



CITY COUNCIL

1520 K Avenue, Plano, Texas 75074
Senator Florence Shapiro Council Chamber

DATE: September 24, 2018

TIME: 7:00 PM

CALL TO ORDER

INVOCATION: Dwaraka Iyengar, President - Sri Vedantha Sabha USA

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

OUR MISSION - THE CITY OF PLANO IS A REGIONAL AND NATIONAL LEADER, PROVIDING OUTSTANDING SERVICES AND FACILITIES THROUGH COOPERATIVE EFFORTS THAT ENGAGE OUR CITIZENS AND THAT CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.

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

PROCLAMATIONS AND SPECIAL RECOGNITIONS

Proclamation: Arbor Day in Plano is Saturday, October 6, 2018. **Presented**

Proclamation: October 6, 2018 is Plano Families First Fall Fair Day. **Presented**

COMMENTS OF PUBLIC INTEREST

This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.

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. Citizens are limited to two (2) items and discussion time of three (3) minutes each.

Approval of Minutes

- (a) September 5, 2018
September 10, 2018
Approved

Approval of Expenditures

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

- (b) RFB 2018-0445-B for White Rock Creek Trail Replacement, Project No. 6543, to Ratliff Hardscape, Ltd in the amount of \$920,133; and authorizing the City Manager to execute all necessary documents. **Approved**
- (c) CSP No. 2018-0400-B for a Sand and Salt Storage Facility to EJ Smith Construction Company, LLC in the amount of \$1,520,425; and authorizing the City Manager to execute all necessary documents. **Approved**

Purchase from an Existing Contract

- (d) To approve the purchase of Cloud Services for a five (5) year contract for Technology Services in the estimated total amount of \$1,500,000 from Amazon Web Services, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-2733) **Approved**
- (e) To approve the purchase of UPS Traffic Battery Backup at Signalized Intersections for Public Works Department in the amount of \$150,000 from Paradigm Traffic Systems, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 524-17) **Approved**
- (f) To approve the purchase of one (1) Doppstadt Trommel Screen for Fleet Services to be utilized by Compost Operations in the amount of \$376,704 from Ecoverse through an existing contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. SM10-16) **Approved**
- (g) To approve the purchase of one (1) Jet Vac Truck for Fleet Services to be utilized by Utility District No. 3 in the amount of \$441,673 from Hi-Vac Corporation through an existing contract; and authorizing the City Manager to execute all necessary documents. (NJPA Contract No. 122017-HVC) **Approved**
- (h) To approve the purchase of library materials including books, books-on-CD, compact discs, DVDs and Playaways for Plano Public Library (PPL) in the estimated amount from Midwest Tape LLC \$250,000, Ingram Library Services LLC \$50,000, Findaway World LLC \$80,000, Brodart \$150,000, and Baker & Taylor \$550,000 for a total estimated amount of \$1,080,000 through an existing contract with the State of Texas; and authorizing the City Manager to execute all necessary documents. (State of Texas Contract No. 715-M2) **Approved**
- (i) To approve the purchase of Fitness Equipment for the Senior Recreation Center for Parks & Recreation in the amount of \$193,426 from Team Marathon Fitness through an existing contract; and authorizing the City Manager to execute all necessary documents. (Buyboard Contract No. 502-16) **Approved**

Approval of Change Order

- (j) To approve an increase to the current awarded contract amount of \$3,377,419 by \$121,000, for a total contract amount of \$3,498,419, for the Residential Concrete Pavement Repair Zone I3 North, Project No. 6812, from EJ Smith Construction Company, LLC for Public Works; and authorizing the City Manager to execute all necessary documents. (Contract No. 2018-0259-B; Change Order No. 2) **Approved**

Approval of Expenditure

- (k) To approve an expenditure for engineering services associated with the Pavement Data Collection Services - Alleys (2018), Project No. 7046, in the amount of \$149,980 from Data Transfer Solutions, LLC (DTS) for Public Works; and authorizing the City Manager to execute all necessary documents. **Approved**
- (l) To ratify an expenditure in the amount of \$167,474 for one (1) Crane Rear Load Refuse Truck Chassis from Bond Equipment Company Inc. and in the amount of \$102,400 for one (1) Heil Rear Load Refuse Truck Body from Heil of Texas, for a total purchase of \$269,874, for Fleet Services to be utilized by Special Waste; and authorizing the City Manager to execute all necessary documents. **Approved**
- (m) To approve an expenditure for the purchase of downloadable content (e-books, music, and e-audio library materials) with Kindle functionality in the amount of \$400,000 from OverDrive, Inc. for Plano Public Library (PPL); and authorizing the City Manager to execute all necessary documents. **Approved**

Approval of Contract / Agreement

- (n) To approve an Interlocal Cooperation Agreement between North Texas Municipal Water District and the City of Plano, Texas, for Manhole Protection at Arbor Hills Nature Preserve; and authorizing the City Manager to execute all necessary documents. **Approved**
- (o) To approve this termination amendment made, by and between Rodney O. Haggard and Janna Haggard Bryan and their successor and assigns ("ROH/JHB") and the City of Plano ("City"), acting by and through its duly authorized officials; regarding the construction of a southbound right-turn lane on Premier Drive to Parker Road and a westbound right-turn lane on Parker Road to Premier Drive; and authorizing the City Manager to execute all necessary documents. **Approved**

Approval of Policy/Plan

- (p) To approve a policy to establish procedures for the naming of park sites and recreation facilities; and providing an effective date. **Approved**

Adoption of Resolutions

- (q) **Resolution No. 2018-9-13(R):** To approve a revised Fee Schedule for the City of Plano Library System to remove the overdue fines and notary service fee; and providing an effective date. **Adopted**

- (r) **Resolution No. 2018-9-14(R):** To authorize continued participation with the Atmos Cities Steering Committee; and authorizing the payment of two cents (\$0.02) per capita to the Atmos Cities Steering Committee to fund regulatory and legal proceedings and activities related to Atmos Energy Corporation, Mid-Tex Division; and providing an effective date. **Adopted**
- (s) **Resolution No. 2018-9-15(R):** To approve a negotiated settlement between the Atmos Cities Steering Committee "ACSC" and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2018 Rate Review Mechanism "RRM" filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this Resolution to the Company and the legal counsel for the ACSC. **Adopted**

Adoption of Ordinances

- (t) **Ordinance No. 2018-9-16:** To adopt and enact Supplement Number 125 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date. **Adopted**
- (u) **Ordinance No. 2018-9-17:** To amend certain sections of Ordinance No. 2015-6-9, codified as Section 10-3 of Article I, Chapter 10 of the City of Plano Code of Ordinances, containing library fines and service fees which will be updated and presented to City Council through a separate resolution; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. **Adopted**
- (v) **Ordinance No. 2018-9-18:** To transfer the sum of \$900,000 from the General Fund Unappropriated fund balance to the General Fund Operating Appropriation for fiscal year 2018-19 for the purpose of providing funding for the construction of the Sand & Salt Storage Facility, amending the Budget of the City adopted by Ordinance No. 2018-9-9, to reflect the actions taken herein; declaring this action to be in the public interest; and providing an effective date. **Adopted**

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 extend these times as deemed necessary.

Non-Public Hearing Items:

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

- (1) **Public Hearing and adoption of Resolution No. 2018-9-19(R)** to approve the terms and conditions of an Interlocal Agreement and Memorandum of Understanding by and between the City of Plano, the City of McKinney and the Collin County Sheriff's Office for the disbursement of the 2018 Edward Byrne Justice Assistance Grant funds; authorizing its execution by the City Manager; and providing an effective date.
Conducted and Adopted

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



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Proclamations

Department Head:

Agenda Coordinator:

CAPTION

Proclamation: Arbor Day in Plano is Saturday, October 6, 2018. **Presented**

FINANCIAL SUMMARY

FUND(S):

COMMENTS:

SUMMARY OF ITEM

Strategic Plan Goal:

Plano Tomorrow Plan Pillar:



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Proclamations

Department Head:

Agenda Coordinator:

CAPTION

Proclamation: October 6, 2018 is Plano Families First Fall Fair Day. **Presented**

FINANCIAL SUMMARY

FUND(S):

COMMENTS:

SUMMARY OF ITEM

Strategic Plan Goal:

Plano Tomorrow Plan Pillar:



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: City Secretary

Department Head: Lisa Henderson

Agenda Coordinator: Lisa Henderson

CAPTION

September 5, 2018
September 10, 2018
Approved

FINANCIAL SUMMARY

Not Applicable

FUND(S): N/A

COMMENTS:

SUMMARY OF ITEM

Strategic Plan Goal:

Financially Strong City with Service Excellence

Plano Tomorrow Plan Pillar:

Regionalism

ATTACHMENTS:

Description	Upload Date	Type
September 5, 2018 Special Session	9/19/2018	Minutes
September 10, 2018 Work Session	9/19/2018	Minutes

PLANO CITY COUNCIL
Special Called Session
September 5, 2018

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Ron Kelley, Mayor Pro Tem
Angela Miner, Deputy Mayor Pro Tem
Anthony Ricciardelli
Rick Grady
Kayci Prince
Tom Harrison – arrived at 6:31 p.m.
Rick Smith

STAFF PRESENT

Bruce Glasscock, City Manager
Mark Israelson, Senior Deputy City Manager
Jim Parrish, Deputy City Manager
Jack Carr, Deputy City Manager
Brandi Youngkin, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere called the meeting to order at 6:30 p.m., Wednesday, September 5, 2018, in the Senator Florence Shapiro Council Chambers of the Municipal Center, 1520 K Avenue. A quorum was present.

Mayor LaRosiliere then stated that the Council would retire into Executive Session, in Training Room A, in compliance with Chapter 551, Government Code, Vernon's Texas Codes Annotated in order to consult with an attorney and discuss Litigation, Section 551.071; for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor LaRosiliere reconvened the meeting back into open session at 7:00 p.m. in the Senator Florence Shapiro Council Chambers.

A Second Public Hearing on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 4.49 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax rate calculated under Chapter 26, Tax Code). (First Public Hearing held August 27, 2018.)

Mayor LaRosiliere opened the Public Hearing. Amy Rattleff, Mark Reid, Debbie Bonenberger, Shelby Williams, Jim Dillavou, Michael Openshaw, Colleen Espstein, Brian Duchouquette, and John Donovan spoke in opposition of the proposed tax rate. Richard Howe, David Smith, Scott Riggle, Robert Miller, Steve Lavine, Scott Johnson, and Warren Casteel spoke in support of the proposed tax rate. Additionally, 83 individuals registered opinions but did not wish to speak, 25 in support and 58 in opposition. Mayor LaRosiliere closed the Public Hearing.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:58 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
September 10, 2018**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Ron Kelley, Mayor Pro Tem
Angela Miner, Deputy Mayor Pro Tem
Anthony Ricciardelli
Rick Grady
Kayci Prince
Tom Harrison – arrived at 5:01 p.m.
Rick Smith

STAFF PRESENT

Bruce Glasscock, City Manager
Mark Israelson, Senior Deputy City Manager
Jim Parrish, Deputy City Manager
Jack Carr, Deputy City Manager
Brandi Youngkin, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere called the meeting to order at 5:00 p.m., Monday, September 10, 2018, in the Senator Florence Shapiro Council Chambers of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor LaRosiliere then stated that the Council would retire into Executive Session, in Training Room A, in compliance with Chapter 551, Government Code, Vernon's Texas Codes Annotated in order to consult with an attorney and receive Legal Advice, Section 551.071; to receive information regarding Economic Development, Section 551.087; to discuss Real Estate, Section 551.072; and to discuss Personnel Matters, Section 551.074; for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor LaRosiliere reconvened the meeting back into the Preliminary Open Meeting at 5:55 p.m. in the Senator Florence Shapiro Council Chambers.

- **Consideration and action resulting from Executive Session discussion**
- **Water and Sewer Rate Presentation**
- **Discussion and Direction re: Naming of Park Sites and Recreation Facilities –**
Council directed staff to move forward with the policy as presented.
- **Discussion and Direction re: Turning Point Buffington Community Service Grant Funding**
Council directed staff to amend the contract to provide funds for counseling only.
- **Consent and Regular Agendas**
Staff requested Consent Item R to be pulled for future consideration.
- **Council items for discussion/action on future agendas**

With no further discussion, the Preliminary Open Meeting was adjourned at 6:47 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
REGULAR SESSION
September 10, 2018**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Ron Kelley, Mayor Pro Tem
Angela Miner, Deputy Mayor Pro Tem
Anthony Ricciardelli
Rick Grady
Kayci Prince
Tom Harrison
Rick Smith

STAFF PRESENT

Bruce Glasscock, City Manager
Mark Israelson, Senior Deputy City Manager
Jim Parrish, Deputy City Manager
Jack Carr, Deputy City Manager
Brandi Youngkin, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Monday, September 10, 2018 at 7:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Invocation and Pledge

Dr. Mark Howell, Senior Pastor with Hunters Glen Baptist Church led the invocation and Girl Scout Troop 7924 led the Pledge of Allegiance and Texas Pledge.

Proclamations and Special Recognitions

Presentation: The Plano Chamber of Commerce recently received the 2018 Chamber of the Year Award.

Proclamation: The InTouch Credit Union Hot Air Balloon Festival will take place September 21 through September 23 at Oak Point Park.

Special Recognition: The Plano Citizens Academy Class recently completed the necessary courses for graduation.

Special Recognition: The Mayor is recognizing the participants in the 2018 Plano Mayor's Summer Internship Program.

Presentation: Plano has received the GFOA Certificate of Achievement for Excellence in Financial Reporting.

Consent Agenda

MOTION: Upon a motion made by Council Member Prince and seconded by Council Member Smith, the Council voted 8-0, to approve all items on the Consent Agenda, except for Item “R”, as follows:

Approval of Minutes

August 27, 2018
(Consent Agenda Item “A”)

Approval of Expenditures

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

RFB No. 2018-0403-B for the Justice Center Acoustical Project to Falkenberg Construction Co., Inc. in the amount of \$74,102; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

RFB No. 2018-0478-B for the Police Department Corridor Renovations to Criterion Contractors, Inc. in the amount of \$85,600; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

RFB No. 2018-0479-B for the Municipal Center Restroom Renovations to KC Construction Services, Inc. in the amount of \$449,704; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

Approval of Contract Modification

To approve an expenditure for the purchase of Credit Card Payment Processing Services for extending the current contract by six (6) additional months, with City optional monthly renewals in the estimated monthly amount of \$78,000 from Elavon, Inc. for the Finance Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2013-2-C, Modification No. 2) (Consent Agenda Item “E”)

To approve an expenditure for the purchase of Third Party Administrator Services including Medical Administration, Dental, Behavioral Health, Flexible Spending, and Vision Insurance Premiums for one (1) year with one (1) one-year City optional renewal in the estimated annual amount of \$1,685,850 from United Health Care for Human Resources Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2014-5-C, Modification No. 1 and Contract No. 2014-169-C, Modification No. 1) (Consent Agenda Item “F”)

Approval of Change Order

To approve an increase to the current awarded contract amount of \$3,453,611 by \$207,938, for a total contract amount of \$3,661,549, for the Residential Concrete Pavement Repair Zone N4 & N5, Project No. 6581, from Jim Bowman Construction Company L.P. for Public Works; and authorizing the City Manager to execute all necessary documents. (Contract No. 2016-0226-B, Change Order No. 2) (Consent Agenda Item “G”)

Approval of Expenditure

To approve an expenditure for the purchase of a Street, Sidewalk and Utility Easement, and a Temporary Construction Easement in the amount of \$59,000 from Brixmor Holdings 12 SPE, LLC for Legacy Drive at Parkwood Boulevard and Coit Road between SH 190 and Mapleshade Lane, Project No. 6610; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

To approve an expenditure for the purchase of three Street, Sidewalk, and Utility Easements; and three Temporary Construction Easements in the amount of \$92,663 from Realty Income Properties 25, LLC for Legacy Drive at Parkwood Boulevard and Coit Road between SH 190 and Mapleshade Lane, Project No. 6610; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

Adoption of Resolutions

Resolution No. 2018-9-1(R): To approve a revised Environmental Health & Sustainability Fee Schedule to reflect fees for permit, inspection, and other services offered by the Department; and providing an effective date. (Consent Agenda Item “J”)

Resolution No. 2018-9-2(R): To approve the hiring of Kristen Homyk as Assistant City Attorney II by the City Attorney; and providing an effective date. (Consent Agenda Item “K”)

Adoption of Ordinances

Ordinance No. 2018-9-3: To repeal Ordinance No. 2018-2-2; establishing the number of certain classifications within the Fire Department for fiscal year 2018-19; establishing the authorized number and effective dates of such positions for each classification; establishing a salary plan for the Fire Department effective October 1, 2018; and providing a repealer clause, a severability clause and an effective date. (Consent Agenda Item “L”)

Ordinance No. 2018-9-4: To repeal Ordinance No. 2018-3-7; establishing the number of certain classifications within the Police Department for fiscal year 2018-19; establishing the authorized number and effective dates of such positions for each classification; establishing a salary plan for the Police Department effective October 1, 2018; and providing a repealer clause, a severability clause and an effective date. (Consent Agenda Item “M”)

Ordinance No. 2018-9-5: To repeal Ordinance No. 2014-1-20 containing Environmental Health fees which will be updated and presented to City Council through a separate resolution; and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Consent Agenda Item “N”)

Ordinance No. 2018-9-6: To amend certain sections of Ordinance Nos. 2001-4-4, and 2010-3-15 codified as Article VIII of Chapter 14, Additional Regulations for Tattoo and Certain Body Piercing Studios, and various sections of Ordinance Nos. 2006-9-26 and 2008-11-15 codified as Article X, Division 2 of Chapter 6, Public Swimming Pools and Spas, to reflect updated names, references, and fees; and providing a penalty clause, a savings clause, a severability clause, a repealer clause, a publication clause and an effective date. (Consent Agenda Item “O”)

Ordinance No. 2018-9-7: To amend and delete various sections of Article V, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano; revising prohibited and permitted parking activities in residential and other zoning districts, updating the penalty provisions for commercial vehicle violations; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date. (Consent Agenda Item “P”)

Ordinance No. 2018-9-8: To amend Article III, Division 3, Registration and Inspection of Multi-family Dwelling Complexes, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano; providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “Q”)

To amend Article III, Property Maintenance Code, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano by adding Division 4, Registration and Inspection of Hotel / Motel Properties, to provide for procedures allowing registration and inspection of hotel / motel properties; providing a savings clause, a penalty clause, a severability clause, a repealer clause, a publication clause, and an effective date. (Consent Agenda Item “R”) **(Pulled for consideration at a future meeting.)**

End of Consent Agenda

Ordinance No. 2018-9-9: To approve and adopt the Operating Budget and setting the appropriations for the fiscal year beginning October 1, 2018, and terminating September 30, 2019; and providing an effective date. (Public Hearings held on August 13, 2018 and August 18, 2018) (Regular Item “1”)

Mayor LaRosiliere opened the floor for public comments. David Baertsch, Mark Reid, Shelby Williams, Suzanne Blackstone, Chris Bingham, Colleen Epstein, Ross Kecseg, Badrinath Singh, and Lily Bao spoke in opposition to the proposed budget. Jeff Beckley, David Downs, and Warren Casteel spoke in support of the proposed budget. Mayor LaRosiliere closed the floor to public comments. In addition to the speakers, individuals registered opinions as follows: 66 in support, 5 in opposition.

During Council deliberation, Council Member Prince briefly stepped away from the dais.

Ordinance No. 2018-9-9 (cont'd)

MOTION: Upon a motion made by Mayor LaRosiliere and seconded by Deputy Mayor Pro Tem Miner, the Council voted 5-3, with Council Members Ricciardelli, Harrison and Smith in opposition, to approve and adopt the Operating Budget and setting the appropriations for the fiscal year beginning October 1, 2018, and terminating September 30, 2019; and further to adopt Ordinance No. 2018-9-9.

Ordinance No. 2018-9-10: To approve and adopt the Community Investment Program and setting the appropriations for the fiscal year beginning October 1, 2018, and ending September 30, 2019; and providing an effective date. (Regular Item “2”)

Individuals registered opinions as follows: 4 in support, 2 in opposition.

MOTION: Upon a motion made by Mayor Pro Tem Kelley and seconded by Council Member Grady, the Council voted 7-1, with Council Member Harrison in opposition, to approve and adopt the Community Investment Program and setting the appropriations for the fiscal year beginning October 1, 2018, and ending September 30, 2019; and further to adopt Ordinance No. 2018-9-10.

Ordinance No. 2018-9-11: To approve and adopt the Tax Rate for the fiscal year beginning October 1, 2018 and terminating September 30, 2019, and providing an effective date. (Public Hearings held August 27, 2018 and September 5, 2018) (Regular Item “3”)

Individuals registered opinions as follows: 17 in support, 30 in opposition.

MOTION: Upon a motion made by Mayor Pro Tem Kelley and seconded by Council Member Prince, the Council voted 5-3, with Council Members Ricciardelli, Harrison and Smith in opposition, that the property tax revenue be increased by the adoption of a tax rate of 46.03 cents which is effectively 4.49% increase in the tax rate; and further to adopt Ordinance No. 2018-9-11.

Ordinance No. 2018-9-12: To ratify the property tax revenue in the 2018-19 Budget as a result of the City receiving more revenues from property taxes in the 2018-19 Budget than in the previous fiscal year; and providing an effective date. (Public Hearings held on August 27, 2018 and September 5, 2018.) (Regular Item “4”)

Individuals registered opinions as follows: 1 in support, 2 in opposition.

Ordinance No. 2018-9-12 (cont'd)

MOTION: Upon a motion made by Council Member Prince and seconded by Deputy Mayor Pro Tem Miner, the Council voted 5-3, with Council Members Ricciardelli, Harrison and Smith in opposition, to ratify the property tax revenue in the 2018-19 Budget as a result of the City receiving more revenues from property taxes in the 2018-19 Budget than in the previous fiscal year; and further to adopt Ordinance No. 2018-9-12.

With no further discussion, the Regular City Council Meeting adjourned at 8:48 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Parks

Department Head: Robin Reeves

Agenda Coordinator: Cynthia Hogue

CAPTION

RFB 2018-0445-B for White Rock Creek Trail Replacement, Project No. 6543, to Ratliff Hardscape, Ltd in the amount of \$920,133; and authorizing the City Manager to execute all necessary documents.

Approved

FINANCIAL SUMMARY

CIP

FISCAL YEAR: 2018-19	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	1,199,401	1,500,599	100,000	2,800,000
Encumbered/Expended Amount	-1,199,401	-158,410	0	-1,357,811
This Item	0	-920,133	0	-920,133
Balance	0	422,056	100,000	522,056

FUND(S): Capital Maintenance Fund

COMMENTS: Funding for this item is available in the 2018-19 Capital Maintenance Fund budget. Construction of the White Rock Creek Trail Replacement project, in the amount of \$920,133, will leave a current year balance of \$422,056 available for trail repairs across Plano.

SUMMARY OF ITEM

The Parks and Recreation Department accepted bids on July 27, 2018 for White Rock Creek Trail Replacement, Project No. 6543. The project is for removal and replacement of deteriorating concrete recreational trail for the entire 1.1 mile length of White Rock Creek Trail. The trail is over 35 years old and does not meet current trail construction standards. Most of the trail is located within the floodplain of White

Rock Creek. The project includes mobilization, concrete trail demolition, concrete trail replacement, regrading and reconstruction for ADA compliance, erosion control, construction of new retaining wall and gabion structures, trail ramp replacement to meet ADA standards, trail and roadway traffic control, re-sodding and turf establishment in disturbed areas.

The lowest responsive, responsible bid was submitted by Ratliff Hardscape, Ltd in the amount of \$920,133.34. Funding is available in the current CIP budget. The bid is below the consultant's estimate of \$1,220,000.00. There were a total of 11,403 vendors notified of this project and 110 vendors viewed the project. Nineteen responsible, responsive bids were received for the project as shown in the attached bid recap.

If this project is not awarded, further deterioration of the recreational trail may result in hazardous conditions for pedestrians and wheeled trail users and needed accessibility improvements would not be completed.

Strategic Plan Goal:

Financially Strong City with Service Excellence, Great Neighborhoods - 1st Choice to Live

Plano Tomorrow Plan Pillar:

Social Environment, Natural Environment

ATTACHMENTS:

Description	Upload Date	Type
Bid Recap	9/11/2018	Bid Recap
Location Map	9/11/2018	Map

CITY OF PLANO

RFB CIP

Bid No. 2018-0445-B

White Rock Creek Trail Replacement

Project No. 6543

Bid Recap

Bid Opening Date/Time: July 27, 2018 @ 2:00 PM (CST)

Number of Vendors Notified: 11,403

Vendors Submitting "No Bids": 0

Number of Non-Responsive Bids Submitted: 0

Number of Responsive Bids Submitted: 19

<u>Vendor:</u>	<u>Total Bid</u>
Ratliff Hardscape, Ltd	\$ 920,133.34
Joel Brown & Co, LLC	\$ 934,775.00
North Rock Construction, LLC	\$ 998,172.36
Indus Road & Bridge, Inc.	\$ 1,006,344.60
EJ Smith Construction Company, LLC	\$1,088,860.00
Southwest Construction Services	\$1,162,721.10
FNH Construction, LLC	\$1,184,397.50
Cam-crete Contracting, Inc	\$1,198,587.70
West Texas Rebar Placers, Inc	\$1,203,633.50
Stoic Civil Construction, Inc	\$1,204,907.70
DDM Construction Corporation	\$1,228,885.80
Denco CS Corp	\$1,242,268.75
HQS Construction, LLC	\$1,248,559.50
DCI Contracting, Inc	\$1,262,568.00
308 Construction, LLC	\$1,293,642.00
VA Construction, Inc	\$1,354,591.50
RBR Infrastructure & Road, LLC	\$1,397,618.00
Iron Horse Unlimited, Inc.	\$1,444,842.50
Mart, Inc	\$1,472,660.63

Recommended Vendor:

Ratliff Hardscape, Ltd

\$ 920,133.34

Cynthia Hogue

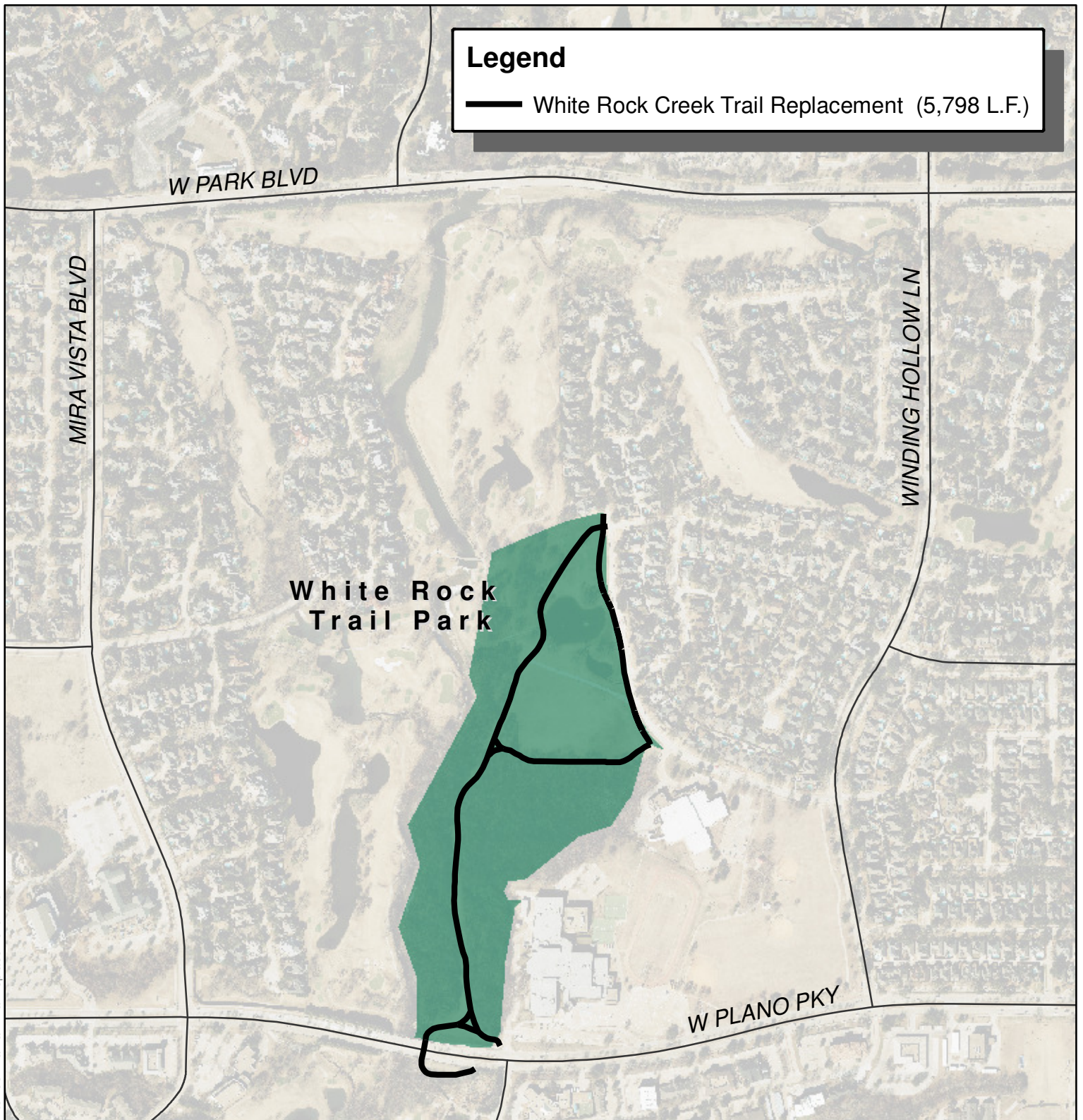
Cynthia Hogue, Contract Administrator

August 31, 2018

Date

Legend

— White Rock Creek Trail Replacement (5,798 L.F.)



0 300 600
Feet

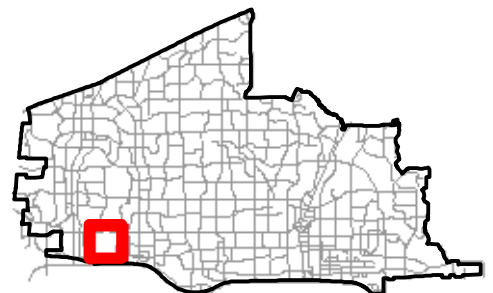


City of Plano Park Planning Division
9/11/2018

White Rock Creek Trail Replacement

Project No. 6543

Project Location





CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Facilities

Department Head: B. Caleb Thornhill

Agenda Coordinator: Michael Parrish x7554

CAPTION

CSP No. 2018-0400-B for a Sand and Salt Storage Facility to EJ Smith Construction Company, LLC in the amount of \$1,520,425; and authorizing the City Manager to execute all necessary documents.

Approved

FINANCIAL SUMMARY

Operating Expense

FISCAL YEAR: 2018-19	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	1,000,000	900,000	1,900,000
Encumbered/Expended Amount	0	-146,598	-115,795	-262,393
This Item	0	0	-1,520,425	-1,520,425
Balance	0	853,402	-736,220	117,182

FUND(S): General Fund

COMMENTS: Funding for this item is partially available in the 2017-18 General Fund Operating Budget. A companion agenda item for a supplemental appropriation totaling \$900,000 in the 2018-19 General Fund Operating Budget will provide the remaining funding necessary for this project. This supplemental appropriation is possible due to sales tax revenues that exceeded revenue estimates in the 2017-18 Budget. The construction of a sand and salt storage facility, in the amount of \$1,520,425, will leave a project balance of \$117,182 for other project expenses such as deconstruction of the existing improvements at the DART property on Communications Parkway and connecting the new facility to existing utility lines.

SUMMARY OF ITEM

See Recommendation Memo.

Strategic Plan Goal:

Financially Strong City with Service Excellence, Safe Large City

Plano Tomorrow Plan Pillar:

Built Environment

ATTACHMENTS:

Description	Upload Date	Type
Recommendation Memo	9/13/2018	Memo
Supplemental Appropriation Memo	9/18/2018	Memo
Location Map	9/14/2018	Map
CSP Recap	9/13/2018	CSP Recap

Date: September 10, 2018

To: Bruce D. Glasscock, City Manager

Via: B. Caleb Thornhill, Director of Engineering

From: Jim Razinha, Facilities Division Manager

Subject: Sand and Salt Storage Facility (Project No. 6869)

Recommendation: Per the weighted scoring of the proposals received and evaluated for the subject Competitive Sealed Proposal as summarized below, I recommend award to EJ Smith Construction in the amount of \$1,520,425 and 120 days total construction time from Notice to Proceed as being the best value to the City of Plano.

Explanation: The City received three submissions on July 23, 2018. One submission was not evaluated because the vendor only submitted pricing and no technical proposal. For the other two, a Technical Evaluation Team ranked only the technical aspects of the proposals, which comprised 60% of the overall score.

Award recommendation is based on the following evaluation criteria:

Price	40%
General Construction Experience & Past Performance	20%
Staff Experience	15%
Construction Time Period	20%
Quality Control & Warranty Program	5%
	100%

EJ Smith ranked the highest overall of the two proposers evaluated. EJ Smith's proposed price was the second lowest. The Technical Evaluation Team scored EJ Smith as exceeding the needs identified in the solicitation. The time of construction proposed by EJ Smith was realistic, as determined by the Technical Evaluation Team and the Consultant. Factoring in pricing and the Technical Evaluation Team scoring, EJ Smith presented the best value for the project. The Team recommended Purchasing request a Best and Final Offer from EJ Smith, which reduced its original price proposal by \$175,000.

Mart, Inc.'s price was \$241,000 less than EJ Smith's original price but placed second in the overall ranking with a technical score reflecting the vendor's technical proposal being merely responsive.

EJ Smith's experience, time of construction and price reflect the best value to the City of Plano.

This project is necessary to provide severe winter weather response capability for safe roads.

Date: September 14, 2018

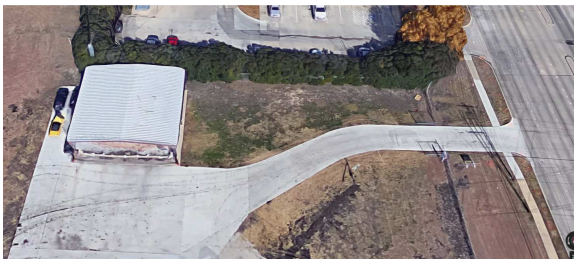
To: Bruce Glasscock, City Manager

From: Jim Razinha, Facilities Division Manager

Subject: Sand/Salt Storage Facility (Project No. 6416) Cost Escalation

During icy weather conditions, sand/salt mixture is applied to the streets to address safety concerns for motorists. In past years, the city stored sand/salt on property owned by DART (on an unused portion of the parking lot at the Northwest Plano Park and Ride). Today, the entire parking lot is needed for parking of commuter vehicles and this site is no longer available for storage of sand/salt.

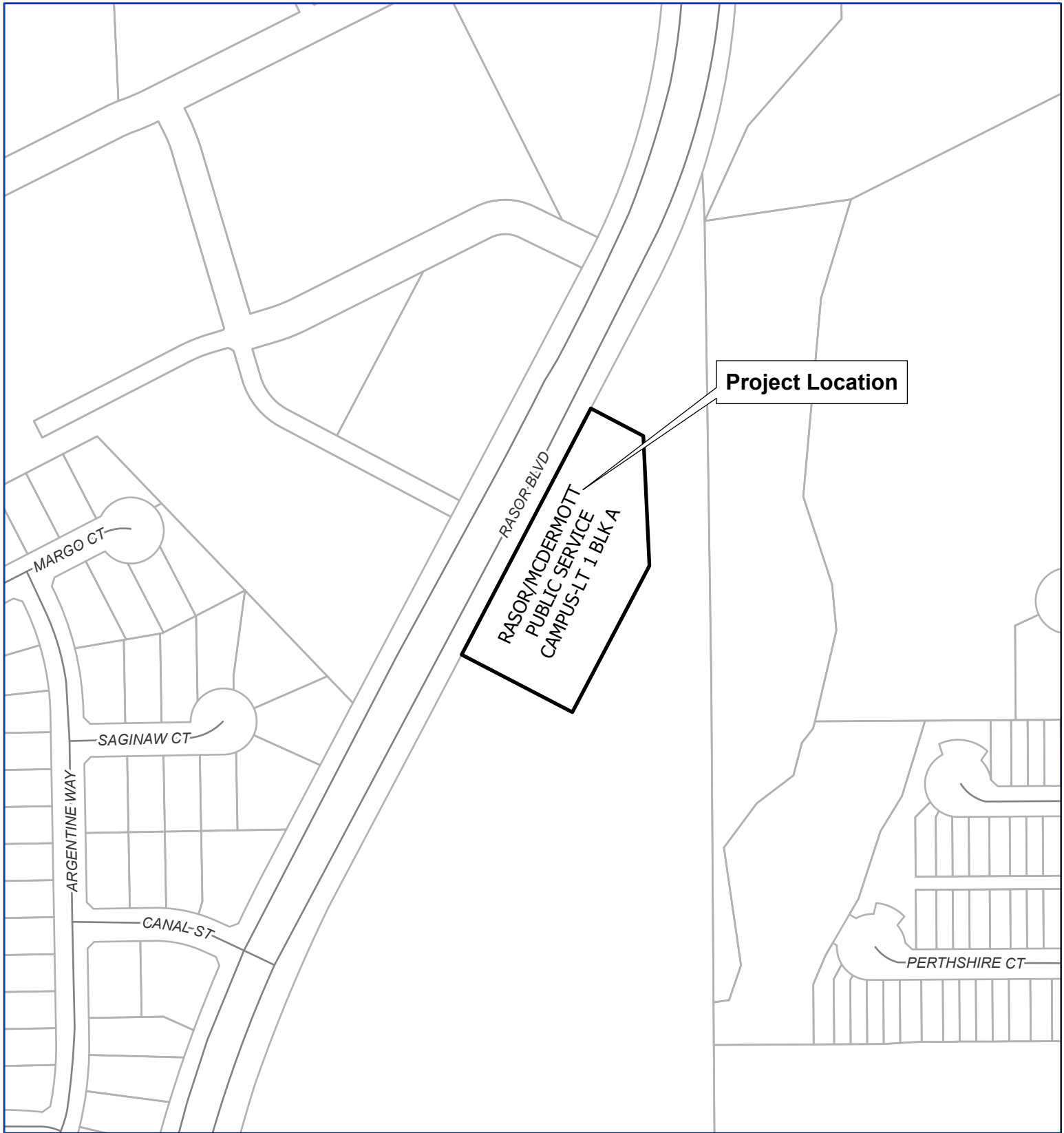
Several years ago, the city funded a project to establish a permanent sand/salt storage facility. The funds for the initial budget came from sales tax revenues that exceeded the cap, in the amount of \$1 million. At the time the budget was established, the new site was envisioned to be similar to the storage site in the central portion of Plano, located along Alma Drive, as shown below.



Identifying a site in the northwest portion of Plano was difficult. In 2016, the city purchased property for various other city facilities near the intersection of Rasor Boulevard and McDermott Road. Staff determined that the northern portion of that property along Rasor Boulevard would be a suitable site for the replacement sand/salt storage facility. Following discussions with neighbor HOAs, the design concept was changed, with an increased focus on aesthetics.

The revised design includes a more appealing concrete tilt wall construction. This type of construction requires a significant amount of concrete. In addition to the increase in the quantity of concrete, the cost for concrete and other materials has increased significantly as well. Concrete cost has increased 30% over the past two years. The cost for structural steel and labor have both increased as well.

Bids have been received for the construction of this facility. The bid in the amount of \$1,520,425 is recommended for approval. Other costs associated with this project include: \$83,000 for consulting fees, \$180,000 for site grading, \$30,000 to remove the structure from the DART property. Additional funds are available from sales tax revenues that exceeded the cap. A supplemental appropriation in the amount of \$900,000 is included on this agenda as a companion item to increase the funding for this project. This will leave approximately \$86,000 for a contingency.



0 100 200
Feet

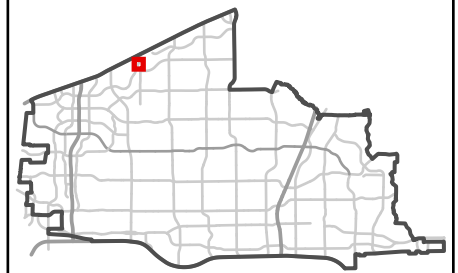


City of Plano BI-GIS Division
September 2018

Project Name Sand and Salt Storage Facility

Project No. 6416

Project Location



CITY OF PLANO
CSP No. 2018-0400-B
SAND AND SALT STORAGE FACILITY
Proposal Recap

Proposal Opening Date/Time: July 23, 2018, at 2:00 PM

Number of Vendors Notified: 6,685

Vendors Submitting “No Bids”: 0

Number of Non-Responsive Bids: 1

Number of Responsive Bids Submitted: 2

VENDOR NAME

Mart, Inc.

EJ Smith Construction Company, LLC

TOTAL BASE BID

\$1,453,541.00

\$1,695,300.00

BEST AND FINAL OFFER

EJ Smith Construction Company, LLC

TOTAL BASE BID

\$1,520,425.00

RECOMMENDED VENDOR

EJ Smith Construction Company, LLC

TOTAL BASE BID

\$1,520,425.00

Michael Parrish

Michael Parrish, Senior Buyer

September 13, 2018

Date



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Technology Services

Department Head: Chris Chiancone

Agenda Coordinator: Tonya Bee x7134

CAPTION

To approve the purchase of Cloud Services for a five (5) year contract for Technology Services in the estimated total amount of \$1,500,000 from Amazon Web Services, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-2733) **Approved**

FINANCIAL SUMMARY

Operating Expense

FISCAL YEAR: 2018-19 thru 2022-23	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	1,500,000	1,500,000
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	-1,500,000	-1,500,000
Balance	0	0	0	0

FUND(S): Technology Services Fund

COMMENTS: Funding for this item is available in the 2018-19 Technology Services Fund. This request is to utilize cloud services over the next five years through Amazon Web Services, Inc., in the total estimated amount of \$1,500,000. The total expenditures for cloud services are estimated to be \$250,000 in 2018-19; \$275,000 in 2019-20; \$300,000 in 2020-21; \$325,000 in 2021-22; and \$350,000 in 2022-23 and will be made within approved budget appropriations in the Technology Services Budget.

SUMMARY OF ITEM

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. (Department of Information Resources Contract No. DIR-TSO-2733 and the City of Plano Contract No. 2018-0581-I)

Strategic Plan Goal:

Financially Strong City with Service Excellence

Plano Tomorrow Plan Pillar:

ATTACHMENTS:

Description	Upload Date	Type
Recommendation Memo	9/11/2018	Memo

Date: Tuesday, September 4, 2018

To: Jim Parrish, Deputy City Manager

CC: Diane Palmer-Boeck, Director of Procurement and Project Management

From: Chris Chiancone, Chief Information Officer

Subject: Amazon Web Services Continuation

As part of the continuing NextGen program developed to reduce risk, modernize technology, increase productivity, decrease cost, and leverage redundancy; the City of Plano has implemented technologies to both reduce our on premise footprint and allow for seamless integration into cloud service offerings. As part of this program, the City currently utilizes cloud services such as Infrastructure as a Service (IaaS), Platform as a Service (PaaS), and Software as a Service (SaaS) solutions via the Texas DIR Contract (DIR-TSO-2733) with Amazon Web Services (AWS), which has been reviewed and approved by both the legal and procurement departments.

This DIR contract is set to expire on October 10, 2018 unless amended prior; however, the City of Plano would like to continue the use of this contract via the survivability clause for a period not to exceed 5 years as allowed in the existing contract verbiage. The Texas DIR is in the process of awarding a new contract for these services, once awarded by the Texas DIR, the City will review the new agreement and utilize whichever is deemed to be the most advantageous to the City.

The City of Plano currently utilizes several of the available services within the AWS platform, but most importantly, AWS serves as the off-site location of all server and file backups with direct integration into our backup and recovery solution. AWS annual estimated expenditures are budgeted for each year based off utilization and planned usage. For FY 18-19, we plan to budget \$250,000 towards AWS Cloud Services. For the 5-year extension, estimating growth and potential uses for other workloads to run in AWS to avoid procuring additional hardware on-premise which would require periodic replacement and added recurring maintenance cost, we do not expect to exceed \$1.5m over 5 years. AWS is a pay as you grow model, so we may not end up utilizing all of these funds and will evaluate and re-estimate on an regular basis to adjust funds in this account.

AWS currently houses over 400 TB of archived backups at a fraction of the cost of tape library hardware, tapes, maintenance and secure off-site storage contracts that would be required if not for its use. Our modernized backup solution greatly reduces cost by leveraging AWS S3 and reduces the amount of time and labor required to recover from disasters reducing overall risk of impact to critical City services and functions. If not awarded, the City would need to procure hardware, contracts, and professional services to transition this large amount of data to on-premise hardware and would have higher risk of delayed recovery or the inability to recover in the event of a disaster.



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Public Works

Department Head: Gerald Cosgrove

Agenda Coordinator: Nancy Corwin 972-941-7137

CAPTION

To approve the purchase of UPS Traffic Battery Backup at Signalized Intersections for Public Works Department in the amount of \$150,000 from Paradigm Traffic Systems, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 524-17)

Approved

FINANCIAL SUMMARY

Operating Expense

FISCAL YEAR:	2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		0	1,000,000	0	1,000,000
Encumbered/Expended Amount		0	-560,553	0	-560,553
This Item		0	-150,000	0	-150,000
BALANCE		0	289,447	0	289,447

FUND(S): Traffic Safety Fund

COMMENTS: Funding is available in the 2017-18 Traffic Safety Fund Budget for this item. The purchase of AlphaCell batteries to provide uninterrupted power during utility interruptions, in the amount of \$150,000, will leave a balance of \$289,447 available for other traffic safety related expenditures.

SUMMARY OF ITEM

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 Texas Local Government Code and by doing so satisfies any State Laws requiring local governments to seek competitive bids for items. (BuyBoard Contract No. 524-17 and the City of Plano Internal Contract No. 2018-0494-O)

See Recommendation Memo.

Strategic Plan Goal:

Financially Strong City with Service Excellence, Safe Large City

Plano Tomorrow Plan Pillar:

Social Environment, Economic Environment

ATTACHMENTS:

Description	Upload Date	Type
Recommendation Memo	9/13/2018	Memo
Cooperative Quote Recap	9/17/2018	Cooperative Quote Recap

Date: September 13, 2018

To: Diane Palmer-Boeck, Director of Procurement and Project Management

From: Gerald P. Cosgrove, P.E.; Director of Public Works *GPC*

Subject: UPS Traffic Battery Backup at Signalized Intersections

The Public Works Operations Traffic Staff require purchasing AlphaCell Batteries for the Alpha Uninterruptible Power Supply (UPS). This item is available to the City of Plano through Paradigm Traffic Systems, Inc. (Buyboard Contract No. 524-17). The estimated expenditure is \$150,000.

The UPS systems were installed at 142 intersections throughout Plano as funded and designated by the Plano Police Department.

The Alpha UPS unit automatically provides uninterrupted power during a utility power failure or interruption. Many of the existing batteries are reaching the end of their lives. If this purchase is not approved by City Council, signalized intersections could go totally dark when power is lost. This is a public safety issue.

The funding for this bid is coming from the Traffic Safety Fund (Cost Center 283).

Please let me know if you have questions regarding our recommendations.

cc: David Falls, Public Works Operations Manager
Robert Moore, Traffic Operations Superintendent.
Nancy Corwin, Purchasing Buyer

CITY OF PLANO
SOLICITATION NO. 2018-0494-O
UPS TRAFFIC BATTERY BACKUP AT SIGNALIZED INTERSECTIONS
COOPERATIVE QUOTE RECAP

Number of Vendors Contacted: 1

Vendors Submitting "No Bids": 0

Quotes Deemed Non-responsive: 0

Number of Responsive Quotes Submitted: 1

AlphaCell Batteries from Paradigm Traffic Systems, Inc.
via BuyBoard Contract No. 524-17

\$150,000.00

Recommended Vendor(s):

Paradigm Traffic Systems, Inc.

\$150,000.00

Nancy Corwin

Nancy Corwin, Buyer

September 11, 2018

Date



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Fleet Services

Department Head: Gerald Cosgrove

Agenda Coordinator: Lincoln Thompson (Ext. 7376)

CAPTION

To approve the purchase of one (1) Doppstadt Trommel Screen for Fleet Services to be utilized by Compost Operations in the amount of \$376,704 from Ecoverse through an existing contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. SM10-16)

Approved

FINANCIAL SUMMARY

Operating Expense

FISCAL YEAR: 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	376,704	0	376,704
Encumbered/Expended Amount	0	0	0	0
This Item	0	-376,704	0	-376,704
Balance	0	0	0	0

FUND(S): Sustainability and Environmental Services

COMMENTS: Funds are available in the FY 2017-18 Adopted Budget to purchase one (1) Doppstadt Trommel Screen as a New Addition in Cost Center 714 / Compost Marketing and Operation.

SUMMARY OF ITEM

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 Texas Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (HGAC Contract No. SM10-16 / City of Plano Internal Contract No. 2018-0530-O)

See Recommendation Memo.

Strategic Plan Goal:

Financially Strong City with Service Excellence

Plano Tomorrow Plan Pillar:

Built Environment

ATTACHMENTS:

Description	Upload Date	Type
Recommendation Memo	9/11/2018	Memo
Cooperative Quote Recap	9/11/2018	Cooperative Quote Recap

Date: September 6, 2018

To: Bruce D. Glasscock, City Manager

From: Gerald Cosgrove, P.E., Director of Public Works

Subject: Trommel Screen Purchase Recommendation

It is the recommendation of Fleet Services to purchase one (1) Doppstadt Trommel Screen in the amount of \$376,704.00 from Ecoverse, through HGAC Contract No. SM10-16. Fleet Services and Purchasing have reviewed multiple Cooperative Contract quotes and specifications and found this to be the lowest responsive Cooperative Contract quote.

This unit is a new addition in Cost Center 714 Compost Marketing and Operation. Due to operational demands, it is necessary to purchase at this time.

The purchase of the screen is necessary for the following reasons:

1. This unit will be used to increase Compost's screening capacity to meet current customer demand.
2. If this purchase is not made Compost will not be able to meet customer demand due to a production bottleneck.

CITY OF PLANO
SOLICITATION NO. 2018-0530-O
TROMMEL SCREEN
COOPERATIVE QUOTE RECAP

Number of Vendors Contacted: 3

Vendors Submitting "No Bids": 0

Quotes Deemed Non-responsive: 2

Number of Responsive Quotes Received: 1

Doppstadt SM720 SA Plus from Ecoverse
via HGAC Contract No. SM10-16

\$376,704.00

Recommended Vendor:

Ecoverse

\$376,704.00

Lincoln Thompson

Lincoln Thompson
Senior Buyer

September 11, 2018

Date



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Fleet Services

Department Head: Gerald Cosgrove

Agenda Coordinator: Lincoln Thompson (Ext. 7376)

CAPTION

To approve the purchase of one (1) Jet Vac Truck for Fleet Services to be utilized by Utility District No. 3 in the amount of \$441,673 from Hi-Vac Corporation through an existing contract; and authorizing the City Manager to execute all necessary documents. (NJPA Contract No. 122017-HVC) **Approved**

FINANCIAL SUMMARY

Operating Expense

FISCAL YEAR: 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	180,000	0	180,000
Encumbered/Expended Amount	0	0	0	0
This Item	0	-441,673	0	-441,673
Balance	0	-261,673	0	-261,673

FUND(S): Equipment Replacement Fund and Water & Sewer Fund

COMMENTS: Funds are available in the FY 2017-18 Adopted Budget to purchase one (1) Jet Vac Truck for the scheduled replacement of unit 99801 in Cost Center 762 / Utility District 3. The additional funds of \$261,673 needed for this purchase are available from savings in previous Equipment Replacement Fund purchases.

SUMMARY OF ITEM

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 Texas Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for

items. (NJPA Contract No. 122017-HVC / City of Plano Internal Contract No. 2018-0587-O)

See Recommendation Memo.

Strategic Plan Goal:

Financially Strong City with Service Excellence

Plano Tomorrow Plan Pillar:

Built Environment

ATTACHMENTS:

Description	Upload Date	Type
Recommendation Memo	9/12/2018	Memo
Cooperative Quote Recap	9/13/2018	Cooperative Quote Recap

Date: September 6, 2018

To: Bruce D. Glasscock, City Manager

From: Gerald Cosgrove, P.E., Director of Public Works

Subject: Jet Vac Truck Purchase Recommendation

It is the recommendation of Fleet Services to purchase one (1) Jet Vac Truck from Hi-Vac Corporation, in the amount of \$441,672.93 through NJPA Contract Number 122017-HVC. Fleet Services and Purchasing have reviewed multiple Cooperative Contract quotes and found this to be the best value for the City.

This unit is a scheduled replacement of unit number 99801 in Cost Center 762 Utility District #3. Due to operational demands, it is necessary to purchase at this time.

The purchase of this unit is also necessary for the following reasons:

1. Jet Vac Trucks are used to locate and expose underground utilities for maintenance and repair and are essential to Utility District #3 operations.
2. The old vehicle is in need of replacement. The determination for the need of replacement is based on age, usage, maintenance costs, and re-sale value. Based on these criteria, Fleet Services recommends the replacement of the above vehicle.
3. If this unit is not replaced, we will incur additional maintenance costs and the salvage value will be greatly depreciated. In addition, the older, aging unit will incur increased breakdowns and additional downtime for repairs.

CITY OF PLANO
SOLICITATION NO. 2018-0587-O
JET VAC TRUCK
COOPERATIVE QUOTE RECAP

Number of Vendors Contacted: 2

Vendors Submitting "No Bids": 1

Quotes Deemed Non-responsive: 0

Number of Responsive Quotes Received: 2

Peterbilt 348 with X-8 Hydro Excavator from Hi-Vac Corporation via NJPA Contract No. 122017-HVC	\$441,672.93
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Freightliner 108 SD with X-8 Hydro Excavator from Hi-Vac Corporation via NJPA Contract No. 122017-HVC	\$443,435.13
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Recommended Vendor:

Hi-Vac Corporation	\$441,672.93
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Lincoln Thompson

Lincoln Thompson
Senior Buyer

September 11, 2018

Date



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Library

Department Head: Libby Holtmann

Agenda Coordinator: Dorothy Kibler

CAPTION

To approve the purchase of library materials including books, books-on-CD, compact discs, DVDs and Playaways for Plano Public Library (PPL) in the estimated amount from Midwest Tape LLC \$250,000, Ingram Library Services LLC \$50,000, Findaway World LLC \$80,000, Brodart \$150,000, and Baker & Taylor \$550,000 for a total estimated amount of \$1,080,000 through an existing contract with the State of Texas; and authorizing the City Manager to execute all necessary documents. (State of Texas Contract No. 715-M2) **Approved**

FINANCIAL SUMMARY

Operating Expense

FISCAL YEAR: 2018-19	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	1,441,565	1,441,565
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	-1,080,000	-1,080,000
Balance	0	0	361,565	361,565

FUND(S): GENERAL FUND

COMMENTS:

Funding for this item is subject to FY 2018-19 approved budget appropriations and will be made available in FY 2018-19 Adopted Budget. The estimated future annual amount to be spent in FY 2018-19 is \$1,080,000, which will be made within approved budget appropriations. Remaining balance will be used for other Library Administration purchases.

SUMMARY OF ITEM

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. (State of Texas Contract No. 715-M2 and the City of Plano No. 2018-0544-C)

Strategic Plan Goal:

Financially Strong City with Service Excellence

Plano Tomorrow Plan Pillar:

Economic Environment

ATTACHMENTS:

Description	Upload Date	Type
Memo	9/11/2018	Memo

Date: August 15, 2018

To: Diane Palmer-Boeck, Director of Procurement & Project Management

From: Libby Holtmann, Library Director

Subject: Award Recommendation for Midwest Tape LLC, Ingram Library Services LLC, Findaway World LLC, Brodart, and Baker & Taylor

Please request City Council to approve the purchase of library materials including books, books-on-CD, compact discs, DVDs and Playaways for Plano Public Library (PPL) in the estimated amount of \$1,080,000 from Midwest Tape LLC \$250,000, Ingram Library Services LLC \$50,000, Findaway World LLC \$80,000, Brodart \$150,000, and Baker & Taylor \$550,000 through an existing contract with the State of Texas and authorizing the City Manager to execute all necessary documents. (State of Texas Contract No. 715-M2)

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. (State of Texas Contract No. 715-M2 and the City of Plano No. 2018-0544-C)

These vendors are key book and media jobbers providing libraries with quality material for public consumption. They provide discounted materials in a timely manner in which Plano residents have become accustomed. The impact of not granting this request would affect the quality and relevance of the overall library collection.



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Parks

Department Head: Robin Reeves

Agenda Coordinator: Teresa Cox

CAPTION

To approve the purchase of Fitness Equipment for the Senior Recreation Center for Parks & Recreation in the amount of \$193,426 from Team Marathon Fitness through an existing contract; and authorizing the City Manager to execute all necessary documents. (Buyboard Contract No. 502-16) **Approved**

FINANCIAL SUMMARY

Operating Expense

FISCAL YEAR: FY 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	551,278	0	551,278
Encumbered/Expended Amount	0	-26,040	0	-26040
This Item	0	-193,426	0	-193,426
Balance	0	331,812	0	331,812

FUND(S): General Fund

COMMENTS: Funding for this item is available in the 2017-18 Plano Senior Recreation Center Budget. The purchase of equipment following the renovation and addition to the Senior Recreation Center, in the amount of \$193,426, will leave an available balance of \$331,812 available for future furniture and equipment purchases.

SUMMARY OF ITEM

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 Texas Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for

items. (Buyboard Contract No. 502-16) (City of Plano Contract No. 2018-0545-O)

Strategic Plan Goal:

Financially Strong City with Service Excellence, Great Neighborhoods - 1st Choice to Live

Plano Tomorrow Plan Pillar:

ATTACHMENTS:

Description	Upload Date	Type
Recommendation Memo	8/29/2018	Memo
Recap	8/29/2018	Cooperative Quote Recap

Date: 08/17/2018

To: Diane Palmer-Boeck, Director of Procurement and Project Management

From: Robin Reeves, Director Parks and Recreation

Subject: Recommendation to Purchase Fitness Equipment for Plano Senior Recreation Center

The Senior Recreation Center CIP renovation project is due to be completed January 2019. The Parks and Recreation Department is in need of purchasing new cardio and strength equipment for the newly expanded fitness room. Historically, patrons have indicated that fitness equipment brand consistency within each facility, as well as across recreation centers is important to them. Equipment supplied by different manufacturers has resulted in complaints in the past. Many who frequent the Senior Recreation Center also work out at the other recreation centers. Consistency among center equipment allows patrons to work out at multiple centers with ease. To reduce negative feedback and ensure equipment consistency, Precor equipment is needed.

After shopping all the cooperative contracts, it was found that BuyBoard is the only cooperative that offers Precor equipment.

The funds for this purchase are available through the Plano Senior Recreation Center Capital Outlay funds for Furniture/Fixtures 01-656-8411.

The Parks and Recreation Department recommends purchasing the Precor equipment from Team Marathon Fitness through Team Marathon Fitness BuyBoard contract number 502-16 for a total amount of \$193,426.24.

The citizens of Plano have come to expect a level of service that is reflected in the City's strategic mission: the provision of outstanding services and facilities, and a place that values and expects excellence. Not replacing worn out, outdated or nonworking pieces of equipment, or replacing equipment from a variety of manufacturers would negatively impact public perception, and would not be representative of our community's expected level of service.

CITY OF PLANO
SOLICITATION NO. 2018-0545-O
PRECOR FITNESS EQUIPMENT FOR SENIOR RECREATION CENTER
COOPERATIVE QUOTE RECAP

Number of Vendors Contacted: 1

Vendors Submitting "No Bids": 0

Quotes Deemed Non-responsive: 0

Number of Responsive Quotes Received: 1

Team Marathon Fitness (BuyBoard Contract #502-16)

\$193,426.24

Teresa Cox
Teresa Cox
Buyer II

August 27, 2018
Date

CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Public Works

Department Head: Gerald Cosgrove

Agenda Coordinator: Shawn Breen

CAPTION

To approve an increase to the current awarded contract amount of \$3,377,419 by \$121,000, for a total contract amount of \$3,498,419, for the Residential Concrete Pavement Repair Zone I3 North, Project No. 6812, from EJ Smith Construction Company, LLC for Public Works; and authorizing the City Manager to execute all necessary documents. (Contract No. 2018-0259-B; Change Order No. 2) **Approved**

FINANCIAL SUMMARY

CIP

FISCAL YEAR:	2018-19	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		3,644,265	13,812,598	6,700,000	24,156,863
Encumbered/Expended Amount		-3,644,265	-5,027,774		-8,672,039
This Item		0	-1,125,800	-2,372,619	-3,498,419
BALANCE		0	7,659,024	4,327,381	11,986,405

FUND(S): Capital Maintenance Fund

COMMENTS: Funding is available for this item in the 2018-19 Capital Maintenance Fund Budget. Increasing the existing construction contract for the Residential Concrete Zone I3 North project, in the amount of \$121,000, will leave a balance of \$11,986,405 available for future expenditures on the repair and replacement of residential streets, alleys and sidewalks.

SUMMARY OF ITEM

This change order is to allow for the repair of existing cracks in the concrete by routing and sealing existing joints, without having to replace the entire panel of concrete. This item was not included in the original bid. This change order will add 6 (six) working days to the contract bringing the total number to 186 (one hundred eighty-six).

Public Works recommends the approval of Change Order No. 2 to EJ Smith Construction Company, LLC. The total contract amount will be \$3,498,419.30, which is a 3.58% increase of the original amount of \$3,377,419.30.

If this change order is not approved by Council, the existing cracks in the concrete panels will remain unsealed and continue to deteriorate, leaving parts of Zone I3 North in an unsafe condition.

Strategic Plan Goal:

Financially Strong City with Service Excellence, Great Neighborhoods - 1st Choice to Live

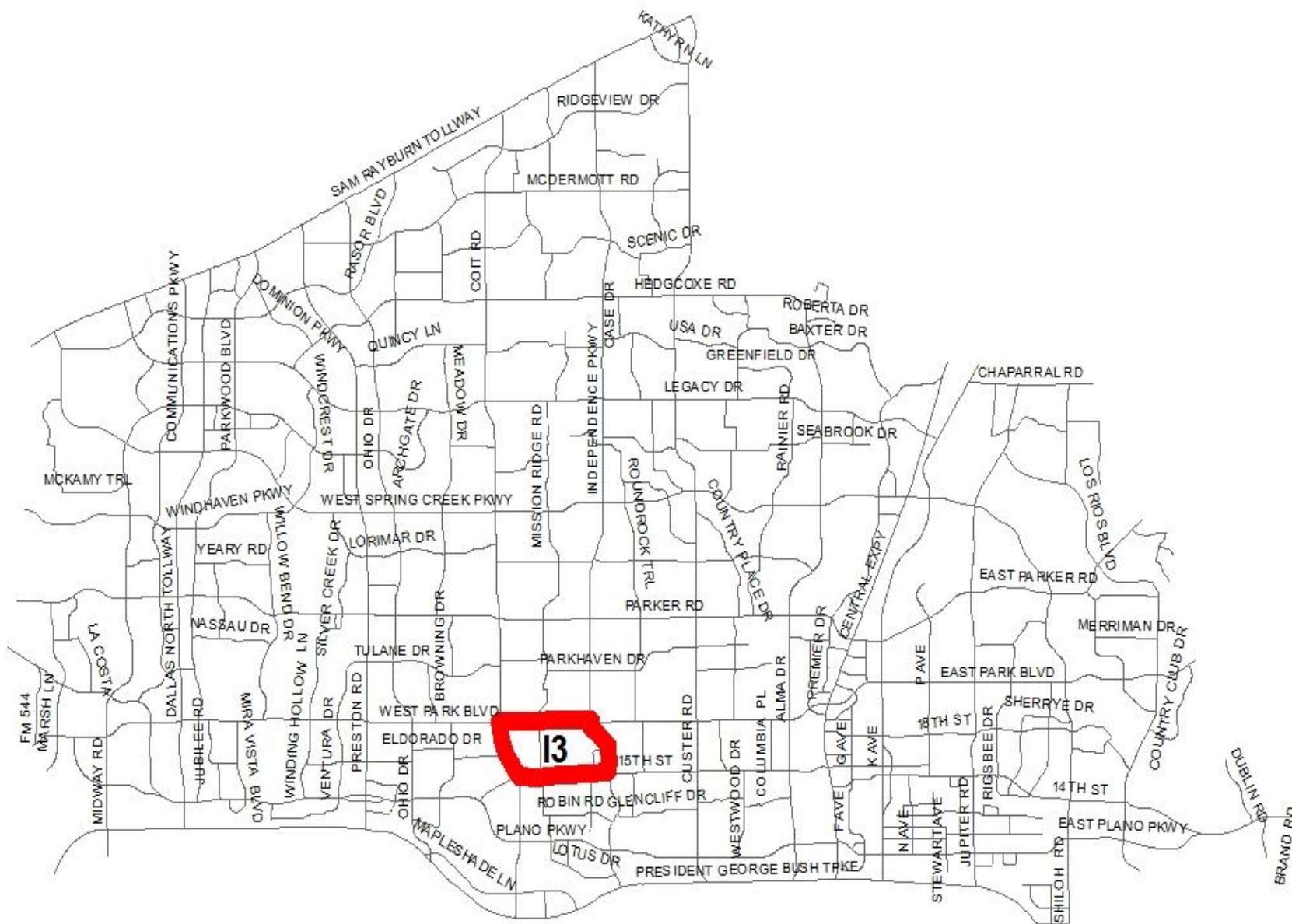
Plano Tomorrow Plan Pillar:

Built Environment, Social Environment

ATTACHMENTS:

Description	Upload Date	Type
Location Map	8/28/2018	Map

PROJECT 6812





CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Public Works

Department Head: Gerald Cosgrove

Agenda Coordinator: Shawn Breen

CAPTION

To approve an expenditure for engineering services associated with the Pavement Data Collection Services - Alleys (2018), Project No. 7046, in the amount of \$149,980 from Data Transfer Solutions, LLC (DTS) for Public Works; and authorizing the City Manager to execute all necessary documents. **Approved**

FINANCIAL SUMMARY

CIP

FISCAL YEAR:	2018-19	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget		118,731	50,000	150,000	318,731
Encumbered/Expended Amount		-118,731	0		-118,731
This Item		0	0	-149,890	-149,890
BALANCE		0	50,000	110	50,110

FUND(S): Capital Maintenance Fund

COMMENTS: Funding for this item is included in the 2018-19 Street Capital Maintenance Fund and is anticipated in future years. Purchase of professional services, in the anticipated amount of \$149,890 will leave a balance of \$50,110 available for future expenditures to street capital maintenance. Future year expenditures will occur with Council approved appropriations.

SUMMARY OF ITEM

The Public Works Department recommends the award of this engineering contract to DTS in the amount of \$149,980. The contract will evaluate the condition of the approximately 540 miles of alleys in the city. The contract will help determine how much money needs to be invested in the maintenance and replacement of alleys in Plano.

The City is exempt from the competitive bid process for this purchase as allowed by Texas Local

Strategic Plan Goal:

Financially Strong City with Service Excellence

Plano Tomorrow Plan Pillar:

Built Environment



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Fleet Services

Department Head: Gerald Cosgrove

Agenda Coordinator:

CAPTION

To ratify an expenditure in the amount of \$167,474 for one (1) Crane Rear Load Refuse Truck Chassis from Bond Equipment Company Inc. and in the amount of \$102,400 for one (1) Heil Rear Load Refuse Truck Body from Heil of Texas, for a total purchase of \$269,874, for Fleet Services to be utilized by Special Waste; and authorizing the City Manager to execute all necessary documents. **Approved**

FINANCIAL SUMMARY

Operating Expense

FISCAL YEAR: 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	269,874	0	269,874
Encumbered/Expended Amount	0	0	0	0
This Item	0	-269,874	0	-269,874
Balance	0	0	0	0

FUND(S): Equipment Replacement Fund

COMMENTS: Funds are available in the FY 2017-18 Adopted Budget to purchase one (1) Crane Rear Load Refuse Truck Chassis and one (1) Heil Rear Load Refuse Truck Body for the unscheduled emergency replacement of Unit 11918 in Cost Center 751 / Special Waste. Funding for this unscheduled emergency replacement is available from savings in previous Equipment Replacement Fund purchases.

SUMMARY OF ITEM

This is a necessary procurement because of unforeseen damage to public machinery, equipment, or other property. The City is exempt from the competitive bid process for this purchase as allowed by Texas

Local Government Code Chapter 252 Subchapter B Section 252.022(a)(3). (City of Plano Internal Contract No. 2018-0541-X)
See Recommendation Memo.

Strategic Plan Goal:

Financially Strong City with Service Excellence

Plano Tomorrow Plan Pillar:

Built Environment

ATTACHMENTS:

Description	Upload Date	Type
Recommendation Memo	9/12/2018	Memo

Date: August 17, 2018
To: Bruce D. Glasscock, City Manager
From: Gerald Cosgrove, P.E., Director of Public Works
Subject: Rear Load Refuse Truck Purchase Ratification

Fleet Services requests the ratification of the purchase of one (1) Crane Rear Load Refuse Truck Chassis in the amount of \$167,474.00 from Bond Equipment Company Inc. and one (1) Heil Rear Load Refuse Truck Body in the amount of \$102,400.00 from Heil of Texas.

This unit was an unforeseen, unscheduled, emergency replacement for Unit 11918 in Cost Center 751 Special Waste. Due to operational demands, it is necessary to purchase at this time. The current unit has reached the end of its useful life and experienced major mechanical error with estimated repair costs in excess of \$30,000.00.

The purchase of the Crane Rear Load Refuse Truck Chassis and Heil Rear Load Refuse Truck Body for Cost Center 751 Special Waste is necessary for the following reasons:

1. This unit is critical to essential waste disposal services provided by Special Waste. Special Waste cannot maintain current service levels without this unit.
2. Not purchasing this vehicle would have led to an increase in response times due to a lack of available mission capable vehicles. It would also have lead to increased maintenance and repair costs due to the increased usage of the reserve fleet vehicles.

Fleet Services requests ratification of the expenditure of \$269,874.00 which was necessary to maintain waste disposal services.



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Library

Department Head: Libby Holtmann

Agenda Coordinator: Linda Wilson (x4208)

CAPTION

To approve an expenditure for the purchase of downloadable content (e-books, music, and e-audio library materials) with Kindle functionality in the amount of \$400,000 from OverDrive, Inc. for Plano Public Library (PPL); and authorizing the City Manager to execute all necessary documents. **Approved**

FINANCIAL SUMMARY

Operating Expense

FISCAL YEAR: 2018-19	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	1,441,565	1,441,565
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	-400,000	-400,000
Balance	0	0	1,041,565	1,041,565

FUND(S): GENERAL FUND

COMMENTS: Funding for this item is subject to FY 2018-19 approved budget appropriations and will be made available in FY 2018-19 Adopted Budget. The estimated future annual amount to be spent in FY 2018-19 is \$400,000, which will be made within approved budget appropriations. Remaining balance will be used for other Library Administration purchases.

SUMMARY OF ITEM

The City is exempt from the competitive bid process for this purchase as allowed by Texas Local Government Code Chapter 252 Subchapter B Section 252.022(a)(7)(A). (City of Plano Internal Contract No. 2014-0370-X)

Strategic Plan Goal:

Financially Strong City with Service Excellence

Plano Tomorrow Plan Pillar:

Economic Environment

ATTACHMENTS:

Description	Upload Date	Type
Memo	9/11/2018	Memo

Date: August 15, 2018

To: Diane Palmer-Boeck, Director of Procurement & Project Management

From: Libby Holtmann, Library Director

Subject: Award Memo for OverDrive, Inc. 2014-0370-X

Please request City Council to approve an expenditure for the purchase of downloadable content (e-books, music, and e-audio library materials) with Kindle functionality in the amount of \$400,000 from OverDrive, Inc. for Plano Public Library (PPL); and authorizing the City Manager to execute all necessary documents.

The City is exempt from the competitive bid process for this purchase as allowed by Texas Local Government Code Chapter 252 Subchapter B Section 252.022(a)(7)(A). (City of Plano Internal Contract No. 2014-0370-X)

OverDrive is a major distributor of eBooks and eAudio. The impact of not granting this request would be no eBooks or eAudio availability to library patrons.



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Public Works

Department Head: Gerald Cosgrove

Agenda Coordinator: Margie Stephens

CAPTION

To approve an Interlocal Cooperation Agreement between North Texas Municipal Water District and the City of Plano, Texas, for Manhole Protection at Arbor Hills Nature Preserve; and authorizing the City Manager to execute all necessary documents. **Approved**

FINANCIAL SUMMARY

Revenue, CIP

FISCAL YEAR: 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	64,000	0	64,000
Balance	0	64,000	0	64,000

FUND(S): Sewer CIP

COMMENTS:

This item approves an interlocal agreement with NTMWD, which will pay \$64,000 towards the cost of the Manhole Protection at Arbor Hills Nature Preserve project.

SUMMARY OF ITEM

The North Texas Municipal Water District (NTMWD) operates a 15-inch sewer line that traverses the Arbor Hills Nature Preserve. The City of Plano has a sewer service connection into a manhole on the subject line that needs to be protected from erosion. The NTMWD and the City of Plano agree that it is in the best interest to install erosion protection for both the manhole and service connection.

The City of Plano shall design and construct erosion protection necessary to protect both the sewer manhole and the sewer service connection.

Once the construction of the erosion protection improvements are complete, the City of Plano shall own and operate the improvements at its sole cost and expense.

The NTMWD shall pay City of Plano \$64,000 upon execution of this Agreement and the award by City of Plano of a contract to perform the work.

Strategic Plan Goal:

Financially Strong City with Service Excellence, Safe Large City, Partnering for Community Benefit

Plano Tomorrow Plan Pillar:

Social Environment, Natural Environment, Regionalism

ATTACHMENTS:

Description	Upload Date	Type
Interlocal Cooperation Agreement	9/18/2018	Agreement

**INTERLOCAL COOPERATION AGREEMENT BETWEEN
NORTH TEXAS MUNICIPAL WATER DISTRICT AND
THE CITY OF PLANO, TEXAS FOR
MANHOLE PROTECTION AT ARBOR HILLS NATURE PRESERVE**

THIS AGREEMENT, is made and entered into by and between the **NORTH TEXAS MUNICIPAL WATER DISTRICT**, a political subdivision of the State of Texas, (hereinafter referred to as “NTMWD” or “District”) and the **CITY OF PLANO, TEXAS**, a home-rule municipal corporation (hereinafter referred to as “Plano”). Individually, NTMWD and Plano may be referred to as a “Party” and collectively, NTMWD and Plano may be referred to as “Parties.”

WHEREAS, the Interlocal Cooperation Act (the “Act”), codified as Chapter 791, Texas Government Code, authorizes any local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act; and

WHEREAS, NTMWD, Plano and City of Allen, City of McKinney, and City of Richardson entered into an Upper East Fork Interceptor System (UEFIS) Contract dated July 26, 1984 to establish and provide for the District’s operation and maintenance of a regional wastewater conveyance system serving Plano and other communities; and

WHEREAS, as part of the UEFIS system, NTMWD operates a 15 inch sewer line which traverses the Arbor Hills Nature Preserve; and

WHEREAS, there is a sewer manhole which is a part of the NTMWD sewer line which requires protection from erosion; and

WHEREAS, Plano has a sewer service connection into the subject manhole that also needs to be protected from erosion; and

WHEREAS, it is in the parties mutual best interest to install erosion protection for the manhole and service connection; and

WHEREAS, the parties have agreed in principal on the method of erosion protection to best protect the manhole and sewer service connection (referenced collectively as “the Facilities”); and

WHEREAS, both Parties agree erosion protection improvements to the subject sewer manhole and sewer service connection can be completed most expeditiously and economically through this agreement; and

WHEREAS, implementing erosion protection improvements will improve reliability of the Parties infrastructure and reduce the risk of sanitary sewer overflow;

NOW THEREFORE, for mutual consideration hereinafter stated, Plano and the District agree as follows:

**I.
EFFECTIVE DATE**

The Agreement shall be effective on the date of the last signature hereto (the "Effective Date").

**II.
THE AGREEMENT**

1. Improvements

The Parties agree that Plano shall design and construct erosion protection improvements (the "Improvements") necessary to protect both the sewer manhole and the sewer service connection (said Improvements being depicted on **Exhibit A**).

Not less than 30 days prior to commencing construction of the Improvements, Plano shall provide final plans and specifications for review and comment by NTMWD.

Once construction on the Improvements has commenced, and upon request by NTMWD, Plano shall grant an immediate right of access to NTMWD to inspect the Improvements during construction. NTMWD may inspect construction at such reasonable times as it deems appropriate during construction. Upon substantial completion of the Improvements, Plano shall notify NTMWD of such completion. The Improvements shall not be accepted until NTMWD inspects the Improvements and provides written notice of acceptance of the construction to Plano.

2. Cost Sharing

NTMWD shall pay Plano \$64,000 upon execution of this Agreement and the award by Plano of a contract to perform the work mentioned herein. NTMWD shall have no further financial obligation to Plano related to the construction of the Improvements.

3. Maintenance Responsibilities

The Parties agree that Plano shall own, operate and maintain the Improvements at its sole cost and expense during the term of this Agreement and any extension or renewals thereof. As such time as the term of this Agreement, including all renewals and extensions thereof, expire, each party shall thereafter be responsible for erosion protection of their respective Facilities.

4. Mutual Cooperation

The Parties agree to cooperate with each other to effectuate implementation of this Agreement and construction of the Improvements. All documents or instruments of conveyance, release, transfer or assignment required shall be in a form and content reasonably acceptable to both parties.

III. TERM

This Agreement shall be effective for a period of five (5) years from the Effective Date or one year after the date that NTMWD provides written acceptance of the construction to Plano, whichever comes first, unless terminated earlier pursuant to Section IV below. Thereafter, upon mutual agreement, in writing, of the Parties, this Agreement may be renewed for subsequent one (1) year terms.

IV. TERMINATION

This Agreement shall automatically terminate and be of no further force or effect if Plano has not commenced construction of the Improvements within two (2) years of the Effective Date. In the event of any default by either Party on any of the covenants or obligations contained in this Agreement, the defaulting Party shall be notified in writing and specify the precise nature of the default. The defaulting Party shall thereafter have thirty (30) days from date the notice is received in which to cure such default (or, if same cannot be reasonably cured within such period, to take significant steps to commence such cure and thereafter diligently complete such cure), failing in which the non-defaulting Party shall be entitled to terminate this Agreement by written notice to the defaulting party.

V. NOTICE

Notice as required by this Agreement shall be in writing delivered to the Parties via e-mail or certified mail at the addresses listed below:

PLANO

Gerald Cosgrove
Director of Public Works
City of Plano
P.O. Box 860358
Plano, TX 75086-0358
972-769-4163 (Telephone)
GeraldC@plano.gov

NTMWD

Thomas W. Kula
Executive Director
North Texas Municipal Water District
P.O. Box 2408
Wylie, TX 75098
972-442-5405 (Telephone)
tkula@ntmwd.com

Each Party shall notify the other in writing within ten (10) days of any change in the information listed in this paragraph.

VI. HOLD HARMLESS

Each Party to this Agreement does hereby agree to waive all claims against, release and hold the other party and its respective officials, officers, agents, and employees, both in their official and individual capacity, harmless from and against any and all liability, claims, suits, demands, losses, damages (including court costs and attorney's fees) or causes of action which may arise by reason of injury to or death of any person or for loss of, damage to, or loss of use of any property arising out of or in connection with this Agreement.

VII. ENTIRE AGREEMENT

This Agreement represents the entire agreement between NTMWD and Plano, and supersedes all prior negotiations, representations and/or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Parties.

VIII. VENUE

This Agreement and any of its terms or provisions, as well as the rights and duties of the parties hereto, shall be governed by the laws of the State of Texas, and this Agreement is performable in Collin County, Texas. Exclusive venue shall be in Collin County, Texas.

IX. SEVERABILITY

The provisions of this Agreement are severable. In the event that any section, sub-section, paragraph, sentence, clause, or phrase of this Agreement shall be found to be contrary to law, or contrary to any rule or regulation having the force and effect of the law, such decisions shall not affect the remaining portions of this Agreement; however, upon the occurrence of such event, either Party may terminate this Agreement by giving the other Party thirty (30) days written notice of its intent to terminate.

X. ASSIGNMENT

This Agreement shall not be assigned in whole or in part without the written consent of both Parties.

XI.
INTERPRETATION OF AGREEMENT

This is a negotiated document. Should any part of this Agreement be in dispute, the Parties agree that this Agreement shall not be construed more favorably for either Party based on the presumption that it was drafted by either Party.

XII.
REMEDIES

No right or remedy granted herein or reserved to the Parties is exclusive of any right or remedy granted by law or equity, but each shall be cumulative of every right or remedy given hereunder. No covenant or condition of this Agreement may be waived without the express written consent of the Parties. It is further agreed that one (1) or more instances of forbearance by either Party in the exercise of its respective rights under this Agreement shall in no way constitute a waiver thereof.

XIII.
AUTHORITY TO SIGN

The undersigned officers and/or agents of the Parties hereto are the duly authorized officials and have the necessary authority to execute this Agreement on behalf of the Party it represents.

XIV.
CALENDAR DAYS

Throughout this Agreement, "Day" shall mean a calendar day, unless otherwise specified. If a deadline falls on a weekend or holiday, the deadline shall be the following working day.

EXECUTED in duplicate originals this _____ day of _____, 2018.

CITY OF PLANO, TEXAS

By: _____
Bruce D. Glasscock
CITY MANAGER

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

**NORTH TEXAS MUNICIPAL WATER
DISTRICT**

By: _____
Thomas W. Kula
EXECUTIVE DIRECTOR

ACKNOWLEDGMENTS

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2018, by **BRUCE D. GLASSCOCK, CITY MANAGER** of the **CITY OF PLANO, TEXAS**, a Home-Rule Municipal Corporation, on behalf of said corporation.

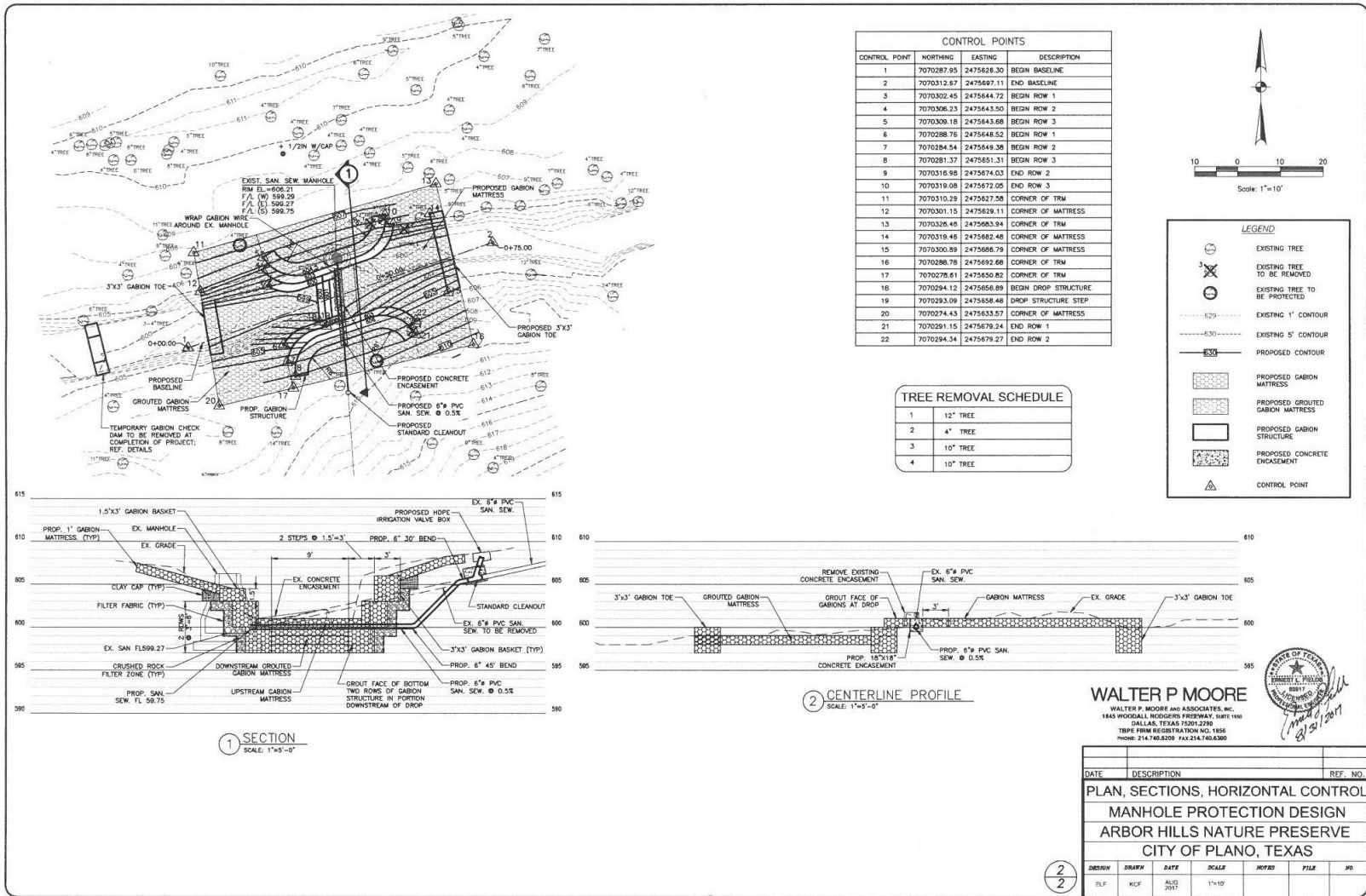
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2018, by **THOMAS W. KULA, EXECUTIVE DIRECTOR**, of the **NORTH TEXAS MUNICIPAL WATER DISTRICT**, a Texas conservation and reclamation district, on behalf of said district.

Notary Public, State of Texas

EXHIBIT "A"





CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Engineering

Department Head: B. Caleb Thornhill

Agenda Coordinator: Eva x-7232

CAPTION

To approve this termination amendment made, by and between Rodney O. Haggard and Janna Haggard Bryan and their successor and assigns ("ROH/JHB") and the City of Plano ("City"), acting by and through its duly authorized officials; regarding the construction of a southbound right-turn lane on Premier Drive to Parker Road and a westbound right-turn lane on Parker Road to Premier Drive; and authorizing the City Manager to execute all necessary documents. **Approved**

FINANCIAL SUMMARY

Not Applicable

FISCAL YEAR: 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
Balance	0	0	0	0

FUND(S): N/A

COMMENTS: This item has no financial impact.

SUMMARY OF ITEM

This amendment will terminate an executed agreement requiring ROH/JHB to construct a southbound right-turn lane on Premier Drive to Parker Road and a westbound right-turn lane on Parker Road to Premier Drive before any building permit would be issued to construct building space in excess of 200,000 square feet.

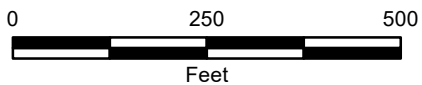
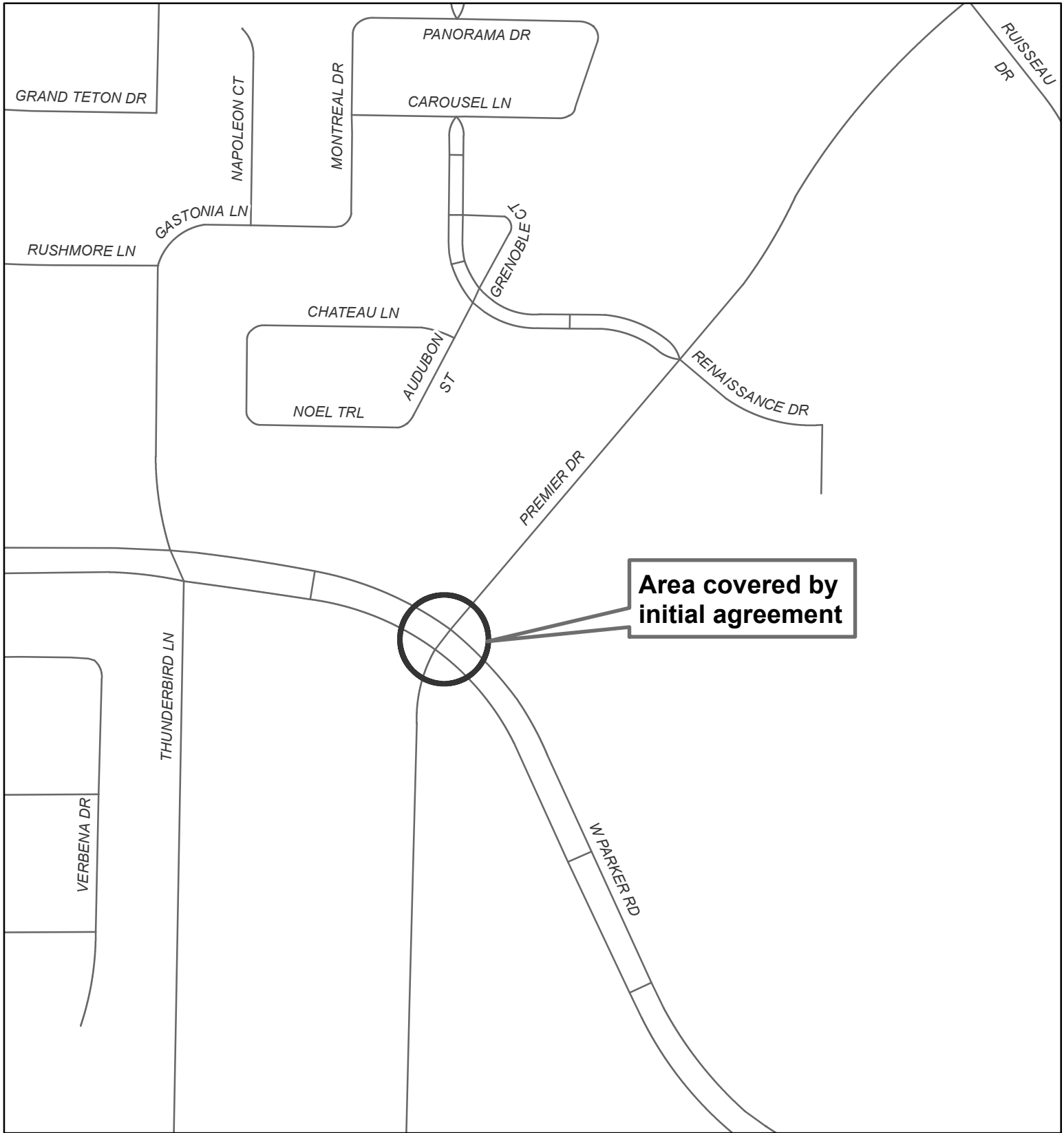
Strategic Plan Goal:

Financially Strong City with Service Excellence

Plano Tomorrow Plan Pillar:

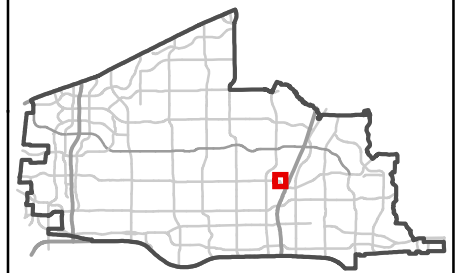
ATTACHMENTS:

Description	Upload Date	Type
Map	9/6/2018	Map
Amendment	9/19/2018	Agreement



Amendment to Terminate Agreement

Project Location



**CONSTRUCTION AGREEMENT AND COVENANTS RUNNING WITH LAND
AMENDMENT #1 TO TERMINATE AGREEMENT**

THIS AMENDMENT is made by and between Rodney O. Haggard and Janna Haggard Bryan and their successor and assigns ("ROH/JHB") and the City of Plano ("City"), acting by and through its duly authorized officials.

WITNESSETH

WHEREAS, ROH/JHB and the City executed an agreement on October 28, 1987 ("Agreement") requiring ROH/JHB to construct a southbound right turn lane on Premier Drive to Parker Road, pavement widening on the east side of Premier Drive, a right-turn lane servicing westbound Parker Road, and widening of Premier Drive to a four lane divided thoroughfare as more fully described in the Agreement ("Off-Site Improvements") before any building permit would be issued to construct building space in excess of 200,000 square feet on the ROH/JHB property that was the subject of the Agreement ("Property"); and,

WHEREAS, many years have passed and the Off-Site Improvements have not been constructed; and

WHEREAS, the Parties agree that ROH/JHB should not be responsible for constructing the Off-Site Improvements.

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, ROH/JHB and the City do agree as follows:

AGREEMENT

1. Description of Amended Items

This Agreement is terminated in its entirety on September 24, 2018.

2. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

THIS AGREEMENT IS EXECUTED by the City and ROH/JHB in duplicate.

CITY OF PLANO

By: _____
Bruce D. Glasscock
City Manager

Date: _____

APPROVED AS TO FORM:

By: _____
Paige Mims
City Attorney

ROH/JHB

By: _____
Rodney O. Haggard

Date: _____

By: _____
Janna Haggard Bryan

Date: _____



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Parks

Department Head: Robin Reeves

Agenda Coordinator: Sandra Dority

CAPTION

To approve a policy to establish procedures for the naming of park sites and recreation facilities; and providing an effective date. **Approved**

FINANCIAL SUMMARY

Not Applicable

FISCAL YEAR: 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
Balance	0	0	0	0

FUND(S): N/A

COMMENTS:

This item has no financial impact.

SUMMARY OF ITEM

In accordance with Chapter 2, Article I, Sec. 2-13 of the City of Plano Code of Ordinances the City Council is solely responsible for naming all city-owned facilities, structures and improvements.

The purpose of this policy is to establish procedures for the naming of park sites and recreation facilities.

A copy of the policy is attached.

Strategic Plan Goal:

Financially Strong City with Service Excellence, Great Neighborhoods - 1st Choice to Live, Partnering for Community Benefit

Plano Tomorrow Plan Pillar:

Built Environment, Social Environment, Natural Environment

ATTACHMENTS:

Description	Upload Date	Type
Policy	9/19/2018	Attachment

NAMING OF PARK SITES AND RECREATION FACILITIES POLICY _____

I. Purpose

The purpose of this policy is to establish procedures for the naming of park sites and recreation facilities.

II. Responsibility

In accordance with Chapter 2, Article I, Sec. 2-13 of the City of Plano Code of Ordinances the city council is solely responsible for naming all city-owned facilities, structures and improvements, whether natural or manmade, including but not limited to: Libraries, buildings, parks, and recreation facilities located within the City of Plano. The authority to name all meeting rooms and other internal rooms or auditoriums within city-owned facilities shall also be reserved to the city council unless such naming rights are granted as a sponsorship program authorized by the city council.

III. Notification of the Mayor

The City Manager shall inform the Mayor of the need for parks or facilities to be named prior to or during development of the park site or facility. Multiple parks and facilities may be named at the same time.

IV. Procedures

- A. **Committee** – The mayor will appoint two City Council Members to sit on a naming committee along with the Chairperson of the Parks and Recreation Planning Board and the Director of Parks and Recreation or his/her designee. The Senior Advisory Board Chairperson may be included when naming senior facilities.
- B. **Timing** – Park sites and facilities will be named prior to or during development. Names should be determined with sufficient time to allow for the manufacture of signs or printing of other materials prior to the opening of the facility.
- C. **Naming Parks and Facilities after People** – Parks and facilities may be named in honor of a person. The person should have made a major contribution to the City of Plano and/or the Plano parks and recreation system, or the person should be known for some other significant accomplishment.
- D. **Naming of Sections of a Park or Facility** – Sections of a park or facility, such as a playground or meeting room, may be given a name which is different from that of the overall park or facility.
- E. **Renaming Parks or Facilities** – When appropriate, parks or facilities may be renamed. The procedure for doing so shall be the same as for originally naming a park or facility.

V. CITY COUNCIL APPROVAL PROCESS

The committee's council members will present the committee's recommendation as an agenda item during a regular City Council meeting. The naming of a park or facility must be approved by a simple majority of City Council members present.

Approved: _____

Date: _____



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Library

Department Head:

Agenda Coordinator: Dorothy Kibler

CAPTION

Resolution No. 2018-9-13(R): To approve a revised Fee Schedule for the City of Plano Library System to remove the overdue fines and notary service fee; and providing an effective date. **Adopted**

FINANCIAL SUMMARY

Not Applicable

FISCAL YEAR: 2018-19	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
Balance	0	0	0	0

FUND(S): N/A

COMMENTS: This item has no fiscal impact.

SUMMARY OF ITEM

Revised Fee Schedule removing overdue fines and notary service fee.

Strategic Plan Goal:

Financially Strong City with Service Excellence

Plano Tomorrow Plan Pillar:

Social Environment

ATTACHMENTS:

Description	Upload Date	Type
Resolution, Fee Schedule	9/11/2018	Resolution

A Resolution of the City of Plano, Texas, approving a revised Fee Schedule for the City of Plano Library System to remove the overdue fines and notary service fee; and providing an effective date.

WHEREAS, on June 22, 2015 the City Council adopted Ordinance No. 2015-6-9, entitled “Identification of borrowers; overdue materials; fees and fines” which adopted fines and service fees for Plano Public Library System; and

WHEREAS, it is necessary to update and approve a new fee schedule for the Library System to remove overdue fines and notary service fee; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Plano, Texas, to adopt a revised fee schedule, attached hereto as Exhibit “A”.

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

Section I. The City of Plano Library System Fee Schedule, attached hereto as Exhibit “A,” having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interests of the City of Plano and its citizens, is hereby approved.

Section II. This Resolution shall have a delayed effective date of October 1, 2018.

DULY PASSED AND APPROVED this the 24th day of September, 2018.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

**EXHIBIT “A”
CITY OF PLANO
PLANO PUBLIC LIBRARY SYSTEM
FEE SCHEDULE**

<i>LIBRARY CARDS</i>	
1. Non-resident fee annual cost	\$ 50.00
2. Replacement Library Cards	\$ 1.00
<i>MATERIALS</i>	
1. Lost, damaged beyond repair and incomplete materials set returned	full cost
2. Kits returned with missing or damaged items	cost per item
3. Materials returned without proper packaging, per item	
• Artwork/Dustjacket	\$ 5.00
• Backpacks- clear	\$ 30.00
• Bag- clear	\$ 2.00
• Barcodes replacement due to intentional damage	\$ 1.00/barcode
• Binge Box	\$ 10.00
• Binge Box- inside small clear case	\$ 2.00
• CD case- single	\$ 2.00
• CD case- 2 to 4 items	\$ 4.00
• CD case- multi-set (Great Courses, 5+ CDs)	\$ 10.00
• DVD case -single	\$ 2.00
• DVD case 2 to 4 items	\$ 4.00
• DVD case – multi-set (Great Courses, 5+DVDs)	\$ 10.00
• Launchpad case	\$ 8.00
• PlayAway case	\$ 5.00
• PlayAway battery cover	\$ 1.00
• PlayAway BookPack case	\$ 10.00
• RFID tag intentionally removed	\$ 1.00/tag
4. Interlibrary Loan Materials	\$ 2.50/item
5. Interlibrary Loan Photocopies	\$.25/page beyond page 50
<i>PROGRAM /CONFERENCE ROOMS</i>	
1. Program Room- Resident, per hour/minimum 2 hours	\$ 25.00
2. Non-resident, per hour	\$ 75.00
3. Conference Room- Resident, per hour/minimum 2 hours	\$ 15.00
4. Non-Resident, per hour	\$ 60.00
<i>PRINTING, COPY & FAX</i>	
1. Printing and Copy up to	\$.60/page
2. Fax services up to	\$ 3.95/page



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Gov Relations

Department Head: Brandi Youngkin

Agenda Coordinator: Michelle Wariner

CAPTION

Resolution No. 2018-9-14(R): To authorize continued participation with the Atmos Cities Steering Committee; and authorizing the payment of two cents (\$0.02) per capita to the Atmos Cities Steering Committee to fund regulatory and legal proceedings and activities related to Atmos Energy Corporation, Mid-Tex Division; and providing an effective date. **Adopted**

FINANCIAL SUMMARY

Operating Expense

FISCAL YEAR: 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	5,671	0	5,671
Encumbered/Expended Amount	0	0	0	0
This Item	0	-5,554	0	-5,554
Balance	0	117	0	117

FUND(S): General Fund

COMMENTS:

Funding for this item is included and approved FY 2017-18 Non-Departmental budget. This item authorizes the continuation of the City's membership on the Atmos Cities Steering Committee (ACSC) and the payment of the City's annual assessment for continued membership.

SUMMARY OF ITEM

This Resolution authorizes the City of Plano to renew its membership in the Atmos Cities Steering Committee.

Strategic Plan Goal:

Financially Strong City with Service Excellence, Partnering for Community Benefit

Plano Tomorrow Plan Pillar:

ATTACHMENTS:

Description	Upload Date	Type
Resolution Memo	9/17/2018	Agreement
Resolution	9/17/2018	Agreement

Date: September 24, 2018

To: Bruce D. Glasscock, City Manager

From: Brandi Youngkin, Assistant City Manager

Subject: Resolution to Renew Membership in Atmos Cities Steering Committee

Purpose of the Resolution:

Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee (“ACSC”) is composed of municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division regardless of whether original jurisdiction has been retained. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years’ experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Mid-Tex. There are 174 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. 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. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

The ACSC Membership Assessment Supports Important Activities:

ACSC is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Atmos within the City. These activities will continue throughout the calendar year. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that ACSC be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Explanation of Resolution Paragraphs:

- I. This paragraph authorizes the continuation of the City’s membership in ACSC.
- II. This paragraph authorizes payment of the City’s assessment to the ACSC in the amount of two cents (\$0.02) per capita.

III. This paragraph requires notification that the City has adopted the Resolution.

Payment of Assessment

The assessment payment check should be made out to “*Atmos Cities Steering Committee*” and mailed 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.

A Resolution of the City of Plano, Texas authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of two cents (\$0.02) per capita to the Atmos Cities Steering Committee to fund regulatory and legal proceedings and activities related to Atmos Energy Corporation, Mid-Tex Division; and providing an effective date.

WHEREAS, the City of Plano 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:

Section I. That 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 2018 assessment to the ACSC in the amount of two cents (\$0.02) per capita.

Section III. A copy of this Resolution and the assessment payment check made payable to "*Atmos Cities Steering Committee*" shall be sent to: David Barber, 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.

DULY PASSED AND APPROVED on this the 24th day of September,
2018.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Gov Relations

Department Head: Brandi Youngkin

Agenda Coordinator: Michelle Wariner X 5113

CAPTION

Resolution No. 2018-9-15(R): To approve a negotiated settlement between the Atmos Cities Steering Committee “ACSC” and Atmos Energy Corp., Mid-Tex Division regarding the Company’s 2018 Rate Review Mechanism “RRM” filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the Company to reimburse ACSC’s reasonable ratemaking expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this Resolution to the Company and the legal counsel for the ACSC. **Adopted**

FINANCIAL SUMMARY

Not Applicable

FISCAL YEAR: 2018-19	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
Balance	0	0	0	0

FUND(S): N/A

COMMENTS:

This item has no fiscal impact.

SUMMARY OF ITEM

A Resolution to approve Rate Review Mechanism (RRM) agreement between the Atmos Cities Steering Committee "ACSC" and Atmos Energy Corp., Mid-Tex Division.

Strategic Plan Goal:

Financially Strong City with Service Excellence, Partnering for Community Benefit

Plano Tomorrow Plan Pillar:

ATTACHMENTS:

Description	Upload Date	Type
Memo to Resolution	9/17/2018	Agreement
Attachments to Support Memo	9/5/2018	Attachment
Resolution	9/17/2018	Agreement
Exhibits to Support Resolution	9/17/2018	Agreement

Date: September 24, 2018

To: City Council

Through: Bruce D. Glasscock, City Manager

From: Brandi Youngkin, Assistant City Manager

Subject: Atmos Rate Review Mechanism Resolution

The City, along with 171 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism ("RRM"), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members earlier this year. On or about April 1, 2018, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2017, entitled it to additional system-wide revenues of \$42.0 million. Application of the standards set forth in ACSC's RRM Tariff required Atmos to reduce its request to \$27.4 million. After review of the consultants' report, the Company offered to settle for a system-wide increase of \$25.9 million. Following further negotiations, ACSC's Executive Committee agreed to recommend a system-wide rate increase of \$24.9 million. That increase when allocated to ACSC members results in an increase of \$17.8 million. The Effective Date for new rates is October 1, 2018. ACSC members should take action approving the Resolution before the end of September.

Proof of Revenues

Atmos generated proof that the rate tariffs attached to the Resolution will generate \$24.9 million in additional revenues on a system-wide basis. That proof is attached as Attachment 1 to this Staff Report. ACSC consultants have agreed that Atmos' Proof of Revenues is accurate.

Bill Impact

Given the fact that ACSC demanded that Atmos reflect reduced federal income taxes in its cost-of-service, as reflected in the RRM Tariff adopted earlier this year, Atmos reduced its rates in March. The rate increase associated with the Resolution is largely offset by the lowered federal income tax rates, such that out-of-pocket expense to consumers should be roughly the same under new rates as what was experienced by consumers last winter. A bill impact comparison is attached as Attachment 2.

Summary of ACSC's Objection to the Utilities Code Section 104.301 Grip Process

ACSC strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues while rewarding the Company for increasing capital

investment on an annual basis. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission's review of annual GRIP filings or allow recovery of Cities' rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing) and rate increases go into effect without any material adjustments. In ACSC's view, the GRIP process unfairly raises customers' rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

Explanation of Resolution Paragraphs

1. This section approves all findings in the Resolution.
2. This section adopts the RRM rate tariffs and finds the adoption of the new rates to be just, reasonable, and in the public interest.
3. This section finds that the existing rates are unreasonable. Such finding is a necessary predicate to establishment of new rates. The new tariffs will permit Atmos Mid-Tex to recover an additional \$24.9 million on a system-wide basis. Settling Cities will be responsible for \$17.8 million of the \$24.9 million.
4. This section approves an exhibit that establishes a benchmark for pensions and retiree medical benefits to be used in future rate cases or RRM filings.
5. This section approves an exhibit to be used in future rate cases or RRM filings regarding recovery of regulatory liabilities, such as excess deferred income taxes.
6. This section requires the Company to reimburse the City for expenses associated with review of the RRM filing, settlement discussions, and adoption of the Resolution approving new rate tariffs.
7. This section repeals any resolution or ordinance that is inconsistent with the Resolution.
8. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
9. This section is a savings clause, which provides that if any section is later found to be unconstitutional or invalid, that finding shall not affect, impair, or invalidate the remaining provisions of this Resolution. This section further directs that the remaining provisions of the Resolution are to be interpreted as if the offending section or clause never existed.
10. This section provides for an effective date upon passage.
11. This section directs that a copy of the signed Resolution be sent to a representative of the Company and legal counsel for ACSC.

Conclusion

The Legislature's GRIP process allowed gas utilities to receive annual rate increases associated with capital investments. The RRM process has proven to result in a more efficient and less costly (both from a consumer rate impact perspective and from a ratemaking perspective) than the GRIP process. Given Atmos Mid-Tex's claim that its historic cost of service should entitle it to recover \$42 million in additional system-wide revenues, the RRM settlement at \$24.9 million reflects savings of \$17.1 million. ACSC's consultants produced a report indicating that Atmos had justified increased revenues of at least \$21.7 million. Settlement at \$24.9 million is fair and reasonable. The ACSC Executive Committee

consisting of city employees of 18 ACSC members urges all ACSC members to pass the Resolution before September 30, 2018. New rates become effective October 1, 2018.

ATMOS ENERGY CORP., MID-TEX DIVISION
 PROPOSED TARIFF STRUCTURE (BEFORE RATE CASE EXPENSE RECOVERY)
 TEST YEAR ENDING DECEMBER 31, 2017

Line No.	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
1	Proposed Change In Rates:		\$ 24,900,000		Schedule A						
2	Proposed Change In Rates without Revenue Related Taxes:		\$ 23,357,466		Ln 1 divided by Tax factor on WP_F-5.1						
3											
4											
5											
6		Revenue									
		Requirements	Allocations								
7	Residential	\$ 338,431,486	77.95%		Per GUD 10170 Final Order						
8	Commercial	84,223,622	19.40%		Per GUD 10170 Final Order						
9	Industrial and Transportation	11,490,316	2.65%		Per GUD 10170 Final Order						
10	Net Revenue Requirements GUD No. 10170	\$ 434,145,424	100.00%								
11											
12											
13											
14											
15											
16	Increase to Customer Classes per GUD 10170 Final Order:										
17											
18	Customer Charges	Current	Prospective	Revenues							
19											
20	Residential Base Charge	\$ 18.35	\$ 0.50	\$ 9,103,979							
21	Residential Consumption Charge	\$ 0.13734	\$ 0.01118	9,103,979							
22	Commercial Base Charge	\$ 41.95	\$ 1.54	2,265,658							
23	Commercial Consumption Charge	\$ 0.08746	\$ 0.00421	2,265,658							
24	I&T Base Charge	\$ 752.00	\$ 32.12	309,095							
25	I&T Consumption Charge Tier 1 MMBTU	\$ 0.3172	\$ 0.0140	144,188							
26	I&T Consumption Charge Tier 2 MMBTU	\$ 0.2322	\$ 0.0102	118,338							
27	I&T Consumption Charge Tier 3 MMBTU	\$ 0.0498	\$ 0.0022	46,570							
28	Total			\$ 23,357,466							
29											
Customer Charges Rounded Off and residential base charge increase for 2018 limited to \$0.60 per RRM tariff:											

**ATMOS ENERGY CORP., MID-TEX DIVISION
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2017**

Line								October 1, 2018	
								PROPOSED	CHANGE
1	Rate R @ 45 Ccf					CURRENT			
2	Customer charge					\$ 18.35			
3	Consumption charge	45.0	CCF	X	\$ 0.13734 =	6.18			
4	Rider GCR Part A	45.0	CCF	X	\$ 0.28533 =	12.84			
5	Rider GCR Part B	45.0	CCF	X	\$ 0.30630 =	13.78			
6	Subtotal					\$ 51.15			
7	Rider FF & Rider TAX								
8	Total					\$ 54.53			
9									
10	Customer charge						\$ 18.85		
11	Consumption charge	45.0	CCF	X	\$ 0.14846 =	6.68			
12	Rider GCR Part A	45.0	CCF	X	\$ 0.28533 =	12.84			
13	Rider GCR Part B	45.0	CCF	X	\$ 0.30630 =	13.78			
14	Subtotal					\$ 52.15			
15	Rider FF & Rider TAX						3.44		
16	Total					\$ 55.59	\$ 1.06		
17									1.94%
18									
19	Rate C @ 346.5 Ccf					CURRENT		PROPOSED	CHANGE
20	Customer charge					\$ 41.95			
21	Consumption charge	346.5	CCF	X	\$ 0.08746 =	30.31			
22	Rider GCR Part A	346.5	CCF	X	\$ 0.28533 =	98.88			
23	Rider GCR Part B	346.5	CCF	X	\$ 0.22105 =	76.60			
24	Subtotal					\$ 247.74			
25	Rider FF & Rider TAX								
26	Total					\$ 264.10			
27									
28	Customer charge						\$ 43.50		
29	Consumption charge	346.5	CCF	X	\$ 0.09165 =	31.76			
30	Rider GCR Part A	346.5	CCF	X	\$ 0.28533 =	98.88			
31	Rider GCR Part B	346.5	CCF	X	\$ 0.22105 =	76.60			
32	Subtotal					\$ 250.74			
33	Rider FF & Rider TAX						16.56		
34	Total					\$ 267.30	\$ 3.20		
35									1.21%

Page 100

A Resolution of the City of Plano, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee “ACSC” and Atmos Energy Corp., Mid-Tex Division regarding the Company’s 2018 Rate Review Mechanism “RRM” filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the Company to reimburse ACSC’s reasonable ratemaking expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this Resolution to the Company and the legal counsel for the ACSC.

WHEREAS, the City of Plano, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a new Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the RRM tariff was adopted by the City in a rate ordinance earlier this year; and

WHEREAS, on about April 1, 2018, Atmos Mid-Tex filed its 2018 RRM rate request with ACSC Cities based on a test year ending December 31, 2017; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2018 RRM filing through its Executive Committee, assisted by ACSC’s attorneys and consultants, to resolve issues identified in the Company’s RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC’s counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$24.9 million on a system-wide basis (\$17.8 million of which is applicable to ACSC members); and

WHEREAS, the attached tariffs (Exhibit A) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the Exhibit A rate tariffs incorporate the federal income tax rates that became effective January 1, 2018; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Exhibit B) and

WHEREAS, the settlement agreement establishes an amortization schedule for regulatory liability (Exhibit C); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications.

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

Section I. The City Council hereby adopts the findings set forth above.

Section II. That the City Council finds that the settled amount of an increase in revenues of \$24.9 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2018 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section III. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Exhibit A, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$24.9 million in revenue on a system-wide basis over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section IV. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth in Exhibit B, attached hereto and incorporated herein.

Section V. That amortization of regulatory liability shall be consistent with the schedule found in Exhibit C, attached hereto and incorporated herein.

Section VI. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2018 RRM filing.

Section VII. To the extent any Resolution or Ordinance previously adopted by the City is inconsistent with this Resolution, it is hereby repealed.

Section VIII. The meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section IX. If any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section X. That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2018.

Section XI. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LJB Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

DULY PASSED AND APPROVED this 24th day of September, 2018.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Exhibit A
Rate Tariffs Effective
October 1, 2018

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

EXHIBIT A
RRC Tariff No:

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2018	PAGE: 12

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 18.85 per month
Rider CEE Surcharge	\$ 0.03 per month ¹
Total Customer Charge	\$ 18.88 per month
Commodity Charge – All Ccf	\$0.14846 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2018.

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2018	PAGE: 13

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 43.50 per month
Rider CEE Surcharge	\$ (0.03) per month ¹
Total Customer Charge	\$ 43.47 per month
Commodity Charge – All Ccf	\$ 0.09165 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹ Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2018.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

EXHIBIT A
RRC Tariff No:

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
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Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 784.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.3312 per MMBtu
Next 3,500 MMBtu	\$ 0.2425 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0520 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	I – INDUSTRIAL SALES	
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Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	I - INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
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Exhibit A

The rates were effective for the following Cities on 3/15/2018:

ABILENE	DENISON	KILLEEN
ADDISON	DENTON	KRUM
ALBANY	DESOTO	LAKE WORTH
ALLEN	DRAPER AKA CORRAL CITY	LAKESIDE
ALVARADO	DUNCANVILLE	LEWISVILLE
ANGUS	EASTLAND	LINCOLN PARK (ANNEXED WITH LITTLE ELM)
ANNA	EDGECLIFF VILLAGE	LITTLE ELM
ARGYLE	EMORY	LORENA
ARLINGTON	ENNIS	MADISONVILLE
AUBREY	EULESS	MALAKOFF
AZLE	EVERMAN	MANSFIELD
BEDFORD	FAIRVIEW	MCKINNEY
BELLMEAD	FARMERS BRANCH	MELISSA
BENBROOK	FARMERSVILLE	MESQUITE
BEVERLY HILLS	FATE	MIDLOTHIAN
BLOSSOM	FLOWER MOUND	MURPHY
BLUE RIDGE	FOREST HILL	NEWARK
BOWIE	FORNEY	NOCONA
BOYD	FORT WORTH	NORTH RICHLAND HILLS
BRIDGEPORT	FRISCO	NORTHLAKE
BROWNWOOD	FROST	OAK LEAF
BUFFALO	GAINSVILLE	OVILLA
BURKBURNETT	GARLAND	PALESTINE
BURLESON	GARRETT	PANTEGO
CADDO MILLS	GRAND PARAIKIE	PARIS
CANTON	GRAPEVINE	PARKER
CARROLLTON	GUNTER	PECAN HILL
CEDAR HILL	HALTOM CITY	PETROLIA
CELESTE	HARKER HEIGHTS	PLANO
CELINA	HASKELL	PONDER
CENTERVILLE	HASLET	POTTSBORO
CISCO	HEWITT	PROSPER
CLARKSVILLE	HIGHLAND PARK	QUITMAN
CLEBURNE	HIGHLAND VILLAGE	RED OAK
CLYDE	HONEY GROVE	RENO (PARKER COUNTY)
COLLEGE STATION	HURST	RHOME
COLLEYVILLE	IOWA PARK	RICHARDSON
COLORADO CITY	IRVING	RICHLAND
COMANCHE	JUSTIN	RICHLAND HILLS
COOLIDGE	KAUFMAN	RIVER OAKS
COPPELL	KEENE	ROANOKE
CORINTH	KELLER	ROBINSON
CRANDALL	KEMP	ROCKWALL
CROWLEY	KENNEDALE	ROSCOE
DALWORTHINGTON GARDENS	KERRVILLE	ROWLETT

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
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Cities with Rate Effective 3/15/2018 (Continued)

ROYSE CITY	SULPHUR SPRINGS	WATAUGA
SACHSE	SWEETWATER	WAXAHACHIE
SAGINAW	TEMPLE	WESTLAKE
SANSOM PARK	TERRELL	WESTOVER HILLS
SEAGOVILLE	THE COLONY	WHITE SETTLEMENT
SHERMAN	TROPHY CLUB	WHITESBORO
SNYDER	TYLER	WICHITA FALLS
SOUTHLAKE	UNIVERSITY PARK	WOODWAY
SPRINGTOWN	VENUS	WYLIE
STAMFORD	VERNON	
STEPHENVILLE	WACO	

The rates were effective for the following Cities on 4/01/2018:

ABBOTT	BRUCEVILLE-EDDY	DEPORT
ALBA	BRYAN	DETROIT
ALMA	BUCKHOLTS	DODD CITY
ALVORD	BUFFALO GAP	DOUBLE OAK
ANNONA	BURNET	DUBLIN
ANSON	BYERS	EARLY
ARCHER CITY	CALDWELL	ECTOR
ATHENS	CALVERT	EDOM
AURORA	CAMERON	ELECTRA
AUSTIN	CAMPBELL	EMHOUSE
AVERY	CARBON	EUSTACE
BAIRD	CASHION COMMUNITY	EVANT
BALCH SPRINGS	CEDAR PARK	FAIRFIELD
BALLINGER	CHANDLER	FERRIS
BANDERA	CHICO	FRANKLIN
BANGS	CHILDRESS	FRANKSTON
BARDWELL	CHILLICOTHE	FREDERICKSBURG
BARRY	CLIFTON	GATESVILLE
BARTLETT	COCKRELL HILL	GEORGETOWN
BARTONVILLE	COLEMAN	GLEN ROSE
BELLEVUE	COLLINSVILLE	GLENN HEIGHTS
BELLS	COMMERCE	GODLEY
BELTON	COMO	GOLDTHWAITE
BENJAMIN	COOPER	GOODLOW
BERTRAM	COPPER CANYON	GORDON
BLACKWELL	COPPERAS COVE	GOREE
BLANKET	CORSICANA	GORMAN
BLOOMING GROVE	COVINGTON	GRANBURY
BLUE MOUND	COYOTE FLATS	GRANDVIEW
BLUM	CRAWFORD	GRANGER
BOGATA	CROSS ROADS	GREENVILLE
BONHAM	CUMBY	GROESBECK
BREMOND	DAWSON	GUSTINE
BRONTE	DECATUR	HAMLIN
BROWNSBORO	DELEON	HAMILTON

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

EXHIBIT A
RRC Tariff No:

RATE SCHEDULE:	I – INDUSTRIAL SALES	
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Cities with Rate Effective 4/01/2018 (Continued)

HAWLEY	MALONE	RANGER
HEARNE	MANOR	RAVENNA
HEATH	MARBLE FALLS	RENO (LAMAR COUNTY)
HEBRON	MARLIN	RETREAT
HENRIETTA	MART	RICE
HICKORY CREEK	MAYPEARL	RIESEL
HICO	MCGREGOR	RIO VISTA
HILLSBORO	MCLENDON-CHISHOLM	ROBERT LEE
HOLLAND	MEGARGEL	ROBY
HOLLIDAY	MERIDIAN	ROCHESTER
HOWE	MERKEL	ROCKDALE
HUBBARD	MEXIA	ROGERS
HUTCHINS	MIDWAY	ROSEBUD
HUTTO	MILES	ROSS
IMPACT	MILFORD	ROTAN
IREDELL	MILLSAP	ROUND ROCK
ITALY	MOBILE CITY	ROXTON
ITASCA	MOODY	RULE
JEWETT	MORAN	RUNAWAY BAY
JOSEPHINE	MORGAN	SADLER
JOSHUA	MUENSTER	SAINT JO
KERENS	MUNDAY	SAN ANGELO
KNOLLWOOD	MURCHISON	SAN SABA
KNOX CITY	NEVADA	SANCTUARY
KOSSE	NEW CHAPEL HILL	SANGER
KURTEN	NEWCASTLE	SANTA ANNA
LACY-LAKEVIEW	NOLANVILLE	SAVOY
LADONIA	NORMANGEE	SCURRY
LAKE DALLAS	NOVICE	SEYMOUR
LAKEPORT	OAK POINT	SHADY SHORES
LAMPASAS	OAKWOOD	SOMERVILLE
LANCASTER	O'BRIEN CO-OP GIN	SOUTH MOUNTAIN
LAVON	OGLESBY	SOUTHMAYD
LAWN	OLNEY	STAR HARBOR
LEANDER	PALMER	STOCKTON BEND
LEONA	PARADISE	STRAWN
LEONARD	PECAN GAP	STREETMAN
LEXINGTON	PENELOPE	SUN VALLEY
LINDSAY	PFLUGERVILLE	SUNNYVALE
LIPAN	PILOT POINT	TALTY
LITTLE RIVER ACADEMY	PLEASANT VALLEY	TAYLOR
LLANO	POINT	TEAGUE
LOMETA	POST OAK BEND	TEHUACANA
LONE OAK	POWELL	THORNDALE
LONGVIEW	POYNOR	THORNTON
LORAIN	PRINCETON	THRALL
LOTT	PUTNAM	THROCKMORTON
LUEDERS	QUANAH	TIOGA
MABANK	QUINLAN	TOCO

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

EXHIBIT A
RRC Tariff No:

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
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Cities with Rate Effective 4/01/2018 (Continued)

TOM BEAN	VALLEY VIEW	WHITNEY
TRENT	VAN ALSTYNE	WILMER
TRENTON	WALNUT SPRINGS	WINDOM
TRINIDAD	WEINERT	WINTERS
TROY	WEST	WIXON VALLEY
TUSCOLA	WESTWORTH VILLAGE	WOLFE CITY
TYE	WHITEHOUSE	WORTHAM
VALLEY MILLS	WHITEWRIGHT	YANTIS

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RRC Tariff No:

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2018	PAGE: 16

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 784.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.3312 per MMBtu
Next 3,500 MMBtu	\$ 0.2425 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0520 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

EXHIBIT A
RRC Tariff No:

RATE SCHEDULE:	T – TRANSPORTATION	
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Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2018	PAGE: 18

Exhibit A

The rates were effective for the following Cities on 3/15/2018:

ABILENE	DENISON	KILLEEN
ADDISON	DENTON	KRUM
ALBANY	DESOTO	LAKE WORTH
ALLEN	DRAPER AKA CORRAL CITY	LAKESIDE
ALVARADO	DUNCANVILLE	LEWISVILLE
ANGUS	EASTLAND	LINCOLN PARK (ANNEXED WITH LITTLE ELM)
ANNA	EDGECLIFF VILLAGE	LITTLE ELM
ARGYLE	EMORY	LORENA
ARLINGTON	ENNIS	MADISONVILLE
AUBREY	EULESS	MALAKOFF
AZLE	EVERMAN	MANSFIELD
BEDFORD	FAIRVIEW	MCKINNEY
BELLMEAD	FARMERS BRANCH	MELISSA
BENBROOK	FARMERSVILLE	MESQUITE
BEVERLY HILLS	FATE	MIDLOTHIAN
BLOSSOM	FLOWER MOUND	MURPHY
BLUE RIDGE	FOREST HILL	NEWARK
BOWIE	FORNEY	NOCONA
BOYD	FORT WORTH	NORTH RICHLAND HILLS
BRIDGEPORT	FRISCO	NORTHLAKE
BROWNWOOD	FROST	OAK LEAF
BUFFALO	GAINSVILLE	OVILLA
BURKBURNETT	GARLAND	PALESTINE
BURLESON	GARRETT	PANTEGO
CADDO MILLS	GRAND PARAIRIE	PARIS
CANTON	GRAPEVINE	PARKER
CARROLLTON	GUNTER	PECAN HILL
CEDAR HILL	HALTOM CITY	PETROLIA
CELESTE	HARKER HEIGHTS	PLANO
CELINA	HASKELL	PONDER
CENTERVILLE	HASLET	POTTSBORO
CISCO	HEWITT	PROSPER
CLARKSVILLE	HIGHLAND PARK	QUITMAN
CLEBURNE	HIGHLAND VILLAGE	RED OAK
CLYDE	HONEY GROVE	RENO (PARKER COUNTY)
COLLEGE STATION	HURST	RHOME
COLLEYVILLE	IOWA PARK	RICHARDSON
COLORADO CITY	IRVING	RICHLAND
COMANCHE	JUSTIN	RICHLAND HILLS
COOLIDGE	KAUFMAN	RIVER OAKS
COPPELL	KEENE	ROANOKE
CORINTH	KELLER	ROBINSON
CRANDALL	KEMP	ROCKWALL
CROWLEY	KENNEDALE	ROSCOE
DALWORTHINGTON GARDENS	KERRVILLE	ROWLETT

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2018	PAGE: 19

Cities with Rate Effective 3/15/2018 (Continued)

ROYSE CITY	SULPHUR SPRINGS	WATAUGA
SACHSE	SWEETWATER	WAXAHACHIE
SAGINAW	TEMPLE	WESTLAKE
SANSOM PARK	TERRELL	WESTOVER HILLS
SEAGOVILLE	THE COLONY	WHITE SETTLEMENT
SHERMAN	TROPHY CLUB	WHITESBORO
SNYDER	TYLER	WICHITA FALLS
SOUTHLAKE	UNIVERSITY PARK	WOODWAY
SPRINGTOWN	VENUS	WYLIE
STAMFORD	VERNON	
STEPHENVILLE	WACO	

The rates were effective for the following Cities on 4/01/2018:

ABBOTT	BRUCEVILLE-EDDY	DEPORT
ALBA	BRYAN	DETROIT
ALMA	BUCKHOLTS	DODD CITY
ALVORD	BUFFALO GAP	DOUBLE OAK
ANNONA	BURNET	DUBLIN
ANSON	BYERS	EARLY
ARCHER CITY	CALDWELL	ECTOR
ATHENS	CALVERT	EDOM
AURORA	CAMERON	ELECTRA
AUSTIN	CAMPBELL	EMHOUSE
AVERY	CARBON	EUSTACE
BAIRD	CASHION COMMUNITY	EVANT
BALCH SPRINGS	CEDAR PARK	FAIRFIELD
BALLINGER	CHANDLER	FERRIS
BANDERA	CHICO	FRANKLIN
BANGS	CHILDRESS	FRANKSTON
BARDWELL	CHILlicoTHE	FREDERICKSBURG
BARRY	CLIFTON	GATESVILLE
BARTLETT	COCKRELL HILL	GEORGETOWN
BARTONVILLE	COLEMAN	GLEN ROSE
BELLEVUE	COLLINSVILLE	GLENN HEIGHTS
BELLS	COMMERCE	GODLEY
BELTON	COMO	GOLDTHWAITE
BENJAMIN	COOPER	GOODLOW
BERTRAM	COPPER CANYON	GORDON
BLACKWELL	COPPERAS COVE	GOREE
BLANKET	CORSICANA	GORMAN
BLOOMING GROVE	COVINGTON	GRANBURY
BLUE MOUND	COYOTE FLATS	GRANDVIEW
BLUM	CRAWFORD	GRANGER
BOGATA	CROSS ROADS	GREENVILLE
BONHAM	CUMBY	GROESBECK
BREMOND	DAWSON	GUSTINE
BRONTE	DECATUR	HAMLIN
BROWNSBORO	DELEON	HAMILTON

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RRC Tariff No:

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
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Cities with Rate Effective 4/01/2018 (Continued)

HAWLEY	MALONE	RANGER
HEARNE	MANOR	RAVENNA
HEATH	MARBLE FALLS	RENO (LAMAR COUNTY)
HEBRON	MARLIN	RETREAT
HENRIETTA	MART	RICE
HICKORY CREEK	MAYPEARL	RIESEL
HICO	MCGREGOR	RIO VISTA
HILLSBORO	MCLENDON-CHISHOLM	ROBERT LEE
HOLLAND	MEGARGEL	ROBY
HOLLIDAY	MERIDIAN	ROCHESTER
HOWE	MERKEL	ROCKDALE
HUBBARD	MEXIA	ROGERS
HUTCHINS	MIDWAY	ROSEBUD
HUTTO	MILES	ROSS
IMPACT	MILFORD	ROTAN
IREDELL	MILLSAP	ROUND ROCK
ITALY	MOBILE CITY	ROXTON
ITASCA	MOODY	RULE
JEWETT	MORAN	RUNAWAY BAY
JOSEPHINE	MORGAN	SADLER
JOSHUA	MUENSTER	SAINT JO
KERENS	MUNDAY	SAN ANGELO
KNOLLWOOD	MURCHISON	SAN SABA
KNOX CITY	NEVADA	SANCTUARY
KOSSE	NEW CHAPEL HILL	SANGER
KURTEN	NEWCASTLE	SANTA ANNA
LACY-LAKEVIEW	NOLANVILLE	SAVOY
LADONIA	NORMANGEE	SCURRY
LAKE DALLAS	NOVICE	SEYMOUR
LAKEPORT	OAK POINT	SHADY SHORES
LAMPASAS	OAKWOOD	SOMERVILLE
LANCASTER	O'BRIEN CO-OP GIN	SOUTH MOUNTAIN
LAVON	OGLESBY	SOUTHMAYD
LAWN	OLNEY	STAR HARBOR
LEANDER	PALMER	STOCKTON BEND
LEONA	PARADISE	STRAWN
LEONARD	PECAN GAP	STREETMAN
LEXINGTON	PENELOPE	SUN VALLEY
LINDSAY	PFLUGERVILLE	SUNNYVALE
LIPAN	PILOT POINT	TALTY
LITTLE RIVER ACADEMY	PLEASANT VALLEY	TAYLOR
LLANO	POINT	TEAGUE
LOMETA	POST OAK BEND	TEHUACANA
LONE OAK	POWELL	THORNDALE
LONGVIEW	POYNOR	THORNTON
LORAIN	PRINCETON	THRALL
LOTT	PUTNAM	THROCKMORTON
LUEDERS	QUANAH	TIOGA
MABANK	QUINLAN	TOCO

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

EXHIBIT A
RRC Tariff No:

RATE SCHEDULE:	T – TRANSPORTATION	
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Cities with Rate Effective 4/01/2018 (Continued)

TOM BEAN	VALLEY VIEW	WHITNEY
TRENT	VAN ALSTYNE	WILMER
TRENTON	WALNUT SPRINGS	WINDOM
TRINIDAD	WEINERT	WINTERS
TROY	WEST	WIXON VALLEY
TUSCOLA	WESTWORTH VILLAGE	WOLFE CITY
TYE	WHITEHOUSE	WORTHAM
VALLEY MILLS	WHITEWRIGHT	YANTIS

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2018	PAGE:

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf
- R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.
- HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class
- NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- ADD = billing cycle actual heating degree days.
- BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j th customer in i th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j th customer in i th rate schedule.

MID-TEX DIVISION
ATMOS ENERGY CORPORATION

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2018	PAGE:

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	9.77	0.1201	99.33	0.5737
Austin	10.38	0.1493	201.46	0.8942
Dallas	13.17	0.2062	183.71	1.0046
Waco	9.26	0.1323	124.57	0.6398
Wichita Falls	11.62	0.1278	114.97	0.5226

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

Exhibit B
Pensions and Retiree Medical Benefits

ATMOS ENERGY CORP., MID-TEX DIVISION
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2017

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan	Post-Employment Benefit Plan	Pension Account Plan	Supplemental Executive Benefit Plan	Post-Employment Benefit Plan	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Fiscal Year 2018 Willis Towers Watson Report, as adjusted	\$ 4,082,906	\$ 2,703,898	\$ 6,964,307	\$ 188,360	\$ 3,724,168	
2	Allocation to Mid-Tex	43.55%	43.55%	71.24%	100.00%	71.24%	
3	Fiscal Year 2018 Actuarially Determined Benefit Costs (Ln 1 x Ln 2)						
4	O&M and Capital Allocation Factor	\$ 1,778,092	\$ 1,177,539	\$ 4,961,241	\$ 188,360	\$ 2,653,027	
5	Fiscal Year 2018 Willis Towers Watson Benefit Costs To Approve (Excluding Removed Cost Centers) (Ln 3 x Ln 4)	100.00%	100.00%	100.00%	100.00%	100.00%	
6		\$ 1,778,092	\$ 1,177,539	\$ 4,961,241	\$ 188,360	\$ 2,653,027	\$ 10,758,260
7							
8	Summary of Costs to Approve (1):						
9							
10	O&M Expense Factor (WP_F-2.3, Ln 2)	80.15%	80.15%	40.05%	19.03%	40.05%	
11							
12							
13	Total Pension Account Plan	\$ 1,425,108		\$ 1,987,133			\$ 3,412,241
14	Total Post-Employment Benefit Plan		\$ 943,775			\$ 1,062,621	2,006,396
15	Total Supplemental Executive Benefit Plan				\$ 35,837		35,837
16	Total (Ln 13 + Ln 14 + Ln 15)	\$ 1,425,108	\$ 943,775	\$ 1,987,133	\$ 35,837	\$ 1,062,621	\$ 5,454,474
17							

Note:

1. Mid-Tex is proposing that the fiscal year 2018 Willis Towers Watson actuarial amounts shown on WP_F-2.3 and WP_F-2.3.1, be approved by the RRM Cities as the benchmark amounts to be used to calculate the regulatory asset or liability for future periods. The Company is requesting that the benchmark amount approved by the RRM Cities for future periods include only the expense amount. The amount attributable to capital would continue to be recorded to utility plant through the overhead process as described in the CAM.

Exhibit C

Amortization of Regulatory Liability

**ATMOS ENERGY CORP., MID-TEX DIVISION
RATE BASE ADJUSTMENTS
TEST YEAR ENDING DECEMBER 31, 2017
AMORTIZATION OF REGULATORY LIABILITY**

Line No.	Year Ended Dec. 31	Beginning of Year Rate Base Adjustment Amount	Annual Amortization (1)	End of Year Rate Base Adjustment Amount	Balance as of December 31, 2017
	(a)	(b)	(c)	(d)	(e)
1	2017			\$ 289,813,479	\$ 289,813,479
2	2018	\$ 289,813,479	\$ 12,075,562	277,737,918	
3	2019	277,737,918	12,075,562	265,662,356	
4	2020	265,662,356	12,075,562	253,586,795	
5	2021	253,586,795	12,075,562	241,511,233	
6	2022	241,511,233	12,075,562	229,435,671	
7	2023	229,435,671	12,075,562	217,360,110	
8	2024	217,360,110	12,075,562	205,284,548	
9	2025	205,284,548	12,075,562	193,208,986	
10	2026	193,208,986	12,075,562	181,133,425	
11	2027	181,133,425	12,075,562	169,057,863	
12	2028	169,057,863	12,075,562	156,982,301	
13	2029	156,982,301	12,075,562	144,906,740	
14	2030	144,906,740	12,075,562	132,831,178	
15	2031	132,831,178	12,075,562	120,755,616	
16	2032	120,755,616	12,075,562	108,680,055	
17	2033	108,680,055	12,075,562	96,604,493	
18	2034	96,604,493	12,075,562	84,528,932	
19	2035	84,528,932	12,075,562	72,453,370	
20	2036	72,453,370	12,075,562	60,377,808	
21	2037	60,377,808	12,075,562	48,302,247	
22	2038	48,302,247	12,075,562	36,226,685	
23	2039	36,226,685	12,075,562	24,151,123	
24	2040	24,151,123	12,075,562	12,075,562	
25	2041	12,075,562	12,075,562	(0)	
26					
27	Note:				
28	1. The annual amortization of a 24 year recovery period is based on the				
29	Reverse South Georgia Method.				

EXHIBIT C



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: City Secretary

Department Head: Lisa Henderson

Agenda Coordinator: Deborah Richardson

CAPTION

Ordinance No. 2018-9-16: To adopt and enact Supplement Number 125 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date.
Adopted

FINANCIAL SUMMARY

Not Applicable

FISCAL YEAR: 2017-18	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
Balance	0	0	0	0

FUND(S): N/A

COMMENTS: This has no fiscal impact.

SUMMARY OF ITEM

Adoption of the Quarterly Code Supplement No. 125

Strategic Plan Goal:

Financially Strong City with Service Excellence

Plano Tomorrow Plan Pillar:

ATTACHMENTS:

Description	Upload Date	Type
Supplement No. 125 Ordinance	8/24/2018	Ordinance

An Ordinance of the City of Plano, Texas adopting and enacting Supplement Number 125 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date.

WHEREAS, the City Council of the City of Plano, Texas adopted a new Code of Ordinances upon adoption of Ordinance No. 87-3-14, on March 9, 1987; and

WHEREAS, Sections V and VI of Ordinance No. 87-3-14 provide for amendment to said Code of Ordinances; and

WHEREAS, the Code of Ordinances of the City of Plano, Texas has been revised by previous amendments duly passed as individual ordinances by the City Council and such amendments are reflected on Supplement Number 125; and

WHEREAS, the City Council wishes to adopt the ordinance codification version appearing in Supplement Number 125 of the Plano Code of Ordinances in order for the printed Code form to be considered identical to the original ordinance and to eliminate any confusion or differences in the format of the original ordinance.

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

Section I. The City Council hereby adopts the printed Code form of the ordinances contained in Supplement Number 125 as prepared by the codifier.

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

DULY PASSED AND APPROVED this the 24th day of September, 2018.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Library

Department Head: Libby Holtmann

Agenda Coordinator: Dorothy Kibler

CAPTION

Ordinance No. 2018-9-17: To amend certain sections of Ordinance No. 2015-6-9, codified as Section 10-3 of Article I, Chapter 10 of the City of Plano Code of Ordinances, containing library fines and service fees which will be updated and presented to City Council through a separate resolution; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. **Adopted**

FINANCIAL SUMMARY

Revenue

FISCAL YEAR: 2018-19	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	-170,000	-170,000
Balance	0	0	-170,000	-170,000

FUND(S): GENERAL FUND

COMMENTS: Approval of this item will result in a reduction of Library Fines revenue in an approximate annual amount of \$170,000 beginning in the FY 2018-19 Operating Budget.

SUMMARY OF ITEM

Negative Revenue Supplement: As part of the fee study done by MGT Consulting, it was clear that we are spending far more time managing activities related to patrons' fines than is received in revenue by the City. We propose moving to a fine free system where patron accounts are blocked if materials are not returned

by due dates. If materials are not returned after 30 days, items move to a LOST status and the cost of the material is applied to the patron account. This removes the necessity for negotiation and encourages patrons to return items to gain access to the collection and reduces the multitude of touch points related to fine discussions.

Strategic Plan Goal:

Financially Strong City with Service Excellence, Partnering for Community Benefit

Plano Tomorrow Plan Pillar:

Social Environment

ATTACHMENTS:

Description	Upload Date	Type
Ordinance Amendment	9/17/2018	Ordinance

An Ordinance of the City of Plano, Texas, amending certain sections of Ordinance No. 2015-6-9, codified as Section 10-3 of Article I, Chapter 10 of the City of Plano Code of Ordinances, containing library fines and service fees which will be updated and presented to City Council through a separate resolution; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause and an effective date.

WHEREAS, on June 22, 2015, the City Council of the City of Plano duly passed Ordinance No. 2015-6-9 which adopted certain fines and service fees for the City of Plano Library System; and

WHEREAS, for increased efficiency and operational cost savings, staff recommends removing overdue fines and notary service fee, and

WHEREAS, the City Council, based upon staff recommendations and review and consideration of these matters, has determined that it is in the best interest of the City of Plano, Texas, to amend certain sections of Ordinance No. 2015-6-9 codified as Section 10-3 of Article I, Chapter 10 of the City of Plano Code of Ordinances as provided herein.

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

Section I. Section 10-3 of Article I, Chapter 10 of the City of Plano Code of Ordinances is hereby amended in its entirety to read as follows:

“Section 10-3. Identification of borrowers; overdue materials; fees and fines.

- a) Any person making applications to borrow materials from the library will be required to present proof of address and adequate identification of the applicant. Lost cards require a fee for replacement.
- b) Any person who has outstanding fees for overdue materials will be disallowed from further borrowing until the fees have been paid.
- c) If a complete set of items is not returned within (30) days of the due date or if items are returned damaged beyond repair, the patron will be charged the cost of the entire replacement set.
- d) Materials may be available by interlibrary loan from libraries outside the Plano Public Library System. The patron requesting the materials shall be responsible for applicable postage/courier charges.
- e) An annual fee shall be assessed for non-resident library cards.
- f) It shall be unlawful for any person who has borrowed library materials to fail or refuse to return the same to the public library system within (30) days after written notice has been provided.

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

- g) Fees for library services, including but not limited to, program/meeting room rental, network printing, copy and fax services are set and adopted by the City Council. The Director of Libraries or their designee shall have the authority to reduce, refund, or waive fees under this chapter.”

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

Section III. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section IV. 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 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 at the time of passage of this ordinance.

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

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

DULY PASSED AND APPROVED this the 24th day of September, 2018.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Budget

Department Head: Karen Rhodes-Whitley

Agenda Coordinator: Matt Yager, x5220

CAPTION

Ordinance No. 2018-9-18: To transfer the sum of \$900,000 from the General Fund Unappropriated fund balance to the General Fund Operating Appropriation for fiscal year 2018-19 for the purpose of providing funding for the construction of the Sand & Salt Storage Facility, amending the Budget of the City adopted by Ordinance No. 2018-9-9, to reflect the actions taken herein; declaring this action to be in the public interest; and providing an effective date. **Adopted**

FINANCIAL SUMMARY

Operating Expense

FISCAL YEAR: 2018-19	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	272,118,589	272,118,589
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	900,000	900,000
Balance	0	0	273,018,589	273,018,589

FUND(S): General Fund

COMMENTS: This is the first supplemental appropriation for the 2018-19 General Fund Budget, totaling \$900,000. Additional sales tax revenues that exceeded revenue estimates in the 2017-18 Budget offset this supplemental appropriation. There is a companion agenda item in the amount of \$1,520,425 for the construction of a sand and salt storage facility at Rasor Boulevard and McDermott Road.

SUMMARY OF ITEM

Supplemental Appropriation No. 1

This supplemental appropriation provides funding for the construction of a sand and salt storage facility that will store materials for use on streets and roadways during winter storm and ice events.

Strategic Plan Goal:

Financially Strong City with Service Excellence, Safe Large City

Plano Tomorrow Plan Pillar:

Built Environment

ATTACHMENTS:

Description	Upload Date	Type
Memo	9/18/2018	Memo
Ordinance	9/12/2018	Ordinance
Supplemental Appropriation Log	9/12/2018	Exhibit

Date: September 14, 2018

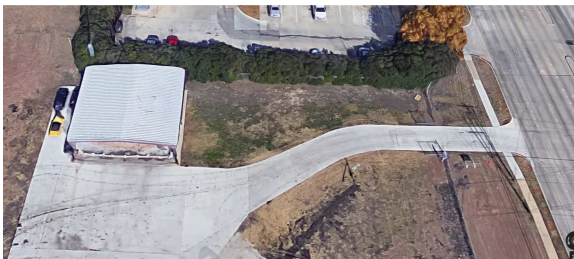
To: Bruce Glasscock, City Manager

From: Jim Razinha, Facilities Division Manager

Subject: Sand/Salt Storage Facility (Project No. 6416) Cost Escalation

During icy weather conditions, sand/salt mixture is applied to the streets to address safety concerns for motorists. In past years, the city stored sand/salt on property owned by DART (on an unused portion of the parking lot at the Northwest Plano Park and Ride). Today, the entire parking lot is needed for parking of commuter vehicles and this site is no longer available for storage of sand/salt.

Several years ago, the city funded a project to establish a permanent sand/salt storage facility. The funds for the initial budget came from sales tax revenues that exceeded the cap, in the amount of \$1 million. At the time the budget was established, the new site was envisioned to be similar to the storage site in the central portion of Plano, located along Alma Drive, as shown below.



Identifying a site in the northwest portion of Plano was difficult. In 2016, the city purchased property for various other city facilities near the intersection of Rasor Boulevard and McDermott Road. Staff determined that the northern portion of that property along Rasor Boulevard would be a suitable site for the replacement sand/salt storage facility. Following discussions with neighbor HOAs, the design concept was changed, with an increased focus on aesthetics.

The revised design includes a more appealing concrete tilt wall construction. This type of construction requires a significant amount of concrete. In addition to the increase in the quantity of concrete, the cost for concrete and other materials has increased significantly as well. Concrete cost has increased 30% over the past two years. The cost for structural steel and labor have both increased as well.

Bids have been received for the construction of this facility. The bid in the amount of \$1,520,425 is recommended for approval. Other costs associated with this project include: \$83,000 for consulting fees, \$180,000 for site grading, \$30,000 to remove the structure from the DART property. Additional funds are available from sales tax revenues that exceeded the cap. A supplemental appropriation in the amount of \$900,000 is included on this agenda as a companion item to increase the funding for this project. This will leave approximately \$86,000 for a contingency.

An Ordinance of the City of Plano, Texas, transferring the sum of \$900,000 from the General Fund Unappropriated fund balance to the General Fund Operating Appropriation for fiscal year 2018-19 for the purpose of providing funding for the construction of the Sand & Salt Storage Facility, amending the Budget of the City adopted by Ordinance No. 2018-9-9, to reflect the actions taken herein; declaring this action to be in the public interest; and providing an effective date.

WHEREAS, the City Council of the City of Plano approved and adopted the budget for the City for fiscal year 2018-19 setting the appropriations for the General Fund at \$272,118,589; and

WHEREAS, the best and final offer received for the construction of the Sand & Salt Storage Facility totaled \$1,520,425; and

WHEREAS, such costs cannot be fully met through current appropriations in the existing budget or carry forward funding; and

WHEREAS, the City Council now finds that additional appropriations to the General Fund to provide additional funding for the Sand & Salt Storage Facility project allows for the best utilization of remaining funding available to the City of Plano through the program, and that such action is in the public interest.

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

SECTION I. The estimated sum of NINE HUNDRED THOUSAND DOLLARS (\$900,000) is hereby transferred from the General Fund Unappropriated fund balance to the General Fund Operating Appropriation, as reflected in Section 1, Item "A" of the ordinance.

SECTION II. The budget of the City of Plano for fiscal year 2018-19 as adopted by Ordinance No. 2018-9-9 is amended to reflect the action taken herein.

SECTION III. The actions taken herein are found and declared to be in the public interest.

SECTION IV. This Supplemental Appropriation No. 1 shall become effective immediately from and after the date of its passage.

**DULY PASSED AND APPROVED THIS THE 24th DAY OF SEPTEMBER,
2018.**

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

**FY 2018-19
SUPPLEMENTAL APPROPRIATIONS**

Description	Department	Amount
Sand & Salt Storage Facility Construction	Public Works	900,000
TOTAL GENERAL FUND APPROPRIATIONS		<u>\$ 900,000</u>
TOTAL ECONOMIC DEVELOPMENT INCENTIVE FUND APPROPRIATIONS		<u>\$ -</u>
TOTAL PTV FUND APPROPRIATIONS		<u>\$ -</u>
TOTAL CAPITAL RESERVE FUND APPROPRIATIONS		<u>\$ -</u>
TOTAL MUNICIPAL DRAINAGE FUND APPROPRIATIONS		<u>\$ -</u>
TOTAL WATER & SEWER FUND		<u>\$ -</u>
TOTAL SUSTAINABILITY & ENVIRONMENTAL FUND APPROPRIATIONS		<u>\$ -</u>
TOTAL CONVENTION & TOURISM FUND APPROPRIATIONS		<u>\$ -</u>
TOTAL RISK MANAGEMENT FUND APPROPRIATIONS		<u>\$ -</u>
TOTAL GOLF COURSE FUND APPROPRIATIONS		<u>\$ -</u>
TOTAL RECREATION FUND APPROPRIATIONS		<u>\$ -</u>
TOTAL INTERNAL SERVICE FUNDS AND OTHER FUNDS APPROPRIATIONS		<u>\$ -</u>
TOTAL COMMUNITY INVESTMENT PROGRAM APPROPRIATIONS		<u>\$ -</u>
GRAND TOTAL ALL FUNDS		<u>\$ 900,000</u>



CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 9/24/2018

Department: Police

Department Head: Greg Rushin

Agenda Coordinator: Pam Haines, ext 2538

CAPTION

Public Hearing and adoption of Resolution No. 2018-9-19(R) to approve the terms and conditions of an Interlocal Agreement and Memorandum of Understanding by and between the City of Plano, the City of McKinney and the Collin County Sheriff's Office for the disbursement of the 2018 Edward Byrne Justice Assistance Grant funds; authorizing its execution by the City Manager; and providing an effective date.
Conducted and Adopted

FINANCIAL SUMMARY

Revenue

FISCAL YEAR: 2017-18 thru 2020-21	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	21,916	0	21,916
Balance	0	21,916	0	21,916

FUND(S): Police Grant Funds

COMMENTS: This grant contract, if approved, provides total funding in the amount of \$51,110 and approves an interlocal cooperation agreement between the City of Plano, the City of McKinney, and the Collin County Sheriff's Office for the disbursement of the 2018 Byrne Justice Assistance Grant (JAG), for the purpose of purchasing equipment resources for the respective Police departments. The resolution and grant agreement establishes the City of Plano as fiscal agent for the disbursement of funds to the City of McKinney, \$12,337; and the Collin County Sheriff's Office, \$16,857; leaving the City of Plano Police Department, \$21,916 of the awarded funds. The agencies have three years to expend their allocated funds by the 09/30/2021 deadline.

SUMMARY OF ITEM

The United States Department of Justice, pursuant to the amendments made by Section 201 of H.R. 3036 of the 108th Congress, as passed by the House of Representatives on March 30, 2004, has offered the City of Plano, the City of McKinney and Collin County Sheriff's Office a grant totaling \$51,110 for the purpose of purchasing equipment resources for their respective departments. The City of Plano being the fiscal agent will disburse to the City of McKinney \$12,337, and the Collin County Sheriff's Office \$16,857 from the total amount awarded, leaving the City of Plano \$21,916 of the awarded funds. The effective grant period will be October 1, 2017 thru September 30, 2021.


Strategic Plan Goal:

Financially Strong City with Service Excellence, Safe Large City

Plano Tomorrow Plan Pillar:

ATTACHMENTS:

Description	Upload Date	Type
2018 JAG Memo	9/13/2018	Memo
2018 JAG Grant Resolution	9/11/2018	Resolution
ILA Exhibit A	9/11/2018	Exhibit
MOU Exhibit B	9/11/2018	Exhibit

Date: August 29, 2018
To: Mark Israelson, Senior Deputy City Manager
From: Gregory W. Rushin, Chief of Police 
Subject: 2018 Edward Byrne Memorial Justice Assistance Grant

On September 24, 2018 the City Council will be asked to adopt a resolution authorizing the City of Plano to participate in, and receive funding through, the 2018 Byrne Justice Assistance Grant program. The grant will provide the Plano Police Department, McKinney Police Department and Collin County Sheriff's Office with \$51,110 to be used towards the purchase of necessary equipment for Police resources.

This grant was established under the authority of Public Law 109-162 (Jan 5, 2006) Title XI – Department of Justice Reauthorization, Subtitle B – Improving the Department of Justice's Grant Programs, Chapter 1 – Assisting Law Enforcement and Criminal Justice Agencies, Sec. 1111., Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program, and authorizes you to execute any and all documents necessary to effectuate the action taken.

Prior to the awarding of the funds, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance requires, as a part of the application process, the jurisdiction receiving the funds hold at least one public hearing regarding the proposed use of funds. Plano Police Department's portion of \$21,916 will be used to purchase a Model 100X Portable Hailey System, a Tactical Communications Unit 3 and an Axis F44 Main Unit w/4 camera sensors for the Emergency Services Unit. The public hearing scheduled for the September 24, 2018 Council Meeting is to meet these requirements and consider the disbursement of these grant funds.

The Plano Police Department has been designated as the fiscal agent for these funds and equitable sharing has been determined to be McKinney Police Department \$12,337, Plano Police Department \$21,916 and Collin County Sheriff's Office \$16,857.

This is the fourteenth grant offered through the Byrne Justice Assistance Grant since the merger of the Byrne Grant Program and Local Law Enforcement Block Grant (LLEBG).

There is no cash match for this grant.

GWR/ph

A Resolution of the City of Plano, Texas, approving the terms and conditions of an Interlocal Agreement and Memorandum of Understanding by and between the City of Plano, the City of McKinney and the Collin County Sheriff's Office for the disbursement of the 2018 Edward Byrne Justice Assistance Grant funds; authorizing its execution by the City Manager or his authorized designee; and providing an effective date.

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, authorizes governmental entities to contract with each other to perform government functions and services under the terms thereof; and

WHEREAS, the City of Plano, the City of McKinney, and the Collin County Sheriff's Office have previously agreed that Plano Police Department would serve as Fiscal Agent for the 2018 Edward Byrne Justice Assistance Grant (JAG); and

WHEREAS, the City Council has been presented a proposed Interlocal Agreement and Memorandum of Understanding, by and between the three (3) entities providing the disbursement amount and expenditure method, substantial copies of which are attached hereto as Exhibits "A" and "B" respectively and incorporated herein by reference (hereinafter called "Agreements"); and

WHEREAS, citizens were provided an opportunity to comment during a public hearing on the proposed Agreements as required by the terms of the JAG Grant application process; and

WHEREAS, these Agreements are made under the authority of Public Law 109-162 (Jan 5, 2006) Title XI—Department of Justice Reauthorization, Subtitle B—Improving the Department of Justice's Grant Programs, Chapter 1—Assisting Law Enforcement and Criminal Justice Agencies, Sec. 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of these Agreements is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under these agreements; and

WHEREAS, upon full review and consideration of these Agreements, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved.

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

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

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

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

DULY PASSED AND APPROVED this the 24th day of September, 2018.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

EXHIBIT "A"

GMS APPLICATION NUMBER 2018-H3615-TX-DJ

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF PLANO, CITY OF MCKINNEY, AND
THE COLLIN COUNTY SHERIFF'S OFFICE OF COLLIN COUNTY, TEXAS FOR THE
DISBURSEMENT OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT
(JAG) AWARD**

This Agreement is made and entered into this ____ day of ____, 2018, by and between the City of Plano, acting by and through its governing body, the City Council, hereinafter referred to as City of Plano; the City of McKinney, acting by and through its governing body, the City Council, hereinafter referred to as City of McKinney; and the Collin County Sheriff's Office, hereinafter referred to as CCSO, collectively (the "Parties" or each "Party").

WHEREAS, the Parties have previously agreed that Plano Police Department would serve as Fiscal Agent for the Edward Byrne Memorial Justice Assistance Grant Formula Award, (hereafter the "JAG Award"); and

WHEREAS, this Agreement is made under the authority of Public Law 109-162 (Jan 5, 2006) Title XI—Department of Justice Reauthorization, Subtitle B—Improving the Department of Justice's Grant Programs, Chapter 1—Assisting Law Enforcement and Criminal Justice Agencies, Sec. 1111, Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program; and

WHEREAS, the governing body of each Party, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, the governing body of each Party finds that the performance of this Agreement is in the best interests of the Parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the Parties believe it to be in their best interests to reallocate the JAG Award funds.

NOW THEREFORE, the Parties agree as follows:

1. City of Plano agrees to forward to CCSO a total of **\$16,857.00** of the JAG Award funds which will be used by CCSO to purchase rifle racks for vehicles, Nikon cool pix cameras for deputies and medical supply kits for patrol vehicles, and Zeagle Brigade Buoyancy Control Device, Sherwood Brut Pro Regulator and TUSA Platina Pressure Gauge for the Underwater Search and Recovery Team.

2. City of Plano agrees to forward to the City of McKinney a total of **\$12,337.00** of the JAG Award funds which will be used by the City of McKinney to purchase supplies and equipment for the new indoor gun range.

3. City of Plano agrees to keep the remaining total of **\$21,916.00** of the JAG Award funds which will be used by the City of Plano to purchase a Model 100X Portable Hailing System, a Tactical Communications Unit 3 and an Axis F44 Main Unit w/4 camera sensors for the Emergency Services Unit.

4. Nothing in the performance of this Agreement shall impose any liability for claims against any of the Parties other than claims for which liability may be imposed by the Texas Tort Claims Act.

5. Each Party to this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

6. The Parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

7. By entering into this Agreement, the Parties do not intend to create any obligations express or implied other than those set out herein.

CITY OF PLANO, TEXAS,

By: _____
Bruce D. Glasscock
City Manager

By: _____
Gregory W. Rushin
Chief of Police

COLLIN COUNTY SHERIFF'S OFFICE

By: _____
Jim Skinner
Collin County Sheriff

By: _____
Keith Self
Collin County Judge

CITY OF MCKINNEY, TEXAS

By: _____
Paul G. Grimes
City Manager

By: _____
Gregory Conley
Chief of Police

EXHIBIT "B"

GMS APPLICATION NO. 2018-H3615-TX-DJ

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE COLLIN COUNTY SHERIFF'S OFFICE, THE CITY OF MCKINNEY,
AND THE CITY OF PLANO, TEXAS REGARDING THE 2018 BYRNE JUSTICE
ASSISTANCE GRANT (JAG) PROGRAM**

This Memorandum of Understanding sets forth the agreement by and between the Collin County Sheriff's Office, the City of McKinney, and the City of Plano, Texas regarding the application process of the 2018 Byrne Justice Assistance Grant (JAG) Program Award.

The City of Plano agrees to be the applicant/fiscal agent of the 2018 Byrne Justice Assistance Grant (JAG) Program.

The funds for this grant will be distributed as follows:

McKinney Police Department	\$12,337.00
Plano Police Department	\$21,916.00
Collin County Sheriff's Office	<u>\$16,857.00</u>
Total funds from the JAG	\$51,110.00

The Collin County Sheriff's Office, the City of McKinney, and the City of Plano, Texas agree to enter into an agreement setting forth the terms and conditions regarding the administration of the 2018 Justice Assistance Grant (JAG) Program Award.

COLLIN COUNTY SHERIFF'S OFFICE

By: _____
Jim Skinner
Collin County Sheriff

By: _____
Keith Self
Collin County Judge

CITY OF PLANO, TEXAS

By: _____
Bruce D. Glasscock
City Manager

By: _____
Gregory W. Rushin
Chief of Police

APPROVED AS TO FORM

Paige Mims
City Attorney

CITY OF MCKINNEY, TEXAS

By: _____
Paul G. Grimes
City Manager

By: _____
Gregory Conley
Chief of Police

Date: _____