



## **CITY COUNCIL**

**1520 K Avenue, Plano TX 75074 and via  
videoconference**

**DATE: March 25, 2024**

**TIME: 7:00 PM**

**This City Council Meeting will be held in person in the Senator Florence Shapiro Council Chambers and via videoconference. A quorum of the City Council, including the presiding officer, will participate in person. The facility will be open to members of the public.**

For those wanting to watch the meeting but not address the Council, the meeting will be live-streamed on Plano's website at [www.planotv.org](http://www.planotv.org) and [Facebook.com/cityofplanotx](https://www.facebook.com/cityofplanotx).

To pre-register to speak at the City Council meeting, please visit [https://forms.plano.gov/Forms/Sign\\_Up\\_Citizen](https://forms.plano.gov/Forms/Sign_Up_Citizen). Online registration opens at 5:00 p.m. on the Wednesday prior to the meeting and closes at 4:00 p.m. on the day of the meeting. Onsite registration is available on the day of the meeting until 15 minutes prior to the start of the meeting.

Emails regarding agenda items may be submitted to: [councilcomments@plano.gov](mailto:councilcomments@plano.gov).

### **CALL TO ORDER**

**INVOCATION: Rev. Raegan Gilliland, Pastor of Outreach and Engagement - Christ United Methodist Church**

**PLEDGE OF ALLEGIANCE / TEXAS PLEDGE: Boys and Girls Clubs of Collin County - Plano**

**OUR VISION - PLANO IS A GLOBAL ECONOMIC LEADER BONDED BY A SHARED SENSE OF COMMUNITY WHERE RESIDENTS EXPERIENCE UNPARALLELED QUALITY OF LIFE.**

**The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.**

## **PROCLAMATIONS AND SPECIAL RECOGNITIONS**

Presentation: Teen volunteers are receiving the President's Volunteer Service Award. **Presented**

Proclamation: April is National Child Abuse Prevention Month. **Presented**

Proclamation: April 1-5, 2024 is National Community Development Week and April marks the 50th Anniversary of the Community Development Block Grant (CDBG) Program. **Presented**

Proclamation: Plano East Senior High School Boys Basketball 6A State Champions will be recognized. **Presented**

## **CONSENT AGENDA**

**The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. The Presiding Officer will establish time limits based upon the number of speaker requests.**

### **Approval of Expenditures**

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

- (a) RFB No. 2024-0169-B for East Arterial Overlay - 2024, Project No. PW-S-00021, for the Public Works Department to Texas Materials Group, Inc. in the amount of \$6,040,246; and authorizing the City Manager to execute all necessary documents. **Approved**

### **Purchase from an Existing Contract**

- (b) To approve the purchase of a Generator and Automatic Transfer Switch for the Facilities Division in the estimated amount of \$476,384 from Loftin Equipment Co. through an existing contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. GE02-20) **Approved**
- (c) To approve the purchase of SQL and COVID Nutanix hardware, software, and licensing for 23-months for Technology Solutions in the amount of \$629,917 from Freeit Data Solutions through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR Contract No. DIR-CPO-4444) **Approved**

### **Approval of Contract Modification**

- (d) To approve an increase to the current awarded contract amount of \$75,780 by \$39,700, for a total contract amount of \$115,480, for construction materials testing professional services for Water Rehabilitation - Parker Road Estates Phase 2, Project No. 7293, from HVJ North Texas - Chelliah Consultants, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2023-0197-X; Modification No. 1) **Approved**

- (e) To approve an increase to the current awarded contract amount of \$561,616 by \$142,162, for a total contract amount of \$703,778, for engineering professional services for Sewer Improvements – Frito-Lay, White Rock Creek, Evans Park, Spring Creek, Shawnee Park, Laurel Lane (Project No. 7567) from Lockwood, Andrews & Newnam, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2022-0708-X; Modification No. 2) **Approved**

#### **Approval of Expenditure**

- (f) To approve an expenditure for engineering professional services for the 2024 Citywide Traffic Count Program, Project No. TP-S-00015, in the amount of \$494,300 from Lee Engineering, LLC. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. **Approved**

#### **Adoption of Resolutions**

- (g) To authorize continued participation and membership with the Atmos Cities Steering Committee; authorizing the payment of five cents (\$0.05) per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation, Mid-Tex Division; and providing an effective date. **Adopted Resolution No. 2024-3-4(R).**
- (h) To authorize continued participation with the Steering Committee of Cities Served by Oncor; authorizing the payment of ten cents (\$0.10) per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC; and providing an effective date. **Adopted Resolution No. 2024-3-5(R).**
- (i) To review and approve the City's official Public Funds Investment Policy; and providing an effective date. **Adopted Resolution No. 2024-3-6(R).**

#### **Adoption of Ordinances**

- (j) To appoint Associate Judges of the Municipal Court of Record of the City of Plano, setting the term of office for the Judges; and providing an effective date. **Adopted Ordinance No. 2024-3-7.**
- (k) To appoint the Chief Municipal Judge of the Municipal Court of Record of the City of Plano, setting the term of office and compensation for the Judge; and providing an effective date. **Adopted Ordinance No. 2024-3-8.**

#### **ITEMS FOR INDIVIDUAL CONSIDERATION:**

##### **Public Hearing Items:**

**Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The Presiding Officer may amend these times as deemed necessary.**

**Non-Public Hearing Items:**

**The Presiding Officer will permit public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order requests are received until the cumulative time is exhausted.**

- (1) Public Hearing and consideration of an Ordinance as requested in Zoning Case 2024-004 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to expand Specific Use Permit No. 660 for Household Care Institution from 0.3 to 0.6 acre of land located on two lots on the north side of 19th Street, 400 feet west of N Avenue in the City of Plano, Collin County, Texas, presently zoned General Office with Specific Use Permit No. 660 for Household Care Institution; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Petitioner: Agape Resource & Assistance Center, Inc. **Conducted and adopted Ordinance No. 2024-3-9.**
- (2) Presentation and receive Public Comments on proposed revisions to the City of Plano's Drought and Emergency Response Plan and Water Management Plan. **Plans presented and comments received.**
- (3) Presentation of the FY2023-24 Status Report and Three-Year Financial Forecast. **Presented**

**COMMENTS OF PUBLIC INTEREST**

**This portion of the meeting is to allow up to three (3) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.**

***\*IMPORTANT MESSAGE\* Plano City Council meetings will temporarily be held at Davis Library as of April 8, 2024 during renovation of the council chambers. Due to limited seating, all speakers must register online by 4:00 p.m. on the day of the meeting. No onsite registration is available.***

The City of Plano encourages participation from all citizens. The facility has accessible restroom facilities, drinking fountains, and power assist entrance doors. The facility is easily accessed from public sidewalks and parking areas, with designated accessible parking nearby. If you require additional assistance or reasonable accommodations under the Americans with Disabilities Act for this meeting or facility, including ASL interpreters, you should submit an ADA Reasonable Accommodation Request Form to the ADA Coordinator at least 48 hours in advance. If you need assistance completing the form, please call 972-941-7152. Complete or download the ADA Reasonable Accommodation Request Form at <https://www.plano.gov/395/Accessibility-Accommodations>.





## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024

**DEPARTMENT:** City Secretary

**DIRECTOR:** Lisa Henderson, City Secretary

**This City Council Meeting will be held in person in the Senator Florence Shapiro Council Chambers and via videoconference. A quorum of the City Council, including the presiding officer, will participate in person. The facility will be open to members of the public.**

For those wanting to watch the meeting but not address the Council, the meeting will be live-streamed on Plano's website at [www.planotv.org](http://www.planotv.org) and [Facebook.com/cityofplanotx](https://www.facebook.com/cityofplanotx).

**AGENDA ITEM:** To pre-register to speak at the City Council meeting, please visit [https://forms.plano.gov/Forms/Sign\\_Up\\_Citizen](https://forms.plano.gov/Forms/Sign_Up_Citizen). Online registration opens at 5:00 p.m. on the Wednesday prior to the meeting and closes at 4:00 p.m. on the day of the meeting. Onsite registration is available on the day of the meeting until 15 minutes prior to the start of the meeting.

Emails regarding agenda items may be submitted to: [councilcomments@plano.gov](mailto:councilcomments@plano.gov).

**RECOMMENDED ACTION:** Location Link

---



## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Proclamations  
**DIRECTOR:** Andrew Fortune, Director of Policy & Government Relations  
**AGENDA ITEM:** Presentation: Teen volunteers are receiving the President's Volunteer Service Award.  
**RECOMMENDED ACTION:** Proclamations and Special Recognition

---

### **ITEM SUMMARY**

Presentation: Teen volunteers are receiving the President's Volunteer Service Award. **Presented**



## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Proclamations  
**DIRECTOR:** Andrew Fortune, Director of Policy & Government Relations  
**AGENDA ITEM:** Proclamation: April is National Child Abuse Prevention Month  
**RECOMMENDED ACTION:** Proclamations and Special Recognition

---

### **ITEM SUMMARY**

Proclamation: April is National Child Abuse Prevention Month. **Presented**



## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** City Manager  
**DIRECTOR:** Mark D. Israelson, City Manager  
**AGENDA ITEM:** Proclamation: National Community Development Week and CDBG 50th Celebration  
**RECOMMENDED ACTION:** Proclamations and Special Recognition

---

### **ITEM SUMMARY**

Proclamation: April 1-5, 2024 is National Community Development Week and April marks the 50th Anniversary of the Community Development Block Grant (CDBG) Program. **Presented**



## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Proclamations  
**DIRECTOR:** Andrew Fortune, Director of Policy & Government Relations  
**AGENDA ITEM:** Proclamation: Recognizing the Plano East Senior High School Boys 6A Basketball State Champions.  
**RECOMMENDED ACTION:** Proclamations and Special Recognition

---

### **ITEM SUMMARY**

Proclamation: Plano East Senior High School Boys Basketball 6A State Champions will be recognized. **Presented**

## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Public Works  
**DIRECTOR:** Dan Prendergast, P.E. Director of Public Works  
**AGENDA ITEM:** Award of bid in the amount of \$6,040,246 for East Arterial Overlay - 2024, Project No. PW-S-00021.  
**RECOMMENDED ACTION:** Award/Rejection of Bid/Proposal

---

### **ITEM SUMMARY**

RFB No. 2024-0169-B for East Arterial Overlay - 2024, Project No. PW-S-00021, for the Public Works Department to Texas Materials Group, Inc. in the amount of \$6,040,246; and authorizing the City Manager to execute all necessary documents. **Approved**

### **BACKGROUND**

Public Works recommends the bid for the East Arterial Overlay – 2024 project be awarded to Texas Material Group, Inc., in the amount of \$6,040,246; to be accepted as the lowest responsible bid for the project, conditioned upon timely execution of all necessary documents. A total of 889 vendors were notified of the bid, four (4) submitted a “No Bid” and one (1) bid was submitted.

This project is to install a thin asphalt overlay on East Parker Road between the east side of the Central Expressway service road and the east city limits, on Los Rios Boulevard between Merriman Drive and 14<sup>th</sup> Street, and on Plano Parkway between Jupiter Road and the east city limits. The project also allows for the repair of 1,000 square yards of arterial concrete in the project scope area. Installation of the thin asphalt overlay requires the use of very specialized equipment that the city does not currently own, does not have space to store, and does not have the expertise to maintain or operate. In addition, the city does not currently have the staff to perform this project.

The thin overlay projects typically receive two qualified bids. The solicitation was reviewed by both qualified vendors. One of the vendors chose not to submit a bid due to a large project that was just awarded to their company. The vendor does not have the equipment or staff availability to complete both projects on schedule. Public Works staff recommends award of this bid, despite having one bidder, because the bid price for the asphalt overlay item is less than the average bid price for the same item in the West Overlay Project – 2023. Additionally, the bid price is 4.1 % below the Engineer’s estimate.

If this project is not awarded at Council, the overlay will not occur. This will lead to elevated repair and maintenance costs in the future and the existing riding surface will not be improved.

The Engineer’s Estimate for this project is \$6,300,000.

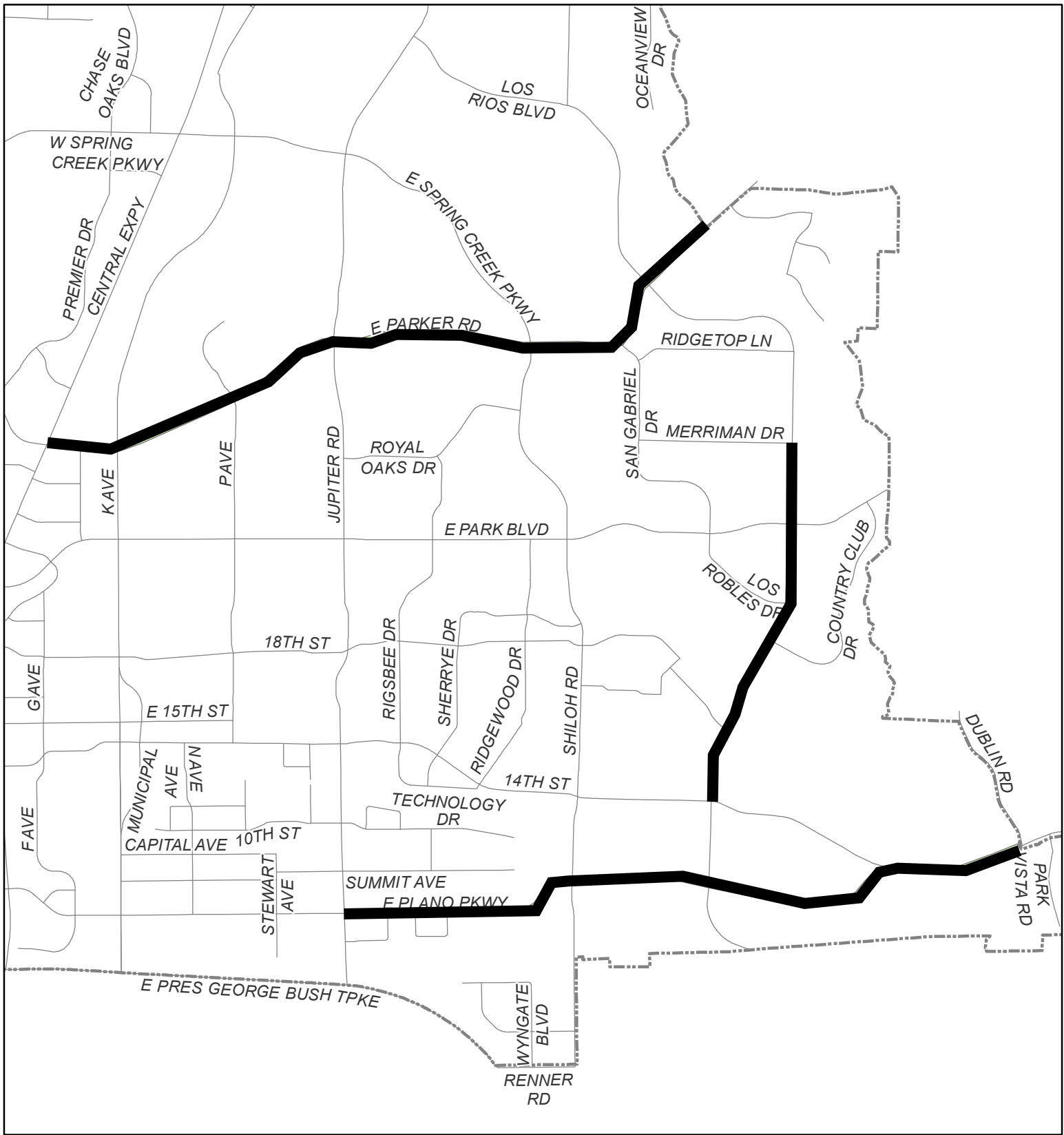
### **FINANCIAL SUMMARY/STRATEGIC GOALS**

Funding for this item is available in the 2023-24 Capital Maintenance Fund. Construction services for the East Arterial Overlay - 2024 project, in the amount of \$6,040,246 will leave a project balance of \$459,754 for future expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.

**ATTACHMENTS:**

Description	Upload Date	Type
Location Map	3/7/2024	Map
Bid Recap	3/14/2024	Bid Recap



0 1,400 2,800  
Feet

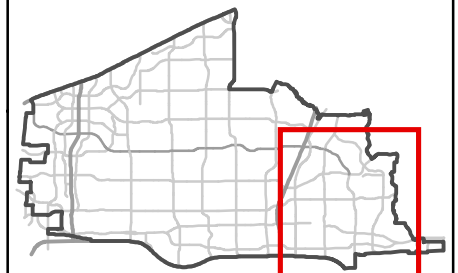


City of Plano BI-GIS Division  
February 2024

## East Arterial Overlay - 2024

Project No. PW-S-00021

### Project Location





# CITY OF PLANO

## RFB CIP

**Bid No. 2024-0169-B**

**East Arterial Overlay - 2024**

**PW-S-00021**

### Bid Recap

---

**Bid Opening Date/Time:** Tuesday, February 20, 2024 at 2:00 PM

**Number of Vendors Notified:** 889

**Vendors Submitting "No Bids":** 4

**Number of Non-Responsive Bids Submitted:** 0

**Number of Responsive Bids Submitted:** 1

**Vendor:**

**Total Bid**

Texas Materials Group, Inc.

\$ 6,040,246.25

**Recommended Vendor:**

Texas Materials Group, Inc.

\$ 6,040,246.25

*Dawn Smith*

\_\_\_\_\_  
Dawn Smith , Contract Administrator

3/6/2024

\_\_\_\_\_  
Date

## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Engineering-Facilities  
**DIRECTOR:** B. Caleb Thornhill, P.E., Director of Engineering  
**AGENDA ITEM:** Generator and Automatic Transfer Switch  
**RECOMMENDED ACTION:** Purchase from Existing Contract

---

### **ITEM SUMMARY**

To approve the purchase of a Generator and Automatic Transfer Switch for the Facilities Division in the estimated amount of \$476,384 from Loftin Equipment Co. through an existing contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. GE02-20) **Approved**

### **BACKGROUND**

During recent winter storms the City of Plano identified the need to add a generator at the Thomas Muehlenbeck Recreation Center in the event of a power failure. Due to current extensive lead times for this equipment, the City of Plano is seeking to purchase this equipment utilizing cooperative purchasing contracts. Presently, if approved, this equipment will be delivered in the Spring of 2025. The installation will be bid out separately.

The generator to be added at the Thomas Muehlenbeck Recreation Center is being added to support the operations of the facility in the event of a power failure. The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 271 Subchapter F of the Local Government Code; and by doing so, satisfies any state law requiring local governments to seek competitive bids for items. (HGAC Contract No. GE02-20 / 2024-0314-O).

### **FINANCIAL SUMMARY/STRATEGIC GOALS**

Funding for this item is available in the 2023-24 Capital Maintenance Fund. Purchase of a generator to be added at the Thomas Muehlenbeck Recreation Center, in the amount of \$476,384, will leave a current year balance of \$110,569 for future expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.

## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Technology Solutions  
**DIRECTOR:** Roger Wright, Chief Information Officer  
**AGENDA ITEM:** Approve the purchase of SQL and COVID Nutanix hardware, software, and licensing for 23 months  
**RECOMMENDED ACTION:** Purchase from Existing Contract

---

### **ITEM SUMMARY**

To approve the purchase of SQL and COVID Nutanix hardware, software, and licensing for 23-months for Technology Solutions in the amount of \$629,917 from Freeit Data Solutions through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR Contract No. DIR-CPO-4444) **Approved**

### **PREVIOUS ACTION/PRESENTATION**

On March 21, 2023, City Council approved the renewal purchase in the amount of \$254,998 for 8 Nutanix nodes that include hardware, software, and licensing to support the increased data, backup, and server processing workloads.

### **BACKGROUND**

The City currently manages three separate Nutanix environments, each with its own maintenance schedules, causing inefficiencies and increased costs. Our proposal aims to address this by consolidating maintenance, support, and licensing for these environments, streamlining operations, simplifying management, and potentially reducing costs.

These environments consist of the SQL cluster, COVID cluster, and the Enterprise Cluster. Two of these were acquired to meet unforeseen requirements after the initial refresh of the City's Nutanix environment. The SQL and COVID clusters have different maintenance schedules, which we plan to align with the larger Enterprise Cluster. The Enterprise Cluster, which was purchased with 5 years' upfront hardware and software support and licensing, is scheduled for a refresh in 2026. We intend to synchronize the expiration dates of all other assets with it.

Bringing the maintenance of the SQL and COVID clusters under a single agreement will streamline administration and save valuable time for our team. Aligning maintenance schedules will also enable us to take advantage of volume discounts, estimated to save \$390,075 over the next 23 months. Additionally, a unified environment sets the stage for a comprehensive update of the City's server and storage infrastructure in 2026.

Failure to approve this purchase would mean continuing to operate with different maintenance periods for similar systems, resulting in missed volume discounts and higher overall costs.

The City is authorized to purchase from the State Contract list pursuant to Chapter 271 Subchapter D of the Texas Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (DIR Contract No. DIR-CPO-4444 / City of Plano Internal Contract No.

**2024-0304-O)**

**FINANCIAL SUMMARY/STRATEGIC GOALS**

Funding for this item is available in the 2023-24 Infrastructure Budget. This request is to approve the purchase of SQL and COVID Nutanix hardware, software, and licensing support for 23-months from Freeit Data Solutions, in the amount of \$629,917, which will leave a remaining balance of \$363,432 in the 2023-24 Infrastructure Budget for other support and maintenance expenditures.

Approval of this agenda item supports the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024

**DEPARTMENT:** Engineering-CIP

**DIRECTOR:** B. Caleb Thornhill, P.E., Director of Engineering

**AGENDA ITEM:** Approve an increase in the amount of \$39,700 for construction materials testing professional services Water Rehabilitation - Parker Road Estates Phase 2, Project No. 7293.

**RECOMMENDED ACTION:** Approval of Contract Modification

---

### **ITEM SUMMARY**

To approve an increase to the current awarded contract amount of \$75,780 by \$39,700, for a total contract amount of \$115,480, for construction materials testing professional services for Water Rehabilitation - Parker Road Estates Phase 2, Project No. 7293, from HVJ North Texas - Chelliah Consultants, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2023-0197-X; Modification No. 1) **Approved**

### **BACKGROUND**

The Engineering Department recommends approval of Modification No. 1 for the increase in the construction materials testing professional services agreement with HVJ North Texas – Chelliah Consultants, Inc., in the amount of \$39,700.00, for the Water Rehabilitation – Parker Road Estates Phase 2.

The construction materials testing professional services agreement was executed on April 10, 2023 by the City Manager.

Contract Modification No. 1 includes additional project management services, soil testing services, and concrete testing services, due to work added to the project. This additional work is necessary to replace deteriorating pavement within the original project limits.

Not approving this contract modification could result in reduced quality of materials/decreased infrastructure service life.

### **FINANCIAL SUMMARY/STRATEGIC GOALS**

Funding for this item is available in the 2023-24 Water CIP. The first modification for the Water Rehabilitation - Parker Road Estates Phase 2 project, in the total amount of \$39,700, will leave a current year balance of \$45,017 for future expenditures.

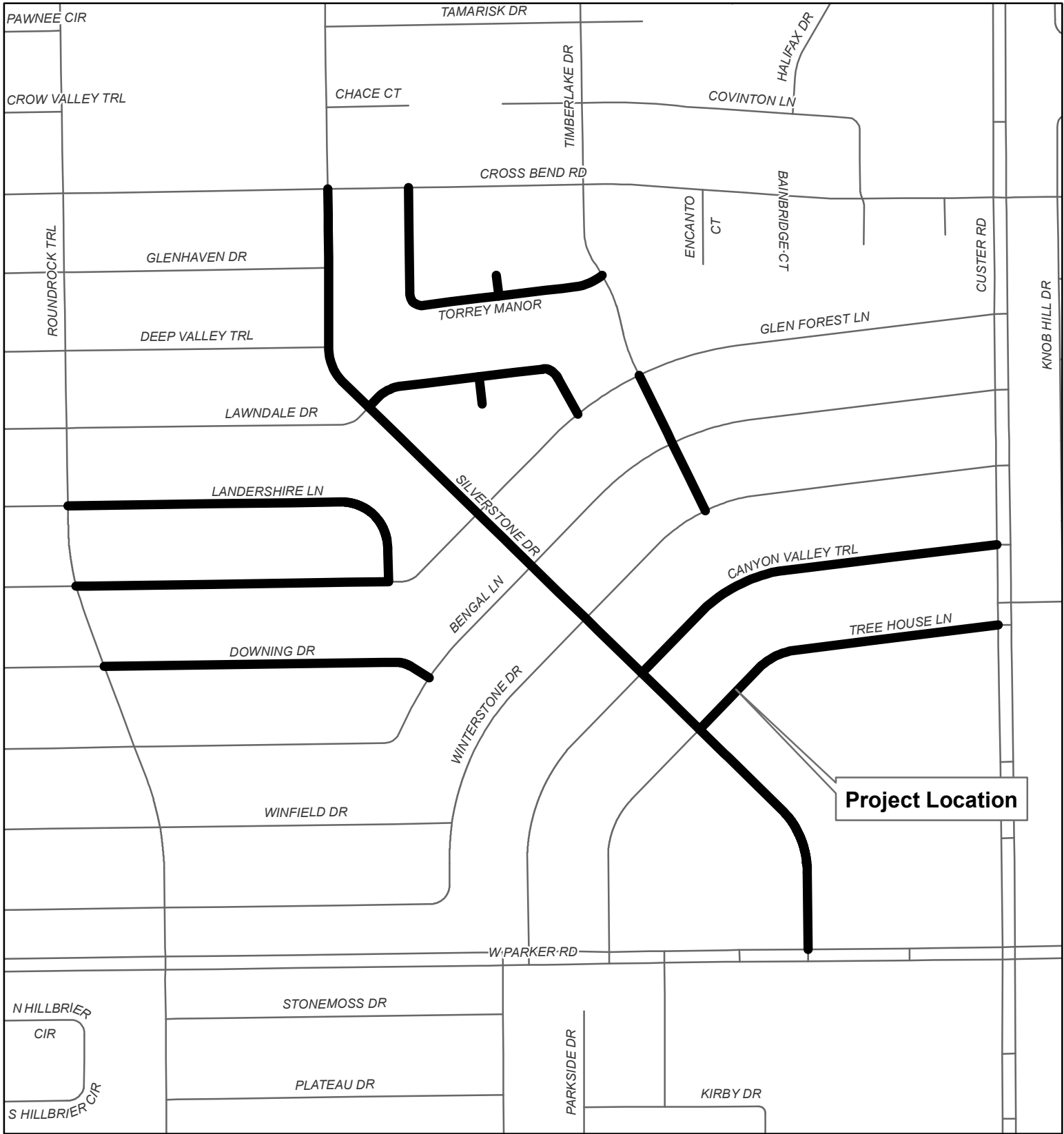
Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.

**ATTACHMENTS:**

Description  
Location Map

Upload Date  
3/6/2024

Type  
Map



0 250 500  
Feet



City of Plano, BI/GIS  
October, 2020

# **Water Rehabilitation - Parker Road Estates Phase 2**

**Project No. 7293**  
Page 19

## **Project Location**



## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024

**DEPARTMENT:** Engineering-CIP

**DIRECTOR:** B. Caleb Thornhill, P.E., Director of Engineering

**AGENDA ITEM:** Approve an increase in the amount of \$142,162 for engineering professional services for Sewer Improvements – Frito-Lay, White Rock Creek, Evans Park, Spring Creek, Shawnee Park, Laurel Lane, Project No. 7567.

**RECOMMENDED ACTION:** Approval of Contract Modification

---

### **ITEM SUMMARY**

To approve an increase to the current awarded contract amount of \$561,616 by \$142,162, for a total contract amount of \$703,778, for engineering professional services for Sewer Improvements – Frito-Lay, White Rock Creek, Evans Park, Spring Creek, Shawnee Park, Laurel Lane (Project No. 7567) from Lockwood, Andrews & Newnam, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2022-0708-X; Modification No. 2) **Approved**

### **PREVIOUS ACTION/PRESENTATION**

On October 10, 2022, City Council approved engineering professional services agreement in the amount \$590,100 for Sewer Improvements - Indian Creek, Frito-Lay, White Rock Creek, Evans Park, Spring Creek, Shawnee Park, and Laurel Lane, Project No. 7567 to Lockwood, Andrews & Newnam, Inc.

### **BACKGROUND**

The Engineering Department recommends approval of Contract Modification No. 2 for the increase in the engineering professional services agreement with Lockwood, Andrews & Newnam, Inc., in the amount of \$142,162, for the Sewer Improvements - Frito Lay, White Rock Creek, Evans Park, Spring Creek, Shawnee Park, Laurel Lane.

Contract Modification No. 2 includes engineering design and construction documents for four (4) additional sites:

1. Bandolino Lane point repair for 12" PVC sanitary sewer line.
2. Shops of Legacy (Tennyson Parkway) point repair for 18" PVC sanitary sewer line.
3. White Rock Creek at Abbott property point repair for 21" PVC sanitary sewer.
4. Country Place point repair for 24" PVC sanitary sewer line.

Also, in order to cut down on future confusion during bidding and project archiving, engineering would like to request a change in project name from: "Sewer Improvements – Frito-Lay, White Rock Creek, Evans Park, Spring Creek, Shawnee Park, Laurel Lane" to "Sewer Improvements – Frito Lay, Tennyson Parkway, Abbott, White Rock Creek, Bandolino Lane, Evans Park, Country Place, Laurel Lane, Shawnee Park".

Modification 1 was executed on May 24, 2023 to amend the scope of services. Modification 1 decreased the total amount by \$28,484 for a total of \$561,616.

If this contract modification is not approved, it will result in continued deterioration of the sanitary sewer system at these point locations, potential failure and increased odor at these locations, and a reduction in the quality of life for local citizens and businesses.



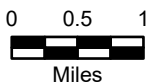
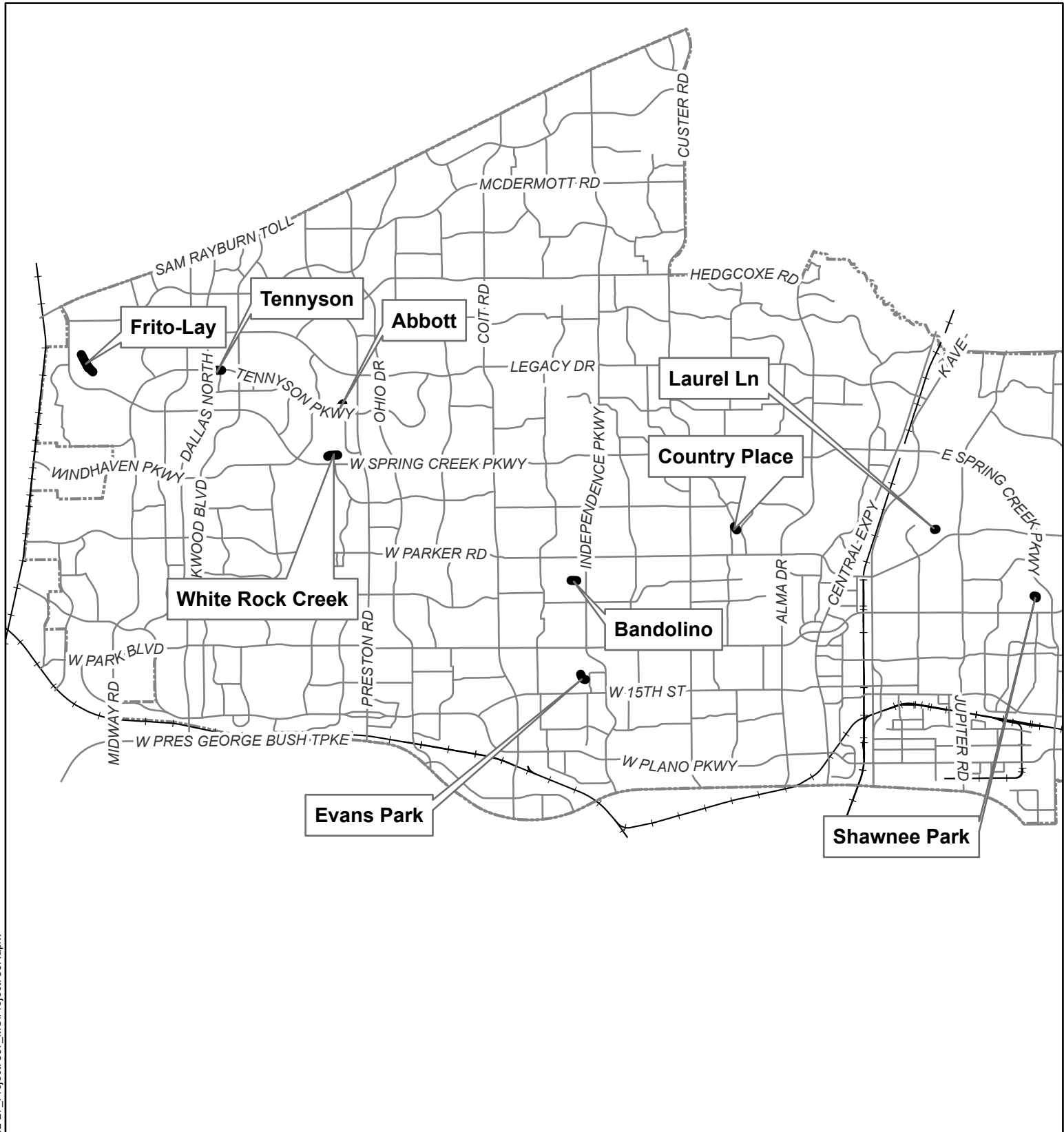
## **FINANCIAL SUMMARY/STRATEGIC GOALS**

Funding for this item is available in the 2023-24 Sewer CIP. The second modification to the professional services agreement for the Sewer Improvements - Frito-Lay, White Rock Creek, Evans Park, Spring Creek Shawnee Park, Laurel Lane project, in the amount of \$142,162, will leave a current year balance of \$306,222 for future expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.

## **ATTACHMENTS:**

Description	Upload Date	Type
Location Map	3/6/2024	Map

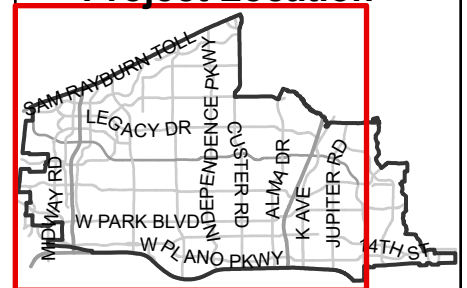


City of Plano, BI/GIS  
February 2024

**Sewer Improvements -  
Frito-Lay, Tennyson Parkway,  
Abbott, White Rock Creek,  
Bandolino Lane, Evans Park,  
Country Place, Laurel Lane,  
Shawnee Park**

**Project No. ENG-SS-7567**

### Project Location



## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024

**DEPARTMENT:** Engineering-Transportation

**DIRECTOR:** B. Caleb Thornhill, P.E., Director of Engineering

**AGENDA ITEM:** Award an expenditure in the amount of \$494,300, for an engineering professional services agreement for 2024 Citywide Traffic Count Program, Project No. TP-S-00015.

**RECOMMENDED ACTION:** Approval of Expenditure

---

### **ITEM SUMMARY**

To approve an expenditure for engineering professional services for the 2024 Citywide Traffic Count Program, Project No. TP-S-00015, in the amount of \$494,300 from Lee Engineering, LLC. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. **Approved**

### **BACKGROUND**

The Engineering Department recommends approval of an expenditure in the amount of \$494,300 for engineering professional services from Lee Engineering, LLC. for the 2024 Citywide Traffic Count Program. This project includes the collection of 7-day and 24-hour traffic volume counts on 357 roadway segments as well as AM, midday, and PM intersection turning movement counts at 293 intersections. Lee Engineering, LLC. will coordinate the data collection schedule and process the traffic data with their data collection subconsultant. Lee Engineering, LLC. will develop ArcGIS data files containing traffic count data for incorporation into the City's GIS system.

Lee Engineering, LLC. was deemed most qualified based on their Statement of Qualifications submission for RFQ No. 2023-0003-X.

The benefit of this project includes having recent and reliable citywide traffic count data for a multitude of traffic studies, coordinated timing plans, signal performance metrics, traffic modeling/simulation, long-range planning, and economic analysis.

Not approving the expenditure would result in our inability to develop optimized AM and PM coordinated timing plans which will eliminate any potential improvements to vehicle delay, stops, fuel consumption, and emissions.

### **FINANCIAL SUMMARY/STRATEGIC GOALS**

Funding for this item is available in the 2023-24 Street Improvements CIP and is planned for future years, as well. Design services for the 2024 Citywide Traffic Count Program, in the total amount of \$494,300, will leave a balance of \$700 for future expenditures.

Approval of this item to support the City's Strategic Plan Critical Success Factor of Multi-Modal Transportation and Mobility Solutions.

### **ATTACHMENTS:**

Description	Upload Date	Type
Roadway Segment Count Location Maps	3/11/2024	Map

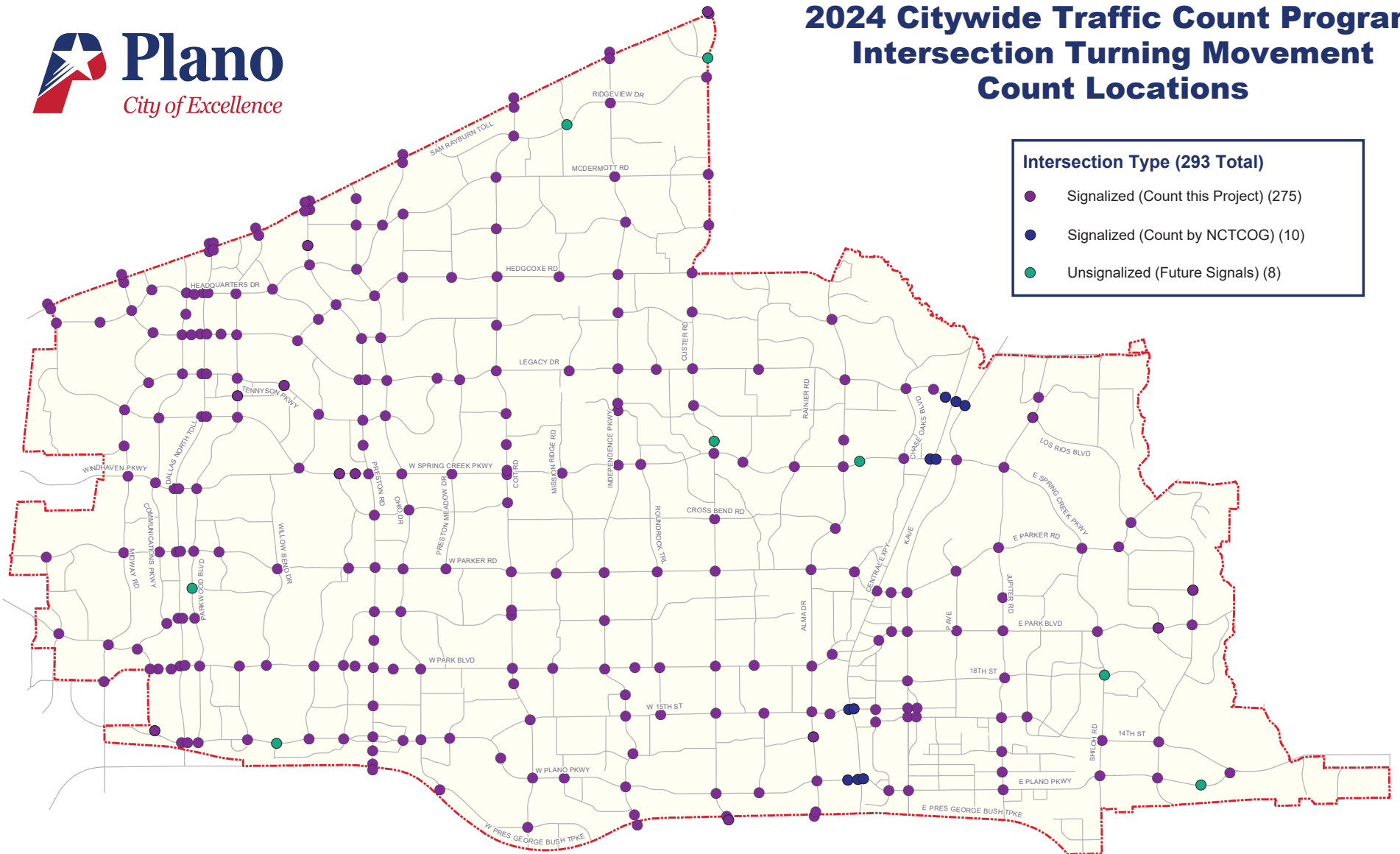




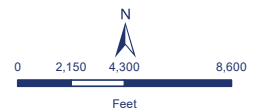
## 2024 Citywide Traffic Count Program Intersection Turning Movement Count Locations

### Intersection Type (293 Total)

- Signalized (Count this Project) (275)
- Signalized (Count by NCTCOG) (10)
- Unsignalized (Future Signals) (8)



This map and information in it were developed exclusively for use by the City of Plano. Any use or reliance on this map by anyone else is at the party's own risk and without liability to the City of Plano, its officials or employees for any discrepancies, errors, or variances which may





## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Gov Relations  
**DIRECTOR:** Andrew Fortune, Director of Policy & Government Relations  
**AGENDA ITEM:** Authorize continued participation with the Atmos Cities Steering Committee  
**RECOMMENDED ACTION:** Adoption of Resolutions

---

### **ITEM SUMMARY**

To authorize continued participation and membership with the Atmos Cities Steering Committee; authorizing the payment of five cents (\$0.05) per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation, Mid-Tex Division; and providing an effective date. **Adopted Resolution No. 2024-3-4(R).**

### **PREVIOUS ACTION/PRESENTATION**

In 2023, the City of Plano membership assessment for participation in the Atmos Cities Steering Committee was at five cents (\$0.05) per capita.

### **BACKGROUND**

On December 7, 2023, the Atmos Cities Steering Committee ("ACSC") held a quarterly meeting with representatives from Atmos Energy. During the meeting, the group held a discussion on upcoming gas issues and approved the assessment for ACSC membership. Using the population-based assessment protocol previously adopted by the ACSC, the assessment for 2024 is a per capita fee of \$0.05. This is the same amount adopted since 2019. The total amount for City of Plano's 2024 membership dues comes to \$14,565.

ACSC is the largest coalition of cities served by Atmos Mid-Tex, and currently, there are 185 ACSC member cities. Working as a coalition to review rates charges by Atmos allows cities to accomplish more collectively than each city could do acting alone. ACSC protects the authority of municipalities over the monopoly natural gas provider, and defends the interests of residential and small commercial customers within the cities. Cities are the only consumer advocates that work to keep natural gas rates reasonable. The City's work with the ACSC has saved customers millions of dollars in unreasonable charges. ACSC continues to be an effective voice at the Railroad Commission, the Legislature, and in the courts.

### **FINANCIAL SUMMARY/STRATEGIC GOALS**

Funding for this item is included in the approved FY 2023-24 budget. This item, in the amount of \$14,565, authorizes the continuation of the City's membership with Atmos Cities Steering Committee (ACSC) and the payment of the City's annual assessment for continued membership.

Continuation of the City's membership with the Atmos Cities Steering Committee relates to the Strategic Plan Critical Success Factors of Residential and Commercial Economic Vitality and Excellent, Innovative, and Accountable City Government.

### **ATTACHMENTS:**

Description	Upload Date	Type
Resolution	3/19/2024	Resolution



**A Resolution of the City of Plano, Texas authorizing continued participation and membership with the Atmos Cities Steering Committee; authorizing the payment of five cents (\$0.05) per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation, Mid-Tex Division; and providing an effective date.**

**WHEREAS**, the City of Plano (City) is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

**WHEREAS**, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

**WHEREAS**, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

**WHEREAS**, the City is a member of ACSC; and

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

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

**Section I.** The City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Plano and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

**Section II.** The City is further authorized to pay its 2024 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

**Section III.** A copy of this Resolution and approved assessment fee payable to “*Atmos Cities Steering Committee*” shall be sent to: Brandi Stigler, Atmos Cities Steering Committee c/o Arlington City Attorney’s Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300 Arlington, Texas 76010.

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

**PASSED AND APPROVED** on the 25<sup>th</sup> day of March, 2024.

---

John B. Muns, MAYOR

ATTEST:

---

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

---

Paige Mims, CITY ATTORNEY

## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Gov Relations  
**DIRECTOR:** Andrew Fortune, Director of Policy & Government Relations  
**AGENDA ITEM:** Authorize continued participation with the Steering Committee of Cities Served by Oncor  
**RECOMMENDED ACTION:** Adoption of Resolutions

---

### **ITEM SUMMARY**

To authorize continued participation with the Steering Committee of Cities Served by Oncor; authorizing the payment of ten cents (\$0.10) per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC; and providing an effective date. **Adopted Resolution No. 2024-3-5(R).**

### **PREVIOUS ACTION/PRESENTATION**

In 2023, the City of Plano membership assessment for participation in the Steering Committee of Cities Served by Oncor was at ten cents (\$0.10) per capita.

### **BACKGROUND**

On December 7, 2023, the Steering Committee approved the 2024 assessment for Steering Committee membership. Based upon the population-based assessment protocol adopted by the Steering Committee, the assessment for 2024 is a per capita fee of \$0.10 based upon the population figures for each City shown in the latest TML Directory of City Officials. This is the same amount per capita adopted since 2022. The total amount for City of Plano's 2024 Steering Committee membership dues comes to \$29,130.

The Steering Committee, which currently has 169 member cities, is the most active consumer group advocating the interests of cities and residential and small commercial customers within the cities to keep electric transmission and distribution (i.e., wires) rates reasonable. Steering Committee activities protect the authority of municipalities over the regulated wires service and rates charged by Oncor Electric Delivery Company, LLC.

The City of Plano's work with the Steering Committee has saved customers millions of dollars in unreasonable charges. The Steering Committee continues to be an effective voice before the Public Utility Commission of Texas ("PUC"), the Electric Reliability Council of Texas ("ERCOT"), the Legislature, and in the courts. The membership assessment is deposited into an account which funds Steering Committee activities. Currently, the Steering Committee is involved in numerous rulemakings and projects at the PUC. The Steering Committee expects to participate in Oncor's Rate Cases and Energy Efficiency Cost Recovery Factor ("EECRF") proceedings later this year.

### **FINANCIAL SUMMARY/STRATEGIC GOALS**

Funding for this item is included in the approved FY 2023-24 budget. This item, in the amount of \$29,130, authorizes the continuation for the City's membership with the Steering Committee of Cities Served by Oncor and the payment of the City's annual assessment for continued membership.

Continuation of the City's membership with the Steering Committee of Cities Served by Oncor relates to the Strategic Plan Critical Success Factors of Residential and Commercial Economic Vitality and Excellent, Innovative and Accountable City Government.

**ATTACHMENTS:**

Description	Upload Date	Type
Resolution	2/26/2024	Resolution

**A Resolution of the City of Plano, Texas authorizing continued participation with the Steering Committee of Cities Served by Oncor; authorizing the payment of ten cents (\$0.10) per capita to the Steering Committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC; and providing an effective date.**

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

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

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

**WHEREAS**, the City is a member of the Steering Committee; and

**WHEREAS**, the Steering Committee functions under the direction of an Executive Committee which sets an annual budget and directs interventions before state and federal agencies, courts and legislatures, subject to the right of any member to request and cause its party status to be withdrawn from such activities; and

**WHEREAS**, the Steering Committee at its December 2023 meeting set a budget for 2024 that compels an assessment of ten cents (\$0.10) per capita; and

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

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

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

**Section II.** The City is further authorized to pay its 2024 assessment to the Steering Committee of ten cents (\$0.10) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

**Section III.** A copy of this Resolution and the assessment payment check made payable to "*Steering Committee of Cities Served by Oncor*" shall be sent to Brandi Stigler, Steering Committee of Cities Served by Oncor, c/o City Attorney's Office, Mail Stop 63-0300, 101 S. Mesquite St., Suite 300, Arlington, Texas 76010.

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

**PASSED AND APPROVED** on the 25<sup>th</sup> day of March, 2024.

\_\_\_\_\_  
John B. Muns, MAYOR

ATTEST:

\_\_\_\_\_  
Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Paige Mims, CITY ATTORNEY

## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Finance  
**DIRECTOR:** Denise Tacke, Director of Finance  
**AGENDA ITEM:** To approve the City's Public Funds Investment Policy.  
**RECOMMENDED ACTION:** Adoption of Resolutions

---

### **ITEM SUMMARY**

To review and approve the City's official Public Funds Investment Policy; and providing an effective date. **Adopted Resolution No. 2024-3-6(R).**

### **BACKGROUND**

There are no changes to the Public Funds Investment Policy.

### **FINANCIAL SUMMARY/STRATEGIC GOALS**

This item has no fiscal impact.

Approval of the City's Public Funds Investment Policy supports the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

### **ATTACHMENTS:**

Description	Upload Date	Type
Resolution	3/18/2024	Resolution
Investment Policy	3/18/2024	Attachment

**A Resolution of the City of Plano, Texas, reviewing and approving the City's official Public Funds Investment Policy; and providing an effective date.**

**WHEREAS**, Section 2256.005(e) of the Texas Government Code requires the governing body of an investing entity to adopt a written investment policy regarding the investment of its funds and funds under its control and to review said written investment policy on an annual basis; and

**WHEREAS**, on December 6, 2022, by Resolution No. 2022-12-2(R), the City Council approved and adopted a written Investment Policy for the City of Plano regarding investment of public funds; and

**WHEREAS**, the City Council has been presented the existing and duly approved Public Funds Investment Policy which contains investment strategies, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference; and

**WHEREAS**, the City Council has reviewed the Public Funds Investment Policy attached hereto as Exhibit "A" and the investment strategies contained therein and finds that it is consistent with prudent fiscal policy.

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

**Section I.** The City Council of the City of Plano, Texas has reviewed the Public Funds Investment Policy attached hereto as Exhibit "A" and the investment strategies contained therein.

**Section II.** The Public Funds Investment Policy as contained in Exhibit "A" attached hereto shall be the official policy of the City of Plano regarding investment of public funds.

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

**PASSED AND APPROVED** on the 25<sup>th</sup> day of March, 2024.

\_\_\_\_\_  
John B. Muns, MAYOR

ATTEST:

\_\_\_\_\_  
Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Paige Mims, CITY ATTORNEY



## **City of Plano Investment Policy**

The City of Plano (the “City”) is required under the Public Funds Investment Act (“PFIA”) Texas Government Code Chapter 2256 to adopt a written investment policy. The City is required to comply with the investment policy as approved by the City Council.

### **Statement of Intent**

It is the policy of the City to invest funds in a manner which will insure maximum security, provide for the daily cash flow demands of the City, and conform to all state and local statutes governing the investment of public funds.

### **Scope**

This investment policy applies to all financial assets of the City, except certain trust and pension funds contractually invested by outside managers, e.g. Retirement/Pension, and Employee Deferred Compensation.

This policy includes all funds listed and accounted for in the City's Annual Comprehensive Financial Report (ACFR) and include:

- General Fund
- Special Revenue Funds
- Debt Service Funds
- Capital Projects Funds
- Proprietary Funds
- Fiduciary Funds, to the extent not required by law or existing contract to be kept segregated and managed separately
- Component Units

### **Prudence**

Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion and intelligence would exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The investment officers, acting in accordance with written procedures and the investment policy, and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported immediately upon knowledge of the deviation and appropriate action is taken to control adverse developments.

Investment officers shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

## **Objectives**

The primary objectives of the City's investment activities shall be as follows:

1. Safety of principal is the foremost objective of the City's investment program. Investment transactions of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required so that actual losses on individual securities do not exceed the income generated from the remainder of the portfolio.
2. The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that can be reasonably anticipated.
3. The City's investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City's investment risk constraints of safety and liquidity.

## **Investment Strategy**

The City intends to maintain a consolidated portfolio in which all funds under the City's control, as specified in this policy, are pooled for investment purposes. One of the portfolio's primary objectives is to insure that anticipated cash flow needs are matched with investment maturities. Both short and longer-term maturities are laddered to meet general operating, capital project and debt service expenditures, based on known and projected cash flows.

Another primary objective of the fund is the preservation and safety of principal by insuring that all securities are of a sufficiently high quality and duration so as to limit exposure to credit and market risks. The portfolio should therefore experience minimal volatility during varying economic cycles. Investments of all types are purchased with the intention of holding until maturity.

Other objectives include maintaining liquidity, including the ability to reasonably meet unanticipated needs by purchasing securities with an active secondary/resale market. Diversification is maintained in order to minimize possible credit risk in a specific investment type.

The final objective of obtaining a market rate of return is much less important than safety of principal and liquidity. The majority of investments are limited to low risk securities earning an equitable rate of return relative to the amount of risk.

## **Delegation of Authority**

City employees authorized to engage in investment transactions and authorized as investment officers are the City Manager, the Director of Finance, the Treasurer and the Treasury Analyst. Management responsibility for the investment program is delegated from the City Manager to the Director of Finance who shall establish written procedures for the operation of the investment program consistent with this investment policy. Investment procedures should include reference to the following: safekeeping agreements, repurchase agreements, wire transfer agreements, collateral agreements, depository service contracts and agreements, broker/dealer selection criteria, and security bidding and purchase processes. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Director of Finance. The Director of Finance shall be responsible for routine authorization of investments and the Controller shall be responsible for proper accounting of investments in order to maintain appropriate internal controls. The Director of Finance shall establish a system of controls to regulate the activities of subordinates.

## **Ethics and Conflict of Interest**

1. Any investment officer of the City who has a personal business relationship with a business organization offering to engage in an investment transaction with the City, as described in PFIA 2256.005(i), shall file a statement disclosing that personal business interest with the Texas Ethics Commission and City Council.
2. Any investment officer of the City who is related within the second degree by affinity or consanguinity, as determined under Texas Government Code Chapter 573, to an individual seeking to engage in an investment transaction with the City shall file a statement disclosing that relationship with the Texas Ethics Commission and City Council.

## **Depository Selection**

To comply with Texas Government Code Chapter 105, a qualified depository shall be selected through the City's professional services contract process in compliance with Texas bidding requirements and shall include a formal competitive solicitation. The centralization of depository services is designed to maximize investment capabilities while minimizing service costs as well as staff time spent on activities such as reconciliation.

The selection of a depository shall be based on the financial institution offering the most favorable terms and conditions at the best value, while adhering to the guidelines and provisions within the formal solicitation. In selecting a depository, the City shall give consideration to the financial institution's credit characteristics, financial history, service capabilities, and costs for required services.

The City's depository contract shall be in compliance with Texas law. Specialized services may be contracted for by the City with another financial institution or company if the

depository cannot provide such service or charges more for the same service with little or no appreciable benefit.

### **Authorized Securities Dealers**

The Investment Committee will review and adopt annually a list of qualified securities dealers authorized to engage in investment transactions with the City. The City will provide any business organization, including investment pools or investment management firms, offering to engage in an investment transaction with the City a copy of the City's investment policy.

A qualified representative of the business organization offering to engage in an investment transaction must execute a written statement acknowledging that the business organization has:

1. Received and reviewed the City's Investment Policy
2. Implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by this investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio, requires an interpretation of subjective investment standards, or relates to the investment transactions of the City that are not made through accounts or other contractual arrangements over which the City has accepted discretionary investment authority.

All approved securities dealers must submit a completed City Broker/Dealer Questionnaire, a written acknowledgment per above guidelines, an executed master repurchase agreement, if applicable, and a copy of current audited financial statements.

### **Investment Advisers**

Investment advisers shall adhere to the spirit, philosophy and specific term of the investment policy and shall invest within the same objectives. The investment officer shall establish criteria to evaluate investment advisers, including:

1. Adherence to the City's policies and strategies
2. Investment strategy recommendations within accepted risk constraints
3. Responsiveness to the City's request for services and information
4. Understanding of the inherent fiduciary responsibility of investing public funds
5. Similarity in philosophy and strategy with the City's objectives

Selected investment advisors must be registered under the Investment Advisers Act of 1940 or with the Texas State Securities Board. A contract with an investment adviser may not be for a term longer than two years and any contract, renewal or extension must be approved by the City Council.

## **Authorized Investments**

PFIA authorized investments include the following:

1. Obligations of, or guaranteed by governmental entities as described in PFIA 2256.009 including:
  - a) Obligations, including letters of credit, of the United States or its agencies and instrumentalities, including the Federal Home Loan Banks;
  - b) Direct obligations of the State of Texas or its agencies and instrumentalities;
  - c) Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States;
  - d) Obligations of states, agencies, counties, cities, and other political subdivisions of any state having been rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;
  - e) Bonds issued, assumed, or guaranteed by the State of Israel;
  - f) Interest-bearing banking deposits that are guaranteed or insured by:
    - 1) The Federal Deposit Insurance Corporation or its successor or
    - 2) The National Credit Union Share Insurance Fund or its successor
2. Certificates of deposit as described in PFIA 2256.010, issued by a depository institution that has its main office or a branch office in this state:
  - a) And such certificates of deposits are:
    - 1) Guaranteed or insured by the Federal Deposit Insurance Corporation, or its successor; or the National Credit Union Share Insurance Fund, or its successor;
    - 2) Secured by obligations that are described by the PFIA 2256.009, which are intended to include all direct federal agency or instrumentality issued mortgage backed securities that have a market value of not less than 102% of the total value of the certificates or in any other manner and amount provided by law for deposits of the City;
    - 3) Secured in accordance with Texas Government Code Chapter 2257 or in any other manner and amount provided by law for deposits of the City.
  - b) An investment in certificates of deposit made in accordance with the following conditions is authorized if the funds are invested through:

- 1) A broker that has its main office or a branch office in the state of Texas and is selected from a list adopted by the City as required by PFIA 2256.025;
  - 2) The broker or the depository institution selected by the City arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the City;
  - 3) The full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States;
  - 4) The City appoints the depository institution selected or a clearing broker-dealer registered with the Securities and Exchange Commission and operating pursuant to Securities and Exchange Commission Rule 15c3-3 as custodian for the City with respect to the certificates of deposit issued for the account of the City.
3. Fully collateralized repurchase agreements as described in PFIA 2256.011 having a defined termination date, secured by a combination of cash and obligations described by the PFIA 2256.009 (a) (1) or 2256.013, pledged to the City, held in the City's name, and deposited at the time the investment is made with the City or with a third party selected and approved by the City, and is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas.
  4. Commercial Paper as described in PFIA 2256.013 having a stated maturity of 365 days or fewer from the date of issuance and is rated not less than A-1 or P-1 or an equivalent rating by at least two nationally recognized credit rating agencies or one nationally recognized credit rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States or any state.
  5. Mutual funds as described by in PFIA 2256.014:
    - a) A no-load money market mutual fund (“MMMF”) that is registered with and regulated by the Securities and Exchange Commission; provides the investing entity with a prospectus and other information required by the Securities Exchange Act of 1934 or the Investment Company Act of 1940; and complies with federal Securities and Exchange Commission Rule 2a-7, promulgated by the Investment Company Act of 1940
    - b) A no-load mutual fund that it is registered with the Securities and Exchange Commission; has an average weighted maturity of less than two years; and either has a duration of one year or more and is invested exclusively in obligations authorized by the PFIA; or has a duration of less than one year and the investment portfolio is limited to investment grade securities, excluding asset-backed securities

- c) The City is not authorized to:
  - 1) Invest in aggregate more than 15% of the City's monthly average fund balance, excluding bond proceeds, reserves, and debt service funds, in mutual funds;
  - 2) Invest any portion of bond proceeds, reserves, and debt service funds, in mutual funds;
  - 3) Invest its funds or funds under its control, including bond proceeds and reserves and other funds held for debt service, in any one mutual fund in an amount that exceeds 10% of the total assets of the mutual fund.
- 6. Local government investment pools ("LGIP") must follow the requirements of the PFIA 2256.016 and are required to:
  - a) Provide the City a policy regarding holding deposits in cash
  - b) Mark its portfolio to market daily and seek a stable \$1.00 net asset value if using amortized cost or fair value accounting
  - c) Take action as necessary to eliminate or reduce to the extent reasonable any unfair result to the City and attempt to maintain a ratio between \$0.995 and \$1.005
  - d) Be authorized by a separate resolution approved by City Council
  - e) Be rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service

### **Unauthorized Investments**

The City's authorized investments are more restrictive than those allowed by the PFIA. The City prohibits investments in all collateralized mortgage obligations. The PFIA specifically prohibits investment in the following investment securities:

- 1. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pay no principal;
- 2. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
- 3. Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and
- 4. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in market index.

The City is not required to liquidate investments that were authorized investments at the time of purchase. The City will take prudent measures to liquidate any investment that loses its required minimum rating.

### **Bond Proceeds and Pledged Revenue**

Local government investment officers are authorized to invest bond proceeds or revenue pledged to the payment of the debt obligation only to the extent permitted by the PFIA, in accordance with provisions governing the debt issuance and the City's approved investment policy regarding the debt issuance.

### **Competitive Selection of Investment Instruments**

The City requires a competitive process for all individual investment purchases except for those transactions with MMMFs, LGIPs and for government securities purchased at issue through an approved broker/dealer at the auction price. The investment officer may not rely only on yield in selecting MMMFs and LGIPs but also on adherence to applicable Securities and Exchange Commission (SEC) guidelines for MMMFs and other criteria as determined.

At least three bids or offers must be solicited in all transactions involving individual securities. For those situations where it may be impractical or unreasonable to receive three bids due to secondary market availability, bids may be considered competitive if it outperforms comparable products having similar structure and having maturities within 15 calendar days before or after the investment under consideration. Bids may be solicited in any manner provided by law. All bids received must be documented and filed for auditing purposes.

### **Collateral, Safekeeping, and Delivery vs. Payment**

In order to anticipate market changes, provide a level of security for all funds, and comply with Texas Government Code Chapter 2257, collateralization is required for all City funds held depositories, certificates of deposit, and repurchase agreements. With the exception of deposits secured with irrevocable letters of credit at 100% of the amount, the collateralization level will be 102% of market value of principal and accrued interest.

The City shall accept only the following as collateral:

1. FDIC insurance coverage
2. A bond, bill, or note of the United States Treasury or other indebtedness that is guaranteed by the United States
3. Obligations that are unconditionally guaranteed or insured by the State of Texas
4. A bond of the State of Texas or a county, city or other political subdivision of the State of Texas having been rated at no less than A or its equivalent by a nationally recognized rating agency with a remaining maturity of ten years or less
5. Obligations of the United States' agencies and instrumentalities, limited to the FHLB, FNMA, FFEB and FHLMC
6. A letter of credit issued to the City by the Federal Home Loan Bank



Purchased securities for investment and securities placed as collateral will be held by a third-party custodian and held in the City's name as evidenced by safekeeping receipts of the institution with which the securities are deposited. This evidence shall be maintained by the Director of Finance or a third party financial institution. Collateral shall be reviewed at least monthly to assure that the market value of the pledged securities is adequate. If upon review the collateral is found to be of inadequate value, the City will notify the pledging financial institution to immediately provide additional collateral. All collateral shall be subject to inspection and audit by the Director of Finance or the City's independent auditors.

All security transactions entered into by the City, with the exception of investment pools and mutual funds, shall be settled on a delivery-versus-payment (DVP) basis. The City will sign a safekeeping agreement to authorize an independent third-party custodian to act as a transfer agent and execute transactions related to purchased securities on behalf of the City.

### **Diversification**

The City will diversify the portfolio at all times to ensure the reduction of risk while still maintaining reasonable rates of return and to ensure a certain degree of liquidity. The City will diversify its investments in the following manner:

With the exception of United States Treasury securities and authorized pools, no more than 50% of the total investment portfolio will be invested in a single investment type. (Such as FNMA, FHLB, FHLMC, certificates of deposit, etc.)

Risk of market price changes shall be controlled by avoiding over-concentration of assets of the same investment type, avoiding over-concentration of assets of the same final maturity, and limiting the weighted average life of the portfolio. Risk to liquidity due to cash flow complications shall be controlled by maintaining minimum bank, investment pool, and money market mutual fund balances.

### **Maximum Maturities**

To the extent possible, the City will attempt to match its anticipated cash flow requirements with maturing investments. The City will not directly place investments maturing more than five years from the date of purchase. The portfolio's maximum average dollar-weighted maturity will be two and a half years based on the stated maturity date of the investment.

### **Performance Standards**

The investment portfolio will be designed to obtain a market average rate of return during unpredictable budgetary and economic cycles at the local and federal levels, taking into account the City's investment risk constraints and cash flow needs.

The City's investment strategy is primarily passive. Given this strategy, the basis, or benchmark, used by the investment officers to determine whether market yields are being achieved shall be the US Treasury Yield Curve, whichever series is closest to the weighted average maturity of the portfolio.

## **Reporting**

### **Monthly Reporting:**

The Director of Finance is responsible for providing monthly information on investment activity in the Comprehensive Monthly Finance Report, to include the size of the portfolio, the distribution by maturity, the distribution by investment type, interest income earned during the current month and fiscal year to date, and the current portfolio yield.

### **Quarterly Reporting:**

The Director of Finance shall submit a signed quarterly investment report, jointly prepared and signed by all investment officers, that summarizes current market conditions, economic developments and anticipated investment conditions. The report shall summarize investment strategies employed in the most recent quarter, and describe the portfolio in terms of investment type, maturities, risk characteristics, and shall explain the total investment return for the quarter. The report shall list transactions made over the last quarter.

The report will be provided not less than quarterly to the City Manager and City Council. Quarterly reports must be formally reviewed at least annually by an independent auditor.

To comply with PFIA 2256.023, the report must:

1. Describe in detail the investment position of the City on the date of the report
2. Contain a summary statement of each pooled fund group that states the:
  - a) Beginning market value for the reporting period
  - b) Ending market value for the reporting period
  - c) Fully accrued interest for the reporting period
3. State the book value and market value of each separately invested asset at the end of the reporting period by the type of asset and fund type invested
4. State the maturity date of each separately invested asset that has a maturity date;
5. State the account or fund or pooled group fund in the City for which each individual investment was acquired
6. State the compliance of the investment portfolio of the City as it relates to:
  - a) The investment strategy expressed in the City's investment policy
  - b) Relevant provisions of the PFIA.

## **Market Pricing**

Market value of the investment portfolio will be calculated monthly. Pricing information will come from Bloomberg or any other source deemed reliable by the Director of Finance. If the price of a particular security is not available from these sources, the price may be estimated by analyzing similar securities' market values.

## **Investment Rating**

Investment ratings will be obtained monthly from broker-dealers on the City's approved list or from other independent third parties. Obligations of states, agencies, counties, cities and other political subdivisions must not be rated less than A or its equivalent by at least one nationally recognized investment rating firm, unless explicitly backed by the full faith and credit of the United States. Mutual funds must not be rated less than AAA or its equivalent by at least one nationally recognized investment rating firm. MMMFs are not required to be rated. LGIPs must not be rated less than AAA or an equivalent by at least one nationally recognized investment rating firm. If an investment that was eligible at the time of purchase becomes ineligible during the holding period, consistent with the PFIA 2256.017, the City is not required to liquidate the investment. The City shall take all prudent measures that are consistent with this policy to analyze the investment and determine the most prudent course of action to minimize any potential loss.

## **Quality and Capability of Investment Management**

Subject to availability of funds, the City shall provide periodic training in investments for investment officers through courses and seminars offered by professional organizations and associations, in order to insure the quality and capability of the City's investment officers.

## **Training**

Under the PFIA 2256.008, investment officers must attend at least ten hours of instruction relative to their responsibilities within twelve months after taking office or assuming duties from an independent source approved by the investment committee. In addition, each officer must receive at least eight hours of instruction at least once in a two year period that begins on the first day of the fiscal year and consists of two fiscal years after that date relating to investment responsibilities from an independent source approved by the investment committee. Training must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the PFIA.

## **Internal Controls and Compliance Audit**

The Director of Finance is responsible for establishing appropriate internal controls. The investment policy requires, in conjunction with its annual audit, a compliance audit of management controls on investments and adherence to the City's established investment policies.

### **Investment Policy Review and Adoption**

The City's investment policy shall be reviewed and revised periodically by the Investment Committee and recommended for Council approval, when necessary. In addition, the policy must be reviewed not less than annually by the City Council. This review will include the adoption of a written resolution stating that the Council has reviewed the investment policy and accepted any changes made.

### **Investment Committee**

An Investment Committee comprised of the investment officers will meet on a quarterly basis. In addition to the monthly and quarterly reporting to City Council, the Treasurer will present a brief report of pertinent investment activities to the Investment Committee. The primary objective of the committee will be to review general strategies and policies, monitor investment program results, select independent training sources, and authorize securities dealers.

## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Municipal Court  
**DIRECTOR:** Paul McNulty, Chief Municipal Judge  
**AGENDA ITEM:** Ordinance appointing the Associate Judges of the Plano Municipal Court of Record  
**RECOMMENDED ACTION:** Adoption of Ordinances

---

### **ITEM SUMMARY**

To appoint Associate Judges of the Municipal Court of Record of the City of Plano, setting the term of office for the Judges; and providing an effective date. **Adopted Ordinance No. 2024-3-7.**

### **FINANCIAL SUMMARY/STRATEGIC GOALS**

This request is to reappoint the Contract Associate Judges of the Municipal Court of Record of the City of Plano for a four-year term. The estimated amount to be spent in FY 2023-24 is \$32,720 and is available in the FY 2023-24 Municipal Court Building Security Budget. The future amount is estimated to be \$130,600 or \$34,225 for FY's 2024-25 thru 2026-27 and \$27,925 for FY 2027-28. All future years expenditures will occur within Council approved appropriations.

Approval of this item relates to the Strategic Plan Critical Success Factor of an Excellent, Innovative, and Accountable City Government.

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance - Associate Judges	3/5/2024	Agreement

**An Ordinance of the City of Plano, Texas, appointing Associate Judges of the Municipal Court of Record of the City of Plano, setting the term of office for the Judges; and providing an effective date.**

**WHEREAS**, Section 4.04, Article 4, General Administration, of the Home Rule Charter for the City of Plano, Texas established the municipal court for the trial of misdemeanor offenses; and

**WHEREAS**, Section 13-3, Chapter 13, Municipal Court, Plano Code of Ordinances, provides for the selection and appointment of the judges of the Municipal Court of Record; and

**WHEREAS**, the Associate Judges are to be selected and appointed by the City Council to serve specific terms.

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

**Section I.** The City Council hereby appoints the following individuals as Associate Judges of the Municipal Court of Record of the City of Plano, Texas and sets the compensation for the individual:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Gwen Baumann	Associate Judge	Contract
Efren Ordonez	Associate Judge	Contract
Aaron Kaufman	Associate Judge	Contract
Esther Grossman	Associate Judge	Contract

**Section II.** The City Council hereby appoints the Associate Judges to serve a term of office of four (4) years beginning April 14, 2024 and expiring April, 13, 2028.

**Section III.** Future adjustments to compensation for Associate Judges are permitted for all Associate Judges as long as those adjustments are consistent with any authorized changes to the city's compensation plan including raises authorized as part of the annual budget process.

**Section IV.** Nothing in this Ordinance limits or otherwise prevents the City Council from revising the compensation of any individual at any time.

**Section V.** This Ordinance and the appointments shall become effective April 14, 2024.

**PASSED AND APPROVED** on the 25<sup>th</sup> day of March, 2024.

---

John B. Muns, MAYOR

ATTEST:

---

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

---

Paige Mims, CITY ATTORNEY

## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Municipal Court  
**DIRECTOR:** Paul McNulty, Chief Municipal Judge  
**AGENDA ITEM:** Ordinance appointing Chief Municipal Judge of the Plano Municipal Court of Record.  
**RECOMMENDED ACTION:** Adoption of Ordinances

---

### **ITEM SUMMARY**

To appoint the Chief Municipal Judge of the Municipal Court of Record of the City of Plano, setting the term of office and compensation for the Judge; and providing an effective date. **Adopted Ordinance No. 2024-3-8.**

### **FINANCIAL SUMMARY/STRATEGIC GOALS**

This request is to reappoint the Chief Municipal Judge of the Municipal Court of Record of the City of Plano for a four-year term. The estimated amount to be spent including benefits in FY 2023-24 is \$62,254 and is available in the FY 2023-24 Municipal Court Judge Budget. The future amount is estimated to be \$923,466 or \$246,430 for FY's 2024-25 thru 2026-27 and \$184,176 for FY 2027-28. All future years expenditures will occur within Council approved appropriations.

Approval of this item relates to the Strategic Plan Critical Success Factor of an Excellent, Innovative, and Accountable City Government.

### **ATTACHMENTS:**

Description	Upload Date	Type
Ordinance - Chief Municipal Judge	3/5/2024	Agreement



**An Ordinance of the City of Plano, Texas, appointing the Chief Municipal Judge of the Municipal Court of Record of the City of Plano, setting the term of office and compensation for the Judge; and providing an effective date.**

**WHEREAS**, Section 4.04, Article 4, General Administration, of the Home Rule Charter for the City of Plano, Texas established the municipal court for the trial of misdemeanor offenses; and

**WHEREAS**, Section 13-3, Chapter 13, Municipal Court, Plano Code of Ordinances, provides for the selection and appointment of the judges of the Municipal Court of Record; and

**WHEREAS**, the Chief Municipal Judge and the Associate Judges are to be selected and appointed by the City Council to serve specific terms.

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

**Section I.** The City Council hereby appoints the following individual as Chief Municipal Judge of the Municipal Court of Record of the City of Plano, Texas and sets the compensation for the individual as follows:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Paul Francis McNulty	Chief Municipal Judge	\$87.159511 per hour

**Section II.** The City Council hereby appoints the Chief Municipal Judge to serve a term of four (4) years beginning on July 1, 2024 and expiring on June 30, 2028.

**Section III.** The Chief Municipal Judge's salary shall be determined by the City Council as part of his annual performance review.

**Section IV.** Nothing in this Ordinance limits or otherwise prevents the City Council from revising the compensation of any individual at any time.

**Section V.** This Ordinance and the appointment shall become effective July 1, 2024.

**PASSED AND APPROVED** on the 25<sup>th</sup> day of March, 2024.

\_\_\_\_\_  
John B. Muns, MAYOR

ATTEST:

\_\_\_\_\_  
Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
Paige Mims, CITY ATTORNEY

## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Zoning  
**DIRECTOR:** Christina Day, Director of Planning  
**AGENDA ITEM:** Public Hearing and consideration of an Ordinance as requested in Zoning Case 2024-004.  
**RECOMMENDED ACTION:** Items for Individual Consideration

---

### **ITEM SUMMARY**

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2024-004 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to expand Specific Use Permit No. 660 for Household Care Institution from 0.3 to 0.6 acre of land located on two lots on the north side of 19th Street, 400 feet west of N Avenue in the City of Plano, Collin County, Texas, presently zoned General Office with Specific Use Permit No. 660 for Household Care Institution; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Petitioner: Agape Resource & Assistance Center, Inc. **Conducted and adopted Ordinance No. 2024-3-9.**

### **BACKGROUND**

The Planning & Zoning Commission recommended approval of this zoning case with a vote of 7-0 per their Final Report in the attached Supporting Documents.

### **FINANCIAL SUMMARY/STRATEGIC GOALS**

Approval of this agenda item will support the City's Critical Success Factor of Residential and Commercial Economic Vitality. For detailed comments on the comprehensive plan related to this item, please see the Staff Preliminary Report in the attached Supporting Documents.

### **ATTACHMENTS:**

Description	Upload Date	Type
ZC2024-004 - Supporting Documents	3/15/2024	Informational
ZC2024-004 - Ordinance	3/15/2024	Ordinance

**DATE:** March 5, 2024

**TO:** Honorable Mayor & City Council

**FROM:** Planning & Zoning Commission

**VIA:** Mike Bell, AICP, Development Review Manager acting as Secretary of the Planning & Zoning Commission *MB*  
Christina D. Day, AICP, Director of Planning *CD*

**SUBJECT:** Results of Planning & Zoning Commission Meeting of March 4, 2024

---

**AGENDA ITEM NO. 3 - ZONING CASE 2024-004**  
**PETITIONER: AGAPE RESOURCE & ASSISTANCE CENTER, INC.**

Request to expand Specific Use Permit No. 660 for Household Care Institution from 0.3 acre to 0.6 acre on two lots located on the north side of 19th Street, 400 feet west of N Avenue. Zoned General Office. Project #ZC2024-004.

**APPROVED:** 7-0

Speaker Card(s) Received:	Support:	<u>2</u>	Oppose:	<u>0</u>	Neutral:	<u>0</u>
Letters Received Within 200' Notice Area:	Support:	<u>2</u>	Oppose:	<u>0</u>	Neutral:	<u>1</u>
Petition Signatures Received:	Support:	<u>0</u>	Oppose:	<u>0</u>	Neutral:	<u>0</u>
Other Responses:	Support:	<u>0</u>	Oppose:	<u>1</u>	Neutral:	<u>0</u>

**RESULTS:**

The Commission recommended the item for approval subject to the following stipulation:

- Maximum number of residents: 20 per building

To view the hearing, please click on the provided link:  
<https://planotx.new.swagit.com/videos/298968?ts=981>

DS/ko

cc: Eric Hill, Assistant Director of Planning  
Christina Sebastian, Land Records Planning Manager  
Melissa Kleineck, Lead Planner  
Justin Cozart, Sr. GIS Technician  
Jeanna Scott, Building Inspections Manager  
Dorothy Alatorre, Sr. Administrative Assistant - Neighborhood Services

[Google Link](#)

**AGENDA ITEM NO. 3**

**PUBLIC HEARING:** Zoning Case 2024-004

**PETITIONER:** Agape Resource & Assistance Center, Inc.

**CASE PLANNER:** Donna Sepulvado

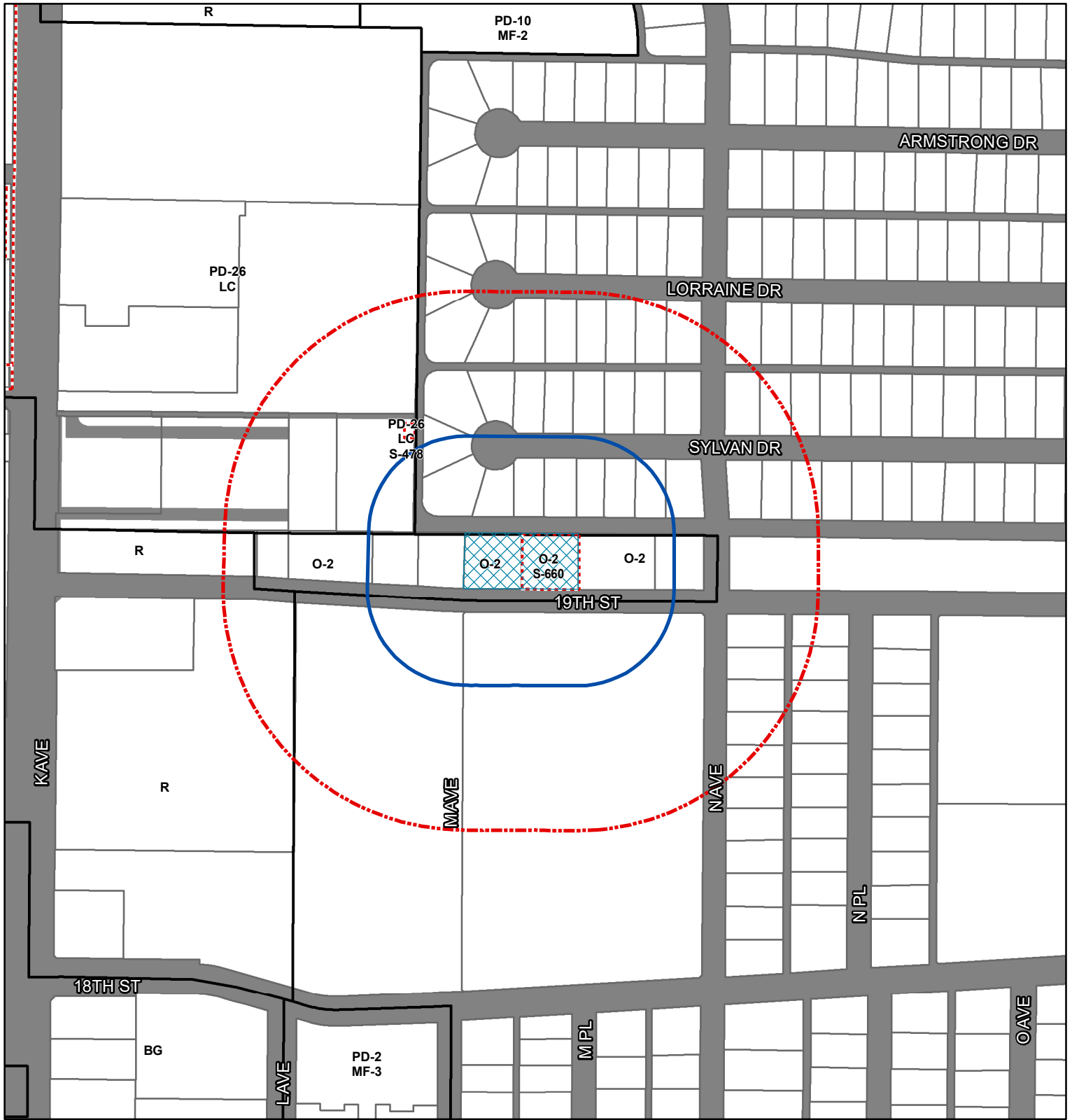
**DESCRIPTION:** Request to expand Specific Use Permit No. 660 for Household Care Institution from 0.3 acre to 0.6 acre on two lots located on the north side of 19th Street, 400 feet west of N Avenue. Zoned General Office. Project #ZC2024-004.

**SUMMARY:**

The applicant is requesting to expand Specific Use Permit No. 660 (S-660) for Household Care Institution, currently located at 1325 19th Street, to include the adjacent property at 1315 19th Street. Household Care Institutions are facilities that provide residence and care to eight or more persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, or neglected children; victims of domestic violence; convalescing from illness; or rendered temporarily homeless due to fire, natural disaster, or financial setback. Major topics of consideration in this request include:

- Existing Household Care Institution – S-660 for Household Care Institution was approved in 2015 on a 0.3-acre property located at 1325 19th Street. The site, currently occupied by Agape Resource & Assistance Center, includes a two-story, 4,564-square-foot building constructed in 1983. The organization is requesting to expand into the neighboring building to the west, also constructed in 1983 and of similar size, height, and architectural design.
- Number of Residents – S-660 currently restricts the use to no more than 20 residents. With the proposed expansion, the applicant is requesting an increase to 40 residents between the two buildings. As no new buildings are proposed with this request, staff recommends a restriction of 20 residents per building to match existing conditions.
- Proximity to nearby schools, libraries, parks, and transit – The subject property is within walking distance of many amenities and services that can serve future residents.
- Conformance to the Comprehensive Plan – The subject property is located within the Downtown Corridors (DT) category on the *Future Land Use Map*. The proposed expansion of the existing Household Care Institution is consistent with the DT Category of the Comprehensive Plan.

For these reasons, staff recommends approval of the request.

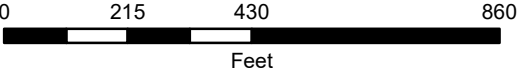
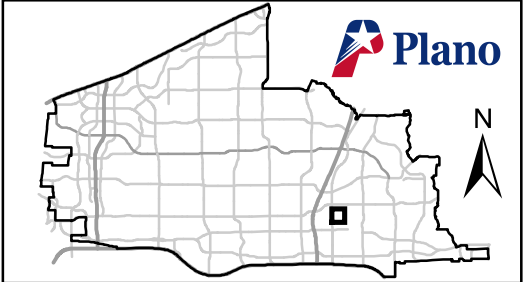


Zoning Case: 2024-004

Existing Zoning: General Office with Specific Use Permit No. 660 for Household Care Institution



Proposed Zoning: Expand Specific Use Permit No. 660 for Household Care Institution

- SubjectProperty
- CourtesyBuffer
- NotificationBuffer
- Streets
- Municipal Boundaries
- Zoning Boundary
- Specific Use Permit
- Zoning Boundary Change/SUP








 **Plano** 

Zoning Case 2024-004

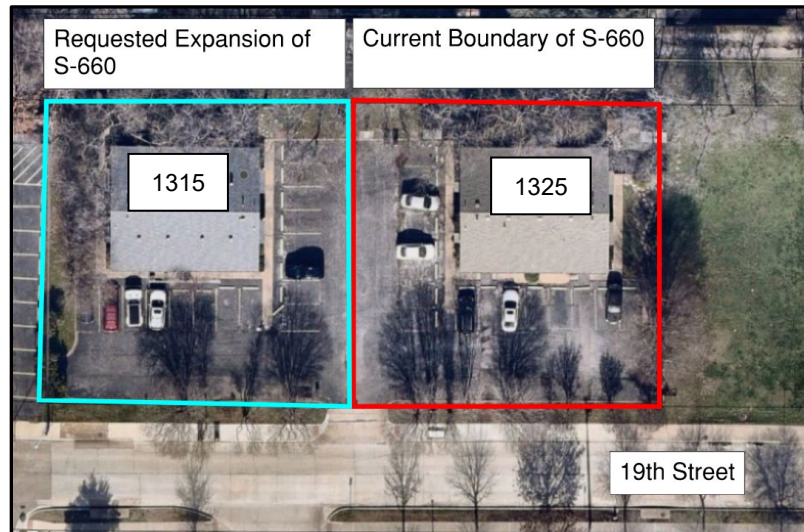
 Area of Request





## STAFF PRELIMINARY REPORT – INTRODUCTORY REMARKS

The applicant is requesting to expand Specific Use Permit No. 660 (S-660) for Household Care Institution, approved in 2015 for the property at 1325 19th Street, to include the adjacent property at 1315 19th Street, as shown in the map below:



Both properties are zoned General Office (O-2). The building at 1315 19th Street is currently being used as a professional/general administrative office for the existing household care institution at 1325 19th Street.

Specific Use Permit – Section 6.100 (Specific Use Permits) of the Zoning Ordinance states:

*The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district, which could benefit the general welfare in a particular case, provided that adequate development standards and safeguards are established.*

Additionally, Section 6.100 (Specific Use Permits) states the following:

*The Planning & Zoning Commission in considering and determining its recommendations to the City Council on any request for a specific use permit, may require from the applicant plans, information, operating data, and expert evaluation concerning the location, function, and characteristics of any building or use proposed. The City Council may, in the interest of the public welfare and to insure compliance with this ordinance, establish conditions of operation, location, arrangement, and type and manner of construction of any use for which a permit is authorized. In authorizing the location of any of the uses listed as specific use permits, the City Council may impose such development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view, traffic, or other undesirable or hazardous conditions.*

Proposed Use – The Zoning Ordinance defines Household Care Institution as follows:

*Household Care Institution - A facility that provides residence and care to more than 8 persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, or neglected children; victims of domestic violence; convalescing from illness; or rendered temporarily homeless due to fire, natural disaster, or financial setback. Where applicable, a household care institution shall have appropriate licensing and/or registration by the State of Texas.*

Zoning – The subject property is currently zoned General Office (O-2). Section 10.300.1 of the Zoning Ordinance states the purpose of the O-2 district is as follows:

*The O-2 district is intended to allow for a variety of low-, mid-, and high-rise office developments providing for professional, financial, medical, and similar services to local residents; corporate offices for regional and national operations; and major centers of employment for Plano and surrounding communities.*

### SUP Restrictions

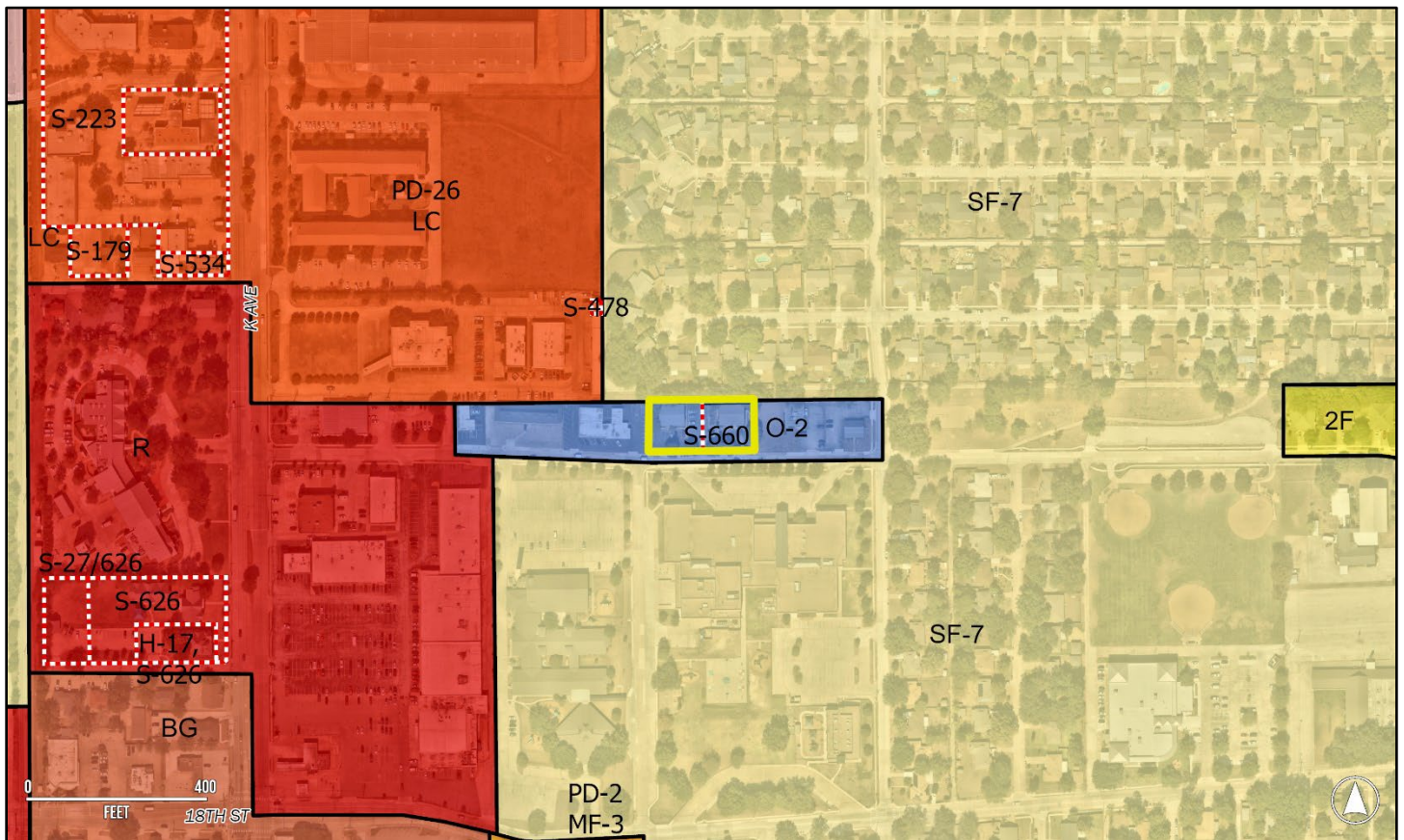
S-660 restrictions are proposed to be modified as follows:

Maximum number of ~~20~~ residents: 20 per building



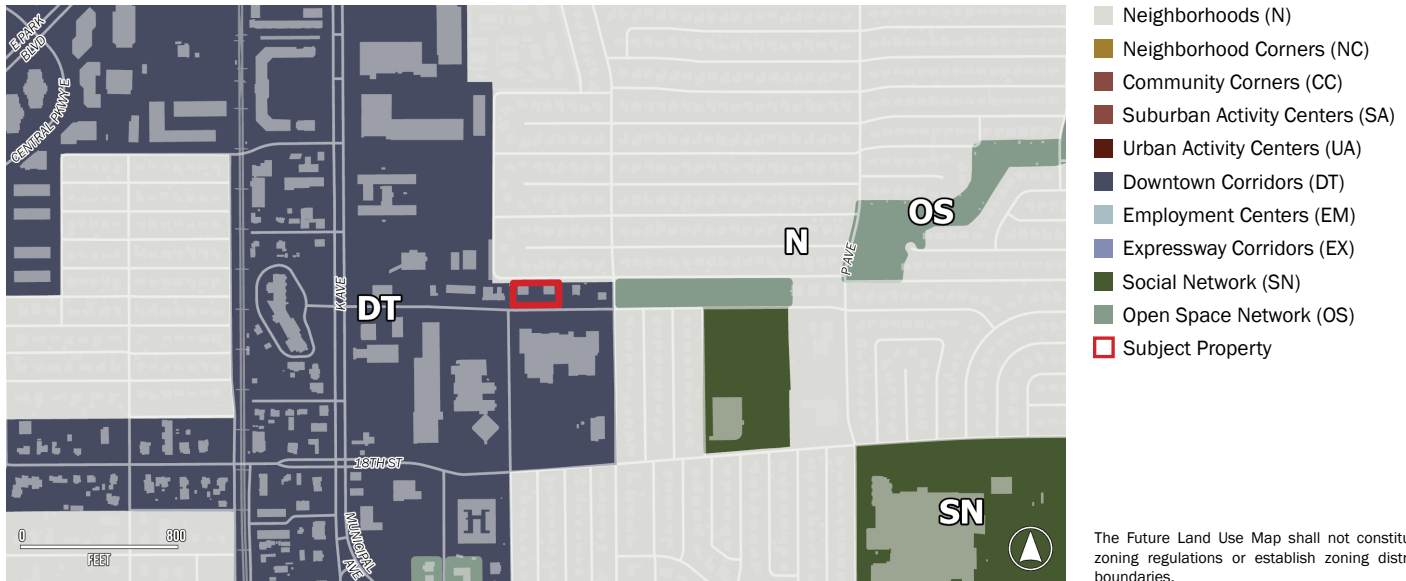
## Surrounding Land Use and Zoning

North	The properties to the north are zoned Single-Family Residence-7 (SF-7) and are developed with single-family homes.
East	The property to the east is zoned General Office (O-2) and is developed with a professional/general administrative office.
South	The property across 19th Street to the south is zoned Single-Family Residence-7 (SF-7) and is developed with a public school.
West	The property to the west is zoned General Office (O-2) and is developed with an office building.



VISION: "Plano is a global leader, excelling in exceptional education, abounding with world class businesses and vibrant neighborhoods"  
GUIDING PRINCIPLES: Plano Today. Plano 2050. Plano Together.

## 1 | Future Land Use Map



### Downtown Corridors (DT)

The Downtown Corridors future land use category applies to historic Downtown Plano and the K Avenue and 14th Street corridors. Located along former State Highway 5, FM 544, and the Houston & Texas Central and Cotton Belt Railroads (now the DART Red/Orange and Silver Line), these areas have long served as major gateways to Downtown for both car and rail. The Downtown Corridors category is intended to create attractive gateways and support the continued transformation of historic Downtown Plano into the civic and cultural heart of the city.

#### PRIORITIES

1. Enhancing bicycle and pedestrian connections
2. Improving mobility connections between Downtown and Collin Creek area
3. Focusing density in Downtown core and within 1/4 mile walking distance of rail stations

**Transit-Oriented Development (TOD) Areas** - The principles of transit-oriented development will be used at planned stations along both rail lines, with residential, employment, retail, and civic uses located within one-quarter mile of a rail transit stop. Development elsewhere in the corridors should be oriented towards the rail as secondary frontage, especially where elevated, to improve aesthetics and create welcoming gateways into the community.

**Corridor Revitalization & Redevelopment** - As some of the oldest parts of the city, development along the K Avenue and 14th Street corridors reflects many decades of growth, infill, and transition, resulting in an eclectic mix of warehouses, commercial centers, and neighborhoods. These corridors will redevelop to serve as gateways to Downtown Plano and transit nodes with street, bike, trail, and sidewalk improvements emphasized to create a more accessible, walkable, and unified corridor. Parking structures should be provided to reduce surface parking and encourage efficient use of land.

**Historic Preservation** - Development projects should respect the historic character of Downtown and surrounding neighborhoods. Creative opportunities should be supported which both allow Plano's heritage resources to remain in active and productive use and protect them from the pressures of growth and redevelopment.

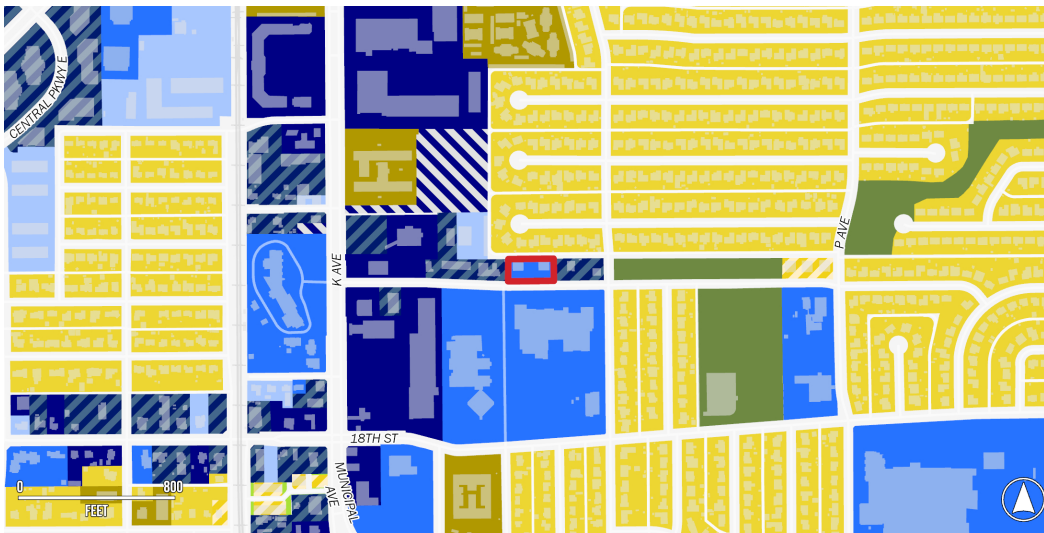


## 2 | Mix of Uses



Click here for  
"How to Read  
The Dashboards"

If approved, the request would result in the following Mix of Uses:

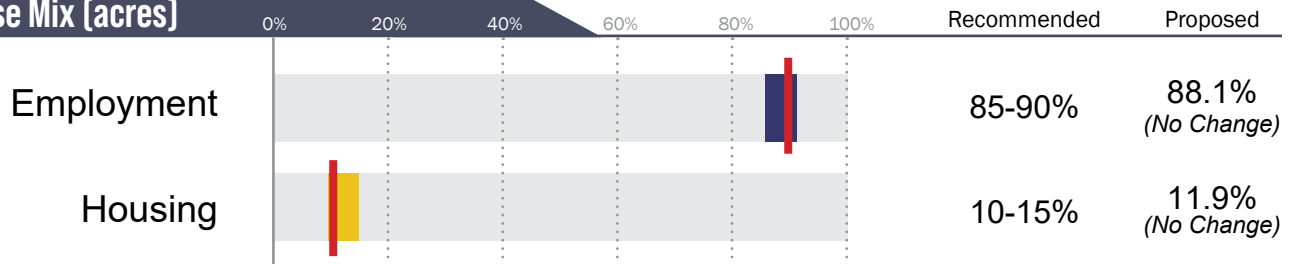


### Land Use & Housing Inventory (LUHI)

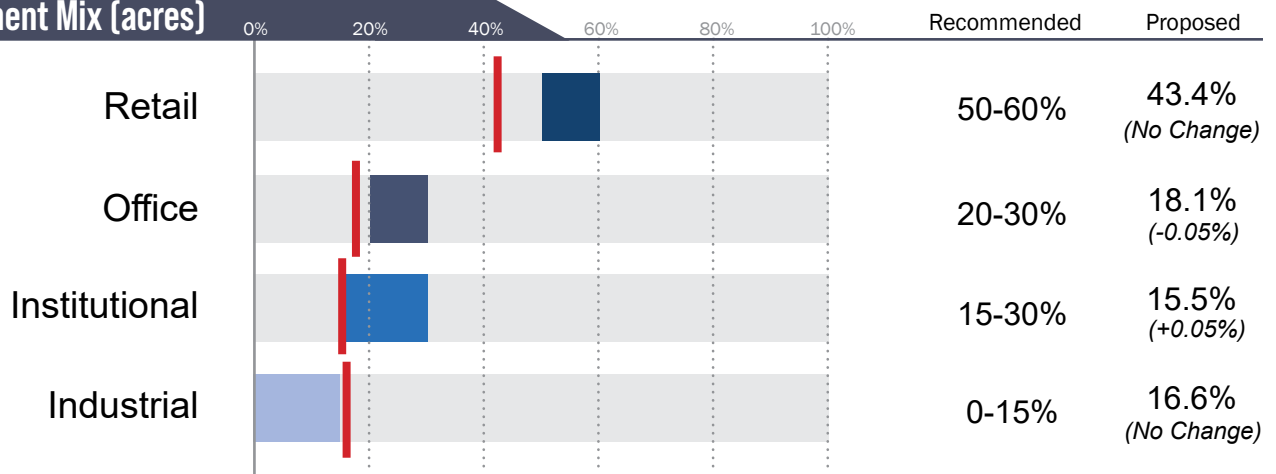
- Employment, Retail Types
- Employment, Office Types
- Employment, Institutional Types
- Employment, Industrial Types
- Housing, Detached SF Types
- Housing, Attached SF Types
- Housing, Multifamily Types
- Housing, Open Space
- Employment, Undeveloped
- Housing, Undeveloped
- General Open Space
- Subject Property

LUHI Snapshot Date: 1/1/2023  
Measurement Area: All properties within the EX  
Category along US 75

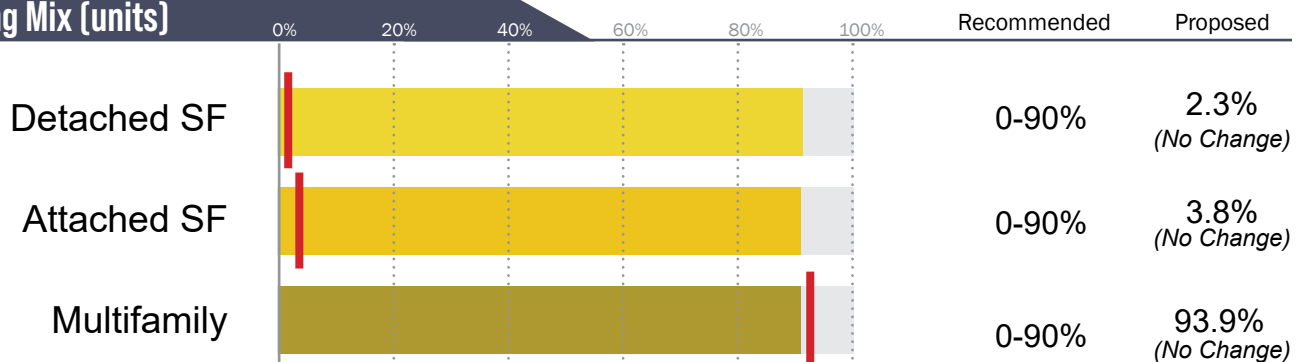
### Land Use Mix (acres)



### Employment Mix (acres)



### Housing Mix (units)



### 3 | Desirable Character Defining Elements

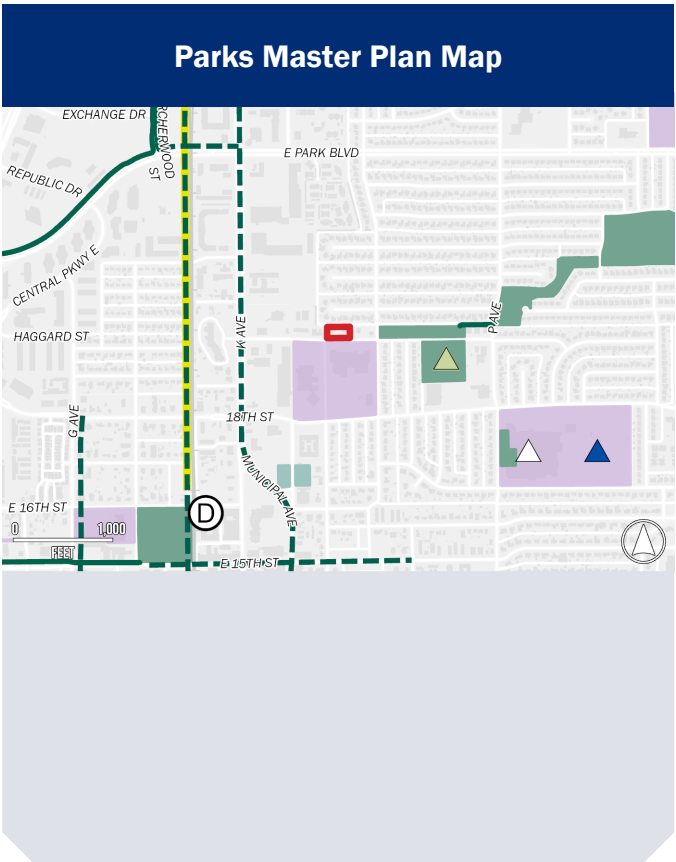
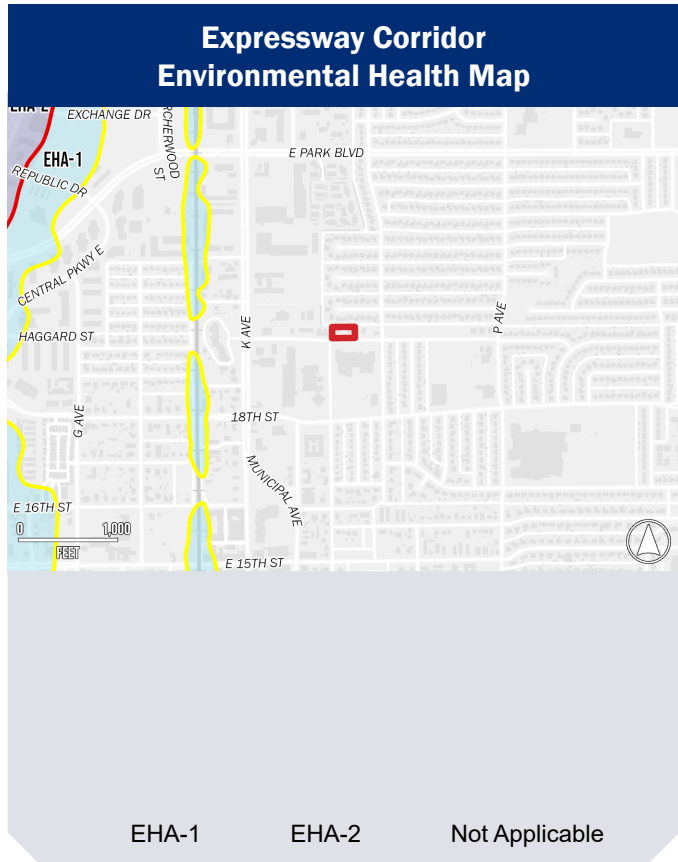
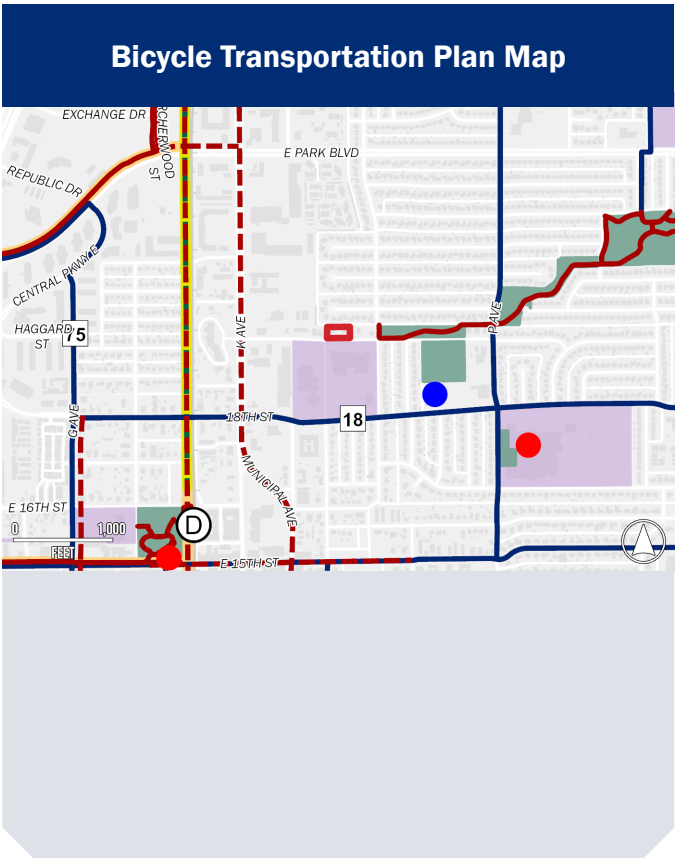
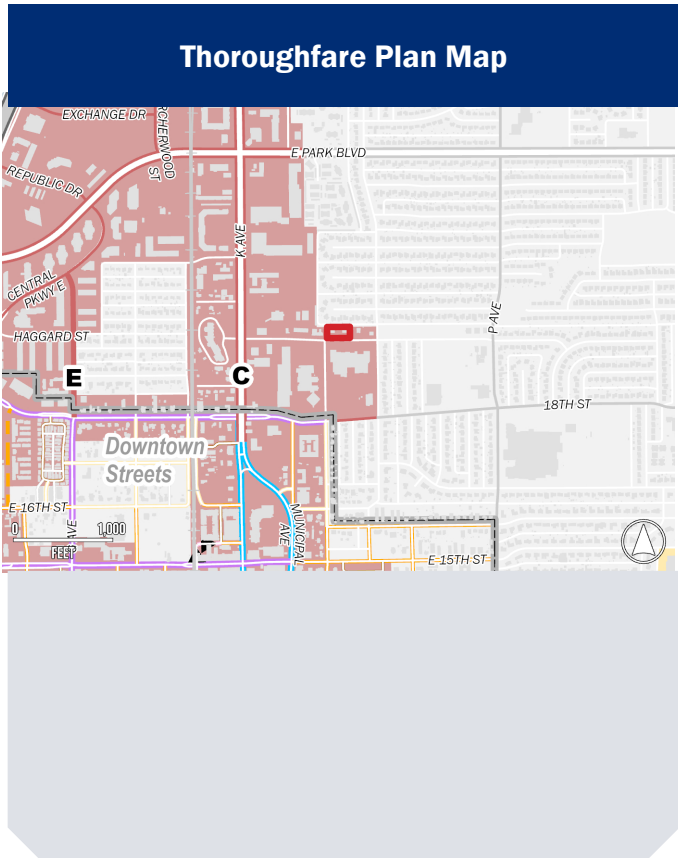


Click here for  
"How to Read  
The Dashboards"

DESIRABLE CHARACTER DEFINING ELEMENT	RECOMMENDED BY COMPREHENSIVE PLAN	APPLICANT PROPOSAL
Building Heights	1 to 5 stories	
Density	<b>Non-TOD Areas -</b> SF: 4 to 22 DUA MF: 10 to 50 DUA <b>TOD Areas -</b> SF: 4 to 40 DUA MF: 10 to 100 DUA	
Intensity	Moderate (50 to 75% Lot Coverage)	
Open Space	TOD Areas: 5 to 10% Other: 10 to 20% Active Open Space	
Parking Orientation	Mix of garages, structured on-street, surface lots, and valet	
Block Pattern & Streetscape	Short block grid Urban Streets	
Multimodal Access		
1. Automobiles	MEDIUM: May require short walk to destination	
2. Transit	HIGH: Served by rail and bus stations	
3. Micromobility	HIGH: Connected to trails and bike routes	
4. Pedestrians	HIGH: Highly walkable	



4 | Other Comprehensive Plan Maps



## 5 | Comprehensive Plan Policies & Actions

**CORE POLICIES:** The following policies are applicable to all zoning cases. No specific analysis of these policies are provided in the staff report as these serve as the fundamental basis for all staff recommendations.



**Land Use:** Plano will support a system of organized land use to provide housing and employment choices aligned with the market, where new and redevelopment areas respect the viability and quality of life for existing neighborhoods, businesses, and institutions.



**Redevelopment & Growth Management:** Plano will protect and preserve the well-established built environment of Plano and prevent overcrowding by requiring new growth and redevelopment to respect the unique development patterns, suburban character, housing needs, infrastructure capacity considerations, and fiscal constraints of our community.

---

**LAND USE-RELATED POLICIES:** The following policies are applicable on a case-by-case basis depending upon the type, location, and general nature of the request. Refer to the staff report for analysis of these policies with the respect to the proposed zoning change, where applicable.



**Redevelopment of Regional Transportation Corridors:** Plano will encourage reinvestment and redevelopment of identified regional transportation corridors to create cohesive developments that incorporate well-designed commercial, retail, and housing opportunities, where those uses are appropriate according to the Future Land Use Map and other related Comprehensive Plan standards.

Applicable  
Not Applicable



**Revitalization of Retail Shopping Centers:** Plano will encourage reinvestment, revitalization, and redevelopment of underperforming neighborhood retail corners to accommodate a viable combination of local commercial, retail, and entertainment uses. Where appropriate transitions can be maintained, redevelopment may present opportunities to introduce residential uses and improve access.

Applicable  
Not Applicable



**Special Housing Needs:** Plano will support the special housing needs of residents including seniors, people with disabilities, and low- to moderate-income households through inclusive regulations and programs and actions furthering the goals stated in the Consolidated Plan. Proposed locations for special housing needs should be afforded the same health and safety considerations as other housing.

Applicable  
Not Applicable



**Transit-Oriented Development:** Plano will proactively encourage development within walking distance of existing and planned transit stations to create an integrated mix of uses including residential, employment, retail, and civic spaces.

Applicable  
Not Applicable



**Undeveloped Land:** Plano will reserve its remaining undeveloped land for high quality development with distinctive character, prioritizing businesses offering skilled employment. New housing in these areas will only be considered appropriate where it is consistent with the Future Land Use Map and other related Comprehensive Plan standards.

Applicable  
Not Applicable

---

**OTHER POLICIES/DOCUMENTS:** Additional policies may apply where applicable:

Envision Oak Point (2018)  
Downtown Vision & Strategy Update (2019)  
Spring Creekwalk Master Plan (1990)  
Preservation Plano 150 (2018)

**FOR RESIDENTIAL AND MIXED-USE DEVELOPMENTS ONLY:** The following actions from the Redevelopment & Growth Management (RGM) Policy are applicable to requests for mixed-use developments:

**RGM5:** Ensure that any rezoning requests for multiuse development include:

Applicable

Not Applicable

- A) No more than 50% square footage for residential uses. Requests should also conform with other identifying elements (density, building heights, etc.) in the applicable Dashboard descriptions.
- B) Phasing requirements that prevent the disproportionate completion of residential uses prior to nonresidential uses within the development. Nonresidential square footage must constitute a minimum of 33% of all square footage approved for occupancy during development (e.g., every 2 square feet of residential development requires at least 1 square foot of nonresidential development; and
- C) Key design features provided prior to, or concurrent with, the construction of any residential uses. These include elements of the development supporting the long-term value to the overall community, and specifically any new residents, such as open/green space, amenities, street enhancements, and trails.

**RGM8:** Limit new residential development to areas that are appropriate based on individual site considerations and consistency with the Future Land Use Map and Dashboards. Multifamily developments should also meet a housing diversification or economic development need of the city, including transit-oriented development, special housing needs (as defined by the city's Consolidated Plan), or be constructed as part of a high-rise 10 stories or greater.

Applicable

Not Applicable

## 6 | Findings Policy

### RGM1: Mix of Uses, Density, & Building Height

In accordance with the Redevelopment and Growth Management (RGM) Policy Action 1, zoning change requests that do not conform to the mix of uses, density, and building heights as described in the Dashboards are **disfavored**. Requests that do not conform to these criteria may be occasionally allowed when found:

- ▶ Consistent with the Guiding Principles of the Comprehensive Plan; and
- ▶ Substantially beneficial to the immediate neighbors, surrounding community, and general public interest.

### RGM5: Mixed-Use Developments

In addition, the Redevelopment and Growth Management (RGM) Policy Action 2 requires findings when approving a mixed-use development that exceeds 50% square footage for residential uses and/or does not conform to other identifying elements (density, height, etc.) in the applicable Dashboard.

#### Are Findings Required?

- Yes, because the request does not comply with the Mix of Uses of the associated Dashboard.
- Yes, because the request does not comply with the Building Heights of the associated Dashboard.
- Yes, because the request does not comply with the Maximum Density of the associated Dashboard.
- Yes, because the request is inconsistent with Action RGM5 (for mixed-use developments).
- No, findings are not required.

## STAFF PRELIMINARY REPORT – CONFORMANCE TO THE COMPREHENSIVE PLAN

The proposed request has been reviewed for conformance with the Comprehensive Plan. Major factors included in the analysis are provided below, but the Comprehensive Plan Fact Sheet has more specific details about the request.

**Guiding Principles** – This set of Guiding Principles to the Comprehensive Plan establishes overarching themes that apply to all policies and actions and express values for *Plano Today*, *Plano 2050*, and *Plano Together*. Since the principles do not stand alone but are used in concert with one another and carry across the Plan as a whole, each principle must be judged through a lens that incorporates all other principles to be fully and accurately understood. As such, the Commission is encouraged to review the full list of Guiding Principles and judge zoning requests through the lens of all principles.

### Future Land Use Map Category & Dashboard

**Future Land Use Category** – The subject property is located in the Downtown Corridors (DT) category of the *Future Land Use Map* (FLUM). The proposed expansion of the existing Household Care Institution is consistent with the DT category as institutional uses are supported.

FLUM – DT Description and Priorities		
Description		Meets
Priorities	Enhancing bicycle and pedestrian connections	N/A
	Improving mobility connections between the Downtown and Collin Creek area	N/A
	Focusing density in the Downtown core and within 1/4 mile walking distance of rail stations	N/A

**Mix of Uses** – A Household Care Institution would be classified as *Institutional Types* in the Mix of Uses. The request would marginally increase the percentage of *Institutional Types* in this area by 0.05% to 15.5%, which is consistent with the 15-30% recommendation of the DT dashboard.

FLUM – DT Mix of Uses	
Land Use Mix	Meets
Employment Mix	Meets

**Desirable Character Defining Elements** – The expansion of the proposed use will occupy all suites within an existing multi-tenant building, and no significant changes are proposed to the site. Therefore, the Desirable Character Defining Elements section of the DT dashboard is not applicable to this request.

FLUM – DT Desirable Character Defining Elements
Not Applicable



**Other Comprehensive Plan Maps** – The scope of the request would not require improvements applicable to the *Thoroughfare Plan Map*, *Bicycle Transportation Plan Map*, *Expressway Corridor Environmental Health Map*, or *Parks Master Plan Map*.

Other Comprehensive Plan Maps
Not Applicable

**Comprehensive Plan Summary**

As the request is consistent with the description of the Downtown Corridors (DT) future land use category, staff finds the proposed expansion of a Household Care Institution consistent with the Comprehensive Plan.

**Comprehensive Plan Policy Summary**

Policy or Study	Analysis
Future Land Use Map and Dashboards: <ul style="list-style-type: none"><li>• Description &amp; Priorities</li><li>• Mix of Uses</li><li>• Character Defining Elements</li></ul>	Meets Meets N/A
Thoroughfare Plan Map	N/A
Bicycle Transportation Plan Map	N/A
Parks Master Plan Map	N/A
Expressway Corridor Environmental Health Map	N/A

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

Traffic Impact Analysis (TIA) – A TIA is not required for this rezoning request.

Public Safety Response Time – Fire emergency response times will be sufficient to serve the site based on existing personnel, equipment, and facilities.

Access to and Availability of Amenities and Services –

**Parks:** The subject property is located within Park Fee Service Area 2.

**Libraries:** The subject property is within the Harrington Library’s service area, and service to future residents would be possible with the current library resources.

## STAFF PRELIMINARY REPORT – ANALYSIS & RECOMMENDATION

---

### Household Care Institution

The applicant is requesting to utilize the property for expansion of an existing household care institution, which includes providing temporary housing and associated services for their program participants. The existing buildings are each 4,564 square feet in size and divided into four suites. At this time, the applicant plans to use all suites for temporary housing. In order to limit the residential operations that could occur on-site, the applicant is proposing an SUP stipulation that would limit the number of residents to 20 per building, effectively capping the property at 40 total residents.

The proposed household care institution expansion is complementary with the nearby residential zoning to the north and south. Future residents would benefit from the subject property's proximity to nearby schools, libraries, parks, and transit which includes bus and light-rail options.

### **SUMMARY:**

The applicant is requesting to expand Specific Use Permit No. 660 for Household Care Institution to an adjacent property with an allowance for 20 additional residents. This use is complementary to nearby residential zoning, and there is access to amenities and services for future residents. The request is in conformance with the policies of the Comprehensive Plan. For these reasons, staff is supportive of the request.

### **RECOMMENDATION:**

Recommended for approval as follows: (Additions are indicated by underlining; deletions are indicated by strike-through):

Maximum number of ~~20~~ residents: 20 per building



February 27, 2024

Plano Planning and Zoning Commission

RE: Letter in Support of Specific Use Permit to utilize 1315 – 1325 19<sup>th</sup> St, Plano as Household Care Facility.

Dear Commissioners;

I respectfully offer this case for support of the application submitted by Agape Resource & Assistance Center, Inc. (Agape) to expand our 2015 Specific Use Permit to use 1325 19<sup>th</sup> St. as a Household Care Facility to include the quadplex Agape owns at 1315 19<sup>th</sup> St., a sister property built essentially the same as the 1325 19<sup>th</sup> street property.

Agape's proven, evidence based, transitional housing program, Housing 4 Hope (H4H) provides the ways, means, and support for women-led families to become economically and emotionally stable, increase their income through workforce and vocational training, and secure housing and become self-sufficient. This improves and enhances the community by decreasing the cost to taxpayers and adding viable, contributing members to the community.

Agape provides safe, stable housing and transitional support services to situationally homeless single women, moms and their children that empower them to move from crisis and homelessness to fulfilling, self-sustaining lives. Agape's Housing 4 Hope Program empowers homeless women led households (Agapeans) to overcome poverty, abuse, and homelessness through a customized, holistic approach, built on 5 pillars of excellence that help each household gain 1) Housing, 2) Developmental Childcare, 3) Transportation, 4) Vocation and Financial education towards higher income, and 5) Health and Wellness Support.

Building on safe stable program housing, Housing 4 Hope is a client-centered, trauma-based approach that improve each Agapean's economic & emotional stability. Aligned with the Texas Women's Foundation's economic security indicators, our holistic and 2-generational transitional housing program provides women with housing, education, life skills, childcare, and the confidence they need for personal independence. We also provide wrap-around services for their children, helping them heal and understand their future is not limited by their past. Building on a foundation of safe, stable housing, Agape helps each Agapean achieve self-sufficiency.

Agape has grown since 2013 to from 1 house, 2 beds and a cradle to supporting 5 housing units with 45 beds & many cradles! Agape's transitional housing is a shared housing model where households have private bedrooms and share common areas including baths, kitchen and living areas.

For over 10 years Agape has successfully empowered over 100 homeless women led families with over 140 children to move from crisis, poverty, and abuse to fulfilling, self-sustaining lives by providing safe, stable transitional housing and critical wrap around services. Over 75% of families served commit to increasing the economic stability of their families and graduate with increased education, higher income, and better jobs ready to live withing their means.

In 2015, Agape received a Special Use Permit from the City of Plano allowing us to remodel the office condos at 1325 19<sup>th</sup> St. into transitional housing to help the homeless moms and children who are enrolled in our program. Two office condos were remodeled into townhomes in 2015 and 2017. In 2020 Agape received a Plano Grant to remodel 2 units of 1325 19<sup>th</sup> St. into program townhomes. Remodel was completed and as of March 2022, all 4 office condos have been remodeled and are occupied by women-led families rebuilding their lives. All 4 units at 1325 19<sup>th</sup> St currently operating

under the 2015 Specific Use Permit to provide safe homes for up to 8 women led families. Safe housing allows these families to focus on gaining workforce education towards higher paying jobs, helping children attain age-appropriate developmental goals and address barriers to stability.

Approval of this request will allow Agape to expand our transitional housing by 4 additional program housing units, allowing us to provide safe homes for up to 8 additional homeless woman led households. We would like to begin to remodel the 2 back, or northern units in 2024 and continue to office and provide support services in the 2 southern units facing 19<sup>th</sup> street. Over the next 2 – 3 years, we plan to remodel the remaining 2 office condos into Agape townhomes which will expand our transitional living housing capacity from housing 10 families today, to 14 families in 2024 up to 18-20 families at any point in time.

The true impact on our community begins with the impact on our families. Here are just 3 recent success stories our graduates have shared:

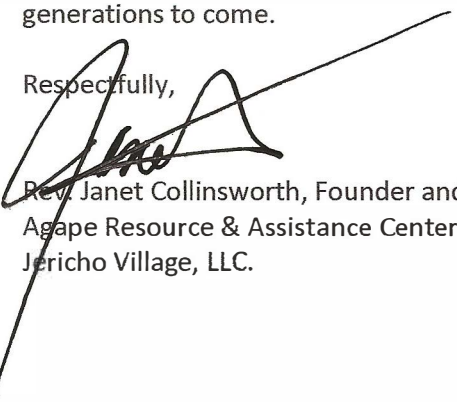
Andrea came to us from a very abusive marriage with 2 small children and without a place to live. She recently completed her nursing degree and will be starting in her new career in a few days with a very good wage with an Oncology clinic. Andrea will now be able to support her little family. She and her children are flourishing, looking forward to a new job, new home and those things that she has earned through hard work, determination and perseverance. "I would like to take this time to thank you all from the bottom of my heart. Without your help, this truly would not have been possible. I am so eternally grateful. Thank you, thank you, thank you."

Angela lost her apartment and Ubered to Agape after being unable to find a safe place to live she and her 10 year old son could afford. This single mom was working as a paraprofessional in a local school district. During her time at Agape, she worked, raised her son and attended classes resulting in 5 high level IT certifications. She is currently working in a private school providing marketing and IT support and continues to search for jobs in the area of her most recent certification as a certified scrum master. As a result of her progress at Agape, she has increased her salary from \$13 / hour at entry, to \$50k as a school IT / marketing tech with the potential and certifications to become a scrum master where she could make about \$70k / year. Through Agape's community partners, Angela received a gently used car! Through the support and empowerment programs of Agape, Angela has transformed her life from homeless to self-sustaining!

Janine came into Agape with a myriad of difficulties, including a felony. We were able to help her through the financial barriers, the educational trainings of program management and a professional license, but the legal barrier was very challenging. She applied to hundreds of jobs and was referred by several of the staff for various positions. Finally, she was able to find employment with a franchise because of her charisma and determination. She was the 46th interview and the hiring manager just loved her smile and personality. She was hired on the spot and is now managing two of the franchises earning nearly \$65K per year. She was able to receive rapid rehousing and save her money to have her legal issues resolved.

We respectfully ask that you approve our request to expand our 2015 Specific Use Permit to include both 1315 and 1325 19<sup>th</sup> St. In this way Agape and the City of Plano can work together to empower homeless women led families to move from crisis, abuse and poverty to fulfilling, self-sustaining lives breaking cycles of homelessness today and for generations to come.

Respectfully,



Rev. Janet Collinsworth, Founder and CEO  
Agape Resource & Assistance Center, Inc.  
Jericho Village, LLC.





## **Zoning Case 2024-004**

**An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to expand Specific Use Permit No. 660 for Household Care Institution from 0.3 to 0.6 acre of land out of the Sanford Beck Survey, Abstract No. 73, located on two lots on the north side of 19th Street, 400 feet west of N Avenue in the City of Plano, Collin County, Texas, presently zoned General Office with Specific Use Permit No. 660 for Household Care Institution; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.**

**WHEREAS**, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 25th day of March 2024 to expand Specific Use Permit No. 660 for Household Care Institution from 0.3 to 0.6 acre of land out of the Sanford Beck Survey, Abstract No. 73, located on two lots on the north side of 19th Street, 400 feet west of N Avenue in the City of Plano, Collin County, Texas, presently zoned General Office with Specific Use Permit No. 660 for Household Care Institution; 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 March 2024; and

**WHEREAS**, the City Council is of the opinion and finds that expanding Specific Use Permit No. 660 for Household Care Institution from 0.3 to 0.6 acre of land out of the Sanford Beck Survey, Abstract No. 73, located on two lots on the north side of 19th Street, 400 feet west of N Avenue in the City of Plano, Collin County, Texas, presently zoned General Office with Specific Use Permit No. 660 for Household Care Institution, would not be detrimental or injurious to the public health, safety, or 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.

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

**Section I.** The Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to expand Specific Use Permit No. 660 for Household Care Institution from 0.3 to 0.6 acre of land out of the Sanford Beck Survey, Abstract No. 73, located on two lots on the north side of 19th Street, 400 feet west of N Avenue in the City of Plano, Collin County, Texas, presently zoned General Office with Specific Use Permit No. 660 for Household Care Institution, said property being described in the legal description in Exhibit A attached hereto.

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

Maximum number of residents: 20 per building.

**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.

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

**Section VI.** Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section 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** on the 25th day of March, 2024.

---

John B. Muns, MAYOR

ATTEST:

---

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

---

Paige Mims, CITY ATTORNEY



**Zoning Case 2024-004**

**Being** situated in the Sanford Beck Survey, Abstract Number 73, in Plano, Collin County, Texas, being all of Lot 1 and all of Lot 2, Block A, Synergy Square Addition, an addition to the City of Plano, Collin County, Texas, according to the map thereof recorded in Volume C, Page 295, of the map records of Collin County, Texas, being all of Synergy Square I Condominiums, a condominium regime in the City of Plano, Collin County, Texas, of record in Volume 1491, Page 277, of the deed records of Collin County, Texas, being all of Synergy Square II Condominiums, a condominium regime in the City of Plano, Collin County, Texas, of record in Volume 1491, Page 298, of the deed records of Collin County, Texas, and being all of those tracts of land described in deeds to Agape Resource & Assistance Center, Inc., of record under County Clerk's File Number 2023000100797, County Clerk's File Number 20201222002313780, County Clerk's File Number 20171013001375120, County Clerk's File Number 20141023001160540, County Clerk's File Number 20141024001164160, and County Clerk's File Number 20170718000943620, of the deed records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

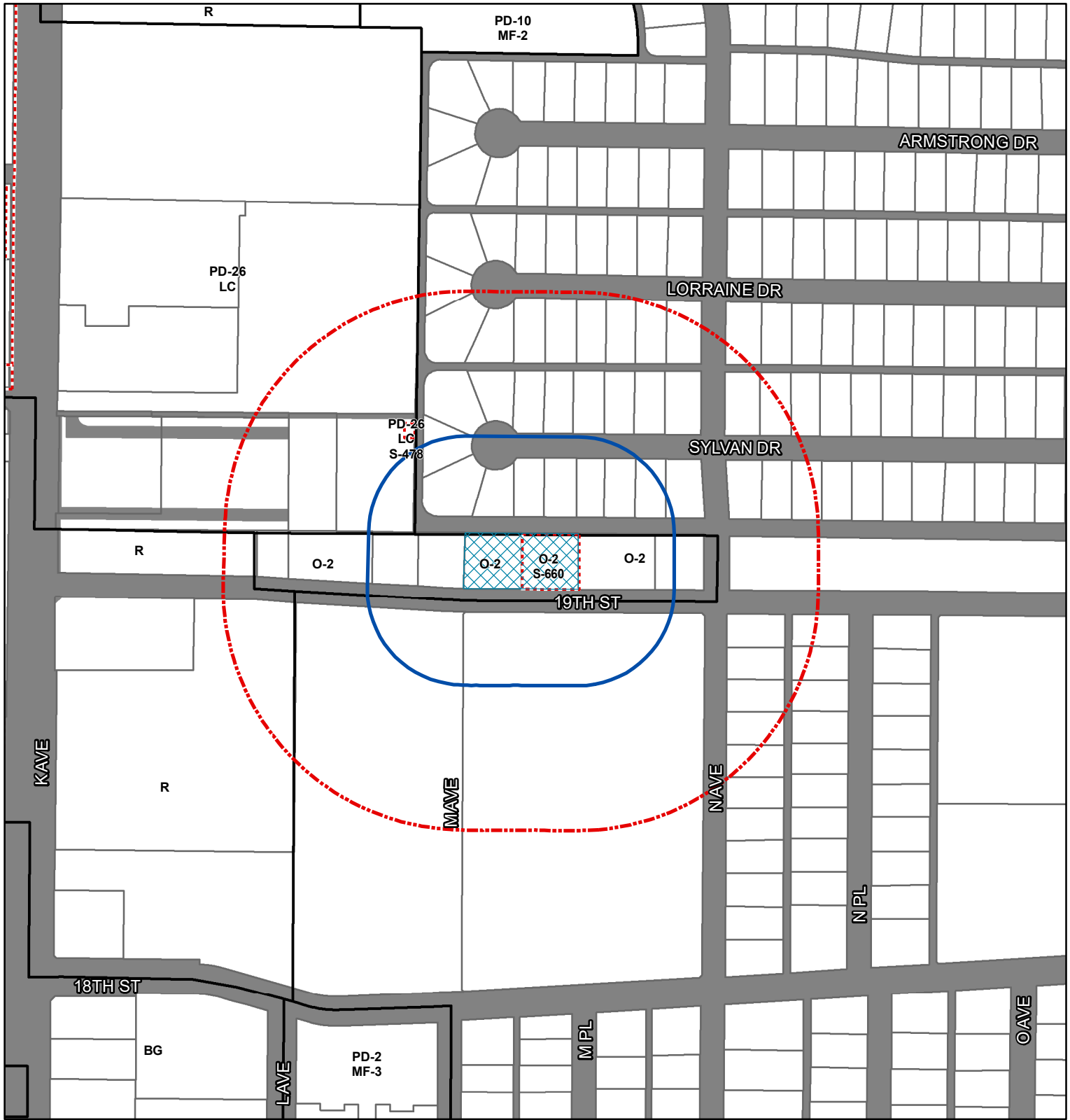
**Beginning** at a 1/2" iron rod found for corner in the north right-of-way line of 19th Street (50' right-of-way), at the southeast corner of said Synergy Square Addition and the southwest corner of Kids Addition, an Addition to the City of Plano, Collin County, Texas, according to the map thereof recorded in Volume B, Page 226, of the map records of Collin County, Texas;

**Thence** south 89°36'18" west along the north right-of-way line of said 19th Street and the south line of said Synergy Square Addition, a distance of 238.40 feet to a 1" iron rod found for corner at the southwest corner of said Synergy Square Addition and at the southeast corner of Cate Addition, an Addition to the City of Plano, Collin County, Texas, according to the map thereof recorded in Volume A, Page 92, of the map records of Collin County, Texas;

**Thence** north 00°34'10" west along the west line of said Synergy Square Addition and the east line of said Cate Addition, a distance of 112.40 feet to a 1" iron rod found for corner at the common north corner thereof;

**Thence** north 89°24'31" east along the north line of said Synergy Square Addition, a distance of 238.40 feet to a 5/8" iron rod set for corner at the northeast corner of said Synergy Square Addition and the northwest corner of said Kids Addition;

**Thence** south 00°34'10" east along the east line of said Synergy Square Addition and the west line of said Kids Addition, a distance of 113.22 feet to the **POINT OF BEGINNING** and **CONTAINING** 26,894 square feet or 0.617 acres of land.

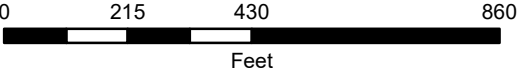
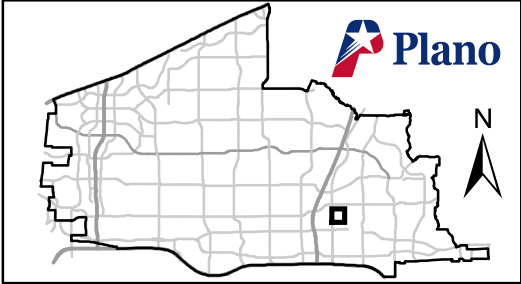


Zoning Case: 2024-004

Existing Zoning: General Office with Specific Use Permit No. 660 for Household Care Institution

Proposed Zoning: Expand Specific Use Permit No. 660 for Household Care Institution

- SubjectProperty
- CourtesyBuffer
- NotificationBuffer
- Streets
- Municipal Boundaries
- Zoning Boundary
- Specific Use Permit
- Zoning Boundary Change/SUP



**'ZONING EXHIBIT'**

**LOT 56 BLOCK 4**  
ARMSTRONG PARK NO. 2  
VOLUME 6, PAGE 29  
M.R.C.C.T.  
ZONED: SF-7

**LOT 57 BLOCK 4**  
ARMSTRONG PARK NO. 2  
VOLUME 6, PAGE 29  
M.R.C.C.T.  
ZONED: SF-7

**LOT 58 BLOCK 4**  
ARMSTRONG PARK NO. 2  
VOLUME 6, PAGE 29  
M.R.C.C.T.  
ZONED: SF-7

**LOT 59 BLOCK 4**  
ARMSTRONG PARK NO. 2  
VOLUME 6, PAGE 29  
M.R.C.C.T.  
ZONED: SF-7

**LOT 60 BLOCK 4**  
ARMSTRONG PARK NO. 2  
VOLUME 6, PAGE 29  
M.R.C.C.T.  
ZONED: SF-7

**LOT 61 BLOCK 4**  
ARMSTRONG PARK NO. 2  
VOLUME 6, PAGE 29  
M.R.C.C.T.  
ZONED: SF-7

**LOT 1 BLOCK A**  
SYNERGY SQUARE ADDITION  
VOLUME C, PAGE 295  
M.R.C.C.T.  
ZONED: O-2 (PROPOSED SUP S-660)  
0.308 ACRES (13,423 SQ. FT.)

**LOT 2 BLOCK A**  
SYNERGY SQUARE ADDITION  
VOLUME C, PAGE 299  
M.R.C.C.T.  
ZONED: O-2  
SUP S-660  
0.308 ACRES (13,470 SQ. FT.)

**LOT 1R BLOCK 1**  
FIRST UNITED METHODIST CHURCH  
VOLUME P, PAGE 132  
M.R.C.C.T.  
ZONED: SF-7

**LOT 1R BLOCK 1**  
MONDERRALL ADDITION  
VOLUME 2011, PAGE 282  
M.R.C.C.T.  
ZONED: SF-7

**PROPERTY DESCRIPTION:**

BEING SITUATED IN THE SANFORD BECK SURVEY, ABSTRACT NUMBER 73, IN PLANO, COLLIN COUNTY, TEXAS, BEING ALL OF LOT 1 AND ALL OF LOT 2, BLOCK A, SYNERGY SQUARE ADDITION, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME C, PAGE 295, OF THE MAP RECORDS OF COLLIN COUNTY, TEXAS, BEING ALL OF SYNERGY SQUARE I CONDOMINIUMS, A CONDOMINIUM REGIME IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, OF RECORD IN VOLUME 1491, PAGE 277, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, BEING ALL OF SYNERGY SQUARE II CONDOMINIUMS, A CONDOMINIUM REGIME IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, OF RECORD IN VOLUME 1491, PAGE 298, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING ALL OF THOSE TRACTS OF LAND DESCRIBED IN DEEDS TO HARP RESOURCE & ASSISTANCE CENTER, INC., OF RECORD UNDER COUNTY CLERK'S FILE NUMBER 202302010077, COUNTY CLERK'S FILE NUMBER 202312200333780, COUNTY CLERK'S FILE NUMBER 20171013001375120, COUNTY CLERK'S FILE NUMBER 2014102001160540, COUNTY CLERK'S FILE NUMBER 2014102001164160, AND COUNTY CLERK'S FILE NUMBER 2017071800043620, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR CORNER IN THE NORTH RIGHT-OF-WAY LINE OF 19TH STREET (50' RIGHT-OF-WAY), AT THE SOUTHEAST CORNER OF SAID SYNERGY SQUARE ADDITION AND THE SOUTHWEST CORNER OF KIDS ADDITION, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME B, PAGE 226, OF THE MAP RECORDS OF COLLIN COUNTY, TEXAS;

THENCE SOUTH 89°34'18" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID 19TH STREET AND THE SOUTH LINE OF SAID SYNERGY SQUARE ADDITION, A DISTANCE OF 238.40 FEET TO A 1" IRON ROD FOUND FOR CORNER AT THE SOUTHWEST CORNER OF SAID SYNERGY SQUARE ADDITION AND AT THE SOUTHEAST CORNER OF KIDS ADDITION, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME A, PAGE 92, OF THE MAP RECORDS OF COLLIN COUNTY, TEXAS;

THENCE NORTH 02°34'10" WEST ALONG THE WEST LINE OF SAID SYNERGY SQUARE ADDITION AND THE EAST LINE OF SAID KIDS ADDITION, A DISTANCE OF 112.40 FEET TO A 1" IRON ROD FOUND FOR CORNER AT THE COMMON NORTH CORNER THEREOF;

THENCE NORTH 89°24'31" EAST ALONG THE NORTH LINE OF SAID SYNERGY SQUARE ADDITION, A DISTANCE OF 238.40 FEET TO A 5/8" IRON ROD SET FOR CORNER AT THE NORTHEAST CORNER OF SAID SYNERGY SQUARE ADDITION AND THE NORTHWEST CORNER OF SAID KIDS ADDITION;

THENCE SOUTH 02°34'10" EAST ALONG THE EAST LINE OF SAID SYNERGY SQUARE ADDITION AND THE WEST LINE OF SAID KIDS ADDITION, A DISTANCE OF 113.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 26.894 ACRES FEET OR 0.817 ACRES OF LAND.

**NOTES:**

- 1) ALL CORNERS LABELED HEREON AS "SET 5/8" I.R." HAVE A YELLOW CAP STAMPED "NPLS 5587".
- 2) (P.P.) INDICATES BUILDING LINES; EASEMENTS; R.O.D.S.; DIMENSIONS; ETC. ARE PER PLAT REFERENCED IN LEGAL DESCRIPTION ABOVE.
- 3) (M.D.) INDICATES MONUMENTS OF RECORD DIGNITY THAT REPRESENT ORIGINAL CORNERS SET BY THE SURVEYOR OR A SURVEYOR FOLLOWING IN THE FOOTSTEPS OF THE ORIGINAL SURVEYOR OF THE SUBDIVISION OR TRACT REFERENCED IN LEGAL DESCRIPTION ABOVE UNLESS OTHERWISE NOTED.
- 4) APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY SUBSEQUENT STUDY, PLAT, OR PLAN, APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INITIATION OF THE DEVELOPMENT PROCESS. PLANNING & ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON STUDIES, PLATS, OR PLANS RELATED TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

**BASE OF BEARINGS:**

ALL BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH-CENTRAL ZONE (TX4202) DERIVED FROM GPS OBSERVATIONS TAKEN ON 02/15/2024 UTILIZING A TRIMBLE R6S RTK UNIT ON THE ALLSTAR RTK NETWORK.

**ZONING EXHIBIT**  
**ZC2024-004**

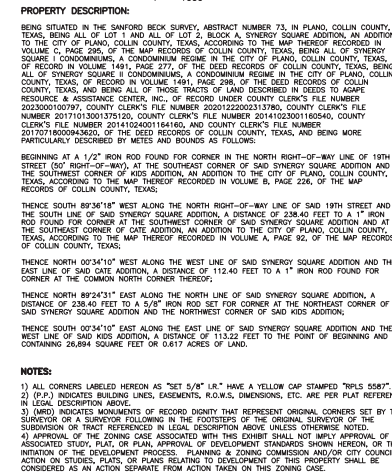
**SYNERGY SQUARE ADDITION**  
**LOT 1 AND LOT 2, BLOCK A**  
**BEING 0.817 ACRES OF LAND**  
**SITUATED IN THE**  
**SANFORD BECK SURVEY, ABSTRACT NO. 73**  
**CITY OF PLANO, COLLIN COUNTY, TEXAS**

**OWNER:**  
AGAPE RESOURCE & ASSISTANCE CENTER, INC.  
P.O. BOX 861664  
PLANO, TX 75086  
(972) 567-0673

**SURVEYOR:**  
GLOBAL LAND SURVEYING, INC.  
JASON MORGAN  
P.O. BOX 203698  
PLANO, TEXAS 75026  
PHONE (972) 881-1700  
JMORGAN@GLS-INC.COM  
TBPLS FORM NO. 10016300

**AGAPE RESOURCE & ASSISTANCE CENTER, INC.**  
1315-1325 19TH STREET  
PLANO, TX 75086  
PHONE (972) 881-1700  
JOMORGAN@GLS-INC.COM  
FEBRUARY 2024

**GLOBAL LAND SURVEYING, INC.**  
SERVING THE GREATER DALLAS-FORT WORTH METROPLEX SINCE 2002



SYNERGY SQUARE ADDITION  
LOT 1 AND LOT 2, BLOCK A  
BEING 0.617 ACRES OF LAND  
SITUATED IN THE  
ORD BECK SURVEY, ABSTRACT NO. 73  
OF PLANO, COLLIN COUNTY, TEXAS

 **Global Land Surveying, Inc.**  
SERVING THE GREATER DALLAS-FORT WORTH METROPLEX SINCE 2002

## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024

**DEPARTMENT:** Utilities Operations

**DIRECTOR:** Dan Prendergast, P.E. Director of Public Works

**AGENDA ITEM:** Presentation and receive Public Comments on proposed revisions to the City of Plano's Drought and Emergency Response Plan and Water Management Plan.

**RECOMMENDED ACTION:** Items for Individual Consideration

---

### **ITEM SUMMARY**

Presentation and receive Public Comments on proposed revisions to the City of Plano's Drought and Emergency Response Plan and Water Management Plan. **Plans presented and comments received.**

### **BACKGROUND**

The Texas Commission on Environmental Quality requires the City's Drought and Emergency Response Plan and Water Management Plan to be updated every five years. The last update was in April 2019.

The proposed Drought and Emergency Response Plan and Water Management Plan have minor changes from the existing plans. While the North Texas Municipal Water District ("NTMWD") has developed a model plan, the City has adopted its own plans.

The draft plans are available for public comment from March 12 through April 1, 2024. Final plans will be presented for adoption by Council at the April 22, 2024 meeting.

### **FINANCIAL SUMMARY/STRATEGIC GOALS**

This item has no financial impact.

Approval of this agenda item supports the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

### **ATTACHMENTS:**

Description	Upload Date	Type
Presentation of Water Plan Updates	3/18/2024	Attachment
Draft Drought and Emergency Response Plan	3/18/2024	Attachment
Draft Water Management Plan	3/13/2024	Attachment



---

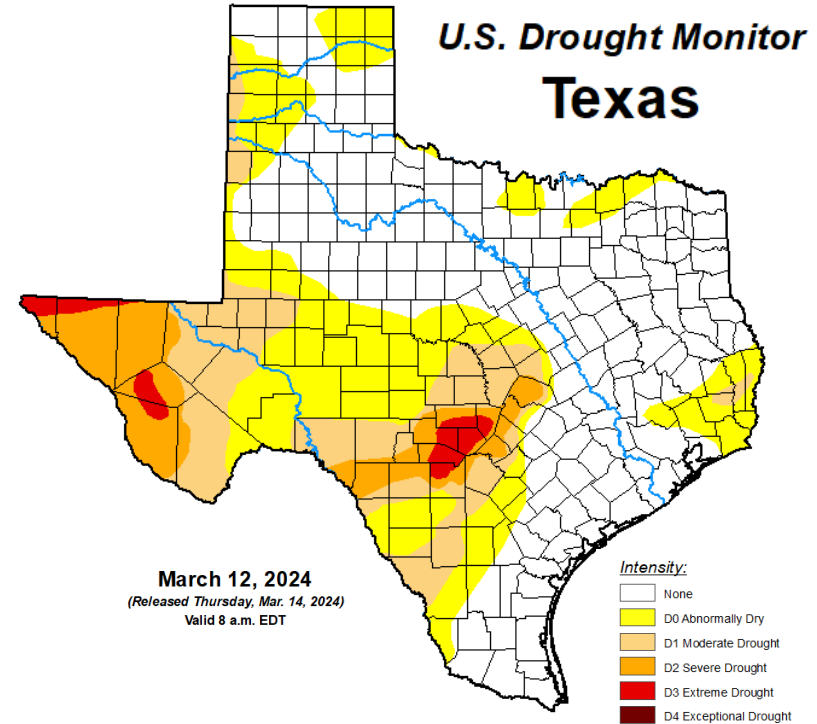
# Five Year Update for the Drought and Water Conservation Plans

Abby Owens  
Public Works Department  
Assistant Director - Water/Wastewater

# Drought and Emergency Response Plan

**No changes** to the Drought and Emergency Response Plan

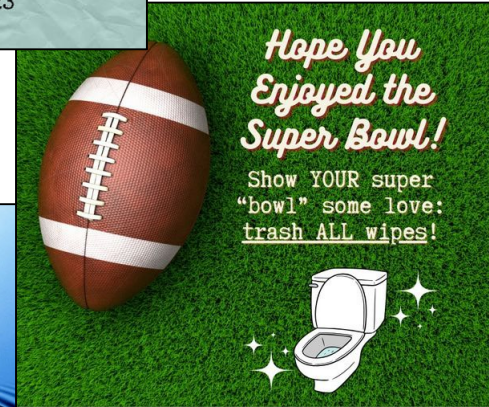
	Reduction Goal	Watering Days
Stage 1	5%	2x Apr – Oct
		1x Nov - Mar
Stage 2	10%	1x Apr – Oct
		1x Every Other Week Nov – Mar
Stage 3	Whatever necessary	Only Foundations & Trees



The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

# Water Management Plan

- Updates to the GPCD goals
- Updates to education and outreach initiatives
  - Online applications for rebates
  - Free water conservation items
  - Educational classes and programs



# Per Capita Water Use Goals (gpcd)

**DRAFT 2024** Table 4.1  
Five-Year and Ten-Year Municipal Per Capita Water Use Goals (gpcd)

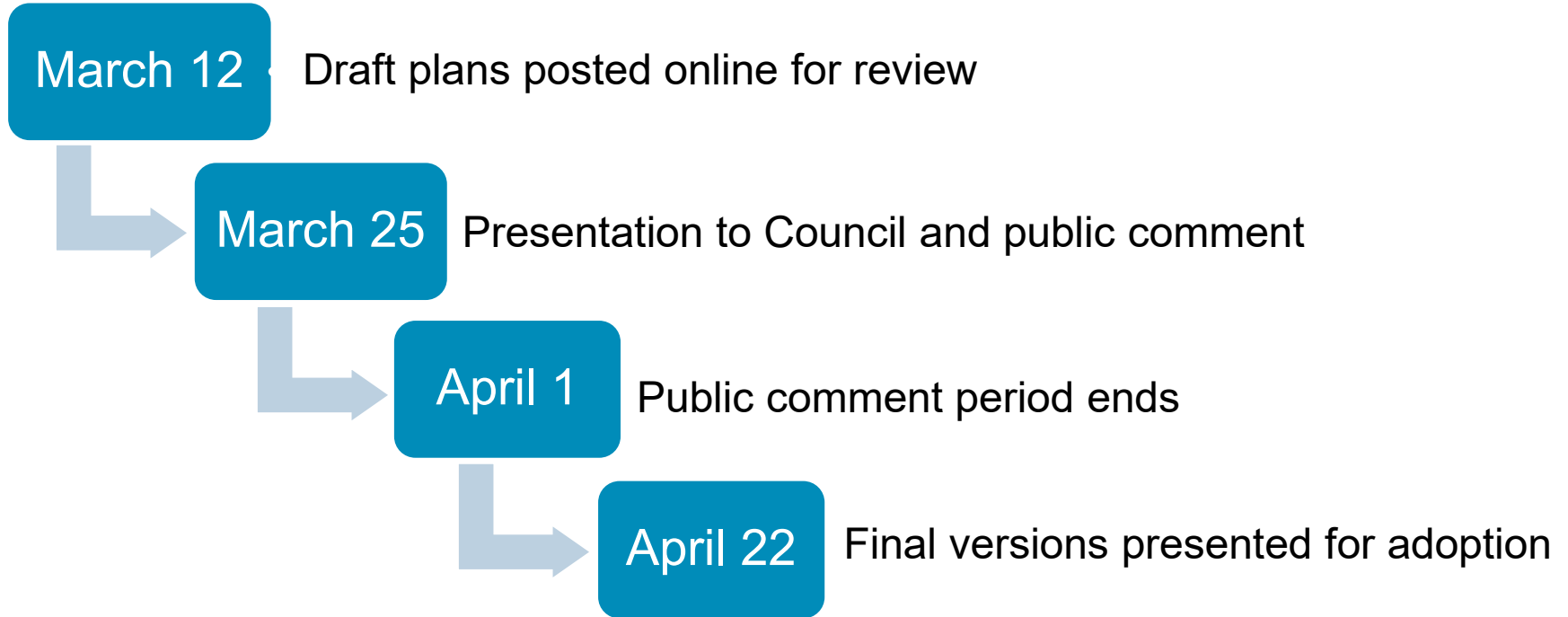
Description	Historic 5-Year Average <sup>1</sup>	Baseline <sup>2</sup>	5-Year Goal for year 2024	10-Year Goal for year 2029
Total GPCD <sup>3</sup>	201	219	190	185
Residential GPCD <sup>4</sup>	92	95	88	86
Water Loss (GPCD) <sup>5</sup>	31	24	21	19
Water Loss (Percentage) <sup>6</sup>	16%	11%	11%	10%

Table 4.1  
Five-Year and Ten-Year Municipal Per Capita Water Use Goals (gpcd)

Adopted 2019 Plan Goals	Historic 5-Year Average <sup>1</sup>	Baseline <sup>2</sup>	5-Year Goal for year 2024	10-Year Goal for year 2029
Total GPCD <sup>3</sup>	197	200	195	190
Residential GPCD <sup>4</sup>	95	92	90	88
Water Loss (GPCD) <sup>5</sup>	30	33	24	21
Water Loss (Percentage) <sup>6</sup>	15%	16%	12%	11%



# Timeline for Plan Adoption



# Available online at [plano.gov/water](https://plano.gov/water)

[Home](#) » [Residents](#) » [Plano Water Resources](#)

## Plano Water Resources

Plano cares about the quality of our water. Plano's water system has a "Superior" rating with the Texas Commission on Environmental Quality (TCEQ), and it exceeds all state and federal drinking water standards. We work together with our residents and fellow [North Texas Municipal Water District](#) member cities to provide reliable and safe water for your everyday use. Visit the links below to learn more about our water, ways to conserve, water quality and how to pay your bill.

## Helpful Resources

- [How to Shut off Water to Your Home \(PDF\)](#)

### DRAFT Plans Available for Review and Comment

#### Review and Comment on the Drought and Emergency Response and Water Management Draft Plans

The City of Plano is currently updating its Water Management Plan and Drought Emergency Response Plan. The Water Management plan guides long-term water conservation and the Drought and Emergency Response Plan is implemented when a drought or an emergency water situation is declared.

Draft updates to these documents will be presented at City Council on Monday, March 25th. Comments are accepted at this meeting and through April 1.

#### Take a look at the recommended draft plans:

- [DRAFT Water Management Plan 2024 \(PDF\)](#)
- [DRAFT Drought and Emergency Response Plan 2024 \(PDF\)](#)

**Submit your comments on the draft plans through the online form.**



[Plano.gov/PublicWorks](#)

## Water Management Plan Comment Form

First Name\*

Please enter a value

Last Name\*

Phone\*

Email Address\*

Address\*

#### Review the draft plans:

- [DRAFT Water Management Plan 2024 \(PDF\)](#)
- [DRAFT Drought and Emergency Response Plan 2024 \(PDF\)](#)

\*Please note: comments are subject to Open Records Requests

Comments related to Water Management Plan

Comments related to Drought and Emergency Response Plan

# Public Comment

- Tonight in person
- Online: [plano.gov/water](https://plano.gov/water)

- Mail:

Attn: Water Conservation Plan Comments, City of Plano  
4120 W. Plano Pkwy  
Plano, TX 75093



Questions?

ORDINANCE NO. 2019-4-7

**An Ordinance of City of Plano, Texas, repealing and replacing Sections 21-53 through 21-60.2 of Article II, Division 4, Drought and Emergency Response Plan, of Chapter 21, Utilities of the Code of Ordinances of the City of Plano to identify the authority of the City to declare drought and emergency stages and applicable requirements, correct errors and inconsistencies, and providing a penalty clause, a savings clause, a severability clause, a repealer clause, a publication clause and an effective date.**

**WHEREAS**, on October 26, 2009, the City Council of the City of Plano duly passed Ordinance No. 2009-10-18, adopting the Drought and Emergency Response Plan; and

**WHEREAS**, on August 22, 2011, the City Council of the City of Plano amended certain sections of the Drought and Emergency Response Plan by Ordinance No. 2011-8-15; and

**WHEREAS**, on April 23, 2012, the City Council of the City of Plano amended certain sections of the Drought and Emergency Response Plan by Ordinance No. 2012-4-13; and

**WHEREAS**, on April 28, 2014, the City Council of the City of Plano amended certain sections of the Drought and Emergency Response Plan by Ordinance No. 2014-4-28; and

**WHEREAS**, the Texas Commission on Environmental Quality requires that the Drought and Emergency Response Plan be updated every five years and the next update is due by May 1, 2019; and

**WHEREAS**, the City staff recommends that further amendments are necessary to the Drought and Emergency Response Plan to more accurately describe the plan, correct errors, and provide clarification; and

**WHEREAS**, the City staff further recommends that certain areas of the Drought and Emergency Response Plan be amended to provide options for the City Manager to impose certain requirements upon notification to the public; and

**WHEREAS**, the City Council of the City of Plano, after consideration of the recommendations of staff and all matters attendant and related thereto, is of the opinion that the recommended changes should be approved and adopted.

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

**Section I.** Division 4, Drought and Emergency Response Plan, Sections 21-53 through 21-60.2 of Article II, Water, Chapter 21, Utilities, of Plano Code of Ordinances is hereby repealed in its entirety and replaced with the following:

"DIVISION 4: DROUGHT AND EMERGENCY RESPONSE PLAN

**Sec. 21-53. Purpose and Scope**

(a) The North Texas Municipal Water District (NTMWD) supplies treated water to the City of Plano, as well as other member cities and customers. A Model Water Resource and Emergency Management Plan was developed by the NTMWD in accordance with the regulations and requirements of the Texas Administration Code ("TAC") and the Texas Commission on Environmental Quality ("TCEQ") and consultation with its member cities. The NTMWD Model Plan calls for member cities and customers to adopt similar criteria and procedures for declaring a water emergency and implementing drought and emergency response stages as used by NTMWD. Member cities and customers may also adopt more stringent drought and emergency stages than NTMWD if conditions warrant. There is hereby established a City of Plano Drought and Emergency Response Plan (in this division called "the Plan") to provide procedures for:

- (1) Conserving the available water supply in times of drought, water supply shortage and emergency;
- (2) Maintaining supplies for domestic water use, sanitation, and fire protection;
- (3) Protecting and preserving public health, safety, and welfare;
- (4) Minimizing the adverse impacts of water supply shortages; and
- (5) Minimizing the adverse impacts of emergency water supply conditions.

(b) The Plan applies to

- (1) All persons and premises using water from the city's water delivery system;
- (2) All wholesale contract customers;

(c) TCEQ's minimum requirements (30 Tex. Admin. Code § 288.20) for drought contingency plans are addressed in the following subsections of this Plan.

**Sec. 21-54. Exemption**

The governmental use of water for essential services such as police, fire, and emergency services which is necessary to preserve or protect the health, safety and welfare of the citizens of Plano is exempt from any and all restrictions or mandates set forth in the Plan.

**Sec. 21-55. Definitions**

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Athletic Field" means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools, professional sports, or sanctioned league play.

"City" refers to the City of Plano.

"City Manager" refers to the City Manager of the City of Plano or any other City of Plano public official designated by the City Manager to act on behalf of the City Manager.

"Customer" means a person, company or other entity connected to the City's water system and contracting with the City of Plano to receive potable water service.

"Drip Irrigation" means micro-irrigation with low volume (measured in gallons per hour) and low pressure release of water to a specific root zone through point source emitters or pressure compensating in-line drippers. This does not include micro-sprayers or misters.

"Drought" means an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources to be depleted.

"Emergency" means a condition in which the existing or projected water supply available to the city is not anticipated to meet the normal water requirements of metered water users. This condition may be the result of factors including, but not limited to, natural emergency conditions (i.e., drought, etc.) and/or a failure of the city's or its supplier's water distribution systems"

"Even numbered address" refers to street addresses (e.g. 124 Plano Street) or box numbers ending in 0, 2, 4, 6, or 8.

## ORDINANCE NO. 2019-4-7

"Foundation" means area that includes first 24" of soil from foundation slab.

"Fugitive water" refers to pumping, flow, release, escape, or leakage of any water from any pipe, valve, faucet, connection, diversion, well, from any water supply, transport, storage disposal or delivery system of a facility onto adjacent property or the public right-of-way.

"Irrigation System" means a site-specific system of delivering water, generally for landscape irrigation, via a system of pipes or other conduits installed below ground.

"Landscape" means natural plant materials around buildings or on grounds (i.e., trees, shrubbery, grasses and flowers) but excludes athletic fields and high use areas.

"New Landscape" mean (a) vegetation installed at the time of the construction of a residential or commercial facility; (b) installed as part of a governmental entity's capital improvement project; or (c) installed to stabilize an area disturbed by construction.

"North Texas Municipal Water District" or "NTMWD" refers to the North Texas Municipal Water District.

"Odd numbered address" refers to street addresses (e.g. 123 Plano Street) or box numbers ending in 1, 3, 5, 7 or 9.

"Ornamental Fountains" means water features greater than 5 feet in diameter used for aesthetic or cosmetic purposes only that must use, or be refilled with, potable water. This shall not include pond aerifiers and other water recycling devices used to mitigate stagnant conditions in lakes, ponds, or other natural bodies of water.

"Person" means owner, occupant, or person in control of the premises or a person authorized by the owner, occupant, or person in control of the premises.

"Plan" refers to the City of Plano's Drought and Emergency Response Plan, individually and/or collectively

"Plano" refers to the City of Plano or the City.

"Potable water" means any public water supply which has been investigated and approved by the TCEQ as satisfactory for drinking, culinary and domestic purposes.

"Public health, Safety and welfare" means such amount of water as necessary to sustain human life, reasonable standards of hygiene and sanitation, and fire suppression.



## ORDINANCE NO. 2019-4-7

"Greens" means the ground that is specially prepared for putting. The putting green is typically defined by a fine bladed grass that requires an extremely high level of maintenance to provide a smooth surface for rolling the ball when putting.

"Soaker Hose" means a perforated or permeable garden-type hose that is laid above ground and provides irrigation at a slow and constant rate.

"Sprinkler" means an above ground irrigation device that may be attached to a garden hose or in-ground irrigation system. This includes spray heads, rotor heads, and oscillating devices.

"Swimming Pool" or "pool" means any structure, basin, chamber, or tank, containing an artificial body of water for swimming, diving, or recreational bathing, and having a depth of two (2) feet or more at any point. Hot tubs, greater than five feet in width at any point are included in this definition.

"Plano's water supply system" or "water delivery system" means the City of Plano water works system and shall include, but not be limited to, storage tanks, elevated tanks, pipelines, pumps, hydrants, meters, valves, connections, engines, and all other property and machinery used in connection with the City's water works system.

"Tee Box" means the rectangular area considered the starting place for the hole to be played in the game of golf. The tee box is typically defined by a grass that requires a very high level of maintenance and mowed at a low height to provide a consistent surface to begin play on the hole.

"TCEQ" means the Texas Commission on Environmental Quality.

"Wholesale Customer" means entities to whom the City of Plano provides wholesale water at a discounted rate. The Colony is a wholesale customer of the City of Plano.

### **Sec. 21-56. Presumption**

For purposes of enforcement of administrative remedies and criminal penalties under this ordinance, it shall be presumed that the person in actual control of the watering or irrigation devices for a premise is responsible for any violations of this ordinance. The requirement of a culpable mental state is expressly waived for any administrative or criminal penalty or remedy.

**Sec. 21-57. Authority to Declare Water Emergency**

(a) The City Manager may order the implementation of a drought and emergency response stage when one or more of the trigger conditions for that stage are met. The following actions will be taken when a drought and emergency response stage is initiated:

- (1) The public will be notified in accordance with Sec. 21-58.
- (2) NTMWD will be notified by e-mail with a follow-up letter that provides details of the reasons for initiation of the drought and emergency response stage.
- (3) If any mandatory provisions of the drought and emergency response plan are activated, the City will notify the Executive Director of the TCEQ and the Executive Director of the NTMWD within five (5) business days.

(b) Drought and emergency response stages imposed by NTMWD action may be initiated by the City. The City Manager may decide not to order the implementation of a drought and emergency response stage even though one or more of the trigger criteria for the stage are met. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for the decision should be documented.

(c) In the event of a city-wide emergency, the order shall be made by public announcement in the City within twenty-four (24) hours of implementation. In the event of an emergency of limited geographical extent, door-to-door notification shall be made by door hangers and/or in person.

**Sec. 21-58. Notification and Termination of Water Emergency**

(a) Notification of Water Emergency - The City will inform and educate the public about the drought and emergency response plan by the following means:

- (1) Preparing a press release describing the Plan and sharing it through media outlets.
- (2) Making the Plan available to the public through the City's website.

- (3) Notifying local organizations, schools, and civic groups that staff are available to make presentations on the Plan (usually in conjunction with presentations on water conservation programs).
- (4) At any time that the Plan is activated or the drought and emergency response stage changes, the City will notify local media of the issues, the drought and emergency response stage (if applicable), and the specific actions required of the public including all imposed mandatory requirements that have been implemented. The information will also be publicized on the City's website and through social media outlets. Utility Bill inserts and direct mail to each utility customer will also be used as appropriate.

**Sec. 21-59. Initiation and Termination of Drought and Emergency Response Stages**

A drought is defined as an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources, in this case reservoirs, to be depleted. In the absence of drought response measures, water demands tend to increase during a drought due to the need for additional outdoor irrigation. The severity of a drought depends on the degree of depletion of supplies and on the relationship of demand to available supplies. The NTMWD considers a drought to end when all of its supply reservoirs refill to the conservation storage pool.

(a) Initiation of a Drought and Emergency Response Stage – The City Manager is authorized to initiate a drought and emergency response stage when one or more of the criteria applicable to that stage is triggered.

(b) Notification to Public – The following actions will be taken to notify the public when a drought and emergency response stage is initiated or raised.

- (1) The public will be notified of the implementation or amendment of a drought and emergency response stage in the manner set forth in Sec. 21-58 above;
- (2) Wholesale customers and the NTMWD will be notified by telephone with a follow-up letter, e-mail or facsimile transmission;
- (3) If any mandatory provisions of the Plan are activated, notification will be sent to the Executive Director of the TCEQ within five (5) business days.

## ORDINANCE NO. 2019-4-7

(c) Drought and Emergency Response Stages Imposed by NTMWD – The City Manager may elect not to implement a drought and emergency response stage imposed by NTMWD depending on all relevant factors. Factors which could influence such a decision include, but are not limited to, the time of the year, weather conditions, the anticipation of replenished water supplies, or the anticipation that additional facilities will become available to meet needs. The reason for the decision should be documented.

(d) Termination of a Drought and Emergency Response Stage – The drought and emergency response stage shall remain in effect until the City Manager determines that the conditions that triggered the drought and emergency response stage have been alleviated or no longer exist or lake levels established by NTMWD for termination are met.

(e) Notification of Public – The following actions will be taken to notify the public when a drought and emergency response stage is terminated or lowered:

- (1) The public will be notified of the termination or lowering of a drought and emergency response stage in the manner provided in Sec. 21-58 herein;
- (2) Wholesale customers, including The Colony, and the NTMWD will be notified by telephone with a follow-up letter, e-mail, or facsimile transmission;
- (3) If any mandatory provisions of the Plan are terminated, the Executive Director of the TCEQ will be notified within five (5) business days.

### **Sec. 21-59.1 Initiation and Termination Conditions for Stage 1**

(a) The City Manager has initiated Stage 1, which may be initiated due to one or more of the following:

- (1) The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 1.
- (2) Plano's water demand exceeds ninety-five (95) percent of the amount that can be delivered to customers for three consecutive days.
- (3) Plano's water demand for all or part of the water delivery system equals delivery capacity because delivery capacity is inadequate.

## ORDINANCE NO. 2019-4-7

- (4) Plano's supply source becomes contaminated.
- (5) Plano's water supply system is unable to deliver water due to the failure or damage of major water system components.
- (6) Other criteria as determined by the City.

(b) Stage 1 may terminate when NTMWD terminates Stage 1 or when the City Manager determines circumstances that caused the initiation of Stage 1 no longer exist. Factors which could influence such a decision include, but are not limited to, the time of the year, the weather conditions, or the anticipation of potential changed conditions that warrant the continuation of the drought and emergency stage. The reason for the decision should be documented.

### **Sec. 21-59.2 Goals for Use Reduction and Actions Available Under Stage 1**

(a) The goal for water use reduction under Stage 1 is a five (5) percent reduction in the amount of water delivered to Plano by NTMWD from the previous corresponding annual payment period (October 1 through September 30) prior to institution of drought restrictions. If circumstances warrant, or if required by NTMWD, the City Manager can set a goal for greater water use reduction.

(b) The City Manager may order the implementation of any of the actions listed below.

- (1) Continue or initiate any actions available under the Water Management Plan.
- (2) Notify wholesale customers, including The Colony, of actions being taken and encourage them to implement similar procedures.
- (3) Initiate engineering studies to evaluate alternatives should conditions worsen.
- (4) Accelerate public education efforts on ways to reduce water use.
- (5) Halt non-essential city government water use. Examples may include street cleaning, vehicle washing and operation of ornamental fountains.

## ORDINANCE NO. 2019-4-7

(c) The City Manager may also implement the following mandatory requirements on customers. If any of the following requirements are implemented, the City must notify the public as set forth in Sec. 21-58, and TCEQ and NTMWD within five (5) business days.

- (1) Landscape watering with sprinklers or irrigation systems is limited to no more than two (2) days per week between April 1 and October 31; and no more than one (1) day per week between November 1 and March 31. Designated days are determined by the even or odd numbered service address for the property. All Homeowners Associates must follow the even address schedule.

<b>Street Address</b>	<b>Days permitted for watering</b> (April 1 – October 31)	<b>Days permitted for watering</b> (November 1 – March 31)
Even numbered Addresses	Mondays and Thursdays	Thursdays
Odd numbered Addresses	Tuesdays and Fridays	Tuesdays

Exceptions are as follows:

- (i) Hand watering with a shutoff nozzle or soaker hose, or a dedicated zone using drip irrigation is allowed up to two (2) hours per day provided no runoff occurs.
- (ii) New construction landscaped areas may be watered for no more than thirty (30) consecutive days from the date a variance is granted.
- (iii) Newly seeded, hydro seeded, hydro mulched, sprigged areas in open space, common areas, right-of-ways and turf renovation at athletic fields may be watered for no more than thirty (30) consecutive days from the date a variance is granted.
- (iv) Locations using on-site well water or properly permitted creek withdrawals.

## ORDINANCE NO. 2019-4-7

- (v) Government agencies watering athletic fields or any other public grounds that are heavily used by the public during evening or morning hours. Public irrigation systems must be programmed to meet overall water use reduction goals of the stage.
  - (vi) Maintenance, testing, and calibration of an irrigation system, provided there is a person on-site and visible while each zone of the system is running.
- (2) Watering between 6:00 p.m. and 10:00 a.m. from November 1 through March 31 is prohibited.

### **Sec. 21-59.3 Initiation and Termination Conditions for Stage 2**

(a) The City Manager has initiated Stage 2, which may be initiated due to one or more of the following:

- (1) The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 2.
- (2) Plano's water demand exceeds ninety-eight (98) percent of the amount that can be delivered to customers for three (3) consecutive days.
- (3) Plano's water demand for all or part of the water delivery system exceeds delivery capacity because delivery capacity is inadequate.
- (4) Plano's supply source becomes contaminated.
- (5) Plano's water supply system is unable to deliver water due to the failure or damage of major water system components.
- (6) Other criteria as determined by the City Manager.

(b) Stage 2 may terminate when NTMWD terminates Stage 2 or when the City Manager determines circumstances that caused the initiation of Stage 2 no longer prevail.

### **Sec. 21-59.4 Goals for Use Reduction and Actions Available Under Stage 2**

(a) The goal for water use reduction under Stage 2 is a ten (10) percent reduction in the amount of water delivered to Plano from NTMWD from the previous corresponding annual payment period (October 1 through September 30)

## ORDINANCE NO. 2019-4-7

prior to the institution of drought restrictions. If circumstances warrant or if required by NTMWD, the City Manager can set a goal for a greater water use reduction.

(b) The City Manager may order the implementation of any of the actions listed below.

- (1) Continue or initiate any actions available under the Water Management Plan and Stage 1.
- (2) Notify wholesale customers of actions being taken and encourage them to implement similar procedures.
- (3) Implement viable alternative water supply strategies.

(c) The City Manager may also implement the following mandatory requirements on customers. If any of the following are implemented, the City must notify the public as set forth in Sec. 21-58, and TCEQ and NTMWD within five (5) business days.

- (1) Initiate water use restrictions as follows:
  - (i) Prohibit hosing of paved areas, buildings, or windows (pressure washing of impervious surfaces is allowed) except for outdoor public restrooms, pavilions and shelters, where public health, safety, and welfare may be compromised by unsanitary conditions if the facilities cannot be cleaned.
  - (ii) Prohibit operation of all ornamental fountains or other amenity impoundments to the extent they use treated water. Ornamental fountains or other amenity impoundments supporting aquatic life may apply for a variance to operate during Stage 2.
  - (iii) Prohibit washing or rinsing of vehicles by hose except with a hose end cutoff nozzle.
- (2) Landscape watering with sprinklers or irrigation systems is limited to no more than once per week between April 1 and October 31; and no more than once every other week between November 1 and March 31. Designated days are determined by the even or odd numbered service address for the property. All Homeowners Associations must follow the even address schedule.



# ORDINANCE NO. 2019-4-7

<b>Street Address</b>	<b>Days permitted for watering</b> (April 1 – October 31)	<b>Days permitted for watering</b> (November 1 – March 31)
Even numbered addresses	Thursdays	Every other Thursday
Odd numbered addresses	Tuesdays	Every other Tuesday

Exceptions are as follows:

- (i) Hand watering with a shutoff nozzle or soaker hose, or a dedicated zone using drip irrigation is allowed up to two (2) hours per day provided no runoff occurs.
  - (ii) Public athletic fields may be watered as needed to maintain safe playing conditions.
  - (iii) Where feasible, irrigation systems on public property must comply with watering schedules and comply with the water reduction goals of the stage.
  - (iv) Maintenance, testing, and calibration of an irrigation system, provided there is a maintenance technician on-site and visible while each zone of the system is running.
  - (v) Locations using other sources of water supply for irrigation. Other sources of water supply may not include imported water.
- (3) Watering between 6:00 p.m. and 10:00 a.m. from November 1 through March 31 is prohibited.
  - (4) Golf courses are expected to meet the same reduction goals and measures as outlined in this stage. Greens and tee boxes maybe watered by hand as needed to keep turf alive.
  - (5) Hydro seeding, hydro mulching, and springing is prohibited.
  - (6) Existing pools may add water to maintain pool levels but may not be drained and refilled. A variance may be requested to repair a leak or for health or safety issues.

## ORDINANCE NO. 2019-4-7

- (7) Initiate a rate surcharge for all water use over a certain level, if necessary to meet goal reduction.
- (8) If NTMWD has imposed a reduction in water available to Member Cities and Customers, impose the same percent reduction on wholesale customers.

### **Sec. 21-59.5 Initiation and Termination Conditions for Stage 3**

(a) The City Manager has initiated Stage 3, which may be initiated due to one or more of the following:

- (1) The NTMWD Executive Director, with the concurrence of the NTMWD Board of Directors, finds that conditions warrant the declaration of Stage 3.
- (2) Plano's water demand exceeds the amount that can be delivered to customers.
- (3) Plano's water demand for all or part of the water delivery system seriously exceeds delivery capacity because the delivery capacity is inadequate.
- (4) Plano's supply source becomes contaminated.
- (5) Plano's water supply system is unable to deliver water due to the failure or damage of major water system components.
- (6) Plano is unable to recover water storage of one hundred (100) percent in all storage facilities within a twenty-four (24) hour period.
- (7) Plano's individual Plan may be implemented if other criteria dictate.

(b) Stage 3 may terminate when NTMWD terminates Stage 3 or when the City Manager determines circumstances that caused the initiation of Stage 3 no longer exist.

### **Sec. 21-59.6 Goals for Use Reduction and Actions Available Under Stage 3**

(a) The goal for water use reduction under Stage 3 is a reduction of whatever amount is designated by NTMWD in the amount of water provided to Plano by NTMWD from the corresponding previous annual payment period prior to institution of drought restrictions. If circumstances warrant or if required by NTMWD, the City Manager can set a goal for a greater water use reduction.

## ORDINANCE NO. 2019-4-7

(b) The City Manager may order the implementation of any of the actions listed below, as deemed necessary.

- (1) Continue or initiate any actions available under the Water Management Plan and Stages 1 and 2.
- (2) Notify wholesale customers, including The Colony, of actions being taken and require them to implement similar procedures.
- (3) Implement viable alternative water supply strategies.
- (4) Water meter data for an account may be accessed to verify the property is following water restrictions and provide feedback on water consumption.

(c) The City Manager may also implement the following mandatory requirements on customers. If any actions are implemented, the City must notify the public as set forth in Sec. 21-58, and TCEQ and NTMWD within five (5) business days.

- (1) Prohibit the irrigation of landscaping using treated water.
- (2) Prohibit washing of vehicles except as necessary for health, sanitation, or safety reasons.
- (3) Foundations and trees may be watered for up to two (2) hours a day with a shutoff nozzle or a soaker hose, or a dedicated zone using drip irrigation. Drip irrigation systems are not exempt from this requirement. Water may not be trucked or otherwise transported into the City for irrigation purposes.
- (4) Prohibit the permitting of pools. Filling of pools will be evaluated based upon the reduction requirement. Existing pools may add water to maintain pool levels but may not be drained and refilled. A variance should be submitted for pool repairs that require refilling.
- (5) If NTMWD has imposed a reduction in water available to Member Cities and Customers, impose the same percent reduction on wholesale customers.

**Sec. 21-60. Procedures for Granting Variances to the Plan**

(a) The Public Works Director or his/her designee may grant temporary variances for water uses otherwise prohibited under this drought and emergency response plan.

(b) Variances shall be granted or denied at the discretion of the Public Works Director or his/her designee. All petitions for variances should be in writing (through letter or e-mail) and include the following information or placed online at [plano.gov/water](http://plano.gov/water).

- (1) Name and address of the petitioners
- (2) Contact email address and/or telephone number
- (3) Purpose of water use
- (4) Specific provisions from which relief is requested
- (5) Detailed statement of the adverse effect of the provision from which relief is requested
- (6) Description of the relief requested
- (7) Period of time for which the variance is sought
- (8) Other pertinent information.

(c) Variances will be processed within five (5) business days once received.

(d) Variances are considered temporary and must be re-submitted for reconsideration should the Drought and Emergency Response Stage elevate from the stage in which the temporary variance was approved to any higher stage of response.

**Sec. 21-60.1. Criminal Penalty**

Any person, firm or corporation who violates any term or provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. These criminal penalties may be imposed in addition to any Administrative or Civil Remedy listed herein. Each day a violation continues shall constitute a separate offense. The requirement of a culpable mental state is expressly waived for criminal prosecution purposes.

**Sec. 21-60.2. Administrative Remedies for Violations**

The following administrative remedies are available to the City in cases of noncompliance with the provisions of this ordinance. These administrative remedies may be assessed in addition to any criminal penalty assessed for a violation of this ordinance. Each day a violation continues shall constitute a separate violation for purposes of assessing administrative remedies. The requirement of a culpable mental state is expressly waived for administrative remedies.

In the event that any person violates the provisions of this ordinance, the Director of Public Works or his/her designee shall give notice to such person setting forth the evidence of noncompliance with the restrictions outlined in Stages 1, 2 and 3.

(a) In-Ground Irrigation Systems Violations

(1) Notification of Violation

- (i) The City may shut off the person's double check valve to the irrigation system; and
- (ii) Notice shall be sent by letter delivered by United States Postal Service addressed to the person recorded in the city's customer and utility billing records advising that the irrigation system has been turned off. The letter shall also advise the person of the assessment of administrative remedies and fees. The letter shall also advise the person of procedures for payment of the administrative fees and the procedure for requesting a hearing to contest the assessment of the administrative remedies.

(2) Remedy

- (i) The administrative penalty is one hundred fifty dollars (\$150) per occurrence when paid at Customer and Utility Services. The administrative penalty increases by fifty dollars (\$50) for each additional violation received within a rolling 12 month period, except that in no event shall the penalty exceed five hundred dollars (\$500) for a violation.

## ORDINANCE NO. 2019-4-7

- (ii) In lieu of the administrative penalty, the person recorded in the city's customer and utility billing records for the property can have a licensed irrigator install a properly functioning rain and freeze sensor. The person must provide a copy of the receipt that includes the purchase of the rain and freeze sensor, the installation of the device, and the licensed irrigator's name and Landscape Irrigator license number as issued by the TCEQ. This alternative remedy can only be applied once every three (3) years and is not eligible for a water conservation rebate from the City.

### (b) Violations for Systems without Double-Check Valves or In-Ground Irrigation Systems.

#### (1) Violation Notification

- (i) Notice shall be sent by letter delivered by United States Postal Service addressed to the person recorded in the city's customer and utility billing records advising the person of the violation. The letter shall also advise the person of the assessment of administrative fees. The letter shall also advise the person of procedures for payment of the administrative fees and the procedure for requesting a hearing to contest the assessment of the administrative remedies.

#### (2) Remedy

- (i) The administrative penalty is one hundred fifty dollars (\$150.00) per occurrence when paid at Customer & Utility Services. The administrative penalty increases by fifty dollars (\$50) for each additional violation received within a rolling 12 month period, except that in no event shall the penalty exceed five hundred dollars (\$500) for a violation.

### (c) Procedures for Paying Administrative Penalties or Requesting a Hearing on the Fees.

- (1) Personal appearance by the person listed on the city's Customer & Utility Services billing records is required to re-establish service to the irrigation system. Government issued photo identification must be provided by the person at time of payment or upon request for a hearing.

## ORDINANCE NO. 2019-4-7

- (2) A person may request a hearing to protest the assessment of any administrative penalty. To request a hearing, the person must make the request in person to the City Public Works Department within fifteen (15) business days from the date on the written notice of violation.
- (3) The Public Works Operations Manager or his/her designee shall conduct the hearing. The Manager shall evaluate all information offered by the petitioner at the hearing. The person making the request for a hearing shall bear the burden of proof to show why, by a preponderance of the evidence, the administrative remedy should not be assessed. The Manager will provide a decision at the time of the hearing or within three (3) business days following the conclusion of the hearing.
- (4) Payment of any penalty assessed at the hearing must be made within seven (7) business days of the decision from the hearing. Any penalty not paid within this time limit shall be added to the person's next water billing cycle.
- (5) A person may appeal the decision from the hearing to the office of the Director of Public Works or his/her designee. The Director or his/her designee shall hear the appeal.
- (6) The request for an appeal must be filed in writing with the office of the Director of Public Works within three (3) business days of the date that notice of the denial was given by the Manager.
- (7) The Director or his/her designee shall render a decision at the time of the appeal or within three (3) business days from the conclusion of the appeal.
- (8) A person may elect to pay the administrative penalty without requesting a hearing. Any penalty not paid within fifteen (15) business days from the date on the written notice shall be added to the person's next water billing cycle.
- (9) Unpaid penalties related to the Drought and Emergency Response Plan can result in the termination of the domestic water services in accordance with City Code Chapter 21, Article IV, Service Charges Generally, Section 21-131 (d) and the established policies and procedures of the Customer and Utility Services Department.

## ORDINANCE NO. 2019-4-7

(d) Administrative remedy for customers outside city. The Director of Public Works shall advise wholesale water customers outside the city limits receiving water service from the city of actions taken under the Plan by telephone and/or by letter. Noncompliance with any requirement in any stage may result in termination of service and removal of meter. Prior to such termination, the wholesale water customer shall be given notice of the city's intent to terminate service and shall have five (5) business days from the mailing of such notice to appeal the decision to the Director. Notice shall be sufficient if sent by certified mail to the last known address of the customer. If service is terminated, customer shall be liable for all costs of reinstallation. Termination of service to a wholesale water customer under this provision is subject also to the terms of any written contract between the city and the customer.

**Section II.** 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(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section III.** This Plan shall be submitted to the Region C Water Planning Group and to North Texas Municipal Water District, as required by TCEQ, to insure consistency with the appropriate approved regional water plan.

**Section IV.** All provisions of the ordinances of the City, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed upon the effective date of this Ordinance, and all other provisions of the ordinances of the City, codified or uncoded, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section V.** It is the intention of the City Council that this Ordinance, and every provision 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 VI.** The repeal of any ordinance or part of any ordinance effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as affecting any rights of the municipality under any section or provision of any ordinance at the time of passage this Ordinance.



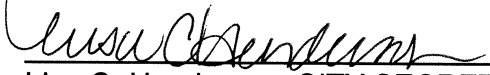
ORDINANCE NO. 2019-4-7

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

**DULY PASSED AND APPROVED** this the 22<sup>nd</sup> day of April 2019.

  
\_\_\_\_\_  
Harry LaRosiliere, MAYOR

ATTEST:

  
\_\_\_\_\_  
Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Paige Mims, CITY ATTORNEY

**City of Plano**  
**Water Management Plan**

**Table of Contents Will Be Updated Before Adoption**

**TABLE OF CONTENTS**

<b>1. INTRODUCTION AND OBJECTIVES .....</b>	<b>3</b>
<b>2. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES .....</b>	<b>8</b>
2.1 Conservation Plans .....	8
2.2 Drought Contingency Plans.....	9
<b>3. WATER CONSERVATION UTILITY PROFILE .....</b>	<b>11</b>
<b>4. SPECIFICATION OF WATER CONSERVATION GOALS .....</b>	<b>12</b>
<b>5. METERING, WATER USE RECORDS, CONTROL OF WATER LOSS, AND LEAK DETECTION AND REPAIR .....</b>	<b>13</b>
5.1 Accurate Metering of Treated Water Deliveries from NTMWD.....	13
5.2 Metering of Customer and Public Uses and Meter Testing, Repair, and Replacement .....	13
5.3 Determination and Control of Water Loss .....	13
5.4 Leak Detection and Repair.....	14
5.5 Monitoring of Effectiveness and Efficiency – NTMWD Member City and Customer Annual Water Conservation Report .....	14
5.6 Water Conservation Implementation Report .....	14
<b>6. CONTINUING PUBLIC EDUCATION AND INFORMATION CAMPAIGN .....</b>	<b>15</b>
<b>7. WATER RATE STRUCTURE .....</b>	<b>17</b>
<b>8. OTHER WATER CONSERVATION MEASURES .....</b>	<b>18</b>
8.1 NTMWD System Operation Plan.....	18
8.2 Reuse and Recycling of Wastewater .....	18
8.3 Ordinances, Plumbing Codes, or Rules on Water-Conserving Fixtures .....	18
8.4 Landscape Water Management Measures .....	18
8.5 Additional Water Conservation Measures .....	20
8.6 Rebates and Free Distribution of Water Conserving Devices .....	20
8.7 Requirement for Water Conservation Plans by Wholesale Customers.....	20
<b>9. IMPLEMENTATION OF THE DROUGHT CONTINGENCY &amp; WATER EMERGENCY RESPONSE PLAN.....</b>	<b>22</b>
<b>10. COORDINATION WITH THE REGIONAL WATER PLANNING GROUP AND NTMWD.....</b>	<b>23</b>
<b>11. REVIEW AND UPDATE OF WATER MANAGEMENT PLAN .....</b>	<b>24</b>
<b>12. IMPLEMENTATION AND ENFORCEMENT OF THE WATER MANAGEMENT PLAN.....</b>	<b>25</b>

## **APPENDICES**

<b>APPENDIX A</b>	<b>List of References</b>
<b>APPENDIX B</b>	<b>Water Conservation Utility Profile</b>
<b>APPENDIX C</b>	<b>Water Conservation Incentive Program</b>
<b>APPENDIX D</b>	<b>NTMWD Member City and Customer Annual Water Conservation Report</b>

## **1. INTRODUCTION AND OBJECTIVES**

Water supply has always been a key issue in the development of Texas. In recent years, the growing population and economic development of North Central Texas has led to increasing demands for water supplies. At the same time, local and less expensive sources of water supply are largely developed. Additional supplies to meet higher demands will be expensive and difficult to develop. It is therefore important that the North Texas Municipal Water District (NTMWD) and its Member Cities and Customers make the most efficient use of existing supplies. This will delay the need for new supplies, minimize the environmental impacts associated with developing new supplies, and delay the high cost of additional water supply development.

Recognizing the need for efficient use of existing water supplies, the Texas Commission on Environmental Quality (TCEQ) has developed guidelines and requirements governing the development of water conservation and drought contingency plans for public water suppliers. The TCEQ established guidelines and requirements are in Texas Administrative Code Title 30, Part 1, Chapter 288 Subchapter A, Rule §288.2 and Texas Administrative Code Title 30, Part 1, Chapter 288 Subchapter B, Rule §288.20. The best management practices established by the Water Conservation Implementation Task Force, established pursuant to SB1094 by the 78<sup>th</sup> Legislature, were also considered in the development of the water conservation measures. The Water Management Plan for the City of Plano was developed in concert with the NTMWD's water conservation and drought contingency and water emergency response plans.

The water conservation sections of this plan are intended as a year-round water efficiency plan and include measures that are designed to result in ongoing, long-term water savings. The objectives of this water conservation plan are as follows:

- To reduce water consumption from the levels that would prevail without conservation efforts.
- To reduce the loss and waste of water.
- To improve efficiency in the use of water.
- To document the level of recycling and reuse in the water supply.
- To extend the life of current water supplies by reducing the rate of growth in demand.

The drought contingency and water emergency response sections of this plan address strategies designed to temporarily reduce water use in response to specific conditions. The purpose of this drought contingency and water emergency response plan is as follows:

- To conserve the available water supply in times of drought and emergency
- To maintain supplies for domestic water use, sanitation, and fire protection
- To protect and preserve public health, welfare, and safety
- To minimize the adverse impacts of water supply shortages
- To minimize the adverse impacts of emergency water supply conditions.

The NTMWD supplies treated water to its Member Cities and Customers. The water conservation and drought contingency sections of this document were modeled after plans developed by NTMWD in consultation with its Member Cities. In concert with the adoption of this plan, the City of Plano is required to do the following:

- Complete the Water Conservation Utility Profile (TWDB Form - 1965R).
- Complete the Water Conservation Implementation Report (TWDB Form - 1969).
- Set five-year and ten-year goals for per capita water use (Section 4).
- Adopt a resolution approving the plan

This plan includes all elements required by TCEQ. The final adopted version of the Water Management Plan, including appendices will also be provided to NTMWD, as well as TCEQ and Region C Planning Group.

This Water Management Plan applies to all users of the City of Plano water supply.

**Definitions:**

*Athletic Field* means a public sports competition field, the essential feature of which is turf grass, used primarily for organized sports practice, competition or exhibition events for schools, professional sports, or sanctioned league play.

*Central Controlled Irrigation Systems* means large scale, technically advanced systems used to water large or multiple sites from a central location. This advanced technology can monitor and adapt system operation and irrigation run times in response to conditions in the system or surrounding areas (weather conditions, pipe breaks, etc.). These systems may also be easily programmed (individually or globally) to reduce flow rates or the amount of water applied to meet conservation needs; required reduction percentages; and provide historical data or reports. The City central irrigation system uses multiple weather stations throughout the city to collect real-time climatological data. This data is then available to the computer to automatically shut down the system when weather conditions warrant.

*Cool Season Grasses* refers to the varieties of turf grass that grow best in cool climates primarily in northern and central regions of the U.S. Cool season grasses include perennial and annual rye grass, Kentucky blue grass and fescues.

*Customer* means a person, company or other entity connected to the City's water system and contracting with the City of Plano to receive potable water service.

*Drip Irrigation* means micro-irrigation with low volume (measured in gallons per hour) and low-pressure release of water to a specific root zone through point source emitters or pressure compensating in-line drippers. This does not include micro-sprayers or misters.

*Foundation* means area that includes first 24" of soil from foundation slab.

*Fugitive water* means the pumping, flow, release, escape, or leakage of any water from any pipe, valve, faucet, connection, diversion, well, from any water supply, transport, storage disposal or delivery system of a facility onto adjacent property or the public right-of-way.

*Irrigation System* means a site-specific system of delivering water, generally for landscape irrigation, via a system of pipes or other conduits installed below ground.

*Landscape* means natural plant materials around buildings or on grounds (i.e., trees, shrubbery, grasses and flowers) but excludes athletic fields and high use areas.

*Potable water* means any public water supply that has been investigated and approved by the TCEQ as satisfactory for drinking, culinary and domestic purposes.

*Public Health and Safety* means such amount of water as necessary to sustain human life, reasonable standards of hygiene and sanitation, and fire suppression.

*Soaker Hose* means a perforated or permeable garden-type hose that is laid above ground and provides irrigation at a slow and constant rate.

*Sprinkler* means an above ground irrigation device that may be attached to a garden hose or in-ground irrigation system. This includes spray heads, rotor heads, and oscillating devices.

*Wholesale customers* purchase water at a discounted rate either directly from NTMWD or from a NTMWD water system Member City. Plano is a wholesale customer of NTMWD.

Responsibilities:

(a) The Director of Public Works is responsible for:

- ❖ Advising the City Manager in issues related to water conservation and drought and water emergency issues.
- ❖ Developing and maintaining the Water Management Plan and Drought and Emergency Response Plan in conformance with the most current NTMWD Model Plan and TCEQ guidelines and policies.
- ❖ Implementing programs to reduce and control water loss, calculating and reporting unaccounted for water, and keeping water loss under 12%. When water loss exceeds state standards, the City will intensify water loss control programs.
- ❖ Assuring that City ordinances are maintained to continue to support future revisions to the NTMWD Model Plan, City Plan, TCEQ guidelines, and legislative mandate.
- ❖ Preparing and submitting all required reports, water utility profiles, and tabular materials related to water conservation in the formats and media required by the City Plan and/or NTMWD, TCEQ, and/or the Texas Water Development Board (TWDB).
- ❖ Continuing the City's Water and Sewer Fund financial programming to support a residential meter replacement cycle of no more than 10 years and conducting a regular large meter testing program on no less than a 5-year cycle.

- ❖ Supporting the City's goal of reducing municipal gallons per capita per day (gpcd) to ~~18590~~ gpcd within a 10-year period.
- ❖ Providing NTMWD and the Chair of the Region C water planning group the City's adopted resolution and drought contingency ordinance.
- ❖ Managing the administrative processing and follow-up associated with City customer variance requests.
- ❖ Managing the administrative processing and follow-up associated with enforcement of all water conservation and drought contingency and water emergency response provisions of the drought contingency ordinance.
- ❖ Managing the program that allows the pursuit of administrative remedies for violations of water conservation and drought water use restrictions by non-single family water account holders.

(b) The Director of Environmental Health and Sustainability is responsible for:

- ❖ Developing and presenting water conservation educational and informational programs.
- ❖ Developing water conservation promotional activities including a water conservation incentive program.
- ❖ Developing and distributing the Consumer Confidence Report (CCR) to meet federal and state requirements.
- ❖ Notifying the public of the initiation of any drought and emergency response stage.
- ❖ Assuring that education materials are maintained to continue to support future revisions to the NTMWD Model Plan, City Plan, TCEQ guidelines, and legislative mandate.

(c) The Director of Finance is responsible for:

- ❖ Assuring the City continues its program of universal metering and billing.
- ❖ Assuring that the City water billing/records management system includes water usage classes and capabilities to sort/separate differing classes and categories of water usage as required by the NTMWD Model Plan and Texas Administrative Code (TAC) Title 30, Part I, Chapter 288, Subchapter A, Rule 288.2(a)(2)(b).

(d) The Chief Building Official is responsible for:

- ❖ Enforcing the requirements of the International Plumbing Code (IPC) in residential and commercial facilities.
- ❖ As part of the building permit and building inspection programs, enforcing requirements for landscape irrigation system design in accordance with state design and installation standards and the inclusion of freeze and rain sensors on all new irrigation systems (City of Plano Code of Ordinances §6-561). This requires irrigation system design submission by builders for review by the building official staff and inspection of the irrigation systems as part of the building inspection program.

(e) Planning Department is responsible for:

- ❖ Maintaining and enforcing the Zoning Ordinance's landscape and irrigation plan requirements through the development review process.
- ❖ Implementing procedures to allow developers to delay the installation of landscaping during drought contingency watering restrictions.

(f) Parks and Recreation Department is responsible for:

- ❖ Operating and maintaining a central controlled irrigation system, other city irrigation systems to ensure conservation of water, and efficient use of irrigation to meet the needs of city site users. Safety and usability for recreational users of irrigated city sites shall be considered a priority.
- ❖ Installing and maintaining landscapes and managing natural and man-made park resources in a sustainable manner suitable for the scope and scale of the assets. Demonstration of conservation measures meaningful to residential scale shall be incorporated into sites and practices when feasible.



## 2. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RULES

### 2.1 Conservation Plans

The TCEQ rules governing development of water conservation plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code. For the purpose of these rules, a water conservation plan is defined as “a strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water, and for preventing the pollution of water.” The elements in the TCEQ water conservation rules covered in this conservation plan are listed below.

#### Minimum Conservation Plan Requirements

The minimum requirements in the Texas Administrative Code for Water Conservation Plans for Public Water Suppliers are covered in this report as follows:

- 288.2(a)(1)(A) – Utility Profile – Section 3
- 288.2(a)(1)(B) – ~~Record Management System~~ Specification of Goals – Section ~~5.4~~5.2
- 288.2(a)(1)(C) – Specific, Quantified Goals – Section 4
- 288.2(a)(1)(D) – Accurate Metering – Sections 5.1 and 5.2
- 288.2(a)(1)(E) – Universal Metering – Section 5.2
- 288.2(a)(1)(F) – Determination and Control of Unaccounted Water – Section 5.4
- 288.2(a)(1)(G) – Public Education and Information Program – Section 6
- 288.2(a)(1)(H) – Non-Promotional Water Rate Structure – Section 7
- 288.2(a)(1)(I) – Reservoir System Operation Plan – Section 8.1
- 288.2(a)(1)(J) – Means of Implementation and Enforcement – Section 12
- 288.2(a)(1)(K) – Coordination with Regional Water Planning Group – Section 10
- 288.2(c) – Review and Update of Plan – Section 11

#### Conservation Additional Requirements (Population over 5,000)

The Texas Administrative Code includes additional requirements for water conservation plans for drinking water supplies serving a population over 5,000:

- 288.2(a)(2)(A) – Leak Detection, Repair, and Water Loss Accounting – Sections 5.1 through 5.4
- ~~288.2(a)(2)(B) – Record Management System – Section 5.2~~
- ~~288.2(a)(2)(C) –~~ Requirement for Water Conservation Plans by Wholesale Customers – Section 8.7

### Additional Conservation Strategies

The TCEQ requires that a water conservation implementation report be completed and submitted on an annual basis.

In addition to the TCEQ required water conservation strategies, the NTMWD also requires the following strategy be included in the Member City and Customer plans:

- 288.2(a)(3)(F) – Considerations for Landscape Water Management Regulations – Section 8.4 and enacting a resolution and/or ordinance(s)

TCEQ rules also include optional, but not required, conservation strategies, which may be adopted by suppliers. The NTMWD recommends that the following strategies be included in the Member City and Customer water conservation plans:

- 288.2(a)(3)(A) – Conservation Oriented Water Rates – Section 7
- 288.2(a)(3)(B) – Ordinances, Plumbing Codes or Rules on Water-Conserving Fixtures – Section 8.3
- 288.2(a)(3)(C) – Replacement or Retrofit of Water-Conserving Plumbing Fixtures – Section 8.6
- 288.2(a)(3)(D) – Reuse and Recycling of Wastewater – Section 8.2
- 288.2(a)(3)(G) – Monitoring Method – Section 5.5
- 288.2(a)(3)(H) – Additional Conservation Ordinance Provisions – Section 8.5 and 8.6

## **2.2 Drought Contingency Plans**

The TCEQ rules governing development of drought contingency plans for public water suppliers are contained in Title 30, Part 1, Chapter 288, Subchapter B, Rule 288.20 of the Texas Administrative Code. For the purpose of these rules, a drought contingency and water emergency response plan is defined as “a strategy or combination of strategies for temporary supply and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies.” The elements in the TCEQ drought contingency rules covered in this conservation plan are listed below.

### Minimum Requirements

TCEQ’s minimum requirements for drought contingency plans are addressed in the adopted Drought and Emergency Response Plan in the City of Plano Municipal Code §21-53 through §21-60.2:

- 288.20(a)(1)(A) – Provisions to Inform the Public and Provide Opportunity for Public Input
- 288.20(a)(1)(B) – Provisions for Continuing Public Education and Information
- 288.20(a)(1)(C) – Coordination with the Regional Water Planning Group – Section 10
- 288.20(a)(1)(D) – Criteria for Initiation and Termination of Drought Stages
- 288.20(a)(1)(E) – Drought and Emergency Response Stages
- 288.20(a)(1)(F) – Specific, Quantified Targets for Water Use Reductions
- 288.20(a)(1)(G) – Water Supply and Demand Management Measures for Each Stage
- 288.20(a)(1)(H) – Procedures for Initiation and Termination of Drought Stages

- 288.20(a)(1)(I) - Procedures for Granting Variances
- 288.20(a)(1)(J) - Procedures for Enforcement of Mandatory Restrictions
- 288.20(a)(3) – Consultation with Wholesale Supplier
- 288.20(b) – Notification of Implementation of Mandatory Measures
- 288.20(c) – Review and Update of Plan – Section 11

### **3. WATER CONSERVATION UTILITY PROFILE**

The Water Conservation Utility Profile must be completed as a requirement of the Water Management Plan. The completed Utility Profile for Retail Water Supplier (TWDB Form No.1965-R) is included in **Appendix B**

#### 4. SPECIFICATION OF WATER CONSERVATION GOALS

TCEQ rules require the adoption of specific water conservation goals for a water conservation plan. As part of plan adoption, the City of Plano must develop 5-year and 10-year goals for per capita municipal use. These goals should be submitted to NTMWD. The goals for this water management plan include the following:

- Maintain the per capita municipal water use below the specified amount in gallons per capita per day in a dry year, as shown in the completed Table 4.1.
- Maintain the level of unaccounted water in the system below 12%, as discussed in Section 5.4.
- Implement and maintain a program of universal metering and meter replacement and repair, as discussed in Section 5.2.
- Decrease waste in lawn irrigation by implementation and enforcement of landscape water management regulations, as discussed in Section 8.4 and City of Plano Zoning Ordinance Article 3.1200: Landscaping Requirements.
- Increase efficient water usage as discussed in Sections 8.5 and 8.6.
- Raise public awareness of water conservation and encourage responsible public behavior by a public education and information program, as discussed in Section 6.
- Develop a system specific strategy to conserve water during peak demands, thereby reducing the peak use.

**Table 4.1**  
**Five-Year and Ten-Year Municipal Per Capita Water Use Goals (gpcd)**  
**TABLE INCLUDES DRAFT GOALS FOR PUBLIC COMMENT**

Description	Historic 5-Year Average <sup>1</sup>	Baseline <sup>2</sup>	5-Year Goal for year 2024	10-Year Goal for year 2029
Total GPCD <sup>3</sup>	<u>201</u>	<u>219</u>	<u>190</u>	<u>185</u>
Residential GPCD <sup>4</sup>	<u>92</u>	<u>95</u>	<u>88</u>	<u>86</u>
Water Loss (GPCD) <sup>5</sup>	<u>31</u>	<u>24</u>	<u>21</u>	<u>19</u>
Water Loss (Percentage) <sup>6</sup>	<u>16%</u>	<u>11%</u>	<u>11%</u>	<u>10%</u>

1. The Historic 5-yr Average includes water consumption from 2019 through 2023.

2. The goals and guidance established in the Texas Water Development Board – Region C 2021 Water Plan were used to determine the Baseline GPCD and Water Loss percentage.

3. Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365

4. Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365

5. Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

6. Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

## **5. METERING, WATER USE RECORDS, CONTROL OF WATER LOSS, AND LEAK DETECTION AND REPAIR**

One of the key elements of water conservation is tracking water use and controlling losses through illegal diversions and leaks. It is important to carefully meter water use, detect and repair leaks in the distribution system and provide regular monitoring of unaccounted water.

### **5.1 Accurate Metering of Treated Water Deliveries from NTMWD**

Water deliveries from NTMWD are metered by NTMWD using meters with an accuracy of  $\pm 2\%$ . These meters are calibrated on an annual basis by NTMWD to maintain the required accuracy.

### **5.2 Metering of Customer and Public Uses and Meter Testing, Repair, and Replacement**

The provision of water to all customers, including public and governmental users, will be metered in the City of Plano. The City of Plano tests and/or replaces their residential customer meters in accordance with Sec. 4.2.8 of AWWA C700-95 and M-6, Water Meters – Selection, Installation, Testing and Maintenance Record Management System. All residential customer meters will be budgeted to be replaced on a minimum of a 10 to 15-year cycle. Additionally, large meters will be regularly tested on no less than a 5-year interval and either maintained or replaced when their test flow is outside standards established by AWWA.

As required by TAC Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(1)(B), the City of Plano will maintain a customer billing and record management system that allows for the separation of water sales and uses into residential, commercial, public/institutional, and industrial categories. This information will be included in an annual water conservation report, as described in Section 5.6 below.

### **5.3 Determination and Control of Water Loss**

The Texas Water Development Board utilizes a methodology derived from the American Water Works Association (AWWA) and the International Water Association (IWA). This new standard uses terminology such as authorized consumption, real loss, apparent loss, and non-revenue water. Total water loss, as reported to TCEQ, includes two categories:

- Apparent Losses – Water that has been consumed but not properly measured or billed. These losses represent under-registered or under-billed water that occurs via customer meter inaccuracies, systematic data handling errors in the customer billing system, and unauthorized consumption due to illegal connections and theft.
- Real Losses – These are physical losses from the pressurized water distribution system, including water mains and all appurtenances (for example, valves and hydrants) and customer service connection piping. Real losses represent water that is lost from the distribution system prior to reaching the customer destination.

Measures to control apparent and real water losses will be part of the routine operations of the City of Plano. Maintenance crews and personnel will look for and report evidence of leaks in the water distribution system. A leak detection and repair program is described in

Section 5.4 below. Meter service technicians, building inspectors, and all City crews will watch for and report signs of illegal connections, so they can be quickly addressed.

The Water Audit Worksheet, provided by TCEQ, is a "top down" audit of a utility's system using existing estimations and records. This audit will be completed annually using the Water Loss Audit Worksheets available from the Texas Water Development Board online at <https://www.twdb.texas.gov/conservation/municipal/waterloss/index.asp>. With the measures described in this plan, the City of Plano should maintain unaccounted water below 12%. If unaccounted water exceeds this goal, the City of Plano will implement a more intensive audit to determine the source(s) of and reduce the unaccounted water. The annual conservation report described below is the primary tool that should be used to monitor unaccounted water.

#### **5.4 Leak Detection and Repair**

As described above, city crews and personnel should look for and report evidence of leaks in the water distribution system. Areas of the water distribution system, in which numerous leaks and line breaks occur, should be targeted for replacement, as funds are available. The Parks and Recreation Department's central irrigation system uses sub-metering and real-time data collection to monitor for leaks, line breaks, and malfunctions. The system automatically shuts down when leaks are detected, then automatically generates reports for these occurrences so they may be followed up by field technicians.

#### **5.5 Monitoring of Effectiveness and Efficiency – NTMWD Member City and Customer Annual Water Conservation Report**

The City of Plano will complete the NTMWD Member City and Customer Annual Water Conservation Report (**Appendix D**) by March 31 each year and will use this report to monitor the effectiveness and efficiency of the water conservation program and to plan conservation-related activities for the next year. The form records the water use by category, per capita municipal use, and unaccounted water for the current year and compares them to historical values. The annual water conservation report should be sent to NTMWD, which will monitor NTMWD Member Cities' and Customers' water conservation trends.

The City of Plano will consider using the Texas Water Development Board's Water Conservation Tracking Tool to assess existing water conservation initiatives and potential future initiatives.

#### **5.6 Water Conservation Implementation Report**

The TCEQ-required Water Conservation Plan Annual Implementation Report (TWDB Form No. 1966) is due to the TCEQ by May 1 of every year. This report lists the various water conservation strategies that have been implemented, including the date the strategy was implemented. The report also calls for the five-year and ten-year per capita water use goals from the previous water conservation plan. The reporting entity must answer whether or not these goals have been met and if not, why not. The amount of water saved is also requested

## 6. CONTINUING PUBLIC EDUCATION AND INFORMATION CAMPAIGN

The public education and information campaign on water conservation is carried out primarily by the Water Education Coordinator, a full-time staff member within the Sustainability and Environmental Education Division (SEED) of the Environmental Health and Sustainability Department. SEED's mission is to educate and engage the community in sustainable practices and environmental stewardship.

The Water Education Coordinator works with SEED staff and other City of Plano staff to develop classes, workshops, events, presentations, exhibits, communications campaigns, rebate programs and other resources that promote efficient water use. SEED notifies local organizations, schools, and civic groups that its staff and NTMWD's staff are available to provide presentations on the importance of water conservation and ways to save water.

The Water Education Coordinator develops and maintains a website designed to educate residents on the importance of water conservation and ways to save water. This includes access to real-time water use data through the Customer & Utility Services online portal, recommended seasonal watering guidelines and schedules and links to other helpful resources, including the TWDB, TCEQ, EPA WaterSense and others.

The Water Education Coordinator develops utility bill inserts, electronic and print newsletter articles and social media campaigns to share water conservation information, garner trust and encourage interaction. These include material developed by the Environmental Health and Sustainability Department, Communication and Media Relations Departments, and material obtained from the TWDB, the TCEQ, EPA WaterSense, and other sources. The City of Plano encourages local media coverage of water conservation issues and the importance of water conservation.

The Water Education Coordinator utilizes "Water IQ: Know Your Water", "Water4Otter" "Water My Yard" and other public education materials produced by the NTMWD as appropriate for targeted audiences. ~~SEED staff actively promote~~ The following websites Texas Smartscape ([www.txsmartscape.com](http://www.txsmartscape.com)), Water Is Awesome ([www.waterisawesome.com](http://www.waterisawesome.com)), Texas A&M AgriLife (Water – Texas A&M Agrilife Extension Service (tamu.edu)) as well as other regional resources, are used to as professional references to make water conservation brochures and other materials available to the public.

The Water Education Coordinator and the SEED staff actively promote water conservation with the use of evapotranspiration(ET)-based weekly watering advice and recommendations. Landscapes frequently require less watering than the year-round water schedule allows. This measure can be particularly useful for customers using automated landscape irrigation systems. Services used include but are not limited to:

- Water My Yard – Water my Yard is an online platform where homeowners can sign up to receive weekly watering recommendations based on their location and a few specifications about their sprinkler system. Users can then choose to accept the recommendations by email, text, or both. Sponsored by NTMWD and Texas A&M AgriLife Extension Service (WaterMyYard.org).
- Water Is Awesome Weekly Watering Advice – Weekly provides weekly watering recommendations for most of North Texas based on data from weather stations scattered throughout the DFW area. The recommendations are distributed by email and text every week and are provided in inches of water needed and the number of minutes necessary to apply that amount of water for spray, rotor, and multi-stream sprinklers. Irrigation recommendations are sent out via email and text on a weekly basis, detailing the required inches of water and the corresponding



duration in minutes for applying that volume of water through spray, rotor, and multi-stream sprinklers. Advice service is available for all of North Central Texas and sponsored by DWU (Dallas Water Utilities) and TRWD. (<https://waterisawesome.com/weekly-watering-advice>).

The Water Education Coordinator develops and maintains partnerships with regional and national like-minded entities. These include the Water Efficiency Network of North Texas (WENNT), Texas A&M AgriLife ~~Water University~~, the Dallas Irrigation Association, the North Central Texas Council of Governments (NCTCOG), EPA WaterSense, American Water Works Association (AWWA), and others.

SEED offers free classes and workshops, including ~~a multi-part, in-person~~ Sprinkler Spruce Up ~~class series~~workshops, ~~a hands-on~~ Fix-a-Leak ~~Week~~ workshops, and additional seasonal classes on water-efficient gardening ~~topics and other topics~~. The Water Education Coordinator and SEED staff will host “pop-up” water education events. These events aim to encourage water-efficient practices, distribute literature on water conservation, and raise awareness and maintenance through promotional items.

SEED maintains a set of online learning modules, which allow users to work through interactive online courses at their convenience. One of these focuses on DIY residential sprinkler repairs. SEED is piloting additional online learning options, including webinars and video clips.

SEED hosts an annual WaterWise Landscape Tour. Residents can visit beautiful, sustainable Plano landscapes that thrived in the summer heat with minimal irrigation. This event introduces attendees to plants and practices that are suitable for North Texas as well as resources to help them incorporate those plants and practices into their own yards.

SEED promotes and participates in the National Wildlife Habitat Garden for Wildlife<sup>TM</sup> program. This campaign advocates sustainable gardening techniques such as eliminating the use of chemical pesticides and fertilizers, conservation of water and planting native species. This program is open to home owners, schools, as well as private and public institutions.

The City of Plano is ~~an~~ a multi-year award-winning EPA WaterSense partner. SEED continues to strive for award-worthy excellence by promoting EPA WaterSense campaigns, resources, and products.

The Water Education Coordinator oversees the Water Conservation Incentive Program. This includes free conservation items for City of Plano residents and the Water Rebate Program. See Appendix C for details and guidelines.

In addition, trained water meter technicians provide face-to-face communication with residents concerning proper irrigation system design and operation and other conservation practices.

## **7. WATER RATE STRUCTURE**

The City of Plano will continue to bill customers using an increasing block rate water structure that is intended to encourage water conservation and discourage excessive use and waste of water. See City of Plano Code of Ordinances §21-147 establishing an increasing block rate structure and minimum charge and base charges for all tiers for residential and commercial/industrial water rates.

## **8. OTHER WATER CONSERVATION MEASURES**

### **8.1 NTMWD System Operation Plan**

Member Cities and Customers of NTMWD purchase treated water from NTMWD and do not have surface water supplies requiring implementation of a system operation plan. NTMWD's permits do allow some coordinated operation of its water supply sources, and NTMWD is seeking additional water rights for coordinated operation to optimize its available water supplies.

### **8.2 Reuse and Recycling of Wastewater**

The City of Plano does not own or operate its own wastewater treatment plants. The wastewater is treated by NTMWD. NTMWD currently has the largest wastewater reuse program in the state. NTMWD also provides treated effluent from its wastewater treatment plants available for direct reuse for landscape irrigation and industrial use. In Plano, Pecan Hollow Golf Course, Los Rios Park (currently not active but is in place for future opportunity), and the PIT Soccer Complex use or can use wastewater effluent for irrigation.

### **8.3 Ordinances, Plumbing Codes, or Rules on Water-Conserving Fixtures**

State and federal standards have required water-conserving fixtures in new construction and renovations since 1992. The state standards call for flows of no more than 2.5 gallons per minute (gpm) for faucets, and 3.0 gpm for showerheads. As of January 1, 2014, the state requires maximum average flow rates of 1.28 gallons per flush (gpf) for toilets and 0.5 gpf for urinals. These state and federal standards assure that all new construction and renovations will use water-conserving fixtures. As it deems appropriate, the City of Plano will continue to implement ordinances, plumbing codes, and rules for water conserving fixtures as they evolve through relevant building codes and State of Texas requirements. The current plumbing code is adopted in the City of Plano Code of Ordinances §§ 6-236 - 6-239.

### **8.4 Landscape Water Management Measures**

The City of Plano adopts the following basic landscape water conservation measures as required by NTMWD:

- Per the Water Waste; Excess Flow Ordinance, the City of Plano restricts irrigation with sprinklers between the hours of 10 am to 6 pm from April 1 to October 31 of each year. To protect public safety during a freeze event, the City of Plano restricts irrigation with sprinklers any time other than between the hours of 10 am to 6 pm from November 1 to March 31 of each year.
- The City of Plano encourages limiting irrigation with sprinklers to a maximum of twice per week between April 1 and October 31 when not in a drought stage that further limits watering days.
- The City of Plano encourages limiting irrigation with sprinklers to no more than one day per week between November 1 and March 31.

- The City of Plano encourages customers to adhere to designated watering days based on the last digit of their service address.

Service Address	Spring/Summer (April 1 to October 31)	Fall/Winter (November 1 to March 31)
Even (Ends in 0,2,4,6, or 8)	Mondays and Thursdays	Thursdays
Odd (Ends in 1,3,5,7, or 9)	Tuesdays and Fridays	Tuesdays

No person or operation shall cause or permit the flow of excess or fugitive water onto any adjacent property or public right-of-way. This includes watering impervious surfaces and watering during a precipitation or freeze event as stated in the City of Plano Code of Ordinances §21-52.

- The City of Plano discourages the planting of cool season grasses.
- The City of Plano discourages the planting of new landscapes or replacement of existing landscapes during summer months.

Soaker hoses should be utilized only within a tree's dripline or within 24" of a foundation. The City has adopted landscape regulations as part of its Zoning Ordinance in Article 3.1200 (Landscaping Requirements). The requirements are intended to minimize waste in landscape irrigation by requiring:

- Submission of a water budget with landscape plans for new commercial development
- Rain sensors on irrigation systems
- Irrigation system zones to water plants based on similar water needs
- Trees and plants suitable for local soil and climate conditions
- Landscape designs that conserve water through creative design and that comply with the following principles:
  - Soil protection and improvement
  - Careful selection and design of turf areas
  - Use of site-appropriate plan materials with water conservation in mind
  - Use of mulch around all plant materials and areas that are not turf or hardscape

In addition, the adopted plumbing codes in the City of Plano Code of Ordinances §6-561 require:

- New irrigation systems meeting detailed requirements of use of drip and low flow irrigation, distribution uniformity (75 percent), low-angle spray heads, designs in accordance with TCEQ
- No spray heads allowed between street and sidewalk planting areas of both residential and commercial properties

- Installation and inspection for irrigation systems that include an evaluation of the system for the distribution uniformity
- Rain and freeze sensors are required on all new irrigation systems. Rain and freeze sensors must be maintained to function properly

## 8.5 Additional Water Conservation Measures

- Promote proper maintenance of irrigation systems and sprinklers
- Promote the use of drip irrigation that is properly designed, installed and scheduled.
- Encourage customers to only seek the services of TCEQ licensed irrigators when they pursue contracted irrigation system design or repair. Partner with the Dallas Irrigation Association to promote vetted resources and contractors.
- “At home” car washing can be done only when using a water hose with a shut-off nozzle.
- Charity car washes are allowed only if they use hoses with shut-off nozzles.
- Promote outdoor water efficiency on website, including water conserving irrigation systems.
- Customer & Utility Services, a division of the Finance department, reads water meters using advanced metering infrastructure (AMI) technology. This system can provide hourly water usage data which customers can view through their online portal account. The City has continuous outreach programs and resources designed to educate customers how to use their data to reduce water waste and identify leaks.
- The Water Education Coordinator will continue working in conjunction with the Finance Department to create educational materials to inform customers about utilizing online meter data for monitoring and minimizing water usage, addressing typical plumbing leaks, and adopting more effective outdoor irrigation techniques. Additionally, efforts will be made by the Water Education Coordinator to reach out to residential customers with excessively high water consumption to inform them of their water usage and offer prompt education and solutions to mitigate their water consumption.
- The City of Plano will consider adding ordinances that regulate water use for splash pads, car washes and ponds. Splash pads and car washes will require recirculating systems, and ponds will be prohibited from using potable water.

## 8.6 Rebates and Free Distribution of Water Conserving Devices

The Water Conservation Incentive Program is described in **Appendix C**. The items may change from time to time as the program evolves. The appendix will be modified as these changes occur.

The City offers partial credit for leak repair with sufficient documentation.

## 8.7 Requirement for Water Conservation Plans by Wholesale Customers

The NTMWD Model Plan requires that every contract for the wholesale sale of water by Member Cities and/or Customers that is entered into, renewed, or extended after the adoption of this water conservation plan include a requirement that the wholesale customer and any wholesale customers of that wholesale customer develop and implement a water conservation plan meeting the requirements of Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2 of the Texas Administrative Code. The requirement will also extend to each successive wholesale customer in the resale of the water. The Colony is the only active wholesale customers of Plano’s water system.

## **9. IMPLEMENTATION OF THE DROUGHT CONTINGENCY & WATER EMERGENCY RESPONSE PLAN**

A drought is defined as an extended period of time when an area receives insufficient amounts of rainfall to replenish the water supply, causing water supply sources, in this case reservoirs, to be depleted. In the absence of drought response measures, water demands tend to increase during a drought due to the need for additional outdoor irrigation. The severity of a drought depends on the degree of depletion of supplies and on the relationship of demand to available supplies. The NTMWD considers a drought to end when all of its supply reservoirs refill to the conservation storage pool.

City of Plano Code of Ordinances §§ 21-53 - 21-60.2 establish procedures and criteria for declaring a water emergency and implementing and terminating drought response stages, procedures for requesting variances, and establishing administrative remedies and fees and criminal penalties for violating the restrictions.

**10. COORDINATION WITH THE REGIONAL WATER PLANNING GROUP AND  
NTMWD**

The City of Plano will send a copy of this water management plan, the resolution adopting the plan, and the water utility profile to the NTMWD and the Chair of the Region C Water Planning Group.

## **11. REVIEW AND UPDATE OF WATER MANAGEMENT PLAN**

As required by TCEQ rules, the City of Plano will review the Water Management Plan, including the Drought Contingency and Water Emergency Response Ordinance, every five years. The plan will be updated as appropriate based on new or updated information.



## **12. IMPLEMENTATION AND ENFORCEMENT OF THE WATER MANAGEMENT PLAN**

A resolution adopted by the City Council regarding the Water Management Plan on April \_\_, 2024. The following ordinances are also included as part of the Water Management Plan:

- Landscape Water Management Regulation – City of Plano Zoning Ordinance Article 17: Landscaping and Tree Preservation
- Illegal Water Connections and Theft of Water – City of Plano Code of Ordinances §21-17 and §21-18
- Water Rates - City of Plano Code of Ordinances §21-147
- Drought Contingency & Water Emergency Response - City of Plano Code of Ordinances §§21-53 -21-60.2
- Plumbing Code - City of Plano Code of Ordinances §§6-236 - 6-239 and §6-561
- Water Waste; Excess Flow - City of Plano Code of Ordinances §21-47 through §21- 52

## **APPENDIX A LIST OF REFERENCES**

- (1) Texas Commission on Environmental Quality Water Conservation Implementation Report. [https://www.tceq.texas.gov/permitting/water\\_rights/wr\\_technical-resources/conserve.html](https://www.tceq.texas.gov/permitting/water_rights/wr_technical-resources/conserve.html)
- (2) Title 30 of the Texas Administrative Code, Part 1, Chapter 288, Subchapter A, Rules 288.20, 288.2, and 288.5, downloaded from [https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=4&ti=30&pt=1&ch=288](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288), April 2023
- (3) 2024 North Texas Municipal Water District Water Conservation Plan <https://www.ntmwd.com/documents/2024-ntmwd-water-conservation-plan-pdf/> January 2024
- (4) Water Conservation Implementation Task Force: “Texas Water Development Board Report 362, Water Conservation Best Management Practices Guide,” prepared for the Texas Water Development Board, Austin, November 2004
- (5) Texas Water Development Board, Texas Commission on Environmental Quality, Water Conservation Advisory Council: Guidance and Methodology for Reporting on Water Conservation and Water Use, December 2012
- (6) Freese and Nichols, Inc.: Model Water Conservation Plan for NTMWD Members Cities and Customers, prepared for the North Texas Municipal Water District, Fort Worth, January 2019
- (7) Freese and Nichols, Alan Plummer Associates, Inc., CP&Y Inc., Cooksey Communications. “2021 Region C Water Plan”

**APPENDIX B**  
**WATER CONSERVATION UTILITY PROFILE**  
**TO BE UPDATED**

## APPENDIX C WATER CONSERVATION INCENTIVE PROGRAM

The Water Conservation Incentive Program includes two components, as outlined below:

### 1. Free Water Conservation Items

The City of Plano offers residents free water conservation and quality items. ~~that are~~ These items are available at the Customer and Utility Service counter at the Municipal Center and at the Sustainability and Environmental Education office from 8am to 5pm, Monday through Friday ~~at the Municipal Center~~. The following list is an example of items offered, contingent upon their availability, seasonality, and ongoing events or promotions held throughout the year.

~~Following is the list of items available and a description of each item:~~

- ~~• Low-Flow Shower Head: This self-cleaning shower head features a non-aerating spray, meaning less temperature loss and hot water energy savings.~~
- ~~• Toilet Leak Detection Tablets: These dye tablets are used to check for a leak between the toilet tank and bowl.~~
- ~~• Drain Snake: A thin, flexible cable that you insert in an opening to break up or remove a clog in pipes.~~
- ~~• Shower/Drain Covers: Used to prevent hair or other debris from entering sewer and causing plumbing problems.~~
- ~~• Shower Timer: A simple and effective tool to help customers shorten showers, reduce water usage and save money.~~
- ~~• Dish/Pan Squeegee Scraper: Used to remove FOG from pans and dishes prior to rising – keeps FOG from entering sewer and clogging pipes.~~
- ~~• FOG Bags: Storage bags for FOG – keeps FOG from entering sewer and clogging pipes.~~
- ~~• Pet Waste Dispenser and Refill Bags: Protects Stormwater runoff and water quality.~~

Other items are available seasonally, ~~such as~~ including soil moisture meters, faucet covers for winter and garden kneeling pads embossed with water-efficient landscaping practices.

### 2. Water Conservation Rebate Program

#### Program Eligibility and Guidelines

##### ***Eligibility:***

- Participant must currently own their home and have a City of Plano water
- utility account in good standing for the property where installation of
- qualifying item occurred.
- Eligibility is limited to residential homes only; commercial buildings are not
- eligible.
- To meet eligibility guidelines, items ~~must~~ should be purchased from a
- retailer
- located within the City of Plano.

- The City of Plano reserves the right to terminate or modify the water conservation rebate program at any time.

**Process:**

- Resident may apply online or mails the receipt and application to City of Plano Water Conservation Rebate Program:- located at 4200 W. Plano Parkway, Plano, TX 75093.
- Completed applications must be received by the City of Plano within 120 days of purchase of eligible water conserving item.
- Utility credits will be processed in the order they are received on a first-come first-served basis.
- The City issues a credit on resident's utility bill within 30 days of receipt of completed application.

**WaterSense Approved, High Efficiency Toilets (HETs)**

**Eligibility:**

- Only homes built in 1994 or earlier are eligible for the program.
- Only new, EPA WaterSense labeled high efficiency models of toilets (HET) will be eligible for utility credit.
- New high efficiency qualifying toilet (average of 1.28 gallons per flush) must replace an older, inefficient toilet (using greater than 1.6 gallons per flush). Residence must not already have low-flow or high efficiency toilets (HET's) installed.

**Process:**

- Resident must first purchase and install qualified toilet from local retailer.
- Rebate Applications are available online at [www.livegreeninplano.com](http://www.livegreeninplano.com) or [www.plano.gov/waterrebates](http://www.plano.gov/waterrebates).
- Once installed, the resident must submit a copy of the receipt and application within 120 days of purchase date.
- Complete application will be sent to City of Plano Water Conservation Rebate Program by mail, email, fax, or hand delivery.
- Credits will be issued to the utility bill for the following amounts:
  - \$100 for the first toilet
  - \$75 for the second toilet
  - \$50 for the third toilet
- If required documentation has not been provided, rebate will be denied.

**Rain/Freeze Sensor and EPA WaterSense Labeled Smart/ET Controllers**

**Eligibility:**

- New irrigation systems are not eligible for this program.
- Irrigation system must not already have a rain and freeze sensor device installed.
- Only new rain and freeze sensors and controllers purchased from a retailer located within the City of Plano will be eligible for rebate. The City of Plano does not require an irrigation permit to retrofit an irrigation system for a rain and freeze sensor or a controller.

**Process:**

- Resident must select, purchase, and install rain/freeze sensor or controller from a retailer within Plano.
- Rebate Applications are available online at [www.livegreeninplano.com](http://www.livegreeninplano.com) or [www.plano.gov/waterrebates](http://www.plano.gov/waterrebates).

- Resident must mail in rebate application and proof of purchase no later than 120 days from date of purchase.
- If installed by a licensed irrigation professional, resident must submit proof of installation, including license number of irrigation professional.
- Complete application will be sent to City of Plano Water Conservation Rebate Program by mail, e-mail, fax or hand delivery.
- The City of Plano will issue a \$50 water utility credit to resident's utility bill for the purchase and installation of a rain freeze sensor or controller.
- If a licensed irrigation profession installed the device and proof of the installation including the irrigator's license number, then a total of \$75 water utility credit will be issued to the resident's utility bill.
- If required documentation has not been provided, rebate will be denied.

### **Pressure Reducing Valve (PRV)**

#### ***Eligibility:***

- Eligibility is limited to single-family detached homes, townhomes, duplexes and condos that were built before January 1, 2013.
- Apartments and commercial properties are not eligible at this time.
- Applicant must currently own the dwelling and have a City of Plano water utility account in good financial standing for the property where the PRV is installed.
- Water Pressure must exceed 80 psi according to the PRV Eligibility Map at [plano.gov/PRVMap](http://plano.gov/PRVMap).
- PRV should reduce pressure below 80 psi at residence. If it is not possible to reduce water pressure below 80 psi, PRV should be installed according to manufacturer's guidelines for maximum pressure reduction.
- PRV must reduce pressure to the house. PRVs that reduce pressure only to irrigation systems are not eligible for rebate.
- Limit one PRV rebate per residential address.
- ~~PRV must be installed after October 1, 2015 to be eligible for rebate.~~
- PRV must be installed by a licensed plumber that is registered in the City of Plano.
- PRV ~~must~~ should be purchased from a retailer located within the City of Plano.
- If the installation of the valve includes installing expansion tanks at the water heaters, then a Miscellaneous Simple Permit Application should be submitted to the City of Plano Building Inspections Department prior to installation. If the installation of the PRV does not include installation of expansion tanks, then no permit is necessary. Miscellaneous Simple Permit Application can be downloaded from [www.buildinginspections.org](http://www.buildinginspections.org).

#### ***Process:***

- The City of Plano will issue a rebate for 50% of the PRV, associated parts, and installation costs. The maximum PRV rebate is \$500. Tax is not included.
- Rebate Applications are available online at [www.livegreeninplano.com](http://www.livegreeninplano.com) or [www.plano.gov/waterrebates](http://www.plano.gov/waterrebates).
- Completed applications and itemized invoice for PRV, associated parts, and installation must be received by the City of Plano within 120 days of the installation of the PRV. Plumber's license number and installation date must be on the invoice.

- Complete application will be sent to City of Plano Water Conservation Rebate Program by mail, e-mail, fax or hand delivery.

**APPENDIX D**  
**NTMWD MEMBER CITY AND CUSTOMER ANNUAL WATER CONSERVATION REPORT**  
**TO BE UPDATED**





## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024  
**DEPARTMENT:** Budget  
**DIRECTOR:** Karen Rhodes-Whitley, Director of Budget and Research  
**AGENDA ITEM:** Presentation of the FY2023-24 Status Report and Three-Year Financial Forecast  
**RECOMMENDED ACTION:** Items for Individual Consideration

---

### **ITEM SUMMARY**

Presentation of the FY2023-24 Status Report and Three-Year Financial Forecast. **Presented**

## CITY COUNCIL AGENDA MEMO

**MEETING DATE:** 3/25/2024

**DEPARTMENT:** City Secretary

**DIRECTOR:** Lisa Henderson, City Secretary

**AGENDA ITEM:** **\*IMPORTANT MESSAGE\*** *Plano City Council meetings will temporarily be held at Davis Library as of April 8, 2024 during renovation of the council chambers. Due to limited seating, all speakers must register online by 4:00 p.m. on the day of the meeting. No onsite registration is available.*

**RECOMMENDED ACTION:** Important Message

---