, hereinafter called the **LICENSEE**.

WITNESSETH:

WHEREAS, the **LICENSOR** has exclusive rights to the City logo, a registered trademark, registered to the City of Plano, Texas, hereinafter referred to as **LOGO**, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the **LICENSEE** desires to obtain license rights to use **LOGO** in accordance with the specification of **LICENSOR** ;

NOW, THEREFORE, the parties have agreed as follows:

1. **Grant of License.** In exchange for good and valuable consideration, namely the hosting of **LICENSOR'S** logo and website link "planotx.org" on **LICENSEE'S** website, the **LICENSOR** hereby grants to **LICENSEE** the right to use the aforementioned **LOGO** in accordance with the terms of this Agreement and approval of the City Council. **LICENSEE** agrees to accept a worldwide, nonexclusive, nontransferable, royalty-free, revocable License to use the **LOGO** on **LICENSEE'S** non-commercial website in connection with news and information specific to the Preston Ridge III Homeowners Association. No other right, title or license is granted hereunder.

2. **Limitations on License.** Nothing in this License shall give **LICENSEE** any right, title, or interest in the **LOGO**, other than the License granted herein. **LICENSEE** shall not assign, transfer or sublicense this License (or any right granted herein) without the prior written consent of **LICENSOR** with approval of the City Council. **LICENSEE** agrees not to use the **LOGO** in any way that would disparage or injure **LICENSOR'S** reputation or image for high quality. Licensee will not do anything inconsistent with **LICENSOR'S** ownership of the **LOGO**, such as filing any trademark application anywhere in the world, now or in the future.

P-2

3 a. **Marking.** LICENSEE shall mark its use of the LOGO with the registered trademark symbol ™. Licensee may replicate the LOGO exactly as appears in Exhibit "A" or alter it as shown on Exhibit "B," including alterations as to size. Licensee may not integrate LOGO into any of LICENSEE'S own trademarks, logos, or designs, except as shown on Exhibit "B," nor may LICENSEE use any marks or logos that are confusingly similar to LOGO. The Trademark shall not be used to indicate any kind of endorsement by LICENSOR or official status with respect to LICENSOR.

3. b. **Link to Licensor Website.** LICENSEE agrees that on the front page of its website it shall include and continuously maintain a link to the City of Plano website, which currently is planotx.org during the term of this Agreement.

4. **Inspection.** LICENSOR shall have the right to inspect LICENSEE'S materials to determine compliance with the terms and conditions of this Agreement. LICENSEE will, upon request from LICENSOR, provide samples of any materials or distributions that include the LOGO.

5. **Indemnification and Limitation of Liability.** LICENSEE will defend, indemnify and hold harmless LICENSOR against losses, liability, damage, cost, and/or expense (including reasonable legal fees) arising out of any claims or suits, whatever their nature and however arising, which may be brought against LICENSOR because of LICENSEE'S use of the LOGO. In no event shall LICENSOR or its directors, officers, or employees be liable for incidental or consequential damages of any kind arising from or relating to the use of the LOGO, including economic damages and lost profits, regardless of whether LICENSOR shall be advised, shall have other reason to know, or in fact shall know of the possibility of the foregoing.

6. **Disclaimer.** LICENSOR makes no representation or warranties of any kind respecting the LOGO, including the validity of LICENSOR'S rights in the LOGO in any country, except that such LOGO has been registered with the State of Texas, and LICENSOR disclaims any and all implied warranties that might otherwise arise.

7. **Termination.** The License to use the LOGO shall occur upon approval of the City Council and shall expire on August 1, 2006. Notwithstanding the foregoing, the License to use the LOGO is revocable at will by LICENSOR with approval of City Council. In the event LICENSOR revokes LICENSEE'S right to use the LOGO, LICENSEE will be given thirty (30) days to remove the LOGO from advertisements, promotional materials and distributions.

8. **Governing Law.** This Agreement shall be governed in accordance with the laws of the State of Texas

P-3

9. Venue. Venue for any disputes arising out of this Agreement shall be in Collin County, Texas

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first written above written at the City of Plano, County of Collin, State of Texas.

LICENSOR:
City Of Plano, Texas

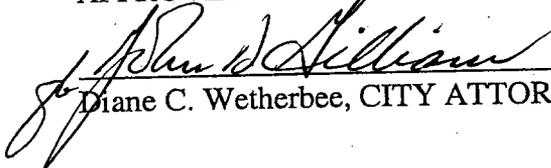
Date: _____

By: _____
Thomas H. Muehlenbeck
CITY MANAGER

ATTEST:

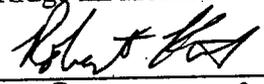
Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM



Diane C. Wetherbee, CITY ATTORNEY

LICENSEE:
Preston Ridge III Homeowner Association

By: 
Name: ROBERT KIRK
Title: SECRETARY, WEBMASTER

WITNESS:

By _____

P-4

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

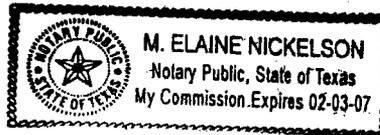
This instrument was acknowledged before me on the ___ day of _____, 2005 by **Thomas H. Muehlenbeck**, City Manager of the **City of Plano, Texas**, a home-rule municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 28th day of July, 2005 by Robert Kirk, Secretary of **Preston Ridge III, a Homeowner Association**, on behalf of said association.

M Elaine Nickelson
Notary Public, State of Texas



P-5

Symbol: Plano, Texas

EXHIBIT
PAGE 1 OF 1

Guidelines for authorized usage

These standards are established to assure the integrity of the design in all media, color and dimensions. The symbol must be reproduced accurately and not altered in any way and must always appear in the configurations specified.

The symbol may be reproduced only from the reproduction proofs provided on this page. No copy or other visual material may be printed over or superimposed on the symbol.



1. Symbol = three color version
Background = white
Red = PMS 185. Blue = PMS 300. Black.



2. Symbol = two color version
Background = white
Red = PMS 185. Blue = PMS 300
Preferred in all cases where
color printing is available.



3. Symbol = black
Background = white
Preferred for one color printing.



4. Symbol = black with 50% screen of black
Background = white



5. Symbol = solid color
Background = white
For use in one color printing
(red or blue only)



6. Symbol = white
Background = black or dark color

Artwork for reproduction

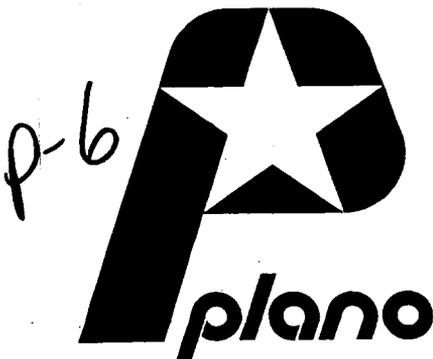


EXHIBIT "B"

 **Preston Ridge III**
Plano, TX

P-7

DATE: July 19, 2005
TO: Honorable Mayor & City Council
FROM: Laura Williamson, Chairman, Planning & Zoning Commission 
SUBJECT: Results of Planning & Zoning Commission Meeting of July 18, 2005

**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2005-21
APPLICANT: CITY OF PLANO**

DESCRIPTION:

Request to amend Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance regarding exterior wall standards for nonresidential uses. This request proposes to prohibit the use of membrane (fabric) and/or metal exterior wall finishes for nonresidential structures. Tabled 06/06/05, 06/20/05, and 07/05/05.

APPROVED: 6-0 **DENIED:** _____ **TABLED:** _____

LETTERS RECEIVED: **FAVOR:** 0 **OPPOSE:** 0

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

STIPULATIONS:

Recommended for approval as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

1. Rename the title and amend the standards of Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations) to read as follows:

3.300 Minimum Structure Standards Exterior Wall Construction Standards for Structures

The exterior wall standards for construction in the various districts shall be in accordance with the following standards. Exterior wall construction for structures shall be in accordance with the standards in the following subsections. For the purposes of this section, exterior wall construction refers to the exterior material or finish of a wall assembly.

2. Amend Subsection 3.304 (Nonresidential Uses) of Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations) to read as follows:

3.304 Nonresidential Uses

Except as otherwise regulated by this ordinance, exterior wall construction in districts permitting nonresidential uses shall be of such material that conforms to the International Building Code unless an alternative has been approved by the Building Official. However, metal and membrane exterior walls are prohibited in all zoning districts with the following exceptions:

Metal and membrane exterior wall construction is permitted in the Light Industrial-1 and Light Industrial-2 districts with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:

(1) The metal or membrane exterior wall construction is not visible from a public thoroughfare or residential zoning district; and

(2) The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.

FOR CITY COUNCIL MEETING OF: August 8, 2005 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

TE/slc

xc: Lynn Woodall, Administrative Support Supervisor

1-2

CITY OF PLANO
PLANNING AND ZONING COMMISSION

July 18, 2005

Agenda Item No. 6

Public Hearing: Zoning Case 2005-21

Applicant: City of Plano

DESCRIPTION:

Request to amend Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance regarding exterior wall standards for nonresidential uses. This request proposes to prohibit the use of membrane (fabric) and/or metal exterior wall finishes for nonresidential structures. Tabled 06/06/05, 06/20/05, and 07/05/05.

REMARKS:

This item was tabled at the July 5, 2005, Planning & Zoning Commission meeting. It must be removed from the table for consideration.

In late 2004, the Planning & Zoning Commission reviewed a preliminary site plan that proposed a membrane (fabric) structure. Although the Commission expressed concerns about this type of structure, neither the type of construction nor material finish was prohibited by ordinance, so the preliminary site plan was approved.

The Commission asked staff to discuss membrane structures at a future work session to determine their appropriateness. On December 20, 2004, Selso Mata, Chief Building Official, presented information on membrane structures and noted the structures are recognized by building and fire codes. The Commission expressed concerns about the appearance of membrane structures, particularly their unique shape and available colors for the outer materials, and asked Mr. Mata to discuss these issues with the Building Standards Commission. On March 15, 2005, the Building Standards Commission concluded that, "Aesthetic concerns are not the responsibility of the [Building Standards Commission]; as such, we recommend this issue be addressed by the [Planning & Zoning] Commission."

1-3

Subsequently, the Planning & Zoning Commission met in work session on May 3, 2005, to further discuss membrane structures. The Commission found no issues with membrane roof systems; however, the negative aesthetic of membrane structures was the use of fabric as an exterior wall finish. The Commission concluded that fabric or membrane exterior walls should be limited similar to the existing limitations on metal exterior walls, and called a public hearing to amend the Zoning Ordinance for that purpose.

In preparing the notice for the public hearing, staff realized that the limitation on metal exteriors was a local amendment to the *International Building Code*. Given the Building Standards Commission's finding that aesthetic issues are more appropriate in the Zoning Ordinance, the notice for public hearing included potential limitations on the use of membrane (fabric) and/or metal exterior wall finishes for nonresidential structures. The local building code amendment generally prohibits the use of metal exteriors for nonresidential uses in any zoning district. In the Light Industrial-1 (LI-1) and Light Industrial-2 (LI-2) zoning districts, the Planning & Zoning Commission could determine the appropriateness of metal exterior walls as part of the site plan approval process.

The Legal Department reviewed the local amendment and had concerns that its discretionary nature was not rational and consistent; thus, the current metal exterior standard was not defensible. Staff therefore proposes a different approach in the regulation of metal and/or membrane exteriors. Metal and/or membrane exteriors would be allowed in limited circumstances within the LI-1 and LI-2 zoning districts subject to Commission approval of a facade plan.

At their July 5, 2005, meeting, the Commission requested that staff further define what constitutes exterior wall construction and recommended that the proposed distance and visibility standards for metal or membrane exterior construction be strengthened. These items have been incorporated in the revised recommendations within this document.

Please note that the proposed amendments would not prohibit tents or other temporary membrane (fabric) structures permitted by Plano's Special Events Permit rules and procedures.

RECOMMENDATION:

Recommended for approval as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

1. Rename the title and amend the standards of Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations) to read as follows:

3.300 ~~Minimum Structure Standards~~ Exterior Wall Construction Standards for Structures

1-4

~~The exterior wall standards for construction in the various districts shall be in accordance with the following standards. Exterior wall construction for structures shall be in accordance with the standards in the following subsections. For the purposes of this section, exterior wall construction refers to the exterior material or finish of a wall assembly.~~

2. Amend Subsection 3.304 (Nonresidential Uses) of Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations) to read as follows:

3.304 Nonresidential Uses

~~Except as otherwise regulated by this ordinance, Exterior wall construction in districts permitting nonresidential uses shall be of such material that conforms to the International Building Code unless an alternative has been approved by the Building Official. However, metal and membrane exterior walls are prohibited in all zoning districts with the following exceptions:~~

~~Metal and membrane exterior wall construction is permitted in the Light Industrial-1 and Light Industrial-2 districts with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:~~

~~(1) The metal or membrane exterior wall construction is not visible from a public thoroughfare or residential zoning district; and~~

~~(2) The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.~~

1-5

ORDINANCE NO. _____
(ZONING CASE 2005-21)

AN ORDINANCE OF THE CITY OF PLANO AMENDING SECTION 3.300 (MINIMUM STRUCTURE STANDARDS) AND SUBSECTION 3.304 (NONRESIDENTIAL USES) OF SECTION 3.300 (MINIMUM STRUCTURE STANDARDS) OF ARTICLE 3 (SUPPLEMENTARY REGULATIONS); AND RELATED SECTIONS OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NO. 2004-9-37, AS HERETOFORE AMENDED, TO RENAME THE TITLE AND TO PROHIBIT THE USE OF MEMBRANE AND/OR METAL EXTERIOR WALL FINISHES FOR NONRESIDENTIAL STRUCTURES; AND PROVIDING A PENALTY CLAUSE, A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 8th day of August, 2005, for the purpose of considering a change in the Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 8th day of August, 2005; and

WHEREAS, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

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

Section 1. Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations) of the Comprehensive Zoning Ordinance No. 2004-9-37, as the same has been heretofore amended, is hereby further amended to rename the title and amend the standards to read as follows:

3.300 Exterior Wall Construction Standards for Structures

Exterior wall construction for structures shall be in accordance with the standards in the following subsections. For the purposes of this section, exterior wall construction refers to the exterior material or finish of a wall assembly.

1-4

Section II. Subsection 3.304 (Nonresidential Uses) of Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations) of the Comprehensive Zoning Ordinance No. 2004-9-37, as the same has been heretofore amended, is hereby further amended to read as follows:

3.304 Nonresidential Uses

Except as otherwise regulated by this ordinance, exterior wall construction in districts permitting nonresidential uses shall be of such material that conforms to the International Building Code unless an alternative has been approved by the Building Official. However, metal and membrane exterior walls are prohibited in all zoning districts with the following exception:

Metal and membrane exterior wall construction is permitted in the Light Industrial-1 and Light Industrial-2 districts with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:

- (1) The metal or membrane exterior wall construction is not visible from a public thoroughfare or residential zoning district; and
- (2) The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.

Section III. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

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

Section V. Any person, firm or corporation found to be violating any term or provision of this Ordinance, shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

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

1-7

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

PASSED AND APPROVED THIS THE 8TH DAY OF AUGUST, 2005.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

1-8



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Council Meeting Date: 8/8/05		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Department: Budget			Initials	Date
Department Head: Karen Rhodes		Executive Director		
Dept Signature: <i>[Signature]</i>		City Manager	<i>[Signature]</i>	<i>7/15/05</i>
Agenda Coordinator (include phone #): Anita Aldridge x7194				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input checked="" type="checkbox"/> OTHER PUBLIC HEARING				

CAPTION

A Public Hearing on the Proposed FY 2005-06 Budget and FY 2005-06 Community Investment Program (CIP).

FINANCIAL SUMMARY

NOT APPLICABLE
 OPERATING EXPENSE
 REVENUE
 CIP

FISCAL YEAR: 2004-05	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0

FUND(S):

COMMENTS:

SUMMARY OF ITEM

A Public Hearing on the Proposed FY 2005-06 Budget and FY 2005-06 Community Investment Program (CIP).

List of Supporting Documents:

Other Departments, Boards, Commissions or Agencies

NOTICE OF PUBLIC HEARING ON THE BUDGET & COMMUNITY
INVESTMENT PROGRAM

The City Council of the City of Plano will hold a public hearing on the Proposed Budget and Community Investment Program (CIP) for Fiscal Year 2005-06. The hearing will be held on Monday, August 8, 2005 at 7:00 p.m. in the Council Chambers at the Plano Municipal Center, 1520 Ave. K., Plano.

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

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

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

2-2



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable	
Council Meeting Date: 8/8/05		Reviewed by Legal	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable	
Department:	Budget & Research		Initials	Date	
Department Head	Karen Rhodes		Executive Director		
Dept Signature:	<i>Karen Rhodes</i>		City Manager	<i>AK</i> 8/1/05	
Agenda Coordinator (include phone #): Anita Aldridge x7194					
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input checked="" type="checkbox"/> OTHER					
CAPTION					
A VOTE ON A PROPOSAL TO CONSIDER AN INCREASE IN TOTAL TAX REVENUE.					
FINANCIAL SUMMARY					
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2005-06	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	0	0	0
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	98,052,501	98,052,501
BALANCE		0	0	98,052,501	98,052,501
FUND(S): GENERAL FUND; GENERAL OBLIGATION DEBT FUND; TIF					
COMMENTS: The 2005-06 appraisal roll will generate revenues of approximately \$98,052,501, which have been included in the proposed 2005-06 Budget.					
STRATEGIC PLAN GOAL: "Service Excellence"					
SUMMARY OF ITEM					
If the Council intends to propose a tax rate that will increase tax revenue, then it must take a vote for the record regarding each council member's position on this proposal.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		

3-1



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date: 8/8/05		Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Public Safety Services & Technology Business Center		<i>[Signature]</i>	<i>7/29/05</i>
Department Head	Bruce D. Glasscock	Executive Director	<i>[Signature]</i>	<i>7/29/05</i>
Dept Signature:		City Manager	<i>[Signature]</i>	<i>7/29/05</i>
Agenda Coordinator (include phone #): Cindy Potrykus, ext. 7747				
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input checked="" type="checkbox"/> OTHER ADOPTION OF COUNCIL STRATEGIC PLAN				
CAPTION				
Adoption of City Council Strategic Plan for 2005 - 2020				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
Adoption of Strategic Plan for 2005 - 2020, setting forth goals and principles for City Council decisions, policies, and actions.				
List of Supporting Documents: Strategic Plan 2005 - 2020		Other Departments, Boards, Commissions or Agencies		

4-1

STRATEGIC PLAN

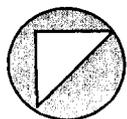
2005 → 2010 → 2020

Mayor and City Council



Plano, Texas
June 2005

4-2



Lyle Sumek Associates, Inc.
1514 St. Edmunds Place
Heathrow, FL 32746

Phone (407) 771-4195
Fax (407) 771-4197
E-mail: sumekassoc@cfl.rr.com

Table of Contents

Strategic Planning for the City of Plano	2
Plano Vision 2020	4
City of Plano - Our Mission	6
Plan 2005 - 2010	10
Action Agenda 2005 - 2006	22

4-3

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STRATEGIC PLANNING FOR THE CITY OF PLANO

4-4

STRATEGIC PLANNING FOR THE CITY OF PLANO

VISION

**“What We Want to Become –
Our Preferred Future as Defined in Value-Based Principles.”**

PLAN

**“Our Road Map for 5 Years – How to Realize Our Vision with
Achievable Goals Defined Through: Objectives, Meaning to
Our Citizens, Challenges and Opportunities, Actions 2005-6,
Major Projects 2005-6 and Actions on the Horizon.”**

EXECUTION

**“Actions to Implement the Plan –
A Work Program for Next Year with a “To Do” List for Mayor, City
Council and Management – To be Completed with Accountability
for the Results.”**

MISSION

**“Purposes of City Government – Determined in Service Businesses
Defined in: Operating Elements, Business Successes, Challenges
and Opportunities and Service Improvements 2005-6.”**

BELIEFS

**“Our Core Beliefs Which are the Foundation for Our City
Government – Creating a Corporate Culture of Action and
Accountability, the Primary Value, As Defined in Performance
Standards to Guide Behaviors and Actions.”**

HOW WE CONDUCT OUR BUSINESS

4-5

**PLANO
VISION 2020**

4-6

PLANO VISION 2020

Plano is a Vibrant, Safe City with

Attractive Neighborhoods and Urban Centers,

a Vital Economy, a High Degree of Mobility

and an Abundance of Educational,

Recreational and Cultural Opportunities.

**CITY OF PLANO
OUR MISSION**

4-8

City of Plano Mission

MISSION STATEMENT

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

Additional Thought:

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.

4-9

City of Plano Our Core Businesses

Public Safety, Handle Emergencies

Personal and Environmental Health

**Provide Reliable Utility Services
for Daily Living and Businesses**

Provide Transportation System and Traffic Management

Provide Places and Programs to Play, to Learn

**Facilitate, Stimulate and Initiate
Future Development and Redevelopment**

Attain Compliance through Property Standards

**Govern and Represent the “City of Plano” – Our
Community**

4-10

Emerging Business

Support Human and Social Services

4-11

PLAN 2005 - 2010

4-12

City of Plano Goals 2010

Premier City for Families

Livable Neighborhoods and Urban Centers

“Service Excellence”

Diverse Business Center

Safe, Efficient Travel

4-13

GOAL 1

PREMIER CITY FOR FAMILIES

► **Objectives**

Objective 1 Maintain and Enhance the Plano Quality of Life – Place to Live, Things to Do, Safe Living

Objective 2 Provide Quality Leisure and Cultural Choices within Plano: Community Centers, Libraries, Parks and Trails, Cultural Venues, Arts

Objective 3 Encourage Quality Schools and Lifelong Learning

Objective 4 Assure Quality, Desirable Housing Choices for all

Objective 5 Diverse Cultures and All Family Generations Welcome

Objective 6 More Young Families and Professionals Choosing to Live Here

► **Means to Citizens**

1. Safe living environment – you feel safe any place, any time of day.
2. A lot of activities for everyone (sports, cultural, recreational, library, social, etc.).
3. Known for quality schools.
4. Parks to use, green space available.
5. You want to live here – national reputation as the place for families.

► **Challenges and Opportunities**

1. Attracting Young Families, Retaining Young Families
2. Changing Leisure and Recreational Patterns and Uses
3. Expanding Leisure and Cultural Facilities and Amenities
4. Preservation and Expansion of Workforce Housing
5. Increasing Choices of Housing Types: Mid Rise/High Rise Condos, Townhomes, Mother in Law Residential Use
6. Attracting Young Single Professionals

4-14

► **Actions 2005 – 2006**

1. African-American Museum and Douglass Mural
 - Support Community Fund Raising
 - Resolve Loan to 501-c-3
2. Park Land Acquisition
 - Inroad Two Parcels for Park Site
3. International Vision and Strategy
 - Create International Taskforce
 - Define International Vision: What We Want to Be
 - Define International Strategy
4. Building Strong Community Through Neighborhoods: Action Plan
 - Discuss Boundaries and Transfer Policy
 - Request Information from Schools on Demographic
5. Young Professional Package and Recruitment Program
 - Develop Package
 - Work with Corporate Human Resource Departments
 - Implement Program
6. Workforce Housing Strategy and Action
 - Define Goals
 - Explore Possible Loan Programs
 - Identify Potential Areas: Affordable Neighborhoods, Vacant Land
 - Review Incentive Programs
 - Develop Recommendations

► **Major Projects 2005 – 2006**

1. Performing Arts Hall
2. Oak Point Park Development
3. Muehlenbeck Recreation Center
4. Haggard Library

► **Actions on the Horizon**

1. New Tennis Center
2. Science Museum Development

4-15

GOAL 2

LIVABLE NEIGHBORHOODS AND URBAN CENTERS

► **Objectives**

Objective 1 Maintain and Enhance Quality of Homes and Multi-Family Complexes – Appearance, Renovation

Objective 2 Encourage and Facilitate the Mixed Use Development of Urban Centers

Objective 3 Rental Units in Code Compliance

Objective 4 Maintain Sustainable Neighborhood Shopping Centers

Objective 5 Support Long-Term Neighborhood “Sustainability” – Mix of Residential and Complimentary Services and Businesses, Homeownership

► **Means to Citizens**

1. Clean, attractive neighborhoods and downtown – look good.
2. Protecting your neighborhood and downtown integrity when infill occurs.
3. Feeling safe at home, in your neighborhood.
4. Protecting the value of your home.
5. Maintaining all types of housing – preventing deterioration and blight.

► **Challenges and Opportunities**

1. Absentee Landlords Not Reinvesting or Maintaining Properties
2. Aging Housing Stock
3. Changing Retail Business Trends and Shopping Patterns
4. Number of Occupants in Housing Units
5. Property and Home Maintenance

4-16

► **Actions 2005 – 2006**

1. Transitional and Revitalization Plan: Implementation
 - Review Recommendation
 - Determine Action
2. Legacy Town Center Development
 - Complete Landscaping: Bishop
 - Complete Landscaping: Legacy Drive
 - Evaluate Public Improvement District for Area
 - Determine Direction for District
3. Downtown Development
 - Evaluate Public Improvement District for Area
 - Determine Direction for District
 - Participate in Building Renovation
 - Reconstruction of 15th Street (1/06)
 - Occupancy of Cox Building
4. Vehicle Code Enforcement Evaluation and Action Plan
 - Investigate Vehicle Restriction
 - Determine Policy
5. Park and Preston Center Development Direction
 - Evaluate as a Third Urban Center
 - Review Recommendations
 - Determine Direction
6. Rice Field Development
 - Decide on Market Analysis
 - Complete Independent Market Analysis
 - Determine Direction and Next Steps
7. Rental Housing Registration and Inspection Program
 - Review Recommendation
 - Determine Direction and Funding
 - Initiate Inspection Program
8. Regional Strategy and Advocacy
 - Determine Plano's Leadership Role
 - Lobby for Plano's Transportation Projects
 - Be a Strong Advocate

► **Actions on the Horizon**

1. Parker Road DART Station
2. Collin Creek Mall and Creekwalk

4-17

GOAL 3

“SERVICE EXCELLENCE”

► **Objectives**

Objective 1 Continue to Improve Quality of All City Services Delivered in the Most Cost Effective Manner

Objective 2 Continue Strong Financial Position Through Plans and Policies with Stewardship of the Public Dollar, Responsible Reserves and Expenditures

Objective 3 Promote Engaged and Active Citizenry Who Understands City

Objective 4 Provide Services and Facilities Responsive to the Changing Needs of Our Citizens and Our Businesses

Objective 5 Be Recognized by and Involved in Professional and National Organizations as Being Simply the “BEST”

► **Means to Citizens**

1. “Top notch” employee facilities and infrastructure.
2. Timely response in an emergency situation.
3. Citizens feeling value for city services – Value = Quality/costs.
4. City services responsive to your needs.
5. Use of technology: citizen access and service delivery.

► **Challenges and Opportunities**

1. Protecting and Enhancing City’s Revenue Sources
2. Service Level vs. Resources
3. Needs vs. Wants: Distinction
4. Meet and Confer = Collective Bargaining
5. Changing Service Needs of Citizens
6. Changing Technology and Use in Service Delivery

4-18

► **Actions 2005 – 2006**

1. Public Relations and Marketing Plan for City
 - Develop Plan with Recommendations
 - Review Plan and Recommendations
 - Determine Specific
2. Finance Projections and Plan (5 Year) Revision
 - Review Portland's Process
 - Review Underlying Assumptions
 - Determine Title Assumptions
 - Prepare Plan
3. Economic Development and Dedicated Tax Rate
 - Prepare Report
 - Analyze Type
 - Determine Direction
 - Pursue Governor's Economic Development Funding
4. Meet and Confer Direction
 - Review New State Law
 - Determine Preliminary Plan
5. Compensation and Benefits Direction
 - Review Plan
 - Address Compression
6. Special Events Evaluation and Policy Direction
 - Complete Evaluation Report
 - Develop Recommendations
 - Determine Policy Direction
7. Public Facilities Element of Comprehensive Plan
 - Address Key Issues, Parameters and Scope
 - Revise Element
 - Decide on Element
8. Community Survey of Core Services
 - Develop Survey
 - Review Results
 - Develop Recommendations

► **Major Projects 2005 – 2006**

1. Fire Stations (2) Project and Staffing

► **Actions on the Horizon**

1. Public Medical/Healthcare Services Direction

4-19

GOAL 4

DIVERSE BUSINESS CENTER

► **Objectives**

- | | |
|--------------------|--|
| Objective 1 | Support Economic Expansion and Business Retention |
| Objective 2 | Revitalize and Convert Older Centers and Office Buildings |
| Objective 3 | Expand Economic Diversification and International Commerce |
| Objective 4 | Continue and Expand as a Major Business Destination |
| Objective 5 | Strengthen and Expand Regional Commercial Center |

► **Means to Citizens**

1. Quality job opportunities available within Plano – you can work here.
2. Attracting high technology businesses to Plano.
3. Significant commercial tax base reducing tax burden on homeowners.
4. Places to shop – people coming to Plano to spend money.
5. Diversified tax base and businesses insulated from cyclical economic impacts.

► **Challenges and Opportunities**

1. Reuse of Aging and Vacant, Old Commercial Corridors and Areas
2. Taking Advantage of Hospital and Medical Services
3. International Business Attraction
4. Business/Retail Attraction and Incentives
5. Reducing Amount of Land Zoned for Retail

4-20

► **Actions 2005 – 2006**

1. Research/Technology District Regulations
 - Review Proposal
 - Determine Regulation
2. Vacant/Aging Retail Space Strategy
 - Review Buxtom Study
 - Determine Action
 - Implement Buxtom Study
 - Identify Other Uses
3. Collin Creek Mall
 - Establish Relationship with General Growth Company
 - Explore Partnership Actions
4. Hospital/Medical Center Business Promotion Campaign
 - Initiate Dialog
 - Develop Package and Marketing Program
 - Determine Direction and Action
5. International Business Development Strategy and Actions
 - Define Vision: Economic Expansion
 - Develop Strategy and Recommendations
6. Plano Center Study and Future Direction
 - Evaluate Reuse Options
 - Determine Direction
 - Determine Actions

► **Actions on the Horizon**

1. Biotech Medical Strategy
2. Retail Land Use Evaluation and Change
3. Regional (Plano, Frisco, Allen) Brand and Marketing Plan

GOAL 5

SAFE, EFFICIENT TRAVEL

► **Objectives**

Objective 1 Improve Traffic Flow and Manage Traffic Demand

Objective 2 Plan for and Support DART Service to DFW (Cotton Belt), Service within Plano, Support Northern Expansion

Objective 3 Enhance Traffic Safety – Reduce Accidents, Improve Feeling of Safety, Reputation for “Safe Streets”

Objective 4 Maintain Quality of Streets

► **Means to Citizens**

1. Safer streets: reduced red light running, fewer traffic accidents, less speeding.
2. Attractive, well-maintained streets.
3. Shorter travel time: point “A” to point “B,” to/from and within Plano.
4. Choice to use DART services to, from and within Plano.
5. Safe neighborhood streets.

► **Challenges and Opportunities**

1. East-West Transit
2. Use of Cotton Belt Rail Lines/North Dallas Neighborhood
3. Voluntary Compliance with Traffic Laws and Driving Patterns
4. State Funding for Roads
5. Traffic Flow and Signals

4-22

► **Actions 2005 – 2006**

1. Red Light Running Cameras
 - Evaluate Law and Vendor Options
 - Recommend Vendor
 - Install Camera
2. DART Transit Corridors (East-West)
 - Work with Richardson and Addison
 - Lobby for Cotton Belt Destination
3. Regional Clean Air Strategy
 - Develop Education Program: EPA Plan and Current
 - Discuss with Collin County
4. 121 Tollway
 - Decide on Tollway (8/05)
5. Intersections at Preston: Improvements
 - Preston/Plano Direction
 - Legacy Direction

► **Major Projects 2005 – 2006**

1. HOV Lanes for U.S. 75: Final Design
2. Parker Road Overpass and U.S. 75: Funding

► **Actions on the Horizon**

1. Plano Parkway/U.S. 75 Funding (Cotton Belt Crossing)

ACTION AGENDA 2005 - 2006

4-24

Action Agenda 2005-2006

► Action Agenda 2005 – 2006

Goal 1: Premier City for Families

- 1. African-American Museum and Douglass Mural**
 - Support Community Fund Raising
 - Resolve Loan to 501-c-3
- 2. Park Land Acquisition**
 - Inroad Two Parcels for Park Site
- 3. International Vision and Strategy**
 - Create International Taskforce
 - Define International Vision: What We Want to Be
 - Define International Strategy
- 4. Building Strong Community Through Neighborhoods: Action Plan**
 - Discuss Boundaries and Transfer Policy
 - Request Information from Schools on Demographic
- 5. Young Professional Package and Recruitment Program**
 - Develop Package
 - Work with Corporate Human Resource Departments
 - Implement Program
- 6. Workforce Housing Strategy and Action**
 - Define Goals
 - Explore Possible Loan Programs
 - Identify Potential Areas: Affordable Neighborhoods, Vacant Land
 - Review Incentive Programs
 - Develop Recommendations

4-25

► **Action Agenda 2005 – 2006**

Goal 2: Livable Neighborhoods and Urban Centers

1. **Transition and Revitalization Plan: Implementation**
 - Review Recommendation
 - Determine Action
2. **Legacy Town Center**
 - Complete Landscaping: Bishop
 - Complete Landscaping: Legacy Drive
 - Evaluate Public Improvement District for Area
 - Determine Direction for District
3. **Downtown Development**
 - Evaluate Public Improvement District for Area
 - Determine Direction for District
 - Participate in Building Renovation
 - Reconstruction of 15th Street (1/06)
 - Occupancy of Cox Building
4. **Vehicle Code Enforcement Evaluation and Action Plan**
 - Investigate Vehicle Restriction
 - Determine Policy
5. **Park and Preston Center Development Direction**
 - Evaluate as a Third Urban Center
 - Review Recommendations
 - Determine Direction
6. **Rice Field Development**
 - Decide on Market Analysis
 - Complete Independent Market Analysis
 - Determine Direction and Next Steps
7. **Rental Housing Registration and Inspection Program**
 - Review Recommendation
 - Determine Direction and Funding
 - Initiate Inspection Program
8. **Regional Strategy and Advocacy**
 - Determine Plano's Leadership Role
 - Lobby for Plano's Transportation Projects
 - Be a Strong Advocate

4-26

► **Action Agenda 2005 – 2006**

Goal 3: “Service Excellence”

1. **Public Relations and Marketing Plan for City**
 - Develop Plan with Recommendations
 - Review Plan and Recommendations
 - Determine Specific
2. **Finance Projections and Plan (5 Year) Revision**
 - Review Portland’s Process
 - Review Underlying Assumptions
 - Determine Title Assumptions
 - Prepare Plan
3. **Economic Development and Dedicated Tax Rate**
 - Prepare Report
 - Analyze Type
 - Determine Direction
 - Pursue Governor’s Economic Development Funding
4. **Meet and Confer Direction**
 - Review New State Law
 - Determine Preliminary Plan
5. **Compensation and Benefits Direction**
 - Review Plan
 - Address Compression
6. **Special Events Evaluation and Policy Direction**
 - Complete Evaluation Report
 - Develop Recommendations
 - Determine Policy Direction
7. **Public Facilities Element of Comprehensive Plan**
 - Address Key Issues, Parameters and Scope
 - Revise Element
 - Decide on Element
8. **Community Survey of Core Services**
 - Develop Survey
 - Review Results
 - Develop Recommendations

4-27

► **Action Agenda 2005 – 2006**

Goal 4: Diverse Business Center

1. **Research//Technology District Regulations**
 - Review Proposal
 - Determine Regulation
2. **Vacant/Aging Retail Space Strategy**
 - Review Buxtom Study
 - Determine Action
 - Implement Buxtom Study
 - Identify Other Uses
3. **Collin Creek Mall**
 - Establish Relationship with General Growth Company
 - Explore Partnership Actions
4. **Hospital/Medical Center Business Promotion Campaign**
 - Initiate Dialog
 - Develop Package and Marketing Program
 - Determine Direction and Action
5. **International Business Development Strategy and Actions**
 - Define Vision: Economic Expansion
 - Develop Strategy and Recommendations
6. **Plano Center Study and Future Direction**
 - Evaluate Reuse Options
 - Determine Direction
 - Determine Actions

4-28

► **Action Agenda 2005 – 2006**

Goal 5: Safe, Efficient Travel

1. **Red Light Running Cameras**
 - Evaluate Law and Vendor Options
 - Recommend Vendor
 - Install Camera
2. **DART Transit Corridors (East-West): Direction**
 - Work with Richardson and Addison
 - Lobby for Cotton Belt Destination
3. **Regional Clean Air Strategy**
 - Develop Education Program: EPA Plan and Current
 - Discuss with Collin County
4. **121 Tollway**
 - Decide on Tollway (8/05)
5. **Intersections at Preston: Improvements**
 - Preston/Plano Direction
 - Legacy Direction

4-29

Major Projects 2005 – 2006

- 1. Performing Arts Hall**
- 2. Oak Point Park Development**
- 3. Muehlenbeck Recreation Center**
- 4. Haggard Library**
- 5. Fire Stations (2) Project and Staffing**
- 6. HOV Lanes for U.S. 75: Final Design**
- 7. Parker Road Overpass and U.S. 75: Funding**

4-30



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY			Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent	<input type="checkbox"/> Regular	<input type="checkbox"/> Statutory	Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date:		8/8/05	Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Engineering			Initials	Date
Department Head	Alan L. Upchurch		Executive Director	<i>[Signature]</i>	8/2/05
Dept Signature:	<i>[Signature]</i>		City Manager	<i>[Signature]</i>	8/3/05
Agenda Coordinator (include phone #):			Irene Pegues (7198) <i>[Signature]</i>		
ACTION REQUESTED: <input type="checkbox"/> ORDINANCE <input checked="" type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER					
CAPTION					
Supporting funding for the construction of the State Highway 121 Main Lanes in Collin County.					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS	
Budget	0	0	0	0	
Encumbered/Expended Amount	0	0	0	0	
This Item	0	0	0	0	
BALANCE	0	0	0	0	
FUND(s):					
COMMENTS:					
SUMMARY OF ITEM					
The attached resolution provides for Plano's support of the construction of the main lanes of SH 121 as a toll facility with local control of the project. There are several specific conditions contained in the resolution council may want to discuss. The other cities and county are also considering this resolution.					
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies		
N/A			N/A		

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, COLLIN COUNTY, TEXAS, SUPPORTING FUNDING FOR THE CONSTRUCTION OF THE STATE HIGHWAY 121 MAIN LANES IN COLLIN COUNTY.

WHEREAS, the North Texas region continues to experience dramatic growth as the area's population now exceeds 5.7 million people; and

WHEREAS, this dramatic growth is expected to continue with an projected population for the region of 9.0 million people by 2030; and

WHEREAS, this region continues to lead Texas in economic measures including the creation of jobs, retail sales and regional gross product; and

WHEREAS, motorist delay and congestion on our regional and local thoroughfare networks are expected to double in the next 10 years; and

WHEREAS, the Texas Department of Transportation has spent over \$300 million to acquire right of way land and start construction of the State Highway 121 ("SH 121") service side roads; and

WHEREAS, the Cities of Allen, Frisco, McKinney, and Plano and Collin County have invested over \$100 million in donated right of way land, construction improvements and available funding to SH 121; and

WHEREAS, the State of Texas and the Texas Department of Transportation do not have the money available now or in the next 20 to 30 years to pay the estimated \$400 million cost to complete the main lanes and two highway intersections of SH 121; and

WHEREAS, the Cities of Allen, Frisco, McKinney, and Plano and Collin County desire to see the completion of the SH 121 main lanes and two highway intersections by 2010 to meet the increasing traffic and mobility needs; and

WHEREAS, SH 121 is an integral part of the transportation system in Collin County.

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

Section I. The City Council of the City of Plano supports funding the construction, maintenance and operation of SH 121 main lanes from the Collin/Denton County boundary to US 75, the interchange at Dallas North

5-2

Tollway/SH 121 and the interchange at US 75/SH 121 (the "Project") with the use of tolls only under the following conditions:

- a. The Project will be locally controlled, including financial and operational decisions, by Collin County and the cities of Allen, Frisco, McKinney and Plano ("Local Authority");
- b. Local Authority may contract with the North Texas Tollway Authority, or another qualified provider, to operate the Project;
- c. Local Authority will seek the best financing for issuing bonds for the Project, which may include using the full faith and credit of Collin County for the bonds;
- d. Local Authority will set tolls to pay debt service payments, improvements, maintenance and operation of the Project. Distribution of excess revenues, if any, will be equally shared by the five parties to the Local Authority.

Section II. If there is any deviation from Section I by the State of Texas, the Texas Highway Commission, the Texas Department of Transportation, the Regional Transportation Council, or any other entity having authority over the Project, then the City Council of the City of Plano opposes the use of tolls for the Project and upon that event, this Resolution shall become null and void.

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

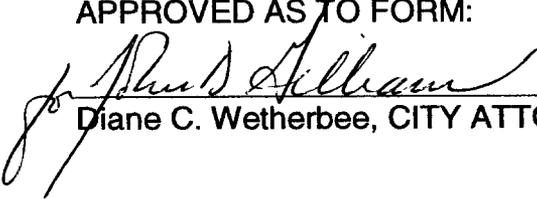
DULY PASSED AND APPROVED the _____ day of _____, 2005.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:



Diane C. Wetherbee, CITY ATTORNEY



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY		Reviewed by Purchasing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory		Reviewed by Budget	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not Applicable
Council Meeting Date:	08/08/05	Reviewed by Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not Applicable
Department:	Engineering		Initials	Date
Department Head	Alan Upchurch	Executive Director		
Dept Signature:	<i>Alan Upchurch</i>	City Manager	<i>[Signature]</i>	<i>8/11/05</i>
Agenda Coordinator (include phone #):		I. Pegues 7198		
ACTION REQUESTED: <input checked="" type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input type="checkbox"/> CHANGE ORDER <input type="checkbox"/> AGREEMENT <input type="checkbox"/> APPROVAL OF BID <input type="checkbox"/> AWARD OF CONTRACT <input type="checkbox"/> OTHER				
CAPTION				
An Ordinance of the City of Plano, Texas amending Subsection (d) of Section 12-73 of Article IV (Speed) of Chapter 12 (Motor Vehicles and Traffic) of the City of Plano Code of Ordinances; to revise the designated times of operation for certain school zones providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause and an effective date.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
The effective times for school zones serving 9-10 grade high schools needs to be revised in conjunction with the school time changes by PISD for the 2005/2006 school year. The Transportation Engineering Division recommends approval of an ordinance to revise the effective times of school zones at and near these schools. There are no changes proposed to the locations or limits of the zones.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		

6-1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PLANO, TEXAS AMENDING SUBSECTION (D) OF SECTION 12-73 OF ARTICLE IV (SPEED) OF CHAPTER 12 (MOTOR VEHICLES AND TRAFFIC) OF THE CITY OF PLANO CODE OF ORDINANCES; TO REVISE THE DESIGNATED TIMES OF OPERATION FOR CERTAIN SCHOOL ZONES PROVIDING A FINE FOR CRIMINAL PENALTIES NOT TO EXCEED \$200.00 FOR EACH OFFENSE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, A PUBLICATION CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the Plano Independent School District has changed the school hours for high school and senior high schools beginning with the 2005/2006 school year; and

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

WHEREAS, the City Council of the City of Plano finds it is necessary and in the best interest of the City and its citizens to further revise the effective times for certain school zones within the City of Plano; and

WHEREAS, the City Council hereby finds that sub-section (d) of Section 12-73 should be amended.

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

Section I. The caption of Subsection (d) of Section 12-73 of Article IV, Chapter 12 (Motor Vehicles and Traffic) of the Code of Ordinances of the City of Plano, Texas, is hereby amended to read verbatim as follows:

“(d) School zones designated: 8:30 a.m. – 9:15 a.m., and 4:00 p.m. – 4:45 p.m. on school days. The following designated locations and areas are declared to be school zones and the prima facie maximum speed limit for all motor vehicles operated within such areas and locations between the hours of 8:30 a.m. – 9:15 a.m., and 4:00 p.m. – 4:45 p.m. on school days shall be twenty (20) miles per hour. Such school zones are designed to serve a public or private institution of elementary or secondary education.”

Section II. All other portions of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances shall remain in full force and effect.

Section III. All provisions of the Ordinances of the City of Plano, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, codified or uncoded, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

6-2

ORDINANCE NO. _____

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

Section V. Any person, firm, or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction in the Municipal Court, shall be subject to a fine not to exceed TWO HUNDRED AND NO/100 DOLLARS (\$200.00) for each offense. Each and every violation shall be deemed to constitute a separate offense.

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

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

DULY PASSED AND APPROVED this _____ day of _____, 2005.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

6-3