



## CITY COUNCIL

**1520 K Avenue, Plano, TX 75074**  
**Senator Florence Shapiro Council Chambers**

**DATE: December 10, 2018**

**TIME: 7:00 PM**

**CALL TO ORDER**

**INVOCATION: Executive Pastor Denise Peckham - Christ United Methodist Church**

**PLEDGE OF ALLEGIANCE / TEXAS PLEDGE: The Men of Note Chorus**

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**

Presentation: The Friends of the Plano Public Library organization is presenting a large donation to the Plano Public Library System. **Presented**

Presentation: A Certificate of Congratulations is being given to the BEST Neighborhoods Platinum level winner. **Presented**

Presentation: City of Plano Neighborhood Services has received the 2018 Innovative Code Program Award from the American Association of Code Enforcement (AACE). **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) November 26, 2018 **Approved**

### **Approval of Expenditures**

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

- (b) To ratify RFP 2018-0568-B for Omni-Directional Siren Installation and Replacement in the amount of \$448,028 and approve in the estimated amount of \$75,500 for a total estimated amount of \$523,528 to SafetyCom, Inc.; and authorizing the City Manager to execute all necessary documents. **Approved**
- (c) RFB No. 2018-0466-C for a one (1) year contract with four (4) City optional one-year renewals for Street Sign Blades & Blanks for Inventory Control & Asset Disposal to Vulcan, Inc. in an estimated annual amount of \$25,838; Mandel Metals, Inc. dba US Standard Sign Co. in an estimated annual amount of \$17,925; Pathmark Traffic Equipment, LLC in an estimated annual amount of \$8,745; and to Hall Signs, Inc. in an estimated annual amount of \$1,500 for a total estimated annual amount of \$54,008; and authorizing the City Manager to execute all necessary documents. **Approved**

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

- (d) To approve the purchase of Laserfiche Support for a three (3) year contract for Technology Services in the estimated annual amount of \$77,668, for a total estimated contract amount of \$233,004, from VP Imaging, Inc. dba DocuNav Solutions through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-3277) **Approved**
- (e) To approve the purchase of four (4) Nutanix storage nodes for Technology Services in the amount of \$84,000 from Dell Marketing LP through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-3763) **Approved**
- (f) To approve the purchase of Enterprise Email Archiving - ProofPoint for a one (1) year contract for Technology Services in the amount of \$183,655 from Assurance Data, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR Contract Number DIR-TSO-3926) **Approved**
- (g) To approve the purchase of two (2) Passenger Vans for Fleet Services to be utilized by Senior Services in the amount of \$78,774 from Chastang Ford through an existing contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. AM10-18) **Approved**

- (h) To approve the purchase of four (4) Half-ton Extended Cab Pickup Trucks for Fleet Services to be utilized by various departments in the amount of \$87,544 from Reliable Chevrolet through an existing contract; and authorizing the City Manager to execute all necessary documents. (Tarrant County Contract No. 2018-022) **Approved**

#### **Approval of Contract Modification**

- (i) To approve a decrease to the current awarded annual contract amount of \$1,999,854 by \$156,520, for a total estimated annual contract amount of \$1,843,334, for Stop Loss Insurance from SA Benefit Services, LLC for the Human Resources Department; and authorizing the City Manager to execute all necessary documents. (Contract Modification No. 2; 2017-0021-C) **Approved**

#### **Approval of Request**

- (j) To approve a request to sell the City of Plano's interest in 1116 I Avenue, Plano, TX 75074, Plano, Collin County, Texas; and authorizing the City Manager to execute all necessary documents. **Approved**

#### **Approval of Expenditure**

- (k) To approve an expenditure for purchase of real property identified as Plano Original Donation, Block 9, Lot 1A, in the amount of \$6,445; and authorizing the City Manager to execute all necessary documents. **Approved**
- (l) To approve an expenditure for Erosion Control - Prairie Creek at Independence Parkway, Project No. 7051, in the amount of \$163,100 from Teague Nall and Perkins, Inc.; and authorizing the City Manager to execute all necessary documents. **Approved**
- (m) To approve an expenditure for Water Rehabilitation Cross Creek East 3A, Project No. 7055, in the amount of \$297,704 from Jerry Parche' Consulting Engineers; and authorizing the City Manager to execute all necessary documents. **Approved**
- (n) To approve an expenditure for Water Rehabilitation Cross Creek East 3B, Project No. 7055.1, in the amount of \$325,900 from Jones & Carter, Inc.; and authorizing the City Manager to execute all necessary documents. **Approved**

#### **Approval of Contract / Agreement**

- (o) To approve an Amendment to terminate the Performance Agreement between the City of Plano and Granite Properties, Inc., Tollway-121 Partners, LTD, and GPI Boardwalk, LP, the owners of lots within Granite Park, Phase III, Block B, regarding a parking reduction program consistent with Section 16.1200 (Parking Reduction Program) of Article 16 (Parking and Loading) of the City of Plano Zoning Ordinance; and authorizing the City Manager to execute all necessary documents. **Approved**

#### **Adoption of Resolutions**

- (p) **Resolution No. 2018-12-1(R):** To approve the Assessment Plan and Service Plan for the Downtown Plano Public Improvement District as recommended by the Public Improvement District Advisory Board and establishing an effective date. **Adopted**

- (q) **Resolution No. 2018-12-2(R):** To appoint Kimberly S. Moore, licensed attorney, to serve a two year term as ethics investigator as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date. **Adopted**
- (r) **Resolution No. 2018-12-3(R):** To appoint Glenn B. Callison, licensed attorney, to serve a two year term as ethics investigator as required by Section 2-104 of the Code of Conduct of the City of Plano; 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 consideration of an Ordinance as requested in Zoning Case 2018-014 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 19.3 acres of land located at the northwest corner of the Dallas North Tollway and Plano Parkway in the City of Plano, Collin County, Texas, from Regional Commercial to Planned Development-25-Regional Commercial; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Kreymer Investments, LTD. (Request to table to January 14, 2019 City Council meeting. Previously tabled at 11/26/18 and 11/12/18 Council meetings.) **Tabled to January 14, 2019.**
- (2) Public Hearing and Comment: Review of the Consolidated Annual Performance Evaluation Report describing the use of federal funds. This report details how the City used U.S. Department of Housing and Urban Development funds during the 2017-18 grant year. The public will be given an opportunity to speak on the report during the public hearing. **Report presented and public hearing conducted.**



- (3) First Reading of an Ordinance to grant to Atmos Energy Corporation, a Texas and Virginia corporation, its successors and assigns, a Franchise to construct, maintain, and operate pipelines and equipment in the City of Plano, Collin and Denton County, Texas, for the transportation, delivery, sale, and distribution of gas in, out of, and through said City for all purposes; providing for the payment of a fee or charge for the use of the public rights-of-ways; and providing that such fee shall be in lieu of other fees and charges, excepting ad valorem taxes; and ratifying the month-to-month extension of the previous Franchise Agreement; and providing a repealer clause, a severability clause, a savings clause, and an effective date. **First reading conducted.**

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: 12/10/2018

Department: Proclamations

Department Head:

Agenda Coordinator:

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### CAPTION

Presentation: The Friends of the Plano Public Library organization is presenting a large donation to the Plano Public Library System. **Presented**

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### FINANCIAL SUMMARY

**FUND(S):**

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**COMMENTS:**

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### SUMMARY OF ITEM

**Strategic Plan Goal:**

**Plano Tomorrow Plan Pillar:**

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## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Proclamations

Department Head:

Agenda Coordinator:

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### CAPTION

Presentation: A Certificate of Congratulations is being given to the BEST Neighborhoods Platinum level winner. **Presented**

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### FINANCIAL SUMMARY

FUND(S):

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COMMENTS:

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### SUMMARY OF ITEM

Strategic Plan Goal:

Plano Tomorrow Plan Pillar:

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## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Proclamations

Department Head:

Agenda Coordinator:

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### CAPTION

Presentation: City of Plano Neighborhood Services has received the 2018 Innovative Code Program Award from the American Association of Code Enforcement (AACE). **Presented**

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### FINANCIAL SUMMARY

FUND(S):

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COMMENTS:

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### SUMMARY OF ITEM

Strategic Plan Goal:

Plano Tomorrow Plan Pillar:

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## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: City Secretary

Department Head: Lisa Henderson

Agenda Coordinator:

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### CAPTION

November 26, 2018 **Approved**

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### FINANCIAL SUMMARY

Not Applicable

**FUND(S):** N/A

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### COMMENTS:

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### SUMMARY OF ITEM

#### Strategic Plan Goal:

Financially Strong City with Service Excellence

#### Plano Tomorrow Plan Pillar:

Regionalism

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### ATTACHMENTS:

| Description                | Upload Date | Type    |
|----------------------------|-------------|---------|
| 11/26/2018 Media Training  | 12/4/2018   | Minutes |
| 11/26/2018 Work Session    | 12/4/2018   | Minutes |
| 11/26/2018 Regular Session | 12/4/2018   | Minutes |

**PLANO CITY COUNCIL WORK SESSION**  
**November 26, 2018**

**COUNCIL MEMBERS PRESENT**

Harry LaRosiliere, Mayor  
Ron Kelley, Mayor Pro Tem  
Angela Miner, Deputy Mayor Pro Tem  
Anthony Ricciardelli  
Rick Grady  
Kayci Prince – arrived at 3:11 p.m.  
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 open session on Monday, November 26, 2018, at 3:07 p.m., at the Plano Municipal Center, 1520 K Avenue, Training Room A, Plano, Texas. A quorum was present.

**Work Session**

- **Media Training Session**

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 4:34 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST

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Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
November 26, 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, November 26, 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 and discuss Litigation, Section 551.071; to receive information regarding Economic Development, Section 551.087; and to discuss Real Estate, Section 551.072; for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor LaRosiliere reconvened the meeting back into the Preliminary Open Meeting at 6:00 p.m. in the Senator Florence Shapiro Council Chambers.

- **Consideration and action resulting from Executive Session discussion**
- **Citizen Sentiment Survey Results Presentation**
- **Liberty Recreation Center Update**
- **Consent and Regular Agendas**
- **Council items for discussion/action on future agendas**

Council Member Harrison left the dais at 6:50 p.m.

With no further discussion, the Preliminary Open Meeting was adjourned at 6:51 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST:

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Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL  
REGULAR SESSION  
November 26, 2018**

**COUNCIL MEMBERS PRESENT**

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

**COUNCIL MEMBERS ABSENT**

Tom Harrison

**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, November 26, 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**

Pastor Rita Kopecki with New Hope Christian Fellowship led the invocation and the Plano Chapter of The Sons of the American Revolution led the Pledge of Allegiance and Texas Pledge.

**Proclamations and Special Recognitions**

Presentation: The Sons of the American Revolution presented Public Service Awards to several City of Plano First Responders.

Presentation: The City of Plano honored the public-private preservation efforts of Plano in partnership with downtown property owners to preserve that area from fire.

**Comments of Public Interest**

- Jack Lagos spoke to a police matter.
- Matt Dixon spoke to the Plano Tomorrow Plan lawsuit and Attorney General filing.



## **Consent Agenda**

Consent Item “D” was removed for individual consideration by citizen request.

**MOTION:** Upon a motion made by Council Member Grady and seconded by Deputy Mayor Pro Tem Miner, the Council voted 7-0, to approve all items on the Consent Agenda, except Item D, as follows:

### **Approval of Minutes**

November 12, 2018

(Consent Agenda Item “A”)

### **Approval of Expenditures**

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

To approve the purchase of support and maintenance for Cisco SmartNet for one (1) year in the amount of \$79,084 from CDW Government, LLC through an existing contract; and authorizing the City Manager to execute all necessary documents. (NIPA Contract No. 2018011-01) (Consent Agenda Item “B”)

#### **Approval of Contract Modification**

To approve an expenditure for the purchase of support and maintenance for the network support infrastructure for one (1) year in the estimated annual amount of \$163,601 from Scientel Solutions, LLC; and authorizing the City Manager to execute all necessary documents. (Contract No. 2017-0535-O, Modification No. 1) (Consent Agenda Item “C”)

#### **Approval of Contract / Agreement**

To authorize the conveyance of an Easement and Right-of-Way to Oncor Electric Service Company for the purpose of installing a switchgear for improvement to the Lower White Rock Creek Lift Station; and authorizing the City Manager to execute all necessary documents (Consent Agenda Item “E”)

### **Adoption of Resolutions**

**Resolution No. 2018-11-8(R):** To approve the Investment Portfolio Summary for the quarter ended September 30, 2018; and providing an effective date. (Consent Agenda Item “F”)

### **Adoption of Ordinances**

**Ordinance No. 2018-11-9:** To repeal in its entirety City of Plano Ordinance No. 2016-3-11, codified as Article II, Building Code, of Chapter 6 of the Code of Ordinances; and adopting the 2018 Edition of the International Building Code, with certain additions, deletions, and amendments, as the Building Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “G”)

**Ordinance No. 2018-11-10:** To repeal City of Plano Ordinance No. 2016-3-14, codified as Divisions 1 and 2 of Chapter 6, Buildings and Building Regulations, Article III, Property Maintenance Code, of the Code of Ordinances; and repealing City of Plano Ordinance No. 2017-2-11, codified as Division 2 of Chapter 6, Buildings and Building Regulations, Article III, Property Maintenance Code, of the Code of Ordinances; and adopting the 2018 Edition of the International Property Maintenance Code, with certain additions, deletions and amendments, as the Property Maintenance Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “H”)

**Ordinance No. 2018-11-11:** To repeal in its entirety City of Plano Ordinance No. 2016-3-10, codified as Division 2, Plumbing Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances; and adopting the 2018 Edition of the International Plumbing Code, with certain additions, deletions and amendments, as the Plumbing Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “I”)

**Ordinance No. 2018-11-12:** To repeal in its entirety City of Plano Ordinance No. 2016-3-9, codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City; and adopting the 2018 Edition of the International Mechanical Code, with certain additions, deletions, and amendments, as the Mechanical Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “J”)

**Ordinance No. 2018-11-13:** To repeal Ordinance No. 2014-11-15, codified as Article IX, Electrical Code, Chapter 6 of the Code of Ordinances of the City of Plano, Texas; adopting the 2017 National Electrical Code with certain additions, deletions, and amendments as the Electrical Code for the City of Plano, Texas; and providing a repealer clause, a severability clause, a penalty clause, a savings clause, a publication clause and an effective date. (Consent Agenda Item “K”)

**Ordinance No. 2018-11-14:** To repeal in its entirety City of Plano Ordinance No. 2016-3-7 codified as Article XVIII, Energy Conservation Code, of Chapter 6 of the Code of Ordinances; and adopting the 2018 Edition of the International Energy Conservation Code, with certain additions, deletions and amendments, as the Energy Conservation Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “L”)

**Ordinance No. 2018-11-15:** To repeal in its entirety City of Plano Ordinance No. 2016-3-8, codified as Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances; and adopting the 2018 Edition of the International Fuel Gas Code, with certain additions, deletions, and amendments, as the Fuel Gas Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “M”)

**Ordinance No. 2018-11-16:** To repeal City of Plano Ordinance No. 2016-3-12 codified as Article XX, Residential Code, of Chapter 6 of the Code of Ordinances; and adopting the 2018 Edition of the International Residential Code with certain additions, deletions, and amendments, as the Residential Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “N”)

**Ordinance No. 2018-11-17:** To repeal in its entirety City of Plano Ordinance No. 2016-3-6, codified as Article XXII, Existing Building Code, of Chapter 6 of the Code of Ordinances; and adopting the 2018 Edition of the International Existing Building Code, with certain additions, deletions and amendments, as the Existing Building Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “O”)

**Ordinance No. 2018-11-18:** To amend Chapter 6, Buildings and Building Regulations, adding Article XXIII, Swimming Pool and Spa Code, as amended; adopting certain changes to the 2018 Edition of the International Swimming Pool and Spa Code of the International Code Council, Inc.; providing for 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. 2018-11-19:** To repeal Ordinance No. 2016-3-5, codified as Article II, Fire Code, of Chapter 8 of the Code of Ordinances of the City; adopting the 2018 Edition of the International Fire Code, with certain revised additions, deletions and amendments as the Fire Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date. (Consent Agenda Item “Q”)

**Ordinance No. 2018-11-20:** To transfer the sum of \$500,000 from the Recreation Revolving Fund Unappropriated fund balance to the Recreation Revolving Fund Appropriation for fiscal year 2018-19 for the purpose of providing partial funding for the construction of the Liberty Recreation Center Renovation, 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. (Consent Agenda Item “R”)

**END OF CONSENT AGENDA**

### **Approval of Expenditure**

To approve an expenditure for Liberty Recreation Center Renovation in the amount of \$5,346,024 from Balfour Beatty Construction, LLC; and authorizing the City Manager to execute all necessary documents. (Project No. 6876, RFQ 2017-0516-B) (Consent Agenda Item “D”)

Colleen Epstein spoke in opposition of the item.

**MOTION:** Upon a motion made by Council Member Prince and seconded by Council Member Grady, the Council voted 7-0, to approve an expenditure for Liberty Recreation Center Renovation in the amount of \$5,346,024 from Balfour Beatty Construction, LLC; and authorizing the City Manager to execute all necessary documents.

**Public Hearing and consideration of an Ordinance** as requested in Zoning Case 2018-014 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 19.3 acres of land located at the northwest corner of the Dallas North Tollway and Plano Parkway in the City of Plano, Collin County, Texas, from Regional Commercial to Planned Development-25- Regional Commercial; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Kreymer Investments, LTD. (Tabled at 11/12/18 Council meeting.) (Regular Item “1”)

**MOTION:** Upon a motion made by Council Member Prince and seconded by Mayor Pro Tem Kelley, the Council voted 7-0, to table the item to the December 10, 2018 meeting.

**Public Hearing and adoption of Ordinance No. 2018-11-21** as requested in Zoning Case 2018-022 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-21-Corridor Commercial on 93.9 acres of land located on the west side of U.S. Highway 75, 360 feet south of Legacy Drive in the City of Plano, Collin County, Texas, in order to modify Section 2 (General Standards) of the Planned Development; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicants: AR LC, LLC and DRI/Maple Legacy Central, LLC (Regular Item “2”)

Bill Dahlstrom, representing the applicant spoke to project. Mayor LaRosiliere opened the public hearing. No one appeared to speak. Mayor LaRosiliere closed the public hearing.

**MOTION:** Upon a motion made by Mayor Pro Tem Kelley and seconded by Council Member Grady, the Council voted 7-0, to amend Planned Development-21-Corridor Commercial on 93.9 acres of land located on the west side of U.S. Highway 75, 360 feet south of Legacy Drive in the City of Plano, Collin County, Texas, in order to modify Section 2 (General Standards) of the Planned Development; as requested in Zoning Case 2018-022; and further to adopt Ordinance No. 2018-11-21.

**Public Hearing and adoption of Ordinance No. 2018-11-22** as requested in Zoning Case 2018-023 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting individual Heritage Resource Designation H-36 to a 1.0 acre property located at the southeast corner of H Avenue and 16th Street, in the City of Plano, Collin County, Texas, presently zoned Downtown Business/Government and located within Heritage Resource Overlay District-20, and retaining this zoning classification; directing a change accordingly in the official zoning map of the City; and providing a repealer clause, a severability clause, and an effective date. Applicant: City of Plano (Regular Item “3”)

Mayor LaRosiliere opened the public hearing. No one appeared to speak. Mayor LaRosiliere closed the public hearing.

**MOTION:** Upon a motion made by Council Member Prince and seconded by Deputy Mayor Pro Tem Miner, the Council voted 7-0, to grant individual Heritage Resource Designation H-36 to a 1.0 acre property located at the southeast corner of H Avenue and 16th Street, in the City of Plano, Collin County, Texas, presently zoned Downtown Business/Government and located within Heritage Resource Overlay District-20, and retaining this zoning classification; as requested in Zoning Case 2018-023; and further to adopt Ordinance No. 2018-11-22.

**Public Hearing and adoption of Resolution No. 2018-11-23(R)** to adopt a new heritage preservation plan, also known as Preservation Plano 150, and approving it as the guiding policy document for the city’s heritage preservation program and related activities of the City of Plano; repealing the former preservation plan; and providing an effective date. (Regular Item “4”)

Mayor LaRosiliere opened the public hearing. No one appeared to speak. Mayor LaRosiliere closed the public hearing.

**MOTION:** Upon a motion made by Council Member Grady and seconded by Mayor Pro Tem Kelley, the Council voted 7-0, to adopt a new heritage preservation plan, also known as Preservation Plano 150, and approving it as the guiding policy document for the city’s heritage preservation program and related activities of the City of Plano; repealing the former preservation plan; and further to adopt Resolution No. 2018-11-23(R).

With no further discussion, the Regular City Council Meeting adjourned at 8:03 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST:

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Lisa C. Henderson, City Secretary



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Technology Services

Department Head: Chris Chiancone

Agenda Coordinator: Kellie Pendleton

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### CAPTION

To ratify RFP 2018-0568-B for Omni-Directional Siren Installation and Replacement in the amount of \$448,028 and approve in the estimated amount of \$75,500 for a total estimated amount of \$523,528 to SafetyCom, Inc.; and authorizing the City Manager to execute all necessary documents. **Approved**

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### FINANCIAL SUMMARY

CIP

| FISCAL YEAR: 2018-19          | Prior Year<br>(CIP Only) | Current<br>Year | Future<br>Years | TOTALS   |
|-------------------------------|--------------------------|-----------------|-----------------|----------|
| Budget                        | 13,338                   | 586,662         | 0               | 600,000  |
| Encumbered/Expended<br>Amount | -13,338                  | 0               | 0               | -13,338  |
| This Item                     | 0                        | -523,528        | 0               | -523,528 |
| Balance                       | 0                        | 63,134          | 0               | 63,134   |

**FUND(S):** Technology Services & Technology Improvements CIP

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**COMMENTS:** Funding for this item is available in the 2018-19 Technology Improvements CIP Fund and Technology Services Fund. The total amount for the hardware and installation services for additional and replacement of Early Warning Sirens is \$523,528. Funding for an additional six (6) sirens and one (1) depreciated siren is available in the Technology Improvements CIP Fund, in the amount of \$283,732, which will leave a remaining balance of \$62,930 for future expenditures in the Technology Improvements CIP Fund. Funding for the replacement of nine (9) depreciated sirens is available in the Technology Services Fund, in the amount of \$239,796, which will leave a remaining balance of \$204 for future expenditures in the Technology Services Fund.

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### SUMMARY OF ITEM

See Recommendation Memo.

**Strategic Plan Goal:**

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

**Plano Tomorrow Plan Pillar:**

Built Environment

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**ATTACHMENTS:**

| Description         | Upload Date | Type      |
|---------------------|-------------|-----------|
| Recommendation Memo | 11/29/2018  | Memo      |
| RFP Recap           | 11/29/2018  | RFP Recap |

**Date:** November 8, 2018

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

**From:** Chris Chiancone, Chief Information Officer

**Subject:** Recommendation for Omni-Directional Siren Installation and Replacement

In 2015, the City sanctioned a study to determine the need for additional storm sirens to handle our expansion and growth. The study concluded that the City needed an additional six (6) sirens to service our community. Technology Services proposes purchasing the recommended six sirens and replace ten aging existing sirens.

Originally, this project was awarded to another firm, however, we were unable to reach a mutually agreeable contract and did not execute an agreement. We then publicly solicited proposals for this project and received two responses. One of the responses was deemed non-responsive as the required bid bond was not submitted with the response. The other response was submitted by SafetyCom, Inc. was reviewed and determined to meet the needs of the City.

This purchase will include omni-directional siren heads, poles, cabling, battery backups and installation services. In order to facilitate the installation timeline, hardware for this project has been ordered and thus seeking Council's ratification of \$448,028 for these items. The cost for the installation portion of the project is estimated to be \$75,500 for a total project cost of \$523,528.

These sirens are critical to the City of Plano, allowing emergency management the ability to warn our citizens of severe weather and allow them time to seek the safety of shelter. Failure to approve this purchase could potentially limit our ability to provide a preemptive warning for our community.



# CITY OF PLANO

RFP No. 2018-0568-B

## Omni-Directional Siren Installation and Replacement

### RFP Recap

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**Proposal Opening Date/Time:** October 9, 2018 @ 2:00PM

**Number of Vendors Notified:** 2,413

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

**Number of Proposals Submitted Non-Responsive:** 1

**Number of Proposals Submitted:** 1

| <b><u>Vendor Name:</u></b> | <b><u>Base Proposal</u></b> | <b><u>Optional Siren</u></b> |
|----------------------------|-----------------------------|------------------------------|
| SafetyCom, Inc.            | \$496,884.00                | \$26,644.00                  |

**Recommended Vendor(s):**

|                                  |              |
|----------------------------------|--------------|
| SafetyCom, Inc.                  |              |
| Base Proposal and Optional Siren | \$523,528.00 |

*Tonya Bee*

\_\_\_\_\_  
Tonya Bee, Purchasing Agent

\_\_\_\_\_  
October 15, 2018

Date



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Purchasing

Department Head: Diane Palmer-Boeck

Agenda Coordinator: Sharron Mason

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### CAPTION

RFB No. 2018-0466-C for a one (1) year contract with four (4) City optional one-year renewals for Street Sign Blades & Blanks for Inventory Control & Asset Disposal to Vulcan, Inc. in an estimated annual amount of \$25,838; Mandel Metals, Inc. dba US Standard Sign Co. in an estimated annual amount of \$17,925; Pathmark Traffic Equipment, LLC in an estimated annual amount of \$8,745; and to Hall Signs, Inc. in an estimated annual amount of \$1,500 for a total estimated annual amount of \$54,008; and authorizing the City Manager to execute all necessary documents. **Approved**

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### FINANCIAL SUMMARY

#### Operating Expense

| FISCAL YEAR:               | 2018-19 thru 2023-2024 | Prior Year (CIP Only) | Current Year | Future Years | TOTALS           |
|----------------------------|------------------------|-----------------------|--------------|--------------|------------------|
| Budget                     |                        | 0                     | 1,108,935    | 225,033      | <b>1,333,968</b> |
| Encumbered/Expended Amount |                        | 0                     | -60,197      | 0            | <b>-60,197</b>   |
| This Item                  |                        | 0                     | -45,007      | -225,033     | <b>-270,040</b>  |
| BALANCE                    |                        | 0                     | 1,003,731    | 0            | <b>1,003,731</b> |

**FUND(S):** Warehouse

---

**COMMENTS:** This item approves price quotes. The Inventory Stock Department estimates \$45,007 for expenditures in the 2018-19 Warehouse Budget, which will leave a current year remaining balance of \$1,003,731 for future inventory purchases. Future year expenditures are dependent on contract renewals and approved budget appropriations in the annual estimated amount of \$54,008 for 2019-20 through 2022-23, and \$9,001 for the 2023-24 Warehouse Budget.

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### SUMMARY OF ITEM

See Recommendation Memo.

**Strategic Plan Goal:**

Financially Strong City with Service Excellence, Safe Large City

**Plano Tomorrow Plan Pillar:**

Built Environment

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**ATTACHMENTS:**

| Description                  | Upload Date | Type      |
|------------------------------|-------------|-----------|
| Recommendation of Award Memo | 11/29/2018  | Memo      |
| Bid Recap                    | 11/29/2018  | Bid Recap |

**Date:** October 16, 2018

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

**From:** Josh Mathewes, Inventory Control /Asset Disposal Supervisor

**Subject:** Award of Bid #2018-0466-C Street Sign Blades & Blanks

It is the recommendation from Inventory Control/ Asset Disposal (ICAD) based on inventory requirements and Public Works Signs and Markings Department based on specifications to award 2018-0466-C, Street Sign Blades & Blanks as follows.

Vulcan, Inc. provided the lowest responsive, responsible bid meeting specifications for line items 1, 2, 3, 4, 5, 6, 7, 14, 16, 17, and 20.

Mandel Metals, Inc. dba US Standard Sign Co. provided the lowest responsive, responsible bid meeting specifications for line items 8, 9, 10, 11, 12, 13, 15, 18, and 19.

Hall Signs, Inc. provided the lowest responsive, responsible bid meeting specifications for line item 21.

Begus Online, LLC provided the lowest responsive, responsible bid meeting specifications for line item 22. However, for administrative purposes, ICAD recommends to award item 22 to Vulcan, Inc. Line item 22 is the only item that Begus Online, LLC would be awarded. The annual difference in procurement costs between Begus Online, LLC and Vulcan, Inc. is \$150.

Pathmark Traffic Equipment, LLC provided the lowest responsive, responsible bid meeting specifications for line items 23 and 24.

Award as follows:

Vulcan, Inc. line items 1, 2, 3, 4, 5, 6, 7, 14, 16, 17, 20, and 22.

Mandel Metals, Inc. dba US Standard Sign Co. line items 8, 9, 10, 11, 12, 13, 15, 18, and 19.

Pathmark Traffic Equipment, LLC line items 23 and 24.

Hall Signs, Inc. line item 21.

Total estimated expenditure for 2018-0466-C is \$54,008.50 annually.

Failure to award this bid could result in extended lead times, higher procurement costs, and the inability to provide inventory in an emergency or maintenance situation.

The specifics of this bid are on file with the Purchasing Division.

# CITY OF PLANO

**Bid No. 2018-0466-C**

## **RFB for Street Sign Blades & Blanks**

### **Bid Recap**

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**Bid Opening Date/Time:** September 25, 2018 @ 3:00 PM (CST)

**Number of Vendors Notified:** 5,411

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

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

**Number of Responsive Bids Submitted:** 6

| <b><u>Vendor:</u></b>                        | <b><u>Total Bid</u></b> |
|--|-------------------------|
| Hall Signs, Inc.                             | \$ 11,070.00            |
| Mandel Metals, Inc. dba US Standard Sign Co. | \$ 47,221.60            |
| Vulcan, Inc.                                 | \$ 58,499.60            |
| Osburn Associates, Inc.                      | \$ 75,081.05            |
| Pathmark Traffic Equipment, LLC              | \$ 75,414.75            |
| Begus Online, LLC                            | \$ 299,525.00           |

### **Recommended Vendor:**

Vulcan, Inc.  
Line items 1, 2, 3, 4, 5, 6, 7, 14, 16, 17, 20, and 22 \$ 25,838.05

Mandel Metals, Inc. dba US Standard Sign Co.  
Line items 8, 9, 10, 11, 12, 13, 15, 18, and 19 \$ 17,925.45

Hall Signs, Inc.  
Line item 21 \$ 1,500.00

Pathmark Traffic Equipment, LLC  
Line items 23 and 24 \$ 8,745.00

**Total Estimated Annual Amount \$ 54,008.50**

*Sharron Mason*

Sharron Mason, Sr. Buyer

November 29, 2018

Date



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Technology Services

Department Head: Chris Chiancone

Agenda Coordinator: Kellie Pendleton

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### CAPTION

To approve the purchase of Laserfiche Support for a three (3) year contract for Technology Services in the estimated annual amount of \$77,668, for a total estimated contract amount of \$233,004, from VP Imaging, Inc. dba DocuNav Solutions through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-3277) **Approved**

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### FINANCIAL SUMMARY

#### Operating Expense

| FISCAL YEAR: 2018-19<br>thru 2020-21 | Prior Year<br>(CIP Only) | Current<br>Year | Future<br>Years | TOTALS     |
|--------------------------------------|--------------------------|-----------------|-----------------|------------|
| Budget                               | 0                        | 4,088,821       | 155,336         | 4,244,157  |
| Encumbered/Expended<br>Amount        | 0                        | -1,213,526      | 0               | -1,213,526 |
| This Item                            | 0                        | -77,668         | -155,336        | -233,004   |
| Balance                              | 0                        | 2,797,627       | 0               | 2,797,627  |

**FUND(S):** Technology Services Fund

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**COMMENTS:** Funding for this item is available in the 2018-19 Technology Services Fund. This request is to purchase support and maintenance for Laserfiche software, in the annual amount of \$77,668, which will leave a current year balance of \$2,797,627 for additional support and maintenance expenditures in the 2018-19 Technology Services Budget. Future year expenditures for this request, in the annual amount of \$77,668, will be made within approved budget appropriations in the 2019-20 and 2020-21 Technology Services Budget.

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### 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. (DIR-TSO-3277, City of Plano Contract No. 2019-0013-I).

**Strategic Plan Goal:**

Financially Strong City with Service Excellence

**Plano Tomorrow Plan Pillar:**

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**ATTACHMENTS:**

| Description             | Upload Date | Type                    |
|-------------------------|-------------|-------------------------|
| Recommendation Memo     | 11/30/2018  | Memo                    |
| Cooperative Quote Recap | 11/29/2018  | Cooperative Quote Recap |

**Date:** Thursday, November 15, 2018

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

**From:** Chris Chiancone, Chief Information Officer

**Subject:** Award Recommendation for DocuNav/Laserfiche Annual Support Agreement

DocuNav provides support and maintenance for the City's document management system (Laserfiche). Laserfiche is an Enterprise Content Management system that allows the city to digitize documents, store, and automate document-driven processes and serves as the source of record for over 4 million city documents. This support agreement is for the term of December 28, 2018 through December 27, 2019 inclusively.

This agreement is a 3-year renewal discount agreement with DocuNav Solutions. DocuNav Solutions is the existing VAR (Value Added Reseller) of record for the city with respect to Laserfiche. The estimated annual expenditure is \$77,668.07 paid for out of fund 395.6313.

If we do not renew this service, the city will need to procure an alternate Enterprise Content Management system and would need to include the migration of over 4 million documents to the new system. This migration would significantly disrupt the business processes of departments across the city.



# CITY OF PLANO

Quote No. 2019-0013-I

## Laserfiche Support and Maintenance

### Cooperative Quote Recap

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**Due Date/Time:** November 15, 2018 @ 2:00 PM (CST)

**Number of Vendors Notified:** 1

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

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

**Number of Responsive Quotes Submitted:** 1

**Vendor:**

|  |             |
|--|-------------|
| VP Imaging, Inc. dba DocuNav Solutions | \$77,668.07 |
| DIR-TSO-3277                           |             |

**Recommended Vendor:**

|  |             |
|--|-------------|
| VP Imaging, Inc. dba DocuNav Solutions | \$77,668.07 |
|--|-------------|

*Kellie Pendleton*

Kellie Pendleton, Purchasing Manager

November 15, 2018

Date



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Technology Services

Department Head: Chris Chiancone

Agenda Coordinator: Kellie Pendleton

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### CAPTION

To approve the purchase of four (4) Nutanix storage nodes for Technology Services in the amount of \$84,000 from Dell Marketing LP through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-3763) **Approved**

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### FINANCIAL SUMMARY

CIP

| FISCAL YEAR: 2018-19          | Prior Year<br>(CIP Only) | Current<br>Year | Future<br>Years | TOTALS  |
|-------------------------------|--------------------------|-----------------|-----------------|---------|
| Budget                        | 0                        | 340,000         | 0               | 340,000 |
| Encumbered/Expended<br>Amount | 0                        | 0               | 0               | 0       |
| This Item                     | 0                        | -84,000         | 0               | -84,000 |
| Balance                       | 0                        | 256,000         | 0               | 256,000 |

**FUND(S):** Technology Improvements CIP

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**COMMENTS:** Funding for this item is available in the 2018-19 Technology Improvements CIP Fund. This request is to purchase four (4) Nutanix storage nodes from Dell Marketing LP, in the amount of \$84,000, which will leave a remaining balance of \$256,000 for future expenditures in the Technology Improvements CIP Fund.

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### 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. (DIR-TSO-3763, City of Plano Contract No. 2019-0135-O)

See Recommendation Memo.

**Strategic Plan Goal:**

Financially Strong City with Service Excellence, Safe Large City

**Plano Tomorrow Plan Pillar:**

Built Environment

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**ATTACHMENTS:**

| Description             | Upload Date | Type                       |
|-------------------------|-------------|----------------------------|
| Recommendation Memo     | 11/29/2018  | Memo                       |
| Cooperative Quote Recap | 11/29/2018  | Cooperative Quote<br>Recap |

**Date:** Thursday, November 1, 2018

**To:** Jim Parrish, Deputy City Manager

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

**From:** Chris Chiancone, Chief Information Officer

**Subject:** Nutanix Platform Expansion

As part of the continuing NextGen program developed to reduce risk, modernize technology, increase productivity, decrease cost, and leverage redundancy; the Technology Services department has been working with all departments to help them centralize and upgrade their aging, one-off applications, hosted on old and outdated disparate systems outside of the City's enterprise data centers. Current projects to centralize and protect critical data include the Police Department's Digital Evidence Management Solution and Public Works Sewer Video solution. Each of these solutions will require significant amounts of storage space with protection for their data.

Technology Service recommends the purchase of four (4) additional Nutanix Storage nodes for our existing hyper-converged environment to Dell Marketing LP on existing contract DIR-TSO-3763 for \$84,000.00 including 3 years of maintenance and licensing. This expansion will add approximately 120 terabytes (TB) of capacity between the production clusters and the disaster recovery site for replication. The hyper-converged solution is built for the "scale as you grow" operating model and the addition of these four nodes will ensure that we continue to meet business needs and maintain high availability of applications.

If not awarded, our ability to meet future project needs will be reduced. Also, the additional space this purchase will provide will help with unplanned hardware failures and/or software defined growth specifications without impact to service delivery of application servers.

# CITY OF PLANO

**Quote No. 2019-0135-O**

**Nutanix Platform Expansion -  
Four (4) Additional Storage Nodes**

## **Cooperative Quote Recap**

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**Due Date/Time:** November 27, 2018 @ 5:00 PM (CST)

**Number of Vendors Notified:** 6

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

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

**Number of Responsive Quotes Submitted:** 1

### **Vendor:**

### **Total Bid**

Dell Marketing LP  
DIR-TSO-3763

\$84,000.00

### **Recommended Vendor:**

Dell Marketing LP

\$84,000.00

*Tonya Bee*

\_\_\_\_\_  
Tonya Bee, Purchasing Agent

November 29, 2018

\_\_\_\_\_  
Date



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Technology Services

Department Head: Chris Chiancone

Agenda Coordinator: Tonya Bee

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### CAPTION

To approve the purchase of Enterprise Email Archiving - ProofPoint for a one (1) year contract for Technology Services in the amount of \$183,655 from Assurance Data, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR Contract Number DIR-TSO-3926) **Approved**

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### FINANCIAL SUMMARY

CIP

| FISCAL<br>YEAR:            | 2018-19 | Prior Year<br>(CIP Only) | Current<br>Year | Future<br>Years | TOTALS    |
|----------------------------|---------|--------------------------|-----------------|-----------------|-----------|
| Budget                     |         | 133,854                  | 866,146         | 0               | 1,000,000 |
| Encumbered/Expended Amount |         | -133,854                 | 0               | 0               | -133,854  |
| This Item                  |         | 0                        | -183,655        | 0               | -183,655  |
| BALANCE                    |         | 0                        | 682,491         | 0               | 682,491   |

**FUND(S):** Technology Improvements CIP

---

**COMMENTS:** Funding for this item is available in the 2018-19 Technology Improvements CIP Fund. This request is for a one (1) year contract with Assurance Data, Inc. for Enterprise Email Archiving, in the amount of \$183,655, which will leave a remaining balance of \$682,491 for future expenditures in the Technology Improvements CIP Fund.

---

### 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. (DIR Contract No. DIR-TSO-3926 and the City of Plano Contract No. 2019-0001-O)

See Recommendation Memo

**Strategic Plan Goal:**

Financially Strong City with Service Excellence

**Plano Tomorrow Plan Pillar:**

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**ATTACHMENTS:**

| Description             | Upload Date | Type                       |
|-------------------------|-------------|----------------------------|
| Recommendation Memo     | 11/21/2018  | Memo                       |
| Cooperative Quote Recap | 11/27/2018  | Cooperative Quote<br>Recap |

**Date:** Thursday, November 1, 2018

**To:** Jim Parrish, Deputy City Manager

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

**From:** Chris Chiancone, Chief Information Officer

**Subject:** Enterprise Email Archiving - Proofpoint

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 a variety of cloud services, such as Infrastructure as a Service (IaaS), Platform as a Service (PaaS), and Software as a Service (SaaS) solutions across multiple cloud providers to meet the needs of all departments. Quotes were requested and received from several cooperative contract vendors to provide the Proofpoint Enterprise Email Archive platform. Technology Services recommends the award of Enterprise Email Archiving to Assurance Data, Inc. via cooperative contract no. DIR-TSO-3926 for the amount of \$183,654.96, which includes installation and professional services to ingest existing archived email from on-premise hardware to the Proofpoint cloud platform and first-year subscription services.

The City receives a large number of Freedom of Information Act (FOIA) requests and the current email archiving solution in place is old, outdated, and cost prohibitive; as well as creating significant overhead and staff resource time to meet the City's need to facilitate these open record requests in a legally required manner. After a lengthy discovery process, technology services identified that the City requires a more robust and user-friendly cloud-based solution to increase our response time, allow for more accurate and relevant search patterns, and reduce our storage and expenditures for the increasing demand for data storage pertaining to records and their retention.

By moving to a hosted solution (cloud based) for enterprise email archival, the City will reclaim existing storage space used by our current system, and allow for repurposing, reducing the need for unnecessary storage expansions, improve our ability to service our constituents, and will significantly reduce the administrative burden for backend operations.

If not awarded, the City's legal and records departments will continue to have sub-optimal search and retrieval of archived email records that have a regulatory requirement to be answered within a set period of time. Also, the future expansion of hardware to continue to support the on-premise hosting of archive data and retention requirements will require further expenditures to accommodate record growth.



CITY OF PLANO  
SOLICITATION NO. 2019-0001-O  
ENTERPRISE EMAIL ARCHIVING – PROOFPOINT  
COOPERATIVE QUOTE RECAP

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**Number of Vendors Contacted:** 4

**Vendors Submitting “No Bids”:** 0

**Quotes Deemed Non-responsive:** 1

**Number of Responsive Quotes Received:** 3

|  |              |
|--|--------------|
| Assurance Data, Inc.<br>via DIR-TSO-3926 | \$183,654.96 |
| Solid Border Inc.<br>via DIR-TSO-3926    | \$191,479.20 |
| Optiv Security Inc.<br>via DIR-TSO-3926  | \$212,503.77 |

**Recommended Vendor:**

|  |              |
|--|--------------|
| Assurance Data, Inc.<br>via DIR-TSO-3926 | \$183,654.96 |
|--|--------------|

Tonya Bee  
Tonya Bee  
Purchasing Agent

December 10, 2018  
Date



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Fleet Services

Department Head: Gerald Cosgrove

Agenda Coordinator: Lincoln Thompson (Ext. 7376)

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### CAPTION

To approve the purchase of two (2) Passenger Vans for Fleet Services to be utilized by Senior Services in the amount of \$78,774 from Chastang Ford through an existing contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. AM10-18) **Approved**

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### FINANCIAL SUMMARY

Operating Expense

| FISCAL YEAR: 2018-19          | Prior Year<br>(CIP Only) | Current<br>Year | Future<br>Years | TOTALS  |
|-------------------------------|--------------------------|-----------------|-----------------|---------|
| Budget                        | 0                        | 90,000          | 0               | 90,000  |
| Encumbered/Expended<br>Amount | 0                        | 0               | 0               | 0       |
| This Item                     | 0                        | -78,774         | 0               | -78,774 |
| Balance                       | 0                        | 11,226          | 0               | 11,226  |

**FUND(S):** Equipment Replacement Fund

---

**COMMENTS:** Funds are available in the FY 2018-19 Adopted Budget to purchase two (2) Passenger Vans for the scheduled replacement of unit 02391 and 09391 in Cost Center 656 Senior Services. Remaining balance will be used for other Fleet and Equipment Services purchases.

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### 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 the items. (HGAC Contract No. AM10-18 / City of Plano Internal Contract No. 2019-0085-O)  
See Recommendation Memo.

**Strategic Plan Goal:**

Financially Strong City with Service Excellence

**Plano Tomorrow Plan Pillar:**

Built Environment

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**ATTACHMENTS:**

| Description             | Upload Date | Type                       |
|-------------------------|-------------|----------------------------|
| Recommendation Memo     | 11/28/2018  | Memo                       |
| Cooperative Quote Recap | 11/28/2018  | Cooperative Quote<br>Recap |

**Date:** November 27, 2018

**To:** Bruce D. Glasscock, City Manager

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

**Subject:** Two (2) Passenger Vans Purchase Recommendation

It is the recommendation of Fleet Services to purchase two (2) Passenger Vans in the amount of \$78,774.00 from Chastang Ford through HGAC Contract AM10-18. Fleet Services and Purchasing have reviewed multiple cooperative contract quotes and found this to be the best value for the City.

These are scheduled replacements from Capital Outlay FY2018-19 for units 02391 and 09391 in Cost Center 656 Senior Services. Due to operational demands, it is necessary to purchase at this time.

The purchase of the two (2) passenger vans is necessary for the following reasons:

1. These units will be used to transport citizens served by Senior Services operations.
2. The old vehicles are in need of replacement. The determination for the need of replacement is based on age, usage, maintenance cost, and re-sale value. Based on these criteria, Fleet Services recommends the replacement of the above vehicles.
3. Not purchasing these vehicles could lead to an increase in response times due to lack of available mission capable vehicles. It will also lead to increased maintenance and repair costs due to the increased usage of the current fleet vehicles.

CITY OF PLANO  
SOLICITATION NO. 2019-0085-O  
TWO (2) PASSENGER VANS  
COOPERATIVE QUOTE RECAP

---

**Number of Vendors Contacted:** 10

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

**Quotes Deemed Non-responsive:** 0

**Number of Responsive Quotes Received:** 2

|  |              |
|--|--------------|
| Two (2) Ford Transit 350 from Chastang Ford<br>Via HGAC Contract AM10-18 | \$ 78,774.00 |
|--|--------------|

|  |              |
|--|--------------|
| Two (2) Ford Transit 350 from Caldwell Country<br>Via BuyBoard Contract 521-16 | \$ 81,824.00 |
|--|--------------|

**Recommended Vendor:**

|               |              |
|---------------|--------------|
| Chastang Ford | \$ 78,774.00 |
|---------------|--------------|

*Lincoln Thompson*

Lincoln Thompson  
Senior Buyer

*November 16, 2018*

Date



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Fleet Services

Department Head: Gerald Cosgrove

Agenda Coordinator: Lincoln Thompson (Ext. 7376)

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### CAPTION

To approve the purchase of four (4) Half-ton Extended Cab Pickup Trucks for Fleet Services to be utilized by various departments in the amount of \$87,544 from Reliable Chevrolet through an existing contract; and authorizing the City Manager to execute all necessary documents. (Tarrant County Contract No. 2018-022)

**Approved**

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### FINANCIAL SUMMARY

Operating Expense

| FISCAL YEAR: 2018-19          | Prior Year<br>(CIP Only) | Current<br>Year | Future<br>Years | TOTALS  |
|-------------------------------|--------------------------|-----------------|-----------------|---------|
| Budget                        | 0                        | 120,357         | 0               | 120,357 |
| Encumbered/Expended<br>Amount | 0                        | 0               | 0               | 0       |
| This Item                     | 0                        | -87,544         | 0               | -87,544 |
| Balance                       | 0                        | 32,813          | 0               | 32,813  |

**FUND(S):** Water & Sewer Fund and General Fund

---

**COMMENTS:** Funds are available in the FY 2018-19 Adopted Budget to purchase four (4) Half-ton Extended Cab Pickup Trucks as New Additions in Cost Center 422 / Utility Billing Field Services (Water & Sewer Fund), Cost Center 532 / Police (General Fund), Cost Center 646 / Grounds Maintenance Services (General Fund) and Cost Center 761 / Utility Maintenance (Water & Sewer Fund). Remaining balance will be used for other Equipment Services, General Fund, and Water & Sewer Fund purchases.

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### 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. (Tarrant County Contract No. 2018-022 / City of Plano Internal Contract No. 2019-0083-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     | 11/28/2018  | Memo                    |
| Cooperative Quote Recap | 11/28/2018  | Cooperative Quote Recap |

**Date:** November 27, 2018

**To:** Bruce D. Glasscock, City Manager

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

**Subject:** Four (4) Half-ton Extended Cab Pickup Trucks Purchase Recommendation

It is the recommendation of Fleet Services to purchase four (4) Half-ton Extended Cab Pickup Trucks in the amount of \$87,544.00 from Reliable Chevrolet through Tarrant County Contract 2018-022. Fleet Services and Purchasing have reviewed multiple cooperative contract quotes and found this to be the best value for the City.

These units are approved new additions from the Capital Outlay List for FY2018-19 supplement numbers 4220001 in Cost Center 422 Utility Billing Field Services, 532003 in Cost Center 532 Police, 646001 in Cost Center 646 Grounds Maintenance Services, and 761001 in Cost Center 761 Utility Maintenance. Due to operational demands, it is necessary to purchase at this time.

The purchase of the four (4) pickup trucks is necessary for the following reasons:

1. These units will be used in departments throughout the City.
2. These vehicles are needed due to the hiring of new employees.
3. Not purchasing these vehicles could lead to an increase in response times due to a lack of available mission capable vehicles. It will also lead to increased maintenance and repair costs due to the increased usage of the current fleet vehicles.



**CITY OF PLANO  
SOLICITATION NO. 2019-0083-O  
FOUR (4) HALF-TON EXTENDED CAB PICKUP TRUCKS  
COOPERATIVE QUOTE RECAP**

---

**Number of Vendors Contacted:** 6

**Vendors Submitting "No Bids":** 1

**Quotes Deemed Non-responsive:** 0

**Number of Responsive Quotes Received:** 3

|   |              |
|---|--------------|
| Four (4) Chevrolet Silverado Double Cab from Reliable Chevrolet<br>Via Tarrant County Contract 2018-022 | \$ 87,544.00 |
|---|--------------|

|   |              |
|---|--------------|
| Four (4) Chevrolet Silverado Double Cab from Caldwell Country<br>Via Tarrant County Contract 2018-022 | \$ 92,480.00 |
|---|--------------|

|  |              |
|--|--------------|
| Four (4) Chevrolet Silverado Double Cab from Caldwell Country<br>Via Tarrant County Contract 2018-022 (In Stock Units) | \$102,800.00 |
|--|--------------|

**Recommended Vendor:**

|                    |              |
|--------------------|--------------|
| Reliable Chevrolet | \$ 87,544.00 |
|--------------------|--------------|

*Lincoln Thompson*

Lincoln Thompson  
Senior Buyer

*November 2, 2018*

Date



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: HR

Department Head: Shanté Akafia

Agenda Coordinator: Vernie Rambo

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### CAPTION

To approve a decrease to the current awarded annual contract amount of \$1,999,854 by \$156,520, for a total estimated annual contract amount of \$1,843,334, for Stop Loss Insurance from SA Benefit Services, LLC for the Human Resources Department; and authorizing the City Manager to execute all necessary documents. (Contract Modification No. 2; 2017-0021-C) **Approved**

---

### FINANCIAL SUMMARY

#### Operating Expense

| FISCAL YEAR: 2018-19<br>thru 2021-22 | Prior Year<br>(CIP Only) | Current<br>Year | Future<br>Years | TOTALS     |
|--------------------------------------|--------------------------|-----------------|-----------------|------------|
| Budget                               | 0                        | 2,450,103       | 6,559,043       | 9,009,146  |
| Encumbered/Expended<br>Amount        | 0                        | -445,103        | 0               | -445,103   |
| This Item                            | 0                        | -1,382,500      | -6,559,043      | -7,941,543 |
| Balance                              | 0                        | 622,500         | 0               | 622,500    |

**FUND(S):** Health Claims Fund & 115 Trust Fund

---

**COMMENTS:** This item approves a contract for the City of Plano's Stop Loss Coverage. The anticipated cost in FY 2018-19 of \$1,382,500 and total estimated future costs of \$6,559,043 (\$1,981,584 in FY 2019-20, \$2,179,742 in FY 2020-21, and \$2,397,717 in FY 2021-22) will be funded via regular employee, retiree, and city contributions to the City's Health Claims Fund and 115 Trust Fund.

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### SUMMARY OF ITEM

See Recommendation Memo.

**Strategic Plan Goal:**

Financially Strong City with Service Excellence, Partnering for Community Benefit

**Plano Tomorrow Plan Pillar:**

Economic Environment

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**ATTACHMENTS:**

| Description                           | Upload Date | Type |
|---------------------------------------|-------------|------|
| 2017-0021-C Mod 2 Recommendation Memo | 11/20/2018  | Memo |

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

From: Shanté Akafia, Director of Human Resources/Risk Management

Date: November 20, 2018

Re: 2017-0021-C Stop Loss Insurance Coverage Modification - 2019

---

The City of Plano provides medical insurance to our employees via a self-funded insurance model. The City purchases stop loss insurance in an effort to minimize our exposure against catastrophic claims thus containing risk and facilitating financial solvency of the City's self-funded medical plan.

The City has a contract with SA Benefit Services, LLC to provide stop loss coverage, however, each year the amount of premiums need to be quoted based upon the most up to date claim experience. Based upon the quotes provided, the City estimates that the stop loss coverage through SA Benefits will cost an annual estimate of \$1,843,334 based upon a per member per month rate of \$65.20 with an individual specification level of \$250,000 and includes a named aggregate specific laser on three individuals in the amount of \$1,300,000.

Failure to award this contract would result in the City taking on additional liability for catastrophic claims, thus reducing the financial solvency of the City's self-funded medical plan.



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Special Projects

Department Head: Peter Braster

Agenda Coordinator:

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### CAPTION

To approve a request to sell the City of Plano's interest in 1116 I Avenue, Plano, TX 75074, Plano, Collin County, Texas; and authorizing the City Manager to execute all necessary documents. **Approved**

---

### FINANCIAL SUMMARY

Revenue

| FISCAL YEAR: 2018-19          | Prior Year<br>(CIP Only) | Current<br>Year | Future<br>Years | TOTALS |
|-------------------------------|--------------------------|-----------------|-----------------|--------|
| Budget                        | 0                        | 0               | 0               | 0      |
| Encumbered/Expended<br>Amount | 0                        | 5,017           | 0               | 5,017  |
| This Item                     | 0                        | 5,017           | 0               | 5,017  |
| Balance                       | 0                        | 0               | 0               | 0      |

**FUND(S):** General Fund, General Obligation Debt Fund

---

**COMMENTS:** Approval of the sale of the identified property will result in \$5,017 in revenue to the City of Plano's General Fund and General Obligation Fund.

---

### SUMMARY OF ITEM

The property, located at 1116 I Avenue, Plano, was struck off the tax roll after the Collin County Sheriff's Sale failed to attract bidders. Subsequently, they received a bid of \$25,025 which is significantly more than the total judgement amount. See the attached letter from Jennifer Williams regarding the matter. The City has no interest in holding the property. The other taxing entities have approved the sale. Staff recommends authorizing the City Manager to execute the attached deed.

**Strategic Plan Goal:**

Financially Strong City with Service Excellence

**Plano Tomorrow Plan Pillar:**

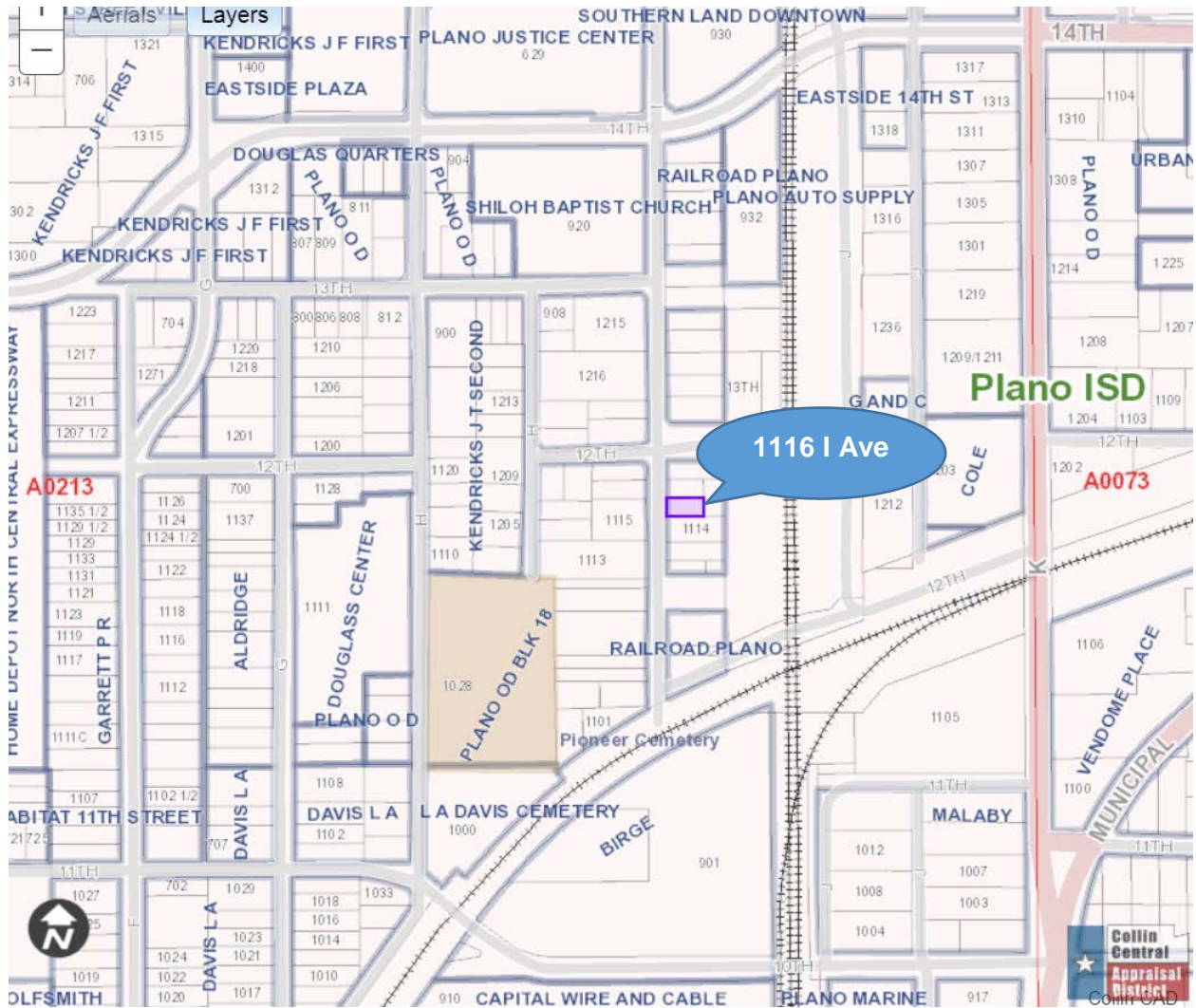
Economic Environment

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**ATTACHMENTS:**

| Description | Upload Date | Type   |
|-------------|-------------|--------|
| Map         | 11/16/2018  | Map    |
| Letter      | 11/16/2018  | Letter |
| Deed        | 11/16/2018  | Other  |

## Location Map





1700 Redbud Boulevard, Suite 300 | McKinney, Texas 75069  
Main: 214.544.4000 | Fax: 214.544.4040

Ms. Karen Rhodes  
Budget & Research Director  
City of Plano  
1520 K Avenue  
Plano, TX 75074

Re: Offer from Marteen Saunders to purchase  
1116 I Ave, Plano, TX 75074

Dear Ms. Rhodes:

Marteen Saunders has offered to purchase 1116 I Ave, Plano, TX 75074, Plano, Collin County, Texas (1116 I AVE, BEING LOT 6A, 7A, BLOCK 7 OF RAILROAD PLANO, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 352, PAGE 160, OF THE COLLIN COUNTY DEED RECORDS.) for \$25,025.00.

This property was sold at a Sheriff's Sale on March 6, 2018 pursuant to delinquent tax collection suit number 429-02525-2017. There were no bidders and the property was struck off to the City for itself and on behalf of the other taxing jurisdictions.

The property's most recent value according to the Appraisal District is \$36,000.00. The property was struck off for the total judgment amount, \$8,949.27, which includes taxes, penalties and interest, costs of court, and costs of sale.

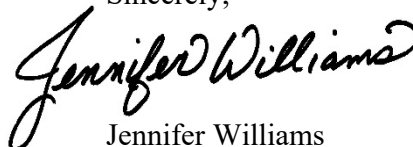
As the offer is for more than the minimum bid at the Sheriff's Sale, all amounts due under the judgment will be paid. A breakdown of amounts each taxing entity will receive is attached.

If any taxing jurisdictions agree to accept \$25,025.00 for the property, the property may be sold for that amount. Each jurisdiction must execute the deed.

If your entity decides to accept this offer, attached for execution is a Deed Without Warranty our office prepared for this resale. When the Deed is executed, please return it to me, so that I may finalize this transaction.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,



Jennifer Williams



**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER**

**DEED WITHOUT WARRANTY  
(TAX FORECLOSED PROPERTY RESALE)**

Date: \_\_\_\_\_, 2018

Grantor: PLANO INDEPENDENT SCHOOL DISTRICT, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT, and CITY OF PLANO

Grantor's Mailing Address (including county):

1520 K Avenue  
Plano, TX 75074  
Collin County

Collin County

Grantee: Marteen Saunders

Grantee's Mailing Address (including county):

2109 Reston Drive  
McKinney, Texas 75072  
Collin County

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

Property (including any improvements):

Property described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

1. Rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.
2. Visible and apparent easements over or across subject property.
3. Rights of parties in possession.
4. Any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part hereof.
5. Any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.
6. All oil, gas, and other minerals reserved by prior grantors.

By acceptance of this Deed, Grantee acknowledges and agrees that the Property is being purchased and conveyed "AS IS" with all faults and defects whether patent or latent as of the closing. Grantors, on behalf of themselves and the other taxing entities on whose behalf it holds title to the Property, specifically negates and

disclaims any representations, warranties or guaranties of any kind or character, whether express or implied, oral or written, past, present, future or otherwise, of, as to, concerning or with respect to the Property, including without limitation (i) the nature and condition of the Property and the suitability thereof for any and all activities and uses which Grantee may elect to conduct thereon, (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or any other matter relating in any way to the Property, (iii) the compliance of the Property or its operation with any laws, ordinances or regulations of any government or other authority or body, (iv) the existence of any toxic or hazardous substance or waste in, on, under the surface of or about the Property, (v) geological conditions, including, without limitation, subsidence, subsurface conditions, water table, underground water reservoirs, limitations regarding the withdrawal of water and faulting, (vi) whether or not and to the extent to which the Property or any portion thereof is affected by any stream (surface or underground), body of water, flood prone area, floodplain, floodway or special flood hazard, (vii) drainage, (viii) zoning or land use restrictions rules and regulations to which the Property or any portion thereof may be subject, (ix) the availability of any utilities to the Property or any portion thereof including, without limitation, water, sewage, gas and electric and including the utility availability capacities allocated to the Property by the relevant governmental or regulatory authority, (x) usages of adjoining property, (xi) access to the Property or any portion thereof, (xii) the value, compliance with the plans and specifications, size, location, age, use, design, quality, description, durability, structural integrity, operation, leasing, title to, or physical or financial condition of the Property or any portion thereof, or any income, expenses, charges, liens, encumbrances, rights or claims on or affecting or pertaining to the Property or any part thereof, (xiii) the potential for further development of the Property, or (xiv) the merchantability of the Property or fitness of the Property for any particular purpose (Grantee affirming that Grantee has not relied on Grantors' skill or judgment to select or furnish the Property for any particular purpose, and that Grantor makes no warranty that the Property is fit for any particular purpose).

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's successors, or assigns forever WITHOUT WARRANTY.

The intent of this Deed Without Warranty is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. 429-02525-2017 in the 429th Judicial District Court, Collin County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

PLANO INDEPENDENT SCHOOL DISTRICT

By: *RJ mlll*  
Title: Chief Financial Officer

ATTEST:

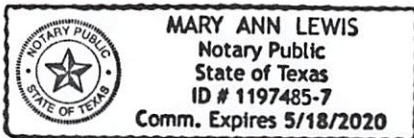
Randy McDowell

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the 24th day of  
October, 2018, by Randy McDowell,  
CFO of the Plano Independent School District as  
the act and deed of said Plano Independent School District.



Mary Ann Lewis  
Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: 5/18/20

COLLIN COUNTY, TEXAS

By: Keith Self

Title: County Judge

ATTEST:

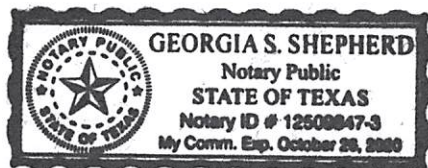
Quide Gillespie

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the 10th day of  
October, 2018, by Keith Self,  
County Judge of Collin County, Texas as the act and deed of  
said Collin County, Texas.



Georgia S. Shepherd

Notary Public, State of Texas

Notary's name, (printed): Georgia S. Shepherd

Notary's commission expires: 10/26/2020

COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

By: [Signature]

Title: Chief Financial Officer

ATTEST:

[Signature]

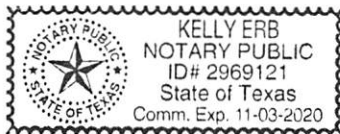
(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the 24<sup>th</sup> day of  
October, 2018, by Kenneth D. Lynn,

Chief Financial officer of the Collin County Community College District as the  
act and deed of said Collin County Community College District.



[Signature]  
Notary Public, State of Texas

Notary's name, (printed): Kelly Erb

Notary's commission expires: 11-3-2020

CITY OF PLANO

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

(Acknowledgment)

THE STATE OF TEXAS           §

COUNTY OF COLLIN           §

      This instrument was acknowledged before me on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2018, by \_\_\_\_\_,  
\_\_\_\_\_ of the City of Plano as the act and deed of  
said City of Plano.

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

Notary's name, (printed):

Notary's commission expires: \_\_\_\_\_

EXHIBIT A

1116 I AVE, BEING LOT 6A, 7A, BLOCK 7 OF RAILROAD PLANO, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 352, PAGE 160, OF THE COLLIN COUNTY DEED RECORDS.



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Special Projects

Department Head: Peter Braster

Agenda Coordinator:

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### CAPTION

To approve an expenditure for purchase of real property identified as Plano Original Donation, Block 9, Lot 1A, in the amount of \$6,445; and authorizing the City Manager to execute all necessary documents.

**Approved**

---

### FINANCIAL SUMMARY

Operating Expense

| FISCAL YEAR: 2018-19          | Prior Year<br>(CIP Only) | Current<br>Year | Future<br>Years | TOTALS     |
|-------------------------------|--------------------------|-----------------|-----------------|------------|
| Budget                        | 0                        | 10,513,756      | 0               | 10,513,756 |
| Encumbered/Expended<br>Amount | 0                        | 0               | 0               | 0          |
| This Item                     | 0                        | -6,445          | 0               | -6,445     |
| Balance                       | 0                        | 10,507,311      | 0               | 10,507,311 |

**FUND(S):** TIF II Fund

---

**COMMENTS:** The purchase of the identified property, in the amount of \$6,445, will leave a balance of \$10,507,311 within the TIF II Fund for future expenditures identified in the TIF II Project Plan.

---

### SUMMARY OF ITEM

The 1,011 square-foot parcel is located directly east of 1310 K Avenue in Downtown Plano (see attached map). The property was turned over to the public entities (City of Plano, Plano Independent School District, Collin County, and Collin College) for failure to pay property taxes in 2002. The purchase amount represents the taxes, court costs, and associated fees to the taxing entities. The property will become part of the TIF#2 land bank for future Downtown Plano development.



**Strategic Plan Goal:**

Financially Strong City with Service Excellence, Exciting Urban Centers - Destination for Residents and Guests

**Plano Tomorrow Plan Pillar:**

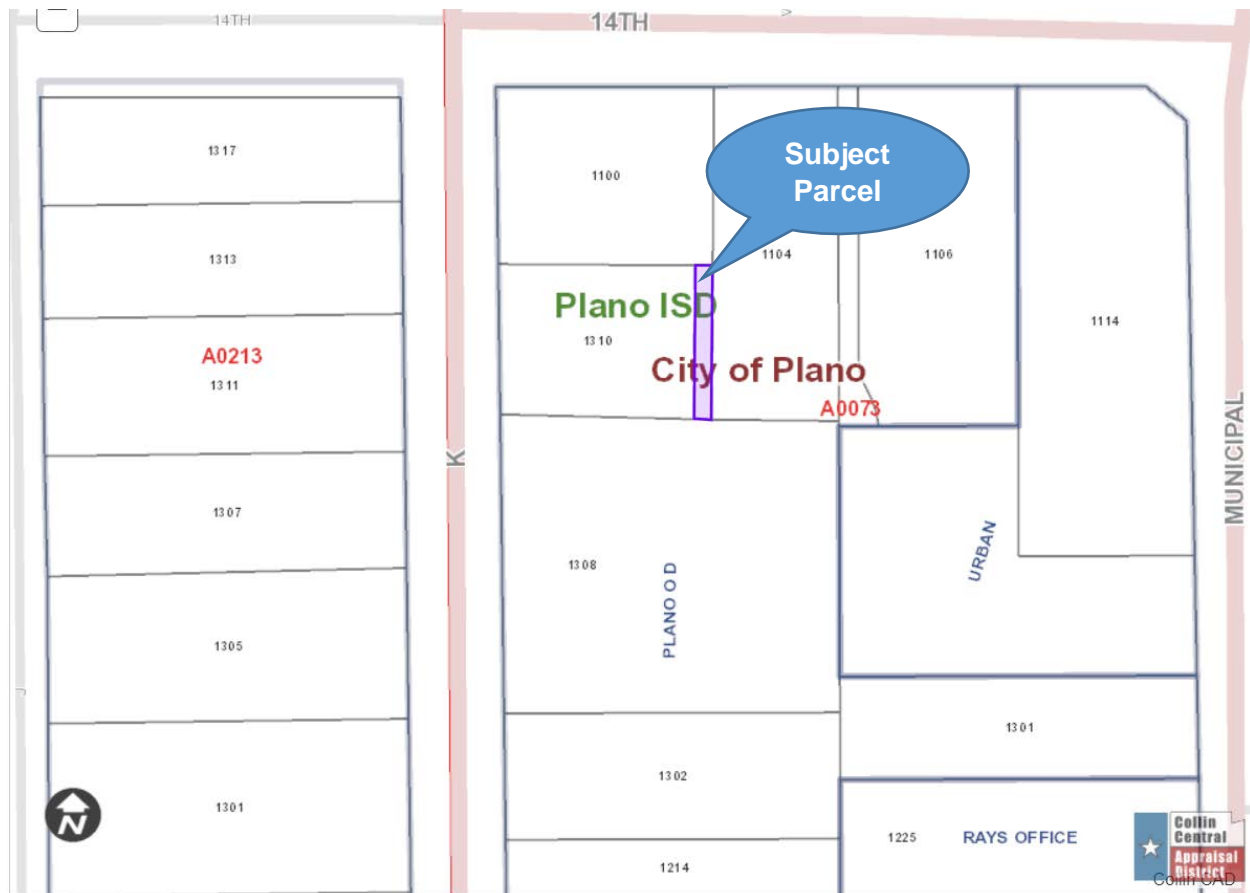
Built Environment, Economic Environment

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**ATTACHMENTS:**

| Description | Upload Date | Type |
|-------------|-------------|------|
| Map         | 11/27/2018  | Map  |

## Location Map





## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Engineering

Department Head: B. Caleb Thornhill

Agenda Coordinator: Cynthia Hogue

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### CAPTION

To approve an expenditure for Erosion Control - Prairie Creek at Independence Parkway, Project No. 7051, in the amount of \$163,100 from Teague Nall and Perkins, Inc.; and authorizing the City Manager to execute all necessary documents. **Approved**

---

### FINANCIAL SUMMARY

CIP

| FISCAL YEAR: 2018-19 & 2019-20 | Prior Year (CIP Only) | Current Year | Future Years | TOTALS   |
|--------------------------------|-----------------------|--------------|--------------|----------|
| Budget                         | 0                     | 155,000      | 800,000      | 955,000  |
| Encumbered/Expended Amount     | 0                     | 0            | 0            | 0        |
| This Item                      | 0                     | -146,800     | -16,300      | -163,100 |
| Balance                        | 0                     | 8,200        | 783,700      | 791,900  |

**FUND(S):** Municipal Drainage CIP

---

**COMMENTS:** Funding for this item is available in the 2018-19 Municipal Drainage CIP and is planned for future years. Professional design services for the Erosion Control - Prairie Creek at Independence Pkwy. project, in the total amount of \$163,100, will leave a combined balance of \$791,900 for future project expenditures.

---

### SUMMARY OF ITEM

The Engineering Department recommends approval of an expenditure in the amount of \$163,100.00 for professional design services from Teague Nall and Perkins, Inc., S-Corporation, for the Erosion Control – Prairie Creek at Independence Pkwy. project. This project includes stabilization of approximately 350

linear feet of the eroded south bank of Prairie Creek at Independence Parkway. The project also includes outfall stabilization measures to correct erosion at three storm drain outfalls at Creekbend Drive, Hunters Creek Place, and Clear Springs Drive. The total expenditure is for \$163,100.00.

Teague Nall and Perkins, Inc., S-Corporation was deemed most qualified based on their Statement of Qualifications submission for RFQ No. 2017-0284-X.

The benefit of this project includes installing streambank and outfall stabilization devices that control the erosion along Prairie Creek and protect the adjacent properties, structures and drainage infrastructure.

Not approving the expenditure would result in continued erosion along the streambank resulting in potentially dangerous impacts to adjacent properties and structures.

**Strategic Plan Goal:**

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

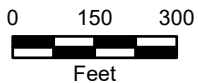
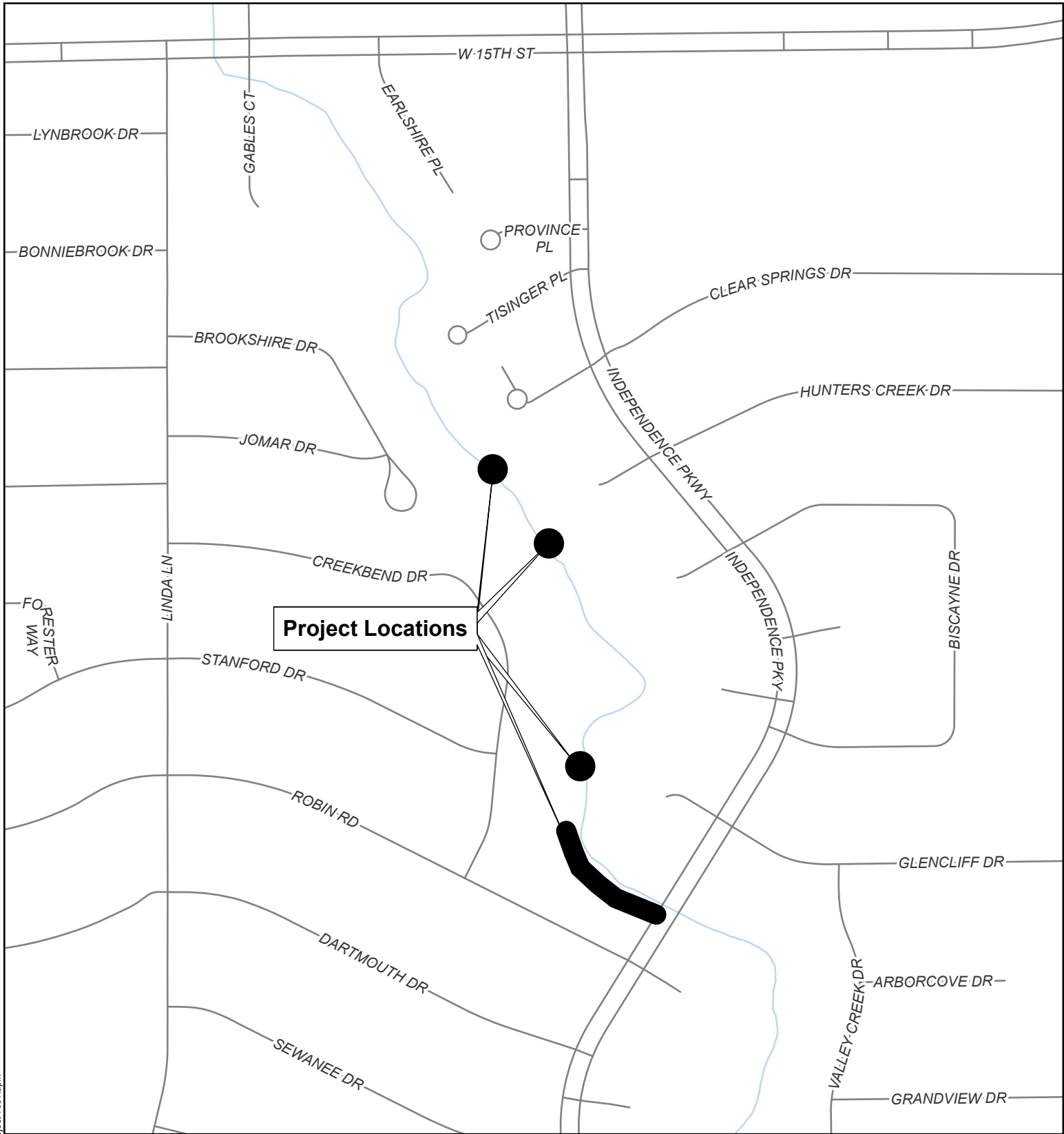
**Plano Tomorrow Plan Pillar:**

Built Environment, Natural Environment

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**ATTACHMENTS:**

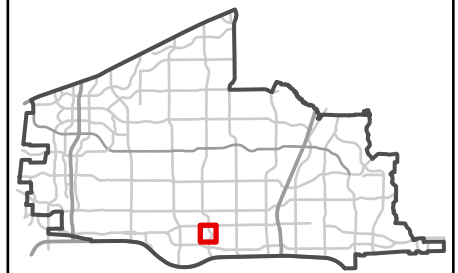
| Description  | Upload Date | Type |
|--------------|-------------|------|
| Location Map | 11/20/2018  | Map  |



## Erosion Control - Prairie Creek at Independence Pkwy.

**Project No. 7051**

### Project Location





## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Engineering

Department Head: B. Caleb Thornhill

Agenda Coordinator: Cynthia Hogue

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### CAPTION

To approve an expenditure for Water Rehabilitation Cross Creek East 3A, Project No. 7055, in the amount of \$297,704 from Jerry Parche' Consulting Engineers; and authorizing the City Manager to execute all necessary documents. **Approved**

---

### FINANCIAL SUMMARY

CIP

| FISCAL YEAR: 2018-19 & 2019-20 | Prior Year (CIP Only) | Current Year | Future Years | TOTALS    |
|--------------------------------|-----------------------|--------------|--------------|-----------|
| Budget                         | 0                     | 420,000      | 4,000,000    | 4,420,000 |
| Encumbered/Expended Amount     | 0                     | 0            | 0            | 0         |
| This Item                      | 0                     | -280,204     | -17,500      | -297,704  |
| Balance                        | 0                     | 139,796      | 3,982,500    | 4,122,296 |

**FUND(S):** Water CIP

---

**COMMENTS:** Funding for this item is available in the 2018-19 Water CIP and is planned for future years. Professional design services for the Water Rehabilitation for Cross Creek East 3A project, in the amount of \$297,704, will leave a combined project balance of \$4,122,296 available for future project expenditures.

---

### SUMMARY OF ITEM

The Engineering Department recommends approval of an expenditure in the amount of \$297,704 for professional design services from Jerry Parche' Consulting Engineers, Sole Proprietorship, for the Water Rehabilitation for Cross Creek East 3A. This project includes preliminary and final design and construction

related professional engineering services for the replacement or installation of approximately 12,700 L.F. of 8" and 6" water lines (locations listed below) to include all related appurtenances (such as: valves, services, fire hydrants, etc).

- Slater Trail - Bass Drive to north side of Hedgcoxe Road (760 L.F.)
- Filmore Drive - Roberta Dr. to west end (extend to west side Alma Dr.) (2290 L.F.)
- Bass Drive - Roberta Dr. to west side of Alma Drive (2270 L.F.)
- Summertree Circle - Staghorn Dr. to west end (extend to west side Alma Dr.) (830 L.F.)
- Gannon Dr. - Staghorn Dr. to west side of Alma Dr. (840 L.F.)
- Staghorn Dr. - Bass Dr. to Simon Dr. (870 L.F.)
- Purcell Dr. - Roberta Dr. to alley north of Filmore Dr. (1400 L.F.)
- Roberta Dr. - Filmore Dr. to Bass Dr. (670 L.F.)
- Christine Dr. - Bass Dr. to Simon Dr. (880 L.F.)
- Shannon Dr. - Christine Dr. to Vineyard Dr. (880 linear L.F.)
- Sandhurst Dr. - Christine Dr. to Vineyard Dr. (1020 L.F.)

The total expenditure is for \$297,704.

Jerry Parche' Consulting Engineers , Sole Proprietorship was deemed most qualified based on their Statement of Qualifications submission for RFQ No. 2017-0282-X.

The benefit of this project includes replacing old cast iron water lines with PVC pipe which will reduce maintenance costs. The project also includes proposed sidewalks and ramps that meet ADA criteria and street pavement repair as needed.

Not approving the expenditure would result in continued maintenance costs and disruption to residents with aging water lines resulting in a reduction of quality of life.

### **Strategic Plan Goal:**

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

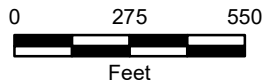
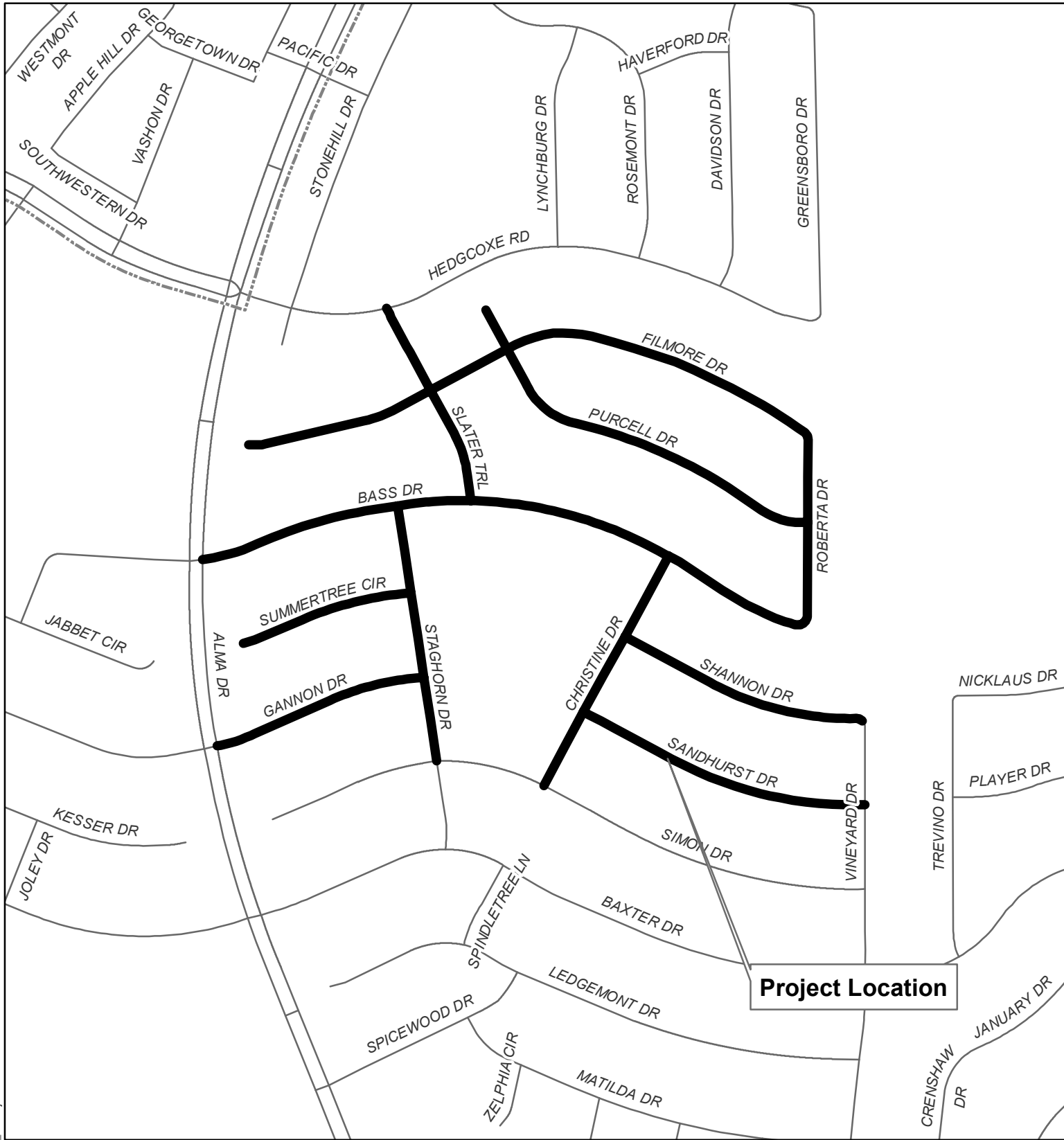
### **Plano Tomorrow Plan Pillar:**

Built Environment, Economic Environment

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### **ATTACHMENTS:**

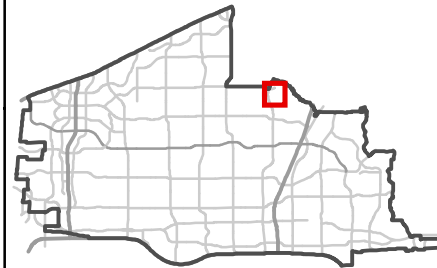
| Description  | Upload Date | Type |
|--------------|-------------|------|
| Location Map | 11/19/2018  | Map  |



## Water Rehabilitation Cross Creek East #3A

### Project 7055

#### Project Location







## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Engineering

Department Head: B. Caleb Thornhill

Agenda Coordinator: Cynthia Hogue

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### CAPTION

To approve an expenditure for Water Rehabilitation Cross Creek East 3B, Project No. 7055.1, in the amount of \$325,900 from Jones & Carter, Inc.; and authorizing the City Manager to execute all necessary documents. **Approved**

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### FINANCIAL SUMMARY

CIP

| FISCAL YEAR: 2018-19 & 2019-20 | Prior Year (CIP Only) | Current Year | Future Years | TOTALS    |
|--------------------------------|-----------------------|--------------|--------------|-----------|
| Budget                         | 0                     | 420,000      | 4,000,000    | 4,420,000 |
| Encumbered/Expended Amount     | 0                     | 0            | 0            | 0         |
| This Item                      | 0                     | -311,732     | -14,168      | -325,900  |
| Balance                        | 0                     | 108,268      | 3,985,832    | 4,094,100 |

**FUND(S):** Water CIP

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**COMMENTS:** Funding for this item is available in the 2018-19 Water CIP and is planned for future years. Professional design services for the Water Rehabilitation for Cross Creek East 3B project, in the amount of \$325,900, will leave a combined project balance of \$4,094,100 available for future project expenditures

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### SUMMARY OF ITEM

The Engineering Department recommends approval of an expenditure in the amount of \$325,900 for professional design services from Jones & Carter, Inc. a Texas S Corporation, for the Water Rehabilitation Cross Creek East 3B. This project includes preliminary and final design and construction

related professional engineering services for the replacement or installation of approximately 13,680 L.F. of 8" and 6" water lines (locations listed below) to include all related appurtenances (such as: valves, services, fire hydrants, etc).

- Staghorn Drive – Simon Drive to Baxter Drive (310 L.F.)
- Simon Drive – West side of Alma Drive to Vineyard Drive (2,350 L.F.)
- Baxter Drive – West Side of Alma Drive to Vineyard Drive (2,270 L.F.)
- Spindletree Drive – Bater Drive to Ledgemont Drive (300 L.F.)
- Ledgemont Drive – West side of Alma Drive to Vineyard Drive (2,110 L.F.)
- Spicewood Drive – West Side of Alma Drive to Ledgemont Drive (850 L.F.)
- Matilda Drive – Spicewood Drive to Vineyard Drive (1,450 L.F.)
- Zelphia Circle – Matilda Drive to End of cul-de-sac (230 L.F.)
- Elizabeth Place – Matilda Drive to End of cul-de-sac (470 L.F.)
- Burke Circle - Matilda Drive to End of cul-de-sac (560 linear L.F.)
- Augusta Circle - Matilda Drive to End of cul-de-sac (520 L.F.)
- Vineyard Drive – Matilda Drive to End of cul-de-sac (530 L.F.)
- Zelphia-Vineyard Connecting Loop – Connect from Vineyard Drive to Zelphia Circle along Hoblitzelle Park (1,730 L.F.).

the total expenditure is for \$325,900.

Jones & Carter, Inc., a Texas S Corporation, was deemed most qualified based on their Statement of Qualifications submission for RFQ No. 2017-0282-X.

The benefit of this project includes replacing old cast iron water lines with PVC pipe which will reduce maintenance costs. The project also includes proposed sidewalks and ramps that meet ADA criteria and street pavement repair as needed.

Not approving the expenditure would result in continued maintenance costs and disruption to residents with aging water lines resulting in a negative impact on their quality of life.

### **Strategic Plan Goal:**

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

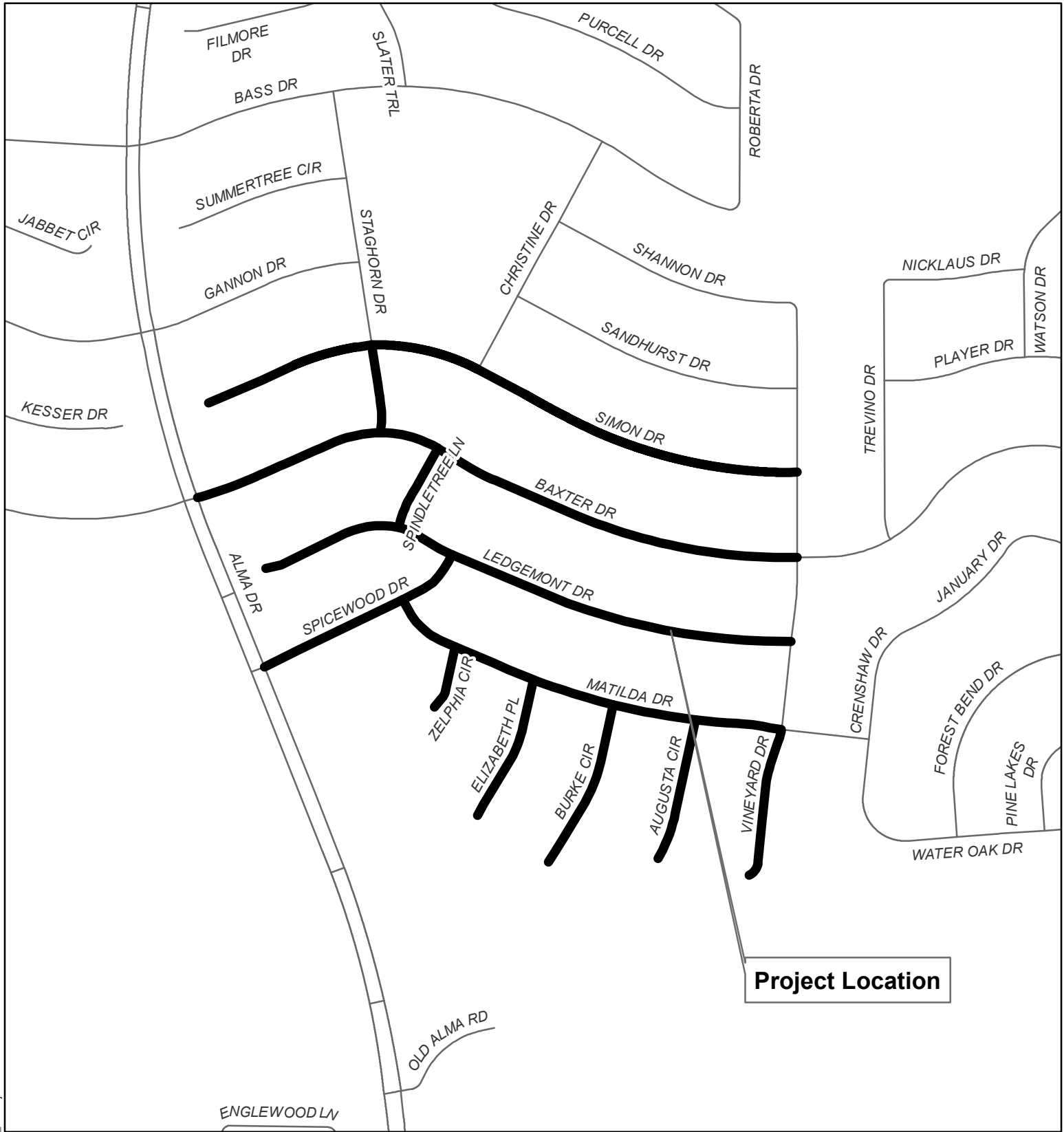
### **Plano Tomorrow Plan Pillar:**

Built Environment, Economic Environment

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### **ATTACHMENTS:**

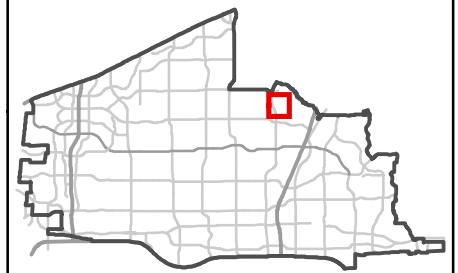
| Description  | Upload Date | Type |
|--------------|-------------|------|
| Location map | 11/19/2018  | Map  |



## Water Rehabilitation Cross Creek East 3B

Project 7055.1

### Project Location





## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Zoning

Department Head: Christina Day

Agenda Coordinator: Linette Magaña

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### CAPTION

To approve an Amendment to terminate the Performance Agreement between the City of Plano and Granite Properties, Inc., Tollway-121 Partners, LTD, and GPI Boardwalk, LP, the owners of lots within Granite Park, Phase III, Block B, regarding a parking reduction program consistent with Section 16.1200 (Parking Reduction Program) of Article 16 (Parking and Loading) of the City of Plano Zoning Ordinance; and authorizing the City Manager to execute all necessary documents. **Approved**

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### FINANCIAL SUMMARY

Not Applicable

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

FUND(S):

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COMMENTS:

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### SUMMARY OF ITEM

Strategic Plan Goal:

Financially Strong City with Service Excellence

**Plano Tomorrow Plan Pillar:**

Built Environment

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**ATTACHMENTS:**

| Description                                  | Upload Date | Type      |
|--|-------------|-----------|
| Memo   | 11/27/2018  | Memo      |
| Amendment to Terminate Performance Agreement | 11/27/2018  | Agreement |

**Date:** December 3, 2018

**To:** Bruce Glasscock, City Manager  
Jack Carr, P.E., Deputy City Manager

**From:** Christina D. Day, AICP, Director of Planning

**Subject:** **Amendment to Terminate Performance Agreement for Parking Reduction Program in Granite Park, Phase III, Block B**

On October 8, 2018, the City Council rezoned the Granite Park development located at the southeast corner of S.H. 121 and the Dallas North Tollway to Planned Development-42-Central Business-1 (PD-42-CB-1). As a part of this new planned development district, shared parking requirements were standardized for the development.

The property owner had previously, in January 2016, entered into a Performance Agreement with the City to reduce required parking. With the approval of PD-42-CB-1, this Parking Reduction Program approved in 2016 is duplicative and should be revoked.

Section 16.1200 (Parking Reduction Program) of the Zoning Ordinance allows developments to defer between 5-30% of required parking spaces. Granite Park received approval for a 30% reduction to facilitate restaurant development on Lot 5R based on the amount of underused parking within the overall development. Subsequent to the execution of the agreement, the property owner constructed the restaurant development.

Since the Parking Reduction Program is no longer needed for Granite Park, Phase III, Block B, the applicant is requesting that the associated Performance Agreement be terminated. If the agreement is terminated by the city, the applicant has agreed to take action to bring site plans up-to-date with the current standards.

Please let me know if you have any questions or need additional information.

**AMENDMENT TO TERMINATE  
PERFORMANCE AGREEMENT**

**THIS AMENDMENT TO TERMINATE THE PERFORMANCE AGREEMENT** (this “Amendment”) is effective as of \_\_\_\_\_, 2018 by and between the City of Plano, a Texas municipal corporation (“City”) and (i) GPI Broadway, LP, a Texas limited partnership (Lot 5R Owner”), (ii) Tollway-121-Partners, Limited, a Texas limited partnership (“Lot 7 Owner”), (iii) Granite Properties, Inc. a Delaware corporation (“Developer”; collectively with Lot 5R Owner and Lot 7 Owner, the “Developer Parties” and each a “Developer Party”) to be effective from and after the date as provided herein.

**W I T N E S S E T H:**

**WHEREAS**, on January 11, 2016, the City approved a Performance Agreement (the “Performance Agreement”) with the Developer Parties to allow the Developer Parties to reduce and defer parking spaces required under the Zoning Ordinance; and

**WHEREAS**, the Developer Parties intend to seek approval of substantially conforming site plans for the properties subject to the Performance Agreement; and

**WHEREAS**, the Parties will no longer require a reduction or deferral of parking spaces, if the substantially conforming site plans are approved by staff, as the properties will comply with the parking requirements in the Zoning Ordinance.

**NOW, THEREFORE**, the Development Parties and City hereby agree as follows:

1. The Performance Agreement is terminated upon the following event:

The Developer Parties submit substantially conforming site plans for the properties that are the subject of the Performance Agreement, and such site plans are approved by staff, such approval occurring within sixty days of the date this Amendment is approved by the City.

2. In the event that the Developer Parties do not receive approval for their substantially conforming site plans within the sixty-day time period, this Amendment will be null and void and the Performance Agreement entered into between the City and the Development Parties will remain in full force and effect.

Approved by the City on \_\_\_\_\_, 2018.

**DEVELOPER PARTIES**

**Developer**

GRANITE PROPERTIES, INC.

a Delaware corporation

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

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Lot 5R Owner**

GPI BOARDWALK, LP,

a Texas limited partnership,

By: Granite Properties, Inc.,  
a Delaware corporation,  
its general partner

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

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Lot 7 Owner**

TOLLWAY-121 PARTNERS, LIMITED,

a Texas limited partnership

By: Granite Properties, Inc.,  
a Delaware corporation,  
its general partner

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

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**CITY OF PLANO, TEXAS**

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

By: \_\_\_\_\_

Bruce D. Glasscock  
CITY MANAGER

APPROVED AS TO FORM:

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



**ACKNOWLEDGMENTS**

**STATE OF TEXAS**           §

§

**COUNTY OF** \_\_\_\_\_ §

        This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_,  
2018 by \_\_\_\_\_, (*Authorized representative*) \_\_\_\_\_ (*Title*)  
of \_\_\_\_\_, a \_\_\_\_\_ corporation, on behalf of said corporation.

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

**STATE OF TEXAS**           §

§

**COUNTY OF** \_\_\_\_\_ §

        This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_,  
2018 by \_\_\_\_\_, (*Authorized representative*) \_\_\_\_\_ (*Title*)  
of \_\_\_\_\_, a \_\_\_\_\_ corporation, on behalf of said corporation.

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

**STATE OF TEXAS**           §

§

**COUNTY OF** \_\_\_\_\_ §

        This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_,  
2018 by \_\_\_\_\_, (*Authorized representative*) \_\_\_\_\_ (*Title*)  
of \_\_\_\_\_, a \_\_\_\_\_ 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 **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



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Special Projects

Department Head: Peter Braster

Agenda Coordinator: Kendra Cobbs

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### CAPTION

**Resolution No. 2018-12-1(R):** To approve the Assessment Plan and Service Plan for the Downtown Plano Public Improvement District as recommended by the Public Improvement District Advisory Board and establishing an effective date. **Adopted**

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### FINANCIAL SUMMARY

Operating Expense

| FISCAL YEAR: 2018-19          | Prior Year<br>(CIP Only) | Current<br>Year | Future<br>Years | TOTALS  |
|-------------------------------|--------------------------|-----------------|-----------------|---------|
| Budget                        | 0                        | 50,000          | 0               | 50,000  |
| Encumbered/Expended<br>Amount | 0                        | 0               | 0               | 0       |
| This Item                     | 0                        | -50,000         | 0               | -50,000 |
| Balance                       | 0                        | 0               | 0               | 0       |

**FUND(S):** General Fund

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**COMMENTS:** This item approves the Assessment Plan and Service Plan for the Downtown Plano Public Improvement District (PID). As part of the Assessment Plan, the City of Plano will contribute \$50,000 from the General Fund.

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### SUMMARY OF ITEM

The Downtown Public Improvement District Assessment Plan and Service Plan are reviewed and approved by City Council annually. The Assessment Plan outlines funding sources available as a result of

the PID assessment. The Service Plan is a list of services and improvements budgeted for the District boundary.

**Strategic Plan Goal:**

Financially Strong City with Service Excellence, Exciting Urban Centers - Destination for Residents and Guests

**Plano Tomorrow Plan Pillar:**

Social Environment, Economic Environment

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**ATTACHMENTS:**

| Description     | Upload Date | Type       |
|-----------------|-------------|------------|
| Memo            | 11/21/2018  | Memo       |
| Resolution      | 11/21/2018  | Resolution |
| Assessment Plan | 11/29/2018  | Attachment |
| Service Plan    | 11/21/2018  | Attachment |

**Date:** December 10, 2018

**To:** Bruce D. Glasscock, City Manager  
Jack Carr, Deputy City Manager  
Peter J. Braster, Director of Special Projects

**From:** Kendra Cobbs, Senior Planner

**Subject:** Downtown Plano PID Assessment Plan and Service Plan

The Downtown Plano Public Improvement District (PID) operates with an Assessment Plan and Service Plan that City Council reviews and approves annually. The PID Assessment Plan outlines the funding sources available by way of the PID assessment; the City's \$50,000 contribution; and, any cash balance carried forward from previous years. The Service Plan outlines services and improvements to be carried out within the PID boundary.

Background:

Last November, City Council approved renewing the Downtown PID for an additional five-year period. Overwhelming support for the PID continues to grow, as it benefits property owners and enhances recognition of the area through PID-funded events and beautification. In order to continue momentum, it is time for City Council's annual review and approval of PID structure, as well as approval of the 2018-2023 Service Plan and Assessment Plan.

On November 19, 2018, the Downtown PID Advisory Board met and recommended approval of the two five-year plans. The attached Assessment Plan outlines \$156,488 of income for 2018-2019, which allows for a \$152,000 budget throughout the fiscal year. Remaining funds will be carried over to the following fiscal year.

Staff recommends that City Council approve the Assessment Plan and Service Plan, as recommended by the Advisory Board. Prior to levying property assessments, a public hearing of the proposed assessment roll is scheduled for the December 18, 2018 City Council meeting.

**A Resolution of the City of Plano, Texas, approving the Assessment Plan and Service Plan for the Downtown Plano Public Improvement District as recommended by the Public Improvement District Advisory Board and establishing an effective date.**

**WHEREAS**, Chapter 372 of the Texas Local Government Code (the “Act”) allows for the creation of public improvement districts in municipalities to finance certain supplemental services and public improvements within a district by means of special assessments levied on real property within the district; and

**WHEREAS**, on November 13, 2017, City Council approved Resolution No. 2017-11-2(R) authorizing the renewal of the Downtown Plano Public Improvement District; and

**WHEREAS**, the Act requires that City Council annually review and approve the Assessment Plan and Service Plan; and

**WHEREAS**, the Advisory Board met on November 19, 2018 and approved the Assessment Plan and Service Plan for City Council’s consideration and approval.

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

**Section I.** That pursuant to the requirements of the Act, the City Council, after being presented with the Assessment Plan and Service Plan for the District developed by the Executive Committee of the Advisory Board and approved by the Advisory Board, hereby approves and adopts the Assessment Plan and Service Plan, attached as Exhibits “A” and “B.”

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

**DULY PASSED AND APPROVED** this 10<sup>th</sup> day of December, 2018.

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY

## Exhibit "A"

### Downtown Plano PID Assessment Plan

#### Notes and assumptions:

The Downtown Plano PID has a 5 year term. The Texas Local Government Code requires a service plan to cover at least five years. The PID management committee recommended this plan to the Advisory Board, which met on November 19, 2018 and approved this plan.

Assessments will be set annually by the Plano City Council, upon recommendation from the PID advisory board, but may not exceed \$0.15 per \$100. No owner may be assessed more than \$25,000 in any year per development project.

Annual assessments will be based on 2017 real property appraisals by the Collin Central Appraisal District or as further limited by the Plano City Council.

The 2017 appraised value cap remains in place unless there is a change in ownership or \$200,000 or more in improvements are made to the property.

Annual assessments are capped at \$25,000 per development project (one or more lots owned or managed as a single unit).

The Morada Plano (Municipal Center South redevelopment) is projected to add an incremental \$16.7MM of taxable value by the 2019 appraisal roll to reach the \$25,000 cap.

The City of Plano will pay at minimum \$50,000 annually to the PID fund in lieu of other assessment.

The assessment and service plan will be reviewed and approved annually as consistent with the PID designation petition and relevant law.

Owners may elect to prepay estimated future assessments. This assessment plan/service plan does not reflect revenue or expenditures related to pre-payments.

#### Year of Valuation and Levy

#### Assessment Plan

|  | 2018<br>2019 | 2019<br>2020 | 2020<br>2021 | 2021<br>2022 | 2022<br>2023 |
|--|--------------|--------------|--------------|--------------|--------------|
| Estimated appraisals for Jan. 1  |              |              |              |              |              |
| PID revenue received in fiscal year ending Sept. 30,                     |              |              |              |              |              |
| 2018 appraised real property value liable for assessment                 | \$57,694,121 | \$57,694,121 | \$57,694,121 | \$57,694,121 | \$57,694,121 |
| Additional appraisals liable for assessment after 2017                   |              |              |              |              |              |
| Municipal Center South   |              | 8,148,722    | 14,815,389   | 14,815,389   | 14,815,389   |
| Adjusted basis for assessment  | 57,694,121   | 65,842,843   | 72,509,510   | 72,509,510   | 72,509,510   |
| PID assessment @.15 per \$100 of value                                   | 86,541       | 98,764       | 108,764      | 108,764      | 108,764      |
| Minimum City payment in lieu of assessment                               | 50,000       | 50,000       | 50,000       | 50,000       | 50,000       |
| Anticipated total PID assessments with capped projects and City payments | 136,541      | 148,764      | 158,764      | 158,764      | 158,764      |
| Cash balance carried forward from prior year                             | 19,947       | 4,488        | 1,252        | 8,016        | 14,780       |
| Total funds available  | \$156,488    | \$153,252    | \$160,016    | \$166,780    | \$173,544    |

## Downtown Plano PID Service Plan

Public improvement district revenues generated by assessments and municipal contribution are to be used for the following categorial purposes in accordance with the adopted budget and further directed by the PID Management Committee.

PID funds shall be retained and managed by the City of Plano, except as provided by contract with a non-profit organization.

### Service Plan

#### Budget for Fiscal Year Ending Sept. 30

| Item                         | 2019             | 2020             | 2021             | 2022             | 2023             |
|------------------------------|------------------|------------------|------------------|------------------|------------------|
| <b>Marketing/Advertising</b> | \$35,000         | \$35,000         | \$35,000         | \$35,000         | \$35,000         |
| <b>Events</b>                | \$47,000         | \$47,000         | \$47,000         | \$47,000         | \$47,000         |
| <b>Beautification</b>        | \$10,000         | \$10,000         | \$10,000         | \$10,000         | \$10,000         |
| <b>PID Management</b>        | \$50,000         | \$50,000         | \$50,000         | \$50,000         | \$50,000         |
| <b>City Administration</b>   | \$5,000          | \$5,000          | \$5,000          | \$5,000          | \$5,000          |
| <b>Security</b>              | \$5,000          | \$5,000          | \$5,000          | \$5,000          | \$5,000          |
| <b>Total Budget</b>          | <b>\$152,000</b> | <b>\$152,000</b> | <b>\$152,000</b> | <b>\$152,000</b> | <b>\$152,000</b> |
| Funds carried to next year   | \$4,488          | \$1,252          | \$8,016          | \$14,780         | \$21,544         |

Notes:

Marketing and Advertising - Commercial media advertising, printed material, social media, web-based information and messaging, signs, billboards, banners and souvenirs.

Events - Entertainment, celebrations, support services, equipment/venue charges and fees.

Beautification - landscaping, streetscaping, lighting, and other decorative improvements.

PID Management - Services and costs related to coordinating and administering the PID program and budget by persons and organizations other than the city.

City Administration - Contract services related to assessment administration and collection.

Security - typically relates to lighting projects, etc.





## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Legal

Department Head: Paige Mims

Agenda Coordinator: Edie Zygan

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### CAPTION

**Resolution No. 2018-12-2(R):** To appoint Kimberly S. Moore, licensed attorney, to serve a two year term as ethics investigator as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date. **Adopted**

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### FINANCIAL SUMMARY

Not Applicable

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

FUND(S): NA

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**COMMENTS:** This item has no fiscal impact.

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### SUMMARY OF ITEM

A Resolution of the City of Plano, Texas, appointing Kimberly S. Moore, licensed attorney, to serve a two year term as ethics investigator as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date.

Strategic Plan Goal:

Financially Strong City with Service Excellence

**Plano Tomorrow Plan Pillar:**

Social Environment

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**ATTACHMENTS:**

| Description                          | Upload Date | Type       |
|--------------------------------------|-------------|------------|
| Resolution appointing Kimberly Moore | 11/14/2018  | Resolution |

**A Resolution of the City of Plano, Texas, appointing Kimberly S. Moore, licensed attorney, to serve a two year term as ethics investigator as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date.**

**WHEREAS**, pursuant to Sec. 2-104 of the Code of Ordinances, the City Council shall appoint attorneys to serve as ethics investigators as required by the Code of Conduct of the City of Plano; and

**WHEREAS**, Kimberly S. Moore, licensed attorney, has agreed to serve as ethics investigator for a two year period from February 8, 2019 to February 8, 2021; and

**WHEREAS**, the Council finds that Kimberly S. Moore is qualified to serve as ethics investigator for code of conduct violations.

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

**Section I.** Kimberly S. Moore is hereby appointed by the City Council to serve as ethics investigator in determining violations of the Code of Conduct of the City of Plano. Her term is from February 8, 2019 to February 8, 2021.

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

**DULY PASSED AND APPROVED** this the 10<sup>th</sup> day of December, 2018.

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Legal

Department Head: Paige Mims

Agenda Coordinator: Edie Zygan

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### CAPTION

**Resolution No. 2018-12-3(R):** To appoint Glenn B. Callison, licensed attorney, to serve a two year term as ethics investigator as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date. **Adopted**

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### FINANCIAL SUMMARY

Not Applicable

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

**FUND(S):** NA

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**COMMENTS:** This item has no fiscal impact.

---

### SUMMARY OF ITEM

**A Resolution of the City of Plano, Texas, appointing Glenn B. Callison, licensed attorney, to serve a two year term as ethics investigator as required by Section 2-104 of the Code of Conduct**

of the City of Plano; and providing an effective date.

**Strategic Plan Goal:**

Financially Strong City with Service Excellence

**Plano Tomorrow Plan Pillar:**

Social Environment

---

**ATTACHMENTS:**

| Description                          | Upload Date | Type       |
|--------------------------------------|-------------|------------|
| Resolution appointing Glenn Callison | 11/14/2018  | Resolution |

**A Resolution of the City of Plano, Texas, appointing Glenn B. Callison, licensed attorney, to serve a two year term as ethics investigator as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date.**

**WHEREAS**, pursuant to Sec. 2-104 of the Code of Ordinances, the City Council shall appoint attorneys to serve as ethics investigators as required by the Code of Conduct of the City of Plano; and

**WHEREAS**, Glenn B. Callison, licensed attorney, has agreed to serve as ethics investigator for a two year period from February 8, 2019 to February 8, 2021; and

**WHEREAS**, the Council finds that Glenn B. Callison is qualified to serve as ethics investigator for code of conduct violations.

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

**Section I.** Glenn B. Callison is hereby appointed by the City Council to serve as ethics investigator in determining violations of the Code of Conduct of the City of Plano. His term is from February 8, 2019 to February 8, 2021.

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

**DULY PASSED AND APPROVED** this the 10<sup>th</sup> day of December, 2018.

---

Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Zoning

Department Head: Christina Day

Agenda Coordinator: Linette Magaña

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### CAPTION

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2018-014 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 19.3 acres of land located at the northwest corner of the Dallas North Tollway and Plano Parkway in the City of Plano, Collin County, Texas, from Regional Commercial to Planned Development-25-Regional Commercial; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Kreymer Investments, LTD. (Request to table to January 14, 2019 City Council meeting. Previously tabled at 11/26/18 and 11/12/18 Council meetings.) **Tabled to January 14, 2019.**

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### FINANCIAL SUMMARY

Not Applicable

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

FUND(S): N/A

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COMMENTS:

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### SUMMARY OF ITEM

**Strategic Plan Goal:**

Financially Strong City with Service Excellence

**Plano Tomorrow Plan Pillar:**

Built Environment

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**ATTACHMENTS:**

| Description           | Upload Date | Type   |
|-----------------------|-------------|--------|
| Letter from Applicant | 12/4/2018   | Letter |





December 3, 2018

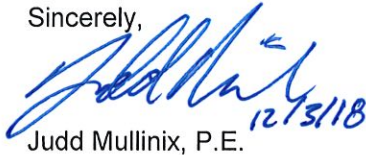
Ross Altobelli  
City of Plano  
Planning Division  
1520 K Avenue, 2<sup>nd</sup> Floor  
Plano, TX 75074

RE: Mixed-Use Plano Parkway & DNT Request to Table

Planning Division:

As the owner, applicant and/or representative of the CMS Addition, Block A – Lot 2, I hereby request the Planned Development and Preliminary Site Plan documents for Project No. PSP2018-029 to be tabled from scheduled City Council meeting dated Monday, December 10 until the January 14, 2019 City Council meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read "Judd Mullinix", with the date "12/3/18" written below it.

Judd Mullinix, P.E.



## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Community Services

Department Head: Lori Schwarz

Agenda Coordinator: Nichole Adamo x8135

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### CAPTION

Public Hearing and Comment: Review of the Consolidated Annual Performance Evaluation Report describing the use of federal funds. This report details how the City used U.S. Department of Housing and Urban Development funds during the 2017-18 grant year. The public will be given an opportunity to speak on the report during the public hearing. **Report presented and public hearing conducted.**

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### FINANCIAL SUMMARY

Not Applicable

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

**FUND(S):** Grants Fund

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**COMMENTS:** This item has no fiscal impact.

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### SUMMARY OF ITEM

The Consolidated Annual Performance Evaluation Report (CAPER) is prepared as an annual requirement for the City to continue receiving U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant and HOME Investment Partnership funds. Its purpose is to inform the public of the use of these funds during the most recent 12-month grant cycle: October 1, 2017 through September 30, 2018. The 2017-18 grant year is year three of Plano's 2015-2019 HUD Consolidated Plan for housing and community development needs.

**Strategic Plan Goal:**

Great Neighborhoods - 1st Choice to Live

**Plano Tomorrow Plan Pillar:**

Social Environment

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**ATTACHMENTS:**

| Description | Upload Date | Type  |
|-------------|-------------|-------|
| Memo        | 11/27/2018  | Memo  |
| CAPER       | 11/27/2018  | Other |

**Date:** November 27, 2018  
**To:** Bruce D. Glasscock, City Manager  
**From:** Shanette Eaden, Housing and Community Services Manager  
**Subject:** 2017-18 Consolidated Annual Performance Evaluation Report

## Summary

The Consolidated Annual Performance Evaluation Report (CAPER) is prepared as an annual requirement for the City to continue receiving U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant and HOME Investment Partnership funds. Its purpose is to inform the public of the use of these funds during the most recent 12-month grant cycle: October 1, 2017 through September 30, 2018. The 2017-18 grant year is year three of Plano's 2015-2019 HUD Consolidated Plan for housing and community development needs.

## Overview

To summarize, Plano expended \$1,835,876 in federal funds from HUD during the 2017 grant year. One hundred percent of funds expended were used to provide housing and/or public services to low and moderate income persons. A total of 339 individuals and 180 households were assisted. Projects related to creating and sustaining housing included the construction and sale of three new affordable houses, housing rehabilitations for 26 households, common area improvements in a multi-family community for 146 elderly households, homelessness prevention assistance for 148 individuals, as well as down payment and closing cost assistance for five first-time homebuyers. Projects that contributed to suitable living environments included homeless shelter and supportive services for 20 individuals and youth programs for 171 individuals.

The City of Plano also provided \$550,000 in Buffington Community Services Grant funds to provide short-term, urgent economic assistance and care services to Plano residents. City funds assisted 3,739 individuals and households in need. These accomplishments support the strategies, objectives and outcomes established in the 2015-2019 Consolidated Plan of Housing and Community Development Needs.

The following needs were met through grants used by various non-profit organizations or City programs:

| Service/Client Type | Number Served | Service/Client Type         | Number Served |
|---------------------|---------------|-----------------------------|---------------|
| Counseling/Advocacy | 2,148         | Housing                     | 180           |
| Elderly             | 451           | Rent and Utility Assistance | 148           |
| Employment Training | 11            | Youth                       | 429           |
| Health Services     | 518           | Other                       | 101           |
| Homeless            | 272           | <b>Total</b>                | <b>4,258</b>  |

The Community Relations Commission received the report and commented at an open meeting on November 15, 2018. There were no comments from the public at this meeting.

Comments received during the City Council public hearing will be included in the report to HUD. The report will be submitted to HUD on or after December 11, 2018.

xc: Jack Carr, Deputy City Manager  
Lori Feild Schwarz, Director of Neighborhood Services



# Consolidated Annual Performance and Evaluation Report (CAPER)

City of Plano, Texas

PY 2017

PREPARED FOR THE UNITED STATES DEPARTMENT OF  
HOUSING AND URBAN DEVELOPMENT

# TABLE OF CONTENTS

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|  |    |
|--|----|
| CR-05 Goals and Outcomes - 91.520(a).....  | 1  |
| CR-10 Racial and Ethnic composition of (person/households/families) assisted ..... | 9  |
| CR-15 Resources and Investments 91.520(a) .....                                    | 10 |
| CR-20 Affordable Housing 91.520(b) .....   | 15 |
| CR-25 Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c) ..... | 17 |
| CR-30 Public Housing 91.220(h); 91.320(j).....                                     | 20 |
| CR-35 Other actions 91.220(j)-(k); 91.320(i)-(j).....                              | 21 |
| CR-40 Monitoring 91.220(d, e); 91.520(c).....                                      | 25 |
| CR-45 CDBG 91.520(c) .....   | 27 |
| CR-50 HOME 91.520(d).....  | 28 |
| Appendix A: Plano Low to Moderate Income Census Tract Map .....                    | 29 |

## CR-05 - Goals and Outcomes

### **Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)**

*This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.*

Each year, at the recommendation of the Community Relations Commission, Plano City Council allocates funding from the U.S Department of Housing and Urban Development (HUD) to eligible activities which may include housing activities and public services. For Program Year (PY) 2017, which covers the period from October 1, 2017 to September 30, 2018, the City of Plano received an entitlement of \$1,576,105 in Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds and \$147,102 in CDBG and HOME program income. The total expended for CDBG and HOME, in the amount of \$1,835,876, includes funds from PY 2017 and prior years. All unexpended federal funds will carry over to PY 2018. General funds totaled \$550,000. With the assistance of non-profit and faith-based organizations, the combined federal and general funds enabled the City to accomplish specific goals set forth in the 2015-2019 Consolidated Plan (Con Plan).

The City of Plano recognizes the important role of non-profit organizations in addition to the City administered programs. A total of five agencies received new allocations of CDBG and/or HOME funds to help the City of Plano serve residents during PY 2017. The City of Plano requires 100% of persons assisted with HUD funds to be at or below 80% of the area median income (AMI) for the Dallas Metro Statistical Area (MSA) as determined by HUD. During the past program year, 339 individuals and 180 households living in the City of Plano received CDBG or HOME-funded services which helped them maintain and, in many cases, improve their economic situations.

The City allocates general fund dollars annually to be distributed as Robert W. Buffington Community Services Grants (BCSG). These funds supplement federal resources available to accomplish Consolidated Plan goals. The program year for BCSG funds coincides with the HUD program year. In 2017, \$550,000 in general funds were set aside for BCSG grants. The City partnered with 16 social service agencies to provide public services to Plano residents with BCSG funds. Though the City does not have an income guideline for BCSG funds, most BCSG agencies report they assist those with who have the greatest need and are low-income. Based on PY 2017 final reports received, 3,739 Plano residents and households were assisted with BCSG funds.

# PY 2017 at a glance

## HOUSING

City of Plano  
Housing  
Rehabilitation  
Program



26  
homeowners



3 new  
affordable units



5 first-time  
homebuyers

Common area  
lighting  
improvements



146 senior  
households

## PUBLIC SERVICES

Texas Muslim  
Women's  
Foundation



20 domestic  
violence survivors

Homelessness  
Prevention  
Program



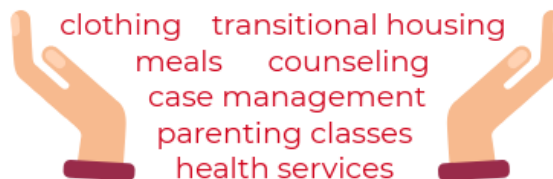
148 persons

Boys and Girls  
Clubs of Collin  
County



171 youth

## BUFFINGTON COMMUNITY SERVICES GRANT



3,739 people



**Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)**

*Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.*

| Goal                          | Category           | Source / Amount  | Indicator  | Unit of Measure     | Expected – Strategic Plan | Actual – Strategic Plan | Percent Complete | Expected – Program Year | Actual – Program Year | Percent Complete |
|-------------------------------|--------------------|--|--|---------------------|---------------------------|-------------------------|------------------|-------------------------|-----------------------|------------------|
| Homelessness Prevention       | Homeless           | CDBG: \$106,159  | Homelessness Prevention  | Persons Assisted    | 150                       | 345                     | 230.00%          | 111                     | 148                   | 130.00%          |
| Homeless Shelter and Services | Homeless           | CDBG: \$50,965   | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted    | 0                         | 95                      | 100.00%          | 17                      | 16                    | 23.53%           |
| Homeless Shelter and Services | Homeless           | CDBG: \$0 (funds included under public services above) | Homeless Person Overnight Shelter  | Persons Assisted    | 200                       | 83                      | 41.50%           | 17                      | 4                     | 23.53%           |
| Homeownership                 | Affordable Housing | CDBG: \$7,537<br>HOME: \$105,000                       | Direct Financial Assistance to Homebuyers                                | Households Assisted | 25                        | 9                       | 36.00%           | 3                       | 5                     | 166.67%          |

|                                  |   |                              |  |                        |      |     |         |     |     |         |
|----------------------------------|---|------------------------------|--|------------------------|------|-----|---------|-----|-----|---------|
| Housing Rehabilitation           | Affordable Housing  | CDBG: \$738,298<br>HOME: \$0 | Homeowner Housing Rehabilitated  | Household Housing Unit | 125  | 89  | 71.20%  | 25  | 26  | 104.00% |
| Housing Rehabilitation           | Affordable Housing  | CDBG: \$58,855               | Rental Units Rehabilitated   | Household Housing Unit | 0    | 146 | 100.00% | 63  | 146 | 231.75% |
| Job Training                     | Non-Homeless Special Needs<br>Non-Housing Community Development | CDBG: \$0                    | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted       | 60   | 0   | 0.00%   | 0   | 0   | 0%      |
| Public Services - Medical/Dental | Non-Housing Community Development                               | CDBG: \$0                    | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted       | 100  | 0   | 0.00%   | 0   | 0   | 0%      |
| Public Services - Special Needs  | Homeless Non-Homeless Special Needs                             | CDBG: \$96,872               | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted       | 1500 | 561 | 38.73%  | 171 | 171 | 111.70% |

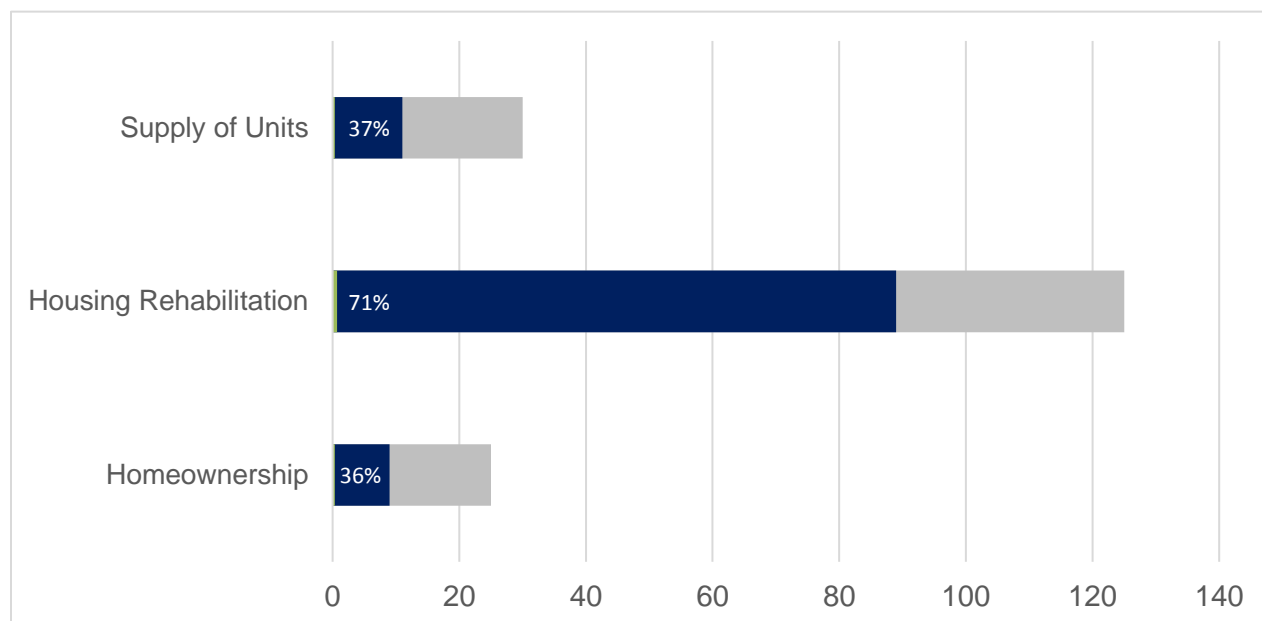
PY 2017 CAPER

4

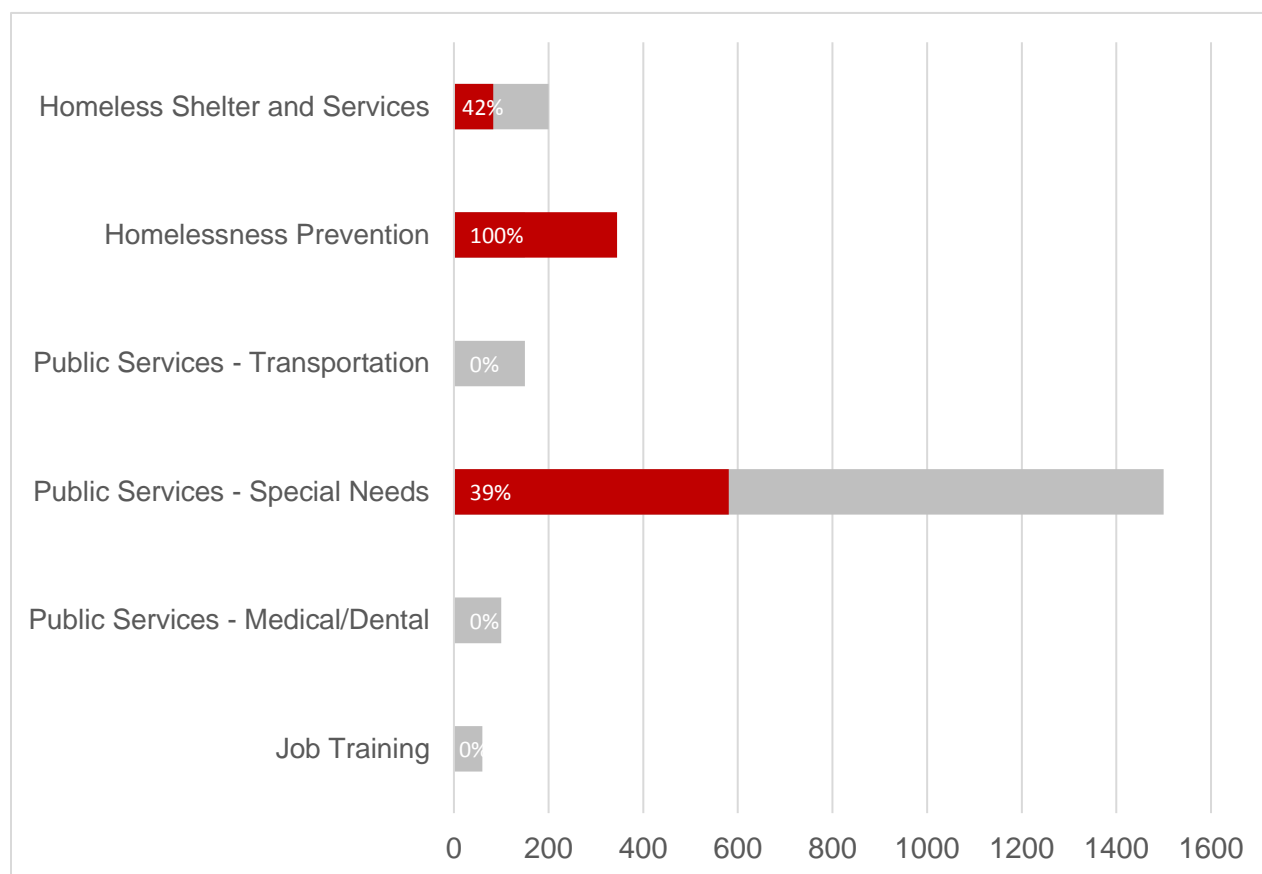
|                                     |   |                    |  |                              |     |    |        |   |   |         |
|-------------------------------------|---|--------------------|--|------------------------------|-----|----|--------|---|---|---------|
| Public Services<br>- Transportation | Non-Homeless<br>Special<br>Needs<br>Non-Housing<br>Community<br>Development | CDBG:<br>\$0       | Public service<br>activities other<br>than<br>Low/Moderate<br>Income<br>Housing<br>Benefit | Persons<br>Assisted          | 150 | 0  | 0.00%  | 0 | 0 | 0%      |
| Supply of Units                     | Affordable<br>Housing   | HOME:<br>\$442,394 | Homeowner<br>Housing<br>Added  | Household<br>Housing<br>Unit | 30  | 11 | 36.67% | 1 | 3 | 300.00% |

**Table 1 - Accomplishments – Program Year & Strategic Plan to Date**

## Progress on 2015-2019 Consolidated Plan: Year Three



**Chart 1 – Con Plan Progress: Housing**



**Chart 2 – Con Plan Progress: Public Services**

**Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.**

To address housing goals related to rehabilitation, the City provided funds to rehabilitate both single-family and multifamily housing. The City's Housing Rehabilitation Program provided home repairs to 26 low-to-moderate income Plano homeowners during the program year. A total of \$738,298 in CDBG funding was utilized to provide 20 emergency repairs and six limited home repairs. The City also provided \$58,855 in CDBG funds to assist in the replacement of aging light fixtures with new LED light fixtures at Plano Community Home, a low-income senior housing community. The light fixtures were replaced in common areas, including hallways, lobbies, and resident community and activity rooms, providing a shared benefit to 146 households who reside at the property.

To address goals related to homeownership, the City of Plano's First Time Homebuyer program assisted five households with purchasing a home in Plano during the program year. A total of \$7,537 in CDBG funding and \$115,000 in HOME funding was used for this program. Of the \$115,000, \$10,000 was drawn down from HUD's system in PY 2018, though closing occurred and the funds were expended in PY 2017. In addition to offering down payment and closing costs, the City also provided First Time Homebuyer educational classes to 169 potential homebuyers, which is a 37% increase from last year.

To address goals related to supply of units, the City of Plano Acquisition, Rehabilitation, and Resale (ARR) Program utilized \$157,642 in HOME funds for the construction one new, affordable single family unit, which will be completed and sold to a low-income buyer in PY 2018. Habitat for Humanity of South Collin County used \$26,250 in HOME funds to assist in completing the construction and closing of one new, affordable single family housing unit, which began construction in PY 2016. Of the \$26,250, \$3,000 was drawn down from HUD in PY 2018, though the funds were expended in PY 2017. An additional \$5,000 was drawn down for Habitat for Humanity during PY 2017, but was utilized on a project completed during PY 2016. Christ United Methodist Church used \$35,576 to complete construction and closing of one single family unit, which began construction during PY 2016. Housing Channel used \$102,185 to acquire, rehabilitate, and sell one single family housing unit during PY 2017, \$14,718 of which was drawn down from HUD during PY 2018. Housing Channel also used \$133,459 to begin work on two additional acquisition/rehabilitation projects, which are expected to close during PY 2018.

To address goals related to public services, the City funded programs related to domestic violence, homelessness prevention, and after-school care. The City's Homelessness Prevention Program utilized \$106,159 to assist 148 at-risk individuals with maintaining their residence, Boys and Girls Clubs of Collin County used \$45,907 to provide after-school enrichment programs to 171 children, and Texas Muslim Women's Foundation (TMWF) used \$50,965 to provide culturally-sensitive services to 20 domestic violence survivors, including case management, legal assistance, and counseling. Four of the 20 individuals served by TMWF were homeless as a result of domestic violence and provided

with overnight shelter services.

In the first three years of the Con Plan, the City did not make progress on its goals of Transportation and Job Training. The City did not receive any proposals for these services from local agencies during its 2015, 2016, and 2017 consolidated grant processes. In April 2018, the City hosted a round table with local non-profit executives to discuss ideas on how to address gaps related to dental care, transportation, and job training in Plano, emphasizing the need for a collaborative solution between the City and non-profit partners to address these key areas.

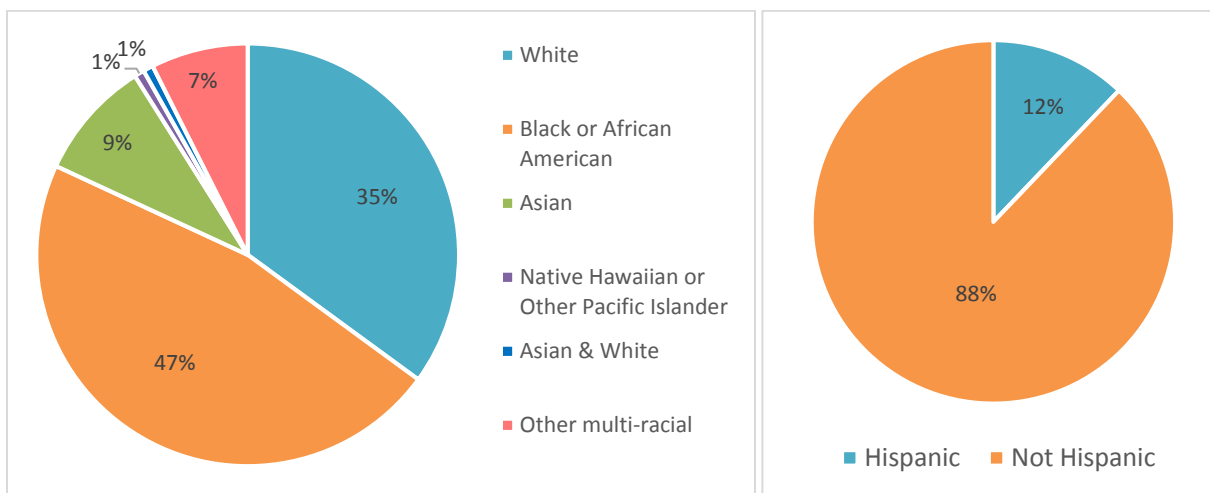
While the City has not used HUD funds on medical/dental programs during the first three years of the Con Plan, the City funded several medical programs from 2015-2017 using the City of Plano's Buffington Community Services Grant. Health services were provided for a total of 3,725 individuals using BCSG funds over the three year period.

## CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted). 91.520(a)

|   | CDBG       | HOME     |
|---|------------|----------|
| White                                     | 178        | 6        |
| Black or African American                 | 244        | 2        |
| Asian                                     | 48         | 0        |
| American Indian or American Native        | 0          | 0        |
| Native Hawaiian or Other Pacific Islander | 1          | 0        |
| American Indian/Alaskan Native & White    | 0          | 0        |
| Asian & White                             | 1          | 0        |
| Other multi-racial                        | 39         | 0        |
| <b>Total</b>                              | <b>511</b> | <b>8</b> |
| Hispanic                                  | 60         | 3        |
| Not Hispanic                              | 451        | 5        |

**Table 2 – Table of assistance to racial and ethnic populations by source of funds**



**Charts 3 and 4 - Assistance to racial and ethnic populations with CDBG and HOME funds**

### Narrative

Table 2 represents households and individuals served across the City's various CDBG and HOME programs. CDBG and HOME funds were used to help all Plano residents, regardless of race and/or ethnicity. When reviewing the above Table 2, approximately 65% of the households and individuals assisted with these funds classified themselves as a racial minority. Approximately 12% of individuals reported an ethnicity of Hispanic. As mentioned previously, all of the people assisted with CDBG and HOME funds had an income at or below 80% of the area median income.

## CR-15 - Resources and Investments 91.520(a)

### Identify the resources made available

| Source of Funds | Source | Resources Made Available | Amount Expended During Program Year |
|-----------------|--------|--------------------------|-------------------------------------|
| CDBG            | CDBG   | \$1,306,260              | \$1,244,973.80                      |
| HOME            | HOME   | \$396,595                | \$590,902.77                        |
| Other           | Other  | \$550,000                | \$550,000                           |

Table 3 - Resources Made Available

### Narrative

The City of Plano began PY 2017 with \$1,186,260 in newly allocated CDBG dollars and \$389,845 in newly allocated HOME funds. The City budgeted \$120,000 for CDBG program income and \$6,750 for HOME program income. The “Resources Made Available” column in Table 3 includes CDBG and HOME entitlement funds and budgeted program income, but does not reflect the actual amount of funding available as of October 1, 2017, the first day of the PY 2017, as the City had prior year funds available at that time. At the conclusion of PY 2016, the City had \$704,665 in CDBG funds and \$729,881 in HOME funds remaining to spend. At the conclusion of PY 2017, the City had \$785,053 in CDBG funds and \$548,073 in HOME funds remaining to spend. All funds remaining at the conclusion of PY 2017 are currently budgeted to City programs (Housing Rehabilitation and First Time Homebuyer) and subrecipient developers (Housing Channel and Habitat for Humanity of Collin County).

### Identify the geographic distribution and location of investments

| Target Area | Planned Percentage of Allocation | Actual Percentage of Allocation | Narrative Description |
|-------------|----------------------------------|---------------------------------|-----------------------|
|             |                                  |                                 |                       |

Table 4 – Identify the geographic distribution and location of investments

### Narrative

Due to the eligibility criteria for the CDBG and HOME programs and their focus on low-to-moderate income populations, most funds are expended in areas that have higher concentrations of low-to-moderate income residents, such as southeast Plano and many areas located to the immediate east and west of US-75. However, funds are expended in all areas of the City, as all programs are available city-wide, and low- and moderate-income persons reside in all areas of the City. See the map at Appendix A showing the income distribution of areas that have at least 32.8% low-to-moderate income households, per HUD's Exception rule for the City of Plano.



## Leveraging

**Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.**

The City of Plano requires nonprofit agencies producing affordable single family homes to leverage outside funds to complete the construction and/or rehabilitation of homes for low-income buyers. Like the First Time Homebuyer program, this permits the nonprofit agency and homebuyer to have a greater equity in the home and also allows the City to distribute program funding dollars to more in need. The City of Plano utilizes match for HOME funds by calculating the interest saved by homebuyers due to obtaining reduced interest or interest free loans and by the deferred payment gap loans made by the developers. The City also uses in-kind volunteer labor provided for HOME construction projects.

| <b>Fiscal Year Summary – HOME Match</b>  |              |
|--|--------------|
| 1. Excess match from prior Federal fiscal year                                 | \$725,062.96 |
| 2. Match contributed during current Federal fiscal year                        | \$ 93,756.33 |
| 3. Total match available for current Federal fiscal year (Line 1 plus Line 2)  | \$818,819.29 |
| 4. Match liability for current Federal fiscal year                             | \$134,034.02 |
| 5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4) | \$684,785.27 |

**Table 5 – Fiscal Year Summary - HOME Match Report**

| Match Contribution for the Federal Fiscal Year |                         |                                      |                                     |                                    |                            |  |                   |             |
|--|-------------------------|--------------------------------------|-------------------------------------|------------------------------------|----------------------------|--|-------------------|-------------|
| Project No.<br>or Other ID                     | Date of<br>Contribution | Cash<br>(non-<br>Federal<br>sources) | Foregone<br>Taxes, Fees,<br>Charges | Appraised<br>Land/Real<br>Property | Required<br>Infrastructure | Site<br>Preparation,<br>Construction<br>Materials,<br>Donated<br>labor | Bond<br>Financing | Total Match |
| 673  | 10/07/2017              |                                      |                                     |                                    |                            | \$426.27   |                   | \$426.27    |
| 673  | 10/28/2017              |                                      |                                     |                                    |                            | \$1,070.41   |                   | \$1,496.68  |
| 673  | 11/04/2017              |                                      |                                     |                                    |                            | \$1,159.83   |                   | \$2,656.51  |
| 673  | 11/11/2017              |                                      |                                     |                                    |                            | \$1,117.75   |                   | \$3,774.26  |
| 673  | 11/16/2017              |                                      |                                     |                                    |                            | \$615.42   |                   | \$4,389.68  |
| 673  | 11/18/2017              |                                      |                                     |                                    |                            | \$1,357.08   |                   | \$5,746.76  |
| 673  | 11/25/2017              |                                      |                                     |                                    |                            | \$710.10   |                   | \$6,456.86  |
| 685  | 12/21/2017              |                                      |                                     |                                    |                            | \$4,900.00   |                   | \$11,356.86 |
| 673  | 12/29/2017              | \$15,276.71                          |                                     |                                    |                            |  |                   | \$26,633.57 |
| 685  | 01/17/2018              |                                      |                                     |                                    |                            | \$736.40   |                   | \$27,369.97 |
| 681  | 01/17/2018              |                                      |                                     |                                    |                            | \$105.20   |                   | \$27,475.17 |
| 681  | 04/11/2018              |                                      |                                     |                                    |                            | \$7,500.00   |                   | \$34,975.17 |
| 672  | 09/25/2018              | \$58,781.16                          |                                     |                                    |                            |  |                   | \$93,756.33 |

Table 6 – Match Contribution for the Federal Fiscal Year

## HOME MBE/WBE report

| Program Income – Enter the program amounts for the reporting period |   |   |                                   |  |
|---|---|---|-----------------------------------|--|
| Balance on hand at<br>begin-ning of<br>reporting period<br>\$       | Amount received<br>during reporting<br>period<br>\$ | Total amount<br>expended during<br>reporting period<br>\$ | Amount expended for<br>TBRA<br>\$ | Balance on hand at<br>end of reporting<br>period<br>\$ |
| 3,891.16  | 8,001.00  | 11,258.32   | 0                                 | 633.84   |

Table 7 – Program Income

| Minority Business Enterprises and Women Business Enterprises – Indicate the number and dollar value of contracts for HOME projects completed during the reporting period |         |                                   |                           |                    |          |                    |
|--|---------|-----------------------------------|---------------------------|--------------------|----------|--------------------|
|  | Total   | Minority Business Enterprises     |                           |                    |          | White Non-Hispanic |
|  |         | Alaskan Native or American Indian | Asian or Pacific Islander | Black Non-Hispanic | Hispanic |                    |
| Contracts  |         |                                   |                           |                    |          |                    |
| Number   | 1       | 0                                 | 0                         | 0                  | 0        | 1                  |
| Dollar Amount  | 155,819 | 0                                 | 0                         | 0                  | 0        | 155,819            |
| Sub-Contracts  |         |                                   |                           |                    |          |                    |
| Number   | 0       | 0                                 | 0                         | 0                  | 0        | 0                  |
| Dollar Amount  | 0       | 0                                 | 0                         | 0                  | 0        | 0                  |
|  | Total   | Women Business Enterprises        | Male                      |                    |          |                    |
| Contracts  |         |                                   |                           |                    |          |                    |
| Number   | 1       | 0                                 | 1                         |                    |          |                    |
| Dollar Amount  | 155,819 | 0                                 | 155,819                   |                    |          |                    |
| Sub-Contracts  |         |                                   |                           |                    |          |                    |
| Number   | 0       | 0                                 | 0                         |                    |          |                    |
| Dollar Amount  | 0       | 0                                 | 0                         |                    |          |                    |

**Table 8 - Minority Business and Women Business Enterprises**

| <b>Minority Owners of Rental Property –</b> Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted |              |  |                                  |                           |                 |                           |
|--|--------------|--|----------------------------------|---------------------------|-----------------|---------------------------|
|  | <b>Total</b> | <b>Minority Property Owners</b>          |                                  |                           |                 | <b>White Non-Hispanic</b> |
|  |              | <b>Alaskan Native or American Indian</b> | <b>Asian or Pacific Islander</b> | <b>Black Non-Hispanic</b> | <b>Hispanic</b> |                           |
| Number   | 0            | 0  | 0                                | 0                         | 0               | 0                         |
| Dollar Amount  | 0            | 0  | 0                                | 0                         | 0               | 0                         |

**Table 9 – Minority Owners of Rental Property**

| <b>Relocation and Real Property Acquisition</b> – Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition |       |                                   |                           |                    |          |                    |
|--|-------|-----------------------------------|---------------------------|--------------------|----------|--------------------|
| Parcels Acquired   | 0     | 0                                 |                           |                    |          |                    |
| Businesses Displaced   | 0     | 0                                 |                           |                    |          |                    |
| Nonprofit Organizations Displaced  | 0     | 0                                 |                           |                    |          |                    |
| Households Temporarily Relocated, not Displaced  | 0     | 0                                 |                           |                    |          |                    |
| Households Displaced   | Total | Minority Property Enterprises     |                           |                    |          | White Non-Hispanic |
|  |       | Alaskan Native or American Indian | Asian or Pacific Islander | Black Non-Hispanic | Hispanic |                    |
| Number   | 0     | 0                                 | 0                         | 0                  | 0        | 0                  |
| Cost   | 0     | 0                                 | 0                         | 0                  | 0        | 0                  |

**Table 10 – Relocation and Real Property Acquisition**

## CR-20 - Affordable Housing 91.520(b)

**Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.**

|  | One-Year Goal | Actual     |
|--|---------------|------------|
| Number of Homeless households to be provided affordable housing units      | 0             | 0          |
| Number of Non-Homeless households to be provided affordable housing units  | 74            | 75         |
| Number of Special-Needs households to be provided affordable housing units | 63            | 165        |
| <b>Total</b>   | <b>137</b>    | <b>240</b> |

**Table 11 – Number of Households**

|  | One-Year Goal | Actual     |
|--|---------------|------------|
| Number of households supported through Rental Assistance             | 45            | 60         |
| Number of households supported through The Production of New Units   | 1             | 3          |
| Number of households supported through Rehab of Existing Units       | 88            | 172        |
| Number of households supported through Acquisition of Existing Units | 3             | 5          |
| <b>Total</b>   | <b>137</b>    | <b>240</b> |

**Table 12 – Number of Households Supported**

### **Discuss the difference between goals and outcomes and problems encountered in meeting these goals.**

As seen in the above tables, the City of Plano exceeded all of its one year housing goals. While the Housing Rehabilitation and Homelessness Prevention Programs are on track to meet the goals established in the Con Plan, the City's goals related to Homeownership and Supply of Units have made slower progress. The housing market in Plano has affected the number of First Time Homebuyer (FTHB) Program participants that have been able to acquire existing homes. Homes that are priced affordably in Plano often receive multiple offers above asking price, making it more challenging for low-to-moderate income persons to purchase an affordable home. The City has therefore adjusted its FTHB policies according to market demand, as described in Section CR-45. The current housing market has also continued to be challenging for developers in the production of new units. Land value has increased, and the number of available infill lots needed to produce new units is limited. However, the City's subrecipient developers have been able to produce a total of three new units in PY 2017, including two new construction projects

and one acquisition and rehabilitation project.

All of the City's housing programs are available to qualified Plano residents and those seeking to become Plano residents through participation in the FTHB Program. The City of Plano did not undertake HOME-funded rental projects during the program year. However, the City provided short-term rental assistance using CDBG funds through its Homelessness Prevention Program, serving 60 households.

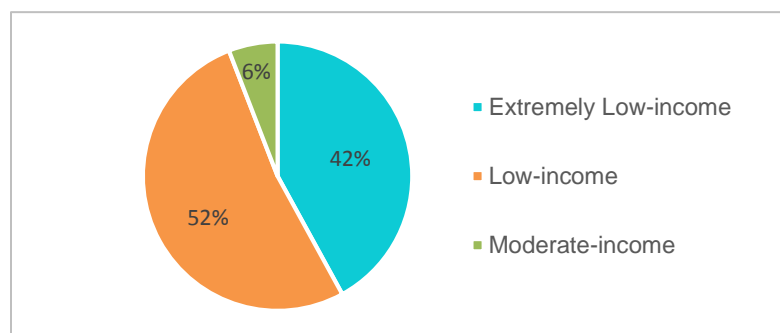
**Discuss how these outcomes will impact future annual action plans.**

The current Con Plan was developed in 2014, at a time when the housing market in North Texas was just beginning its current upward trend. Since that time, the median home sale price in Plano has increased from \$233,000 to \$331,000. The increase in funds necessary to acquire units and land, coupled with higher labor costs, has constrained the City's abilities to meet the Con Plan goals related to supply of units and homeownership. In the PY 2017 and 2018 Action Plans, the City adjusted its one-year goals related to housing to account for the increases in the cost of land, labor, and materials, and will continue to set realistic goals based on market conditions in future Action Plans.

**Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.**

| Number of Households Served | CDBG Actual | HOME Actual |
|-----------------------------|-------------|-------------|
| Extremely Low-income        | 100         | 0           |
| Low-income                  | 118         | 8           |
| Moderate-income             | 14          | 0           |
| <b>Total</b>                | <b>232</b>  | <b>8</b>    |

**Table 13 – Number of Households Served**



**Chart 5 – Number of Households Served by Income**

**Narrative Information**

All of the households assisted with CDBG and HOME funds had an income that was deemed moderate, low or extremely low. Programs requiring information on income by family size included the City of Plano's Housing Rehabilitation, Plano Community Home Rehabilitation, Homelessness Prevention, First Time Homebuyer, as well as new construction projects (Christ United Methodist Church, Habitat for Humanity, Housing Channel).

## **CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)**

**Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:**

### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

The City of Plano strives to utilize best practices and implement data-driven strategies to address homelessness in its jurisdiction and participates in regional coordination of homeless services through active leadership and participation in both the Collin County Homeless Coalition (CCHC) and the local continuum of care (CoC). Beginning in August 2017, Metro Dallas Homeless Alliance (MDHA), the local CoC lead agency, placed a Coordinated Assessment Case Manager in Plano at the Assistance Center of Collin County. This individual provides assessment, resource coordination, and housing/shelter placement for unsheltered homeless persons. City staff works closely with the Case Manager through a referral relationship and by providing documentation of homelessness through data collected during PIT counts, the Patient Housing Assistance Initiative, or street outreach efforts, all of which are described further below.

When the Coordinated Assessment Case Manager position became vacant in August 2018, the City quickly intervened to help address the temporary gap in services. The City placed a staff person at Harrington Library once a week to assist unsheltered persons with locating suitable shelter and support services, as well as entry into HMIS and placement on the CoC Housing Priority List. The Coordinated Assessment Case Manager position is expected to be filled in November 2018.

In PY 2017, the Community Services Division collaborated with the Neighborhood Police Officer unit and Collin County Homeless Coalition members to conduct three street outreach events. These events took place in October 2017, January 2018, and March 2018, with a goal of engaging unsheltered homeless persons to begin a transition into housing and/or shelter by connecting them with the Coordinated Assessment Case Manager. The Local Mental Health Authority for Collin County, Lifepath Systems, provided staff to assist in outreach, and Streetside Showers provided showers and hygiene products to those who were reached during these events. The City will continue to evaluate its role in street outreach and how it can best support local agencies in their engagement and outreach efforts with the unsheltered homeless population in Plano.

The City organizes and coordinates the homeless Point-in-Time (PIT) count for Plano each year. In 2018, the City collaborated with a local chapter of St. Vincent de Paul to provide follow up outreach visits to persons found in Plano during the PIT count, with the purpose of assessing their individual needs and connecting them with shelter and housing. The data from the PIT is used to determine priority needs and allocation of resources for the City's homeless population.

The City launched a Pilot Hospital Initiative in April 2018 to address the needs of Plano's

homeless residents admitted into area hospitals. City staff meets with the patient to gather information to determine shelter eligibility and to complete an intake form for HMIS input. Staff then contacts emergency shelters and transitional living programs that best fits the needs of the patient to determine availability and coordinate intake, including transportation if needed. Follow-up is conducted to confirm the patient entered the program. Since inception, three persons have been assessed and received service coordination through the initiative.

### **Addressing the emergency shelter and transitional housing needs of homeless persons**

The City used \$50,965 in CDBG funds to support Texas Muslim Women's Foundation, which provides culturally-sensitive services, including access to emergency shelter for women and children fleeing domestic violence. The organization served a total of 20 people, four of whom received overnight shelter. City general fund monies, in the form of Buffington Community Services Grants (BCSG), were used to fill in the funding gap between emergency shelter and transitional housing needs and available CDBG funding for public services. The City provided BCSG funds for the following programs:

- \$30,000 to Hope's Door New Beginnings Center to support their Survivor Services program, which includes emergency shelter for women and children fleeing domestic violence and served 83 people;
- \$16,133 to Emily's Place to support their Transformational Housing program, which provides transitional housing to women and children survivors of domestic violence and served 12 people;
- \$30,000 to CITY House to support their Transitional Living program, which provides transitional housing for homeless youth ages 18-21 and served 77 people; and
- \$30,000 to CITY House to support their Runaway Homeless Youth program, which provides emergency shelter to youth ages 0-17 and served 80 people.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs**

To address homelessness prevention, \$106,159 in CDBG funds were used to help families and individuals remain housed through rent, mortgage, and/or utility assistance, coupled with case management and other supportive services such as financial education, credit counseling, job search assistance, food pantry, clothing, assistance with obtaining mainstream benefits, and counseling. These services were provided for 148 persons during PY 2017.



**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

The City of Plano collaborates with service providers to assist homeless persons in finding shelter, resources, and permanent housing as quickly as possible. City staff works closely with the Coordinated Assessment Case Manager to assist individuals who are chronically homeless and those who have experienced a shorter period of homelessness. Homeless individuals and families with children are often referred to the Samaritan Inn, as well as the Coordinated Assessment Case Manager. Homeless veterans are first referred to Veterans Center of North Texas for services and the VA for HUD-VASH vouchers. The City also coordinates with Plano Housing Authority if they find an individual who may be eligible for a HUD-VASH voucher. Shelter and housing for unaccompanied youth is found through coordination with CITY House. Additionally, rapid re-housing for youth, adults, and families is provided through a collaborative partnership between CITY House and Assistance Center of Collin County through Emergency Solutions Grant (ESG) funding.

The City maintains both a leadership position and active membership at both the Collin County Homeless Coalition and the local CoC. The CoC lead agency has a staff person that assists with locating affordable housing units, and also employs the Coordinated Assessment Case Manager. These two staff persons work closely to coordinate housing for homeless persons who have been assessed through the Coordinated Access System. Resources to assist persons who were recently homeless from becoming homeless again include the City's Homelessness Prevention Program and the Flex Fund available through MDHA.

## **CR-30 - Public Housing 91.220(h); 91.320(j)**

### **Actions taken to address the needs of public housing**

The Plano Housing Authority (PHA) administers the Public Housing and Housing Choice Voucher programs, which are instrumental in providing stability for low income families in the Plano area. During PY 2017, PHA sponsored a Back to School event, providing schools supplies to 200 families receiving assistance on the Public Housing and Housing Choice Voucher Programs. City staff and PHA staff meet regularly to discuss programs and how both entities can work together.

### **Actions taken to encourage public housing residents to become more involved in management and participate in homeownership**

City staff continued to work with PHA staff to ensure that residents are aware of opportunities at the City for homeownership through programs such as the First Time Homebuyer program. The PHA is also in the process of purchasing, rehabilitating and selling 20 single family homes to low income households, as a requirement pertaining to a former sale of public housing units. The PHA gives their existing Housing Choice Voucher and City of Plano First Time Homebuyer program participants first look at these homes. The City and PHA also collaborated this program year to purchase and rehabilitate a home together, which will be sold to an eligible buyer in PY 2018.

In February 2018, the City collaborated with PHA to conduct a public meeting related to their respective Assessments of Fair Housing (AFH). City of Plano residents and PHA clients were invited to the meeting to provide comments on proposed strategies to combat previously identified fair housing issues. Ten people attended this meeting and gave input, which will inform both the City and Housing Authority's fair housing planning processes.

### **Actions taken to provide assistance to troubled PHAs**

The Plano Housing Authority is not deemed "troubled."

## **CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)**

**Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)**

The City of Plano enlisted the help of a consultant from August to January of 2015 in order to review public policies that serve as a barrier to affordable housing. A review of the City's code of ordinances, including but not limited to building code, land use, and fee structures, showed that the City of Plano's ordinances are consistent with those that promote affordable housing. The City works with developers to incentivize affordable housing development in the form of reimbursement for public improvements and other fee waivers.

**Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)**

Recognizing Federal resources alone are not sufficient to meet community needs, the City of Plano created the Buffington Community Services Grant (BCSG) in 1998. The grant consists of general funds in the amount of \$2 per capita to help meet underserved needs and assist agencies in accomplishing their missions. During PY 2017, \$550,000 was awarded to 16 social service agencies to provide public services to Plano residents.

Over the last several years, North Texas has experienced a housing market boom, and Plano is no exception. To combat the decrease in available affordable housing, Plano City Council continues to provide resolutions of support to developers applying for Housing Tax Credits (HTC) within the City of Plano. In PY 2017, three applications were made in Plano. Two received a Resolution of Support and one received a Resolution of No Objection by Council. The City, through a consultant, is also in the process of finalizing a Housing Trends Analysis for Plano, which analyzes current housing stock and provides examples of best practices and strategies to guide future development, taking into account the spectrum of income levels held by Plano residents and the type of housing needed to support Plano's workforce.

Unemployment and under-employment can also act as an obstacle to meeting the needs of the underserved. The City of Plano continued to operate the Day Labor Center which serves a meeting place for laborers and contractors to connect for work. The Day Labor Center received a significant technology upgrade during PY 2017, providing for more efficient and transparent operations.

City of Plano staff are also active participants in local social service organizations and coalitions. The City participated in the following organizations that met to collaborate on how to best meet the needs of the underserved:

- Collin County Homeless Coalition;
- Metro Dallas Homeless Alliance (Continuum of Care);
- Collin County Social Services Association;
- Collin County Early Childhood Coalition; and
- Collin County Health and Wellness Alliance.

**Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)**

During PY 2017, the Community Services Division had one Certified Lead Risk Assessor on its staff, and another staff person attended training to become certified. Lead-based paint hazards are addressed through the CDBG rehabilitation and repair program and the HOME program. As homes enter these programs, they are evaluated for lead paint and, when necessary, such hazards are mitigated, as required. Actions taken to reduce lead-based paint were conducted in accordance with HUD's lead-based paint regulations.

**Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)**

As mentioned above, the City utilizes general fund dollars to assist social service agencies providing services to families in the community. During PY 2017, the City approved funds for a variety of programs that primarily assist low-to-moderate income persons and groups with special needs. Some of these programs included an information and referral center for people seeking social services, home-delivered meals for the elderly and disabled, case management to assist seniors with aging in place, a therapy program for adults with cognitive disorders, a guardian program for abused and neglected children, and grief support groups.

Additionally, using both CDBG and general funds, the City supported several programs aimed at self-sufficiency. These programs combine housing assistance with supportive services and include: Homelessness Prevention, Hope's Door New Beginnings Center, Emily's Place, CITY House, and Texas Muslim Women's Foundation.

**Actions taken to develop institutional structure. 91.220(k); 91.320(j)**

The City of Plano utilizes City staff to deliver its First Time Homebuyer and Housing Rehabilitation programs, while non-profit organizations partner with the City to assist in carrying out other housing, homeless, and community development goals. In order to enhance institutional structure on an ongoing basis, Community Services Division staff actively collaborates with outside agencies through various coalitions and networking groups, as listed in the next section. During PY 2017, the City offered four organizational capacity-building trainings at no cost to non-profit agencies. Many of the City's subrecipients were able to attend these trainings. Additionally, the City implemented a new, online process through ZoomGrants for subrecipients to provide quarterly performance reports and request reimbursement, creating a more efficient, streamlined

reporting process. Other efforts include networking with neighboring participating jurisdictions through the National Community Development Association and advocating for elimination of duplicate services among public service agencies.

**Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)**

In order to enhance coordination, Community Services Division staff actively collaborates with outside agencies through various coalitions and networking groups, which include: the Collin County Homeless Coalition, Metro Dallas Homeless Alliance (Continuum of Care), Collin County Social Service Association, Collin County Early Childhood Coalition, and the Collin County Health and Wellness Alliance. Through these affiliations, City staff form relationships with key staff from local agencies, enabling them to provide residents a “warm hand-off” to social service providers who can address their specific needs. Other efforts include: networking with neighboring participating jurisdictions through the National Community Development Association, advocating for elimination of duplicate services among public service agencies, and coordinating with Plano Housing Authority to provide information to the public about the process for obtaining a Housing Choice Voucher or public housing.

During this program year, the City of Plano also continued its collaboration with 6 other cities and 15 housing authorities as part of the North Texas Regional Housing Assessment. A draft version of the Assessment of Fair Housing (AFH) is expected to be available to the public in December 2018.

**Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)**

In 2015, the City underwent an Analysis of Impediments to Fair Housing Choice (AI). The AI reviewed land use controls, property tax policies, zoning ordinances, building codes, fees and charges, public housing, environmental requirements, public transportation, and other factors in order to determine any barriers to affordable housing. It found there were no City policies that limit or affect the return on residential investment. However, the City took the following actions this year to foster fair housing choice and to address impediments identified in the AI:

- Hosted a Fair Housing Symposium on April 7, 2018 with speakers from North Texas Fair Housing Center, Legal Aid of Northwest Texas, Inclusive Communities Project, and Metro Dallas Homeless Alliance. Speakers covered a variety of topics including the history of the Fair Housing Act, common fair housing issues, reasonable accommodations, how to file a complaint, searching and securing affordable housing, and landlord-tenant relations. Ten local social services organizations also set up informational booths at the Symposium, as well as representatives from the University of Texas at Arlington, who attended to collect additional data for the City’s Assessment of Fair Housing. The Symposium had 100 persons in attendance, not including City staff;

- Facilitated access to below-market-rate units by providing two Resolutions of Support and one Resolution of No Objection to developers applying to the State of Texas's Competitive, 9% Housing Tax Credit Program;
- Provided detailed information and referral for any persons who contacted the City needing information on how to file a fair housing complaint;
- Continued working with the North Texas Regional Housing Assessment to collect data for its AFH. The City held one public meeting and one public hearing during PY 2017. These meetings were held to receive feedback and comments on the strategies proposed to address issues identified through the public input and data collection processes that took place during late PY 2016 and early PY 2017. The AFH draft has been completed and is expected be posted for public comment beginning in December 2018;
- Continued to provide support for the overall vitality and stability of low-to-moderate income neighborhoods through general-funded programs. These programs include 1) Love Where You Live, in which the City and community volunteers "adopt" a neighborhood over the course of a year and complete two major service events that involve completing minor home repairs, landscaping projects, and cleaning up litter and trash from the neighborhood's creeks, streets and properties; and 2) Plano CARES, which connects local volunteers to Plano residents who are experiencing physical or financial hardship and are unable to correct common property code violations such as tree trimming, trash removal, damaged fence removal/repair, accessory building removal/repair, and minor exterior home repair;
- Provided four free property maintenance classes throughout the year to help homeowners learn how to best care for their properties to maximize the life of their homes;
- Continued to provide language assistance to applicants and program participants with Limited English Proficiency on an as-needed basis. Within the Neighborhood Services Department, there are staff persons able to provide translation in Spanish, French, Farsi, Japanese, Thai, and Vietnamese. If needed, outside translation services are utilized; and
- Provided information on City programs at outreach events across Plano reaching diverse populations, for a total of 62 staff hours. These events include neighborhood meetings, community resource fairs, festivals, and library events.

## **CR-40 - Monitoring 91.220 and 91.230**

**Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements**

City staff attended various HUD-sponsored training sessions as well as participated in webinars during PY 2017-18. These efforts are to ensure staff is current with new and/or revised federal regulations regarding HUD funded programs. Staff attended training sessions and/or webinars in the areas of IDIS and E-Con Planning Suite, Environmental Review, Section 3 Requirements, CDBG/HOME regulations, HUD Regional Quarterly Meetings, and National Community Development Association trainings and seminars. For planning/monitoring requirements, staff conducts quarterly desk monitoring and annual onsite monitoring of programs to ensure program and comprehensive planning compliance. In addition, staff requires mandatory training for all CDBG and HOME subrecipients and publishes a "CDBG and HOME Subrecipient Compliance Manual" for those agencies and provides ongoing technical assistance as needed. The majority of City of Plano HOME funds are provided to developers for the production and/or rehabilitation of affordable housing units. The City has a designated staff person to oversee HOME-funded developers and conducts onsite visits throughout the construction phase until the homes are sold to low income home buyers. Developers are monitored annually using a City of Plano Monitoring checklist, which includes a HUD-prescribed HOME checklist to ensure compliance with regulations.

Staff continued marketing and outreach to Minority Business Enterprises (MBEs) by searching websites such as the Small Business Administration and local chapters of national associations. The City networks with the Dallas Chapter of the National Association of Builders, and the National Association of the Remodeling Industry. The City of Plano utilizes its Day Labor Center in an effort to help contractors locate Section 3 residents. Annually, City staff sponsors a free contractor event for training and recruitment purposes. The City has a web page that includes a contractor application and requirements for participation in the City's housing rehabilitation program. The online application is open to all contractors. City staff has utilized the BidSync online contracting system and procured contractors and awarded bonus points in procurement for Section 3 Businesses. These efforts along with networking and referrals resulted in 41.7% (\$170,739) of total CDBG funds awarded through housing rehabilitation as MWBE construction contracts.

In addition, the City exceeded its goal of awarding 10% of construction contracts to Section 3 businesses, but did not meet its 3% threshold of non-construction contracts to Section 3 businesses. From October 1, 2017 through September 30, 2018, the City of Plano paid \$409,024 in CDBG funding to contractors providing construction and non-construction services for the City's Housing Rehabilitation Program, and \$156,136 in HOME funding. HUD's Section 3 Guidelines require recipients of their funds, to the greatest extent possible, provide job training, employment and contract opportunities for

low-income residents. During FY 2017, 77% of all CDBG and 99.8% of all HOME construction and non-construction contracts were awarded to contractors that met Section 3 guidelines. The tight construction housing market experienced throughout North Texas this year created a shortage of non-construction contractors, resulting in a lower response in non-construction contractors than prior years. In the CDBG category, 57% of new hires were Section 3 residents, while in the HOME category, 67% of new hires were Section 3 residents, exceeding Section 3 requirements of 30% in each category.

**Citizen Participation Plan 91.105(d); 91.115(d)**

**Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.**

This report was prepared by the Community Services Division of the Neighborhood Services Department. A public notice was placed in the Plano Star Courier on November 25, 2018 for residents to view the draft performance document. The notice informed the public that a copy of the draft report can be obtained at the Neighborhood Services Department office and via the Neighborhood Services website. The notice also informed the public where to direct their comments. An open meeting was held on November 15th before the Community Relations Commission, and a public hearing will be held December 10th before City Council. A 15-day public comment period is being held from November 26th to December 10th. Comments received after December 10th will not be provided to HUD.



## **CR-45 - CDBG 91.520(c)**

**Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.**

There have been no changes to the jurisdiction's program objectives since the Con Plan was developed in 2015. However, the City has encountered barriers to its First Time Homebuyer program due to market conditions in Plano causing home values to increase drastically over the past few years. During PY 2017, in an effort to provide greater opportunity to low-to-moderate income persons seeking homeownership opportunities, the City increased the maximum purchase price to HUD's 2018 Homeownership Value Limits (\$252,000 for a one-unit, single family home). In July 2018, the City increased its maximum downpayment assistance under the HOME program from \$20,000 to \$55,000. Homebuyers with a household income above 60% AMI, but equal to or less than 80% AMI, are eligible for up to \$45,000, while those at or below 60% AMI are eligible for up to \$55,000. The City also continues to maximize outreach efforts to realtors across the metroplex in an effort to bring greater awareness to the program.

**Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?**

No, the City does not have any BEDI grants.

**[BEDI grantees] Describe accomplishments and program outcomes during the last year.**

## **CR-50 - HOME 91.520(d)**

**Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations**

*Please list those projects that should have been inspected on-site this program year based upon the schedule in §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.*

The City of Plano did not utilize HUD funds to rehabilitate or create affordable rental units.

**Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 92.351(b)**

The City of Plano did not utilize HUD funds for rental projects or homebuyer projects with greater than four units. However, the City of Plano affirmatively markets all HOME homebuyer projects to the extent feasible.

**Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics**

During PY 2017, the City used \$11,258 in program income on one Acquisition, Rehabilitation and Resale (ARR) project, which was a joint effort between the City and Plano Housing Authority. The home is currently on the market and will be sold to an eligible buyer in PY 2018.

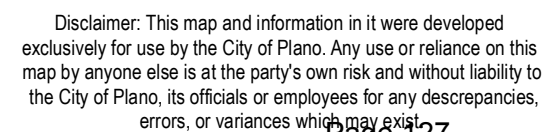
**Describe other actions taken to foster and maintain affordable housing. 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 91.320(j)**

The City of Plano seeks to increase its affordable housing supply so that all residents have access to housing that they can sustain. During PY 2017, the City provided a Resolution of Support for two applications and a Resolution of No Objection for one application, all of which sought Low Income Housing Tax Credits (LIHTC) for the construction of new affordable units within the city limits. Through policy, funding commitments, and in-house programs, the City has provided opportunities to maintain and increase its affordable housing stock. During PY 2017, five first time homebuyers received homeownership assistance for existing, rehabilitated, or newly constructed homes, and 26 current homeowners were assisted through the housing rehabilitation program. New construction of three new affordable units was completed, and the homes were sold to low-to-moderate income buyers.

# City of Plano

## Legend

— Major Roads





## CITY OF PLANO COUNCIL AGENDA ITEM

Council Meeting Date: 12/10/2018

Department: Gov Relations

Department Head: Brandi Youngkin

Agenda Coordinator: Michelle Wariner

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### CAPTION

First Reading of an Ordinance to grant to Atmos Energy Corporation, a Texas and Virginia corporation, its successors and assigns, a Franchise to construct, maintain, and operate pipelines and equipment in the City of Plano, Collin and Denton County, Texas, for the transportation, delivery, sale, and distribution of gas in, out of, and through said City for all purposes; providing for the payment of a fee or charge for the use of the public rights-of-ways; and providing that such fee shall be in lieu of other fees and charges, excepting ad valorem taxes; and ratifying the month-to-month extension of the previous Franchise Agreement; and providing a repealer clause, a severability clause, a savings clause, and an effective date. **First reading conducted.**

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### FINANCIAL SUMMARY

Not Applicable

| FISCAL YEAR: 2018-19<br>thru 2033-34 | Prior Year<br>(CIP Only) | Current<br>Year | Future<br>Years | TOTALS |
|--------------------------------------|--------------------------|-----------------|-----------------|--------|
| Budget                               | 0                        | 0               | 0               | 0      |
| Encumbered/Expended<br>Amount        | 0                        | 0               | 0               | 0      |
| This Item                            | 0                        | 0               | 0               | 0      |
| Balance                              | 0                        | 0               | 0               | 0      |

FUND(S): N/A

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**COMMENTS:** The extension of this Franchise Agreement will produce an indeterminable amount of revenue, attributable to an annual franchise fee based on 5% of the Gross Revenues during the proceeding calendar year, as defined in the agreement. As a point of reference, anticipated Gas Franchise Fee Revenue to be received in FY 2018-19 is approximately \$3.0 million.

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## SUMMARY OF ITEM

The City of Plano and Atmos Energy Corporation have come to an agreement to extend the current franchise until December 31, 2033. The first reading will be held on Monday, December 10, 2018 and the second reading will be held on Monday, January 14, 2019. After the second reading, the ordinance will be published for four consecutive weeks in the official Plano newspaper.

### Strategic Plan Goal:

Financially Strong City with Service Excellence

### Plano Tomorrow Plan Pillar:

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### ATTACHMENTS:

| Description | Upload Date | Type      |
|-------------|-------------|-----------|
| Ordinance   | 11/29/2018  | Agreement |

**An Ordinance of the City of Plano, Texas, granting to Atmos Energy Corporation, a Texas and Virginia corporation, its successors and assigns, a Franchise to construct, maintain, and operate pipelines and equipment in the City of Plano, Collin and Denton County, Texas, for the transportation, delivery, sale, and distribution of gas in, out of, and through said City for all purposes; providing for the payment of a fee or charge for the use of the public rights-of-ways; and providing that such fee shall be in lieu of other fees and charges, excepting ad valorem taxes; and ratifying the month-to-month extension of the previous Franchise Agreement; and providing a repealer clause, a severability clause, a savings clause, and an effective date.**

**WHEREAS**, the City of Plano, Texas, (“City”) currently has a Franchise Agreement with Atmos Energy Corporation (“Grantee” or “Atmos Energy”) that expired on December 31, 2017, and said Franchise Agreement has been continued thereafter on a month-to-month basis; and,

**WHEREAS**, the City finds that it is in the best interest of the City to ratify the month-to-month extension of the previous franchise agreement and enter into a new Franchise Agreement with Atmos Energy to furnish and supply gas to the general public in the City of Plano, and for the transporting, delivery, sale, and distribution of gas in, out of, and through said municipality for all purposes.

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

**SECTION I. GRANT OF AUTHORITY:** The City hereby ratifies the month-to-month extension of the previous franchise agreement between the City and Atmos Energy from December 31, 2017, until the Effective Date (as defined below) and grants to Atmos Energy, its successors and assigns, consent to use and occupy the present and future streets, alleys, highways, public utility easements, public ways and other public places (“Public Rights-of-Way”), for the purpose of laying, maintaining, constructing, protecting, operating, and replacing therein and thereon pipelines and all other appurtenant equipment (the “System”) to deliver, transport, and distribute gas in, out of, and through City for persons, firms, and corporations, including all the general public, and to sell gas to persons, firms, and corporations, including all the general public, within the City corporate limits, as such limits may be amended from time to time during the term of this franchise, said consent being granted for a term to begin on the Effective Date (as defined below) and ending December 31, 2033. Unless written notice of its intent to renegotiate is provided by either the City or Atmos Energy at least 180 days prior to the expiration of any term, the franchise shall be extended for up to two (2) additional terms of five (5) years each on the same terms and conditions as set forth herein.

**SECTION II. CONSTRUCTION, MAINTENANCE, OPERATION & RELOCATION OF ATMOS ENERGY FACILITIES:**

- A. Atmos Energy shall lay, maintain, construct, operate, and replace its pipes, mains, laterals, and other equipment to minimize interference with traffic, shall place or cause to be placed appropriate barriers to mark excavations or obstructions, and shall restore to at its cost all Public Rights-of-Way that it may disturb to their approximate original condition. In determining the location of the facilities of the City and other users of Public Right-of-Way within City, City shall minimize interference with then existing facilities of Atmos Energy and shall require other users of Public Rights-of-Way to minimize interference with existing facilities of Atmos Energy. Likewise, in determining the location of facilities in the City, Atmos Energy shall minimize interference with then existing underground structures of the City or other utility franchisees. In the event of a conflict between the location of the proposed facilities of Atmos Energy and the location of the existing facilities of City or other users of Public Rights-of-Way within Public Rights-of-Way that cannot otherwise be resolved, City or an authorized agent of City shall resolve the conflict and determine the location of the respective facilities within the Public Rights-of-Way. Promptly after completion of any construction, installation replacement, or relocation of facilities, Atmos Energy will provide the City accurate and complete “as-built” plans showing the nature and specific location of all work done.

The location of Atmos Energy’s pipes, mains, laterals, and other equipment in the present and future Public Rights-of-Way in the City shall be fixed under the supervision of the City or an authorized agent appointed by the City as provided in the City’s Right-of-Way Management Ordinance and located in the Public Rights-of-Way in accordance with the Right-of-Way Management Ordinance. Atmos Energy shall comply with all permitting requirements as required in the Right-of-Way Management Ordinance, except that Atmos Energy or contractors working on behalf of Atmos Energy shall not be required to pay for street cutting, street excavation or other special permits related to excavations in Public Rights-of-Way in connection with Atmos Energy’s operations in Public Rights-of-Way.

City shall provide Atmos Energy with its annual capital improvements plan as well as any updates or changes as soon as the plan, update, or change becomes available. City shall notify Atmos Energy as soon as reasonably possible of any projects that will affect Atmos Energy's facilities located in the Public Rights-of-Way. When required by City to remove or relocate its mains, laterals, and/or other facilities lying within Public Rights-of-Way, Atmos Energy shall do so as soon as practically possible with respect to the scope of the project. In no event shall Atmos Energy be required to remove or relocate its facilities in less than thirty (30) days from the time notice is given to Atmos Energy by City.

- B. If City, in constructing its sewers, drainage, water lines, streets, or utilities, should request that Atmos Energy remove or relocate its mains, laterals, and other facilities lying within Public Rights-of-Way, Atmos Energy shall do so at its own expense for facilities that are in conflict, unless such work is for the primary purpose of beautification or to accommodate a private developer. Facilities are deemed to be in conflict to the extent that the proposed City facilities are determined by Atmos Energy to be inconsistent with gas distribution industry standard safe operating practices for existing facilities. Atmos Energy shall not be required to relocate facilities to a depth of greater than four (4) feet unless prior agreement is obtained from Atmos Energy.

When Atmos Energy is required by City to remove or relocate its mains, laterals, and other facilities lying within Public Rights-of-Way to accommodate a request by City, and costs of utility removals or relocations are eligible under federal, state, county, local or other programs for reimbursement of costs and expenses incurred by Atmos Energy as a result of such removal or relocation, and such reimbursement is required to be handled through City, Atmos Energy costs and expenses shall be included in any application by City for reimbursement if Atmos Energy submits its cost and expense documentation to City prior to the filing of the application. City shall provide reasonable written notice to Atmos Energy of the deadline for Atmos Energy to submit documentation of the costs and expenses of such relocation to City. However, City shall have no obligation to independently identify such programs, and nothing in this agreement shall require City to make such application. Upon receipt of reimbursement from a federal or state agency, the City shall remit any portion owed to Atmos Energy within thirty (30) days.

If Atmos Energy is required by City to remove or relocate its mains, laterals, or other facilities lying within Public Rights-of-Way for any reason other than, the construction or reconstruction of sewers, drainage, water lines, streets or utilities by City, Atmos Energy shall be entitled to reimbursement from City or others of the cost and expense of such removal or relocation.



- C. When Atmos Energy is required to remove or relocate its mains, laterals or other facilities to accommodate construction by City without reimbursement from City, Atmos Energy shall have the right to seek recovery of relocation costs as provided for in applicable state and/or federal law. Nothing herein shall be construed to prohibit, alter, or modify in any way the right of Atmos Energy to seek or recover a surcharge from customers for the cost of relocation pursuant to applicable state and/or federal law. City shall not oppose recovery of relocation costs when Company is required by City to perform relocation. City shall not require that Company document request for reimbursement as a pre-condition to recovery of such relocation costs.
- D. If City abandons any Public Rights-of-Way in which Atmos Energy has facilities, such abandonment shall be conditioned on Atmos Energy's right to maintain its use of the former Public Right-of-Way and on the obligation of the party to whom the Public Right-of-Way is abandoned to reimburse Atmos Energy for all removal or relocation expenses if Atmos Energy agrees to the removal or relocation of its facilities following abandonment of the Public Right-of-Way. If the party to whom the Public Right-of-Way is abandoned requests Atmos Energy to remove or relocate its facilities and Atmos Energy agrees to such removal or relocation, such removal or relocation shall be done within a reasonable time at the expense of the party requesting the removal or relocation. If relocation cannot practically be made to another Public Right-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the party requesting the relocation.

### **SECTION III. INDEMNITY & INSURANCE:**

- A. General Provisions. In the event of injury to any person or damage to any property by reason of Atmos Energy's construction, operation, maintenance, or replacement of Atmos Energy's pipeline system within Public Rights-of-Way, Atmos Energy shall defend, indemnify and hold harmless City, its agents, officers, officials, and employees from any and all claims, lawsuits, judgments, fines, penalties, costs and expenses for personal injury (including death), property damage, or other harm or violation for which recovery of damages, fines, or penalties is sought, suffered by any person or persons, except to the extent such injury or damage is attributable to the sole fault of the City, including, without limitation, the City's negligent or intentional acts or omissions. In the event of joint and concurrent negligence or fault of both Atmos Energy and the City, responsibility and indemnity, if any, shall be apportioned comparatively in

accordance with the laws of the State of Texas without, however, waiving any governmental immunity available to the City under Texas law and without waiving any of the defenses of the parties under Texas law. Atmos Energy's insurance of its obligations and risks undertaken pursuant to this franchise may be in the form of self-insurance to the extent permitted by applicable law, under an Atmos Energy plan of self-insurance maintained in accordance with sound accounting and risk-management practices. In the event that any action, suit, or proceeding is brought against City upon any liability arising out of the construction, operation, or maintenance of the system operated by Atmos Energy, City shall give notice in writing to Atmos Energy by certified mail. Upon receipt of such notice, Atmos Energy, at its own expense, shall defend such action and take all such steps as may be necessary or proper to prevent the obtaining of a Judgment against the City and/or to satisfy said Judgment. The City agrees to cooperate with Atmos Energy in connection with such defense. The provisions of this indemnity are solely for the benefit of the City and are not intended to create or grant any rights, contractual or otherwise, to Atmos Energy or any other entity.

- B. Insurance. Atmos Energy shall maintain adequate insurance covering its obligations of indemnity under this Franchise. Such insurance shall be at Atmos Energy's sole expense. Atmos Energy's insurance of its obligations and risks undertaken pursuant to this Franchise may be in the form of self-insurance to the extent permitted by applicable law, but in no instance shall such self-insurance be less than the commercial insurance coverages required in the Right-of-Way Management Ordinance. An insurance certificate shall be provided to the City initially and upon any substantial change in the nature of its coverage. A notice to the City must be submitted as of the effective date of this Franchise identifying the process for filing a claim. Such notice shall be updated immediately when changes occur in this process. This Franchise shall satisfy the requirements of the Right-of-Way Management Ordinance with respect to proof of appropriate insurance or other financial assurance required for receipt of a permit to perform work within the Public Right-of-Way.

**SECTION IV. NON-EXCLUSIVE FRANCHISE:** The rights, privileges, and franchises granted by this Ordinance are not to be considered exclusive, and City hereby expressly reserves the right to grant, at any time, like privileges, rights, and franchises as it may see fit to any other person or corporation for the purpose of transporting, delivering, distributing, or selling gas to and for City and the inhabitants thereof.

**SECTION V. QUALITY OF SERVICE:** Atmos Energy shall furnish adequate and efficient service to the public at fair, just, and reasonable rates and charges therefor; and Atmos Energy shall maintain its property, equipment, and appliances in good order and condition.

**SECTION VI. EXTENSION OF MAINS:** Atmos Energy shall not be required to extend mains on any street more than one hundred (100) feet for any one consumer of gas; provided, however, if the anticipated connected load is calculated to prohibit Atmos Energy a reasonable return on its investment as may be allowed by statute, law, or regulation, Atmos Energy shall have no obligation to extend mains any distance unless such customer requires the extended main for unsupplemented space heating or water heating.

**SECTION VII. PAYMENTS TO CITY:**

- A. Atmos Energy, its successors and assigns, agrees to pay and City agrees to accept, on or before the 15th day of February 2019, and on or before the same day of each succeeding year during the life of this franchise, the last payment of the initial term being made on the 15th day of February, 2033, a sum of money which shall be equivalent to five percent (5%) of the Gross Revenues, as defined in VII(B) below, received by Company during the preceding calendar year.
- B. "Gross Revenues" shall mean:
- (1) All revenues received by Atmos Energy from the sale of gas to all classes of customers (excluding gas sold to another gas utility in the City for resale to its customers within City) within the City;
  - (2) All revenues received by Atmos Energy from the transportation of gas through the System of Atmos Energy within the City to customers located within the City (excluding any gas transported to another gas utility in City for resale to its customers within City);
  - (3) The value of gas transported by Atmos Energy for Transport Customers through the System of Atmos Energy within the City ("Third Party Sales")(excluding the value of any gas transported to another gas utility in City for resale to its customers within City), with the value of such gas to be established by utilizing Atmos Energy's monthly Weighted Average Cost of Gas charged to industrial customers in the Mid-Tex division, as reasonably near the time as the transportation service is performed; and
  - (4) "Gross Revenues" shall also include fees collected pursuant to this agreement and the following "miscellaneous charges": charges to connect, disconnect, or reconnect gas, charges to handle returned checks from consumers within the City, and contributions in aid of construction.

(5) "Gross Revenues" shall not include:

- (a) revenues billed but not ultimately collected or received by Atmos Energy;
- (b) the revenue of any affiliate or subsidiary of Atmos Energy;
- (c) sales tax paid to the City;
- (d) interest or investment income earned by Atmos Energy; and
- (e) monies received from the lease or sale of real or personal property, provided, however, that this exclusion does not apply to the lease of facilities within the City's right of way.

C. The initial payment for the rights and privileges herein provided shall be for the privilege period January 1 through December 31, 2019, and each succeeding payment shall be for the privilege period of the calendar year in which the payment is made. The franchise fee amounts that are due based on CIAC shall be paid at least once annually on or before April 30 each year based on the total CIAC recorded during the preceding calendar year. The initial CIAC franchise fee amount will be paid on or before April 30, 2019 and will be based on the calendar year January 1 through December 31, 2018. The final CIAC franchise fee amount of the initial term will be paid on or before April 30, 2034 and will be based on the calendar year January 1 through December 31, 2033.

It is also expressly agreed that the aforesaid payments shall be in lieu of any and all other and additional occupation taxes, easement, franchise taxes or charges (whether levied as an ad valorem, special, or other character of tax or charge), municipal license, permit, and inspection fees, bonds, street taxes, and street or alley rentals or charges, and all other and additional municipal taxes, charges, levies, fees, and rentals of whatsoever kind and character that City may now impose or hereafter levy and collect from Atmos Energy or Atmos Energy's agents, excepting only the usual general or special ad valorem taxes that City is authorized to levy and impose upon real and personal property. Should City not have the legal power to agree that the payment of the foregoing sums of money shall be in lieu of all charges for the use of the streets, alleys, and public ways of the City of Plano as outlined herein, the City agrees that it will apply so much of said sums of money paid as may be necessary to satisfy Grantee's obligations, if any, to pay such charges.

D. Effect of Other Municipal Franchise Ordinance Fees Accepted and Paid by Atmos Energy.

If Atmos Energy should at any time after the effective date of this Ordinance agree to a new municipal franchise Ordinance, or renew an existing municipal franchise Ordinance, with another municipality in Atmos Energy's Mid-Tex Division, which municipal franchise Ordinance determines the franchise fee owed to that municipality for the use of its public rights-of-way in a manner that, if applied to the City, would result in a franchise fee greater than the amount otherwise due City under this Ordinance, then the franchise fee to be paid by Atmos Energy to City pursuant to this Ordinance may, at the election of the City, be increased so that the amount due and to be paid is equal to the amount that would be due and payable to City were the franchise fee provisions of that other franchise Ordinance applied to City. The City acknowledges that the exercise of this right is conditioned upon the City's acceptance of all terms and conditions of the other municipal franchise in toto. The City may request waiver of certain terms and Company may grant, in its sole reasonable discretion, such waiver.

E. Atmos Energy Franchise Fee Recovery Tariff

- (1) Atmos Energy may file with the City a tariff or tariff amendment(s) to provide for the recovery of the franchise fees under this agreement.
- (2) City agrees that (i) as regulatory authority, it will adopt and approve the Ordinance, rates or tariff which provide for 100% recovery of such franchise fees as part of Atmos Energy's rates; (ii) if the City intervenes in any regulatory proceeding before a federal or state agency in which the recovery of Atmos Energy's franchise fees is an issue, the City will take an affirmative position supporting 100% recovery of such franchise fees by Atmos Energy and; (iii) in the event of an appeal of any such regulatory proceeding in which the City has intervened, the City will take an affirmative position in any such appeals in support of the 100% recovery of such franchise fees by Atmos Energy.
- (3) City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by Atmos Energy.

## **SECTION VIII. TRANSFER OF FRANCHISE:**

- A. The rights granted by this Franchise inure to the benefit of the Atmos Energy. Atmos Energy may, without consent by City, transfer or assign the rights granted by this Franchise to a parent, subsidiary or affiliate, provided that such parent, subsidiary or affiliate assumes all obligations of Atmos Energy hereunder and is bound to the same extent as Atmos Energy hereunder, and has net capital and liquid assets reasonably equivalent to the Atmos Energy's as of the month immediately preceding the transfer or there are provided other guarantees or assurances of the transferee's or assignee's financial ability to perform this Franchise reasonably acceptable to the City. Atmos Energy shall give City written notice thirty (30) days prior to such assignment.
  
- B. City will have the right to approve the transfer or assignment of the Franchise, except as provided in Section VIII(A). City shall grant approval unless the assignee is material weaker than Atmos Energy. For the purpose of this section, "materially weaker" means that the long term unsecured debt rating of the assignee is less than investment grade as rated by both S&P and Moody's. If the assignee is materially weaker, the City may request additional documents and information reasonably related to the transaction and the legal, financial, and technical qualifications of the assignee. City agrees that said approval shall not be unreasonably withheld or delayed. Any such assignment or transfer shall require that said assignee assume all obligations of Atmos Energy and be bound to the same extent as Atmos Energy hereunder. If within the first ninety (90) days after assignment to assignee, City identifies a failure to comply with a material provision of this Franchise, City shall have the right, after notice and opportunity for hearing before Council, to terminate this Franchise. No assignment to any person shall be effective until the assignee has filed with the City an instrument in writing, duly executed, reciting the fact of such assignment, accepting the terms of this Franchise, and agreeing to comply with all of the provisions herein.

## **SECTION IX. CONFORMITY TO LAWS AND REGULATIONS:**

- A. Notwithstanding Section IX(B) below, this Franchise is subject to applicable provisions of the Constitution and Laws of the United States and the State of Texas, the Charter of the City of Plano, and the City of Plano Code of Ordinances. This Franchise shall in no way affect or impair the rights, obligations, or remedies of the parties under the Public Utility Regulatory Act of Texas. Except as expressly provided herein, Atmos Energy shall not recover costs or expenses directly from the City (exclusive of charges related to the City's billings as a customer and reimbursable removals and relocations) for taking any actions mandated by this Franchise or by any order or request issued by authority of this Franchise.
- B. The City reserves the right to adopt, in addition to the provisions included in this Franchise, such additional reasonable regulations as it shall find necessary with respect to governing the use of its Public Rights-of-Way; provided, however, that if such regulations are in conflict with the privileges granted by this Franchise, Atmos Energy and City shall enter into good faith negotiations to determine the applicability of these laws, rules or Ordinances with respect to this Franchise. In the event there is conflict between the requirements of this Franchise and other lawful and generally applicable City Ordinances governing Atmos Energy's ability to use the Public Rights-of-Way, Atmos Energy and City agree to reserve their respective rights with respect to such conflict.

**SECTION X. ACCEPTANCE OF FRANCHISE:** In order to accept this franchise, Atmos Energy must file with the City Secretary its written acceptance of this franchise Ordinance within thirty (30) days after its final passage and approval by City. If such written acceptance of this franchise Ordinance is not filed by Atmos Energy, the franchise Ordinance shall be rendered null and void.

When this franchise Ordinance becomes effective, all previous Ordinances of City granting franchises for gas delivery purposes that were held by Atmos Energy shall be automatically canceled and annulled, and shall be of no further force and effect.

**SECTION XI. PARAGRAPH HEADINGS. CONSTRUCTION:** The paragraph headings contained in this Ordinance are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the preparation of this Ordinance and this Ordinance shall not be construed either more or less strongly against or for either party.

**SECTION XII. REPEALER CLAUSE:** All provisions of the Code of Ordinances of the City of Plano, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION XIII. SEVERABILITY CLAUSE:** 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 XIV. SAVINGS CLAUSE:** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

**SECTION XV. PUBLIC HEARINGS:** This Ordinance shall be read at two separate regular meetings of the City Council of the City of Plano, with the second meeting to be at least 30 days from the first reading, and the caption shall be published once each week for four consecutive weeks in the official newspaper of the City of Plano.

**SECTION XVI. EFFECTIVE DATE:** Upon and subject to the filing of the Grantee's written acceptance of the terms and conditions of the Franchise Agreement set forth herein, this Ordinance (A) shall become effective thirty (30) days after the final adoption of this Ordinance by the City (such date being the "Effective Date"), and (B) shall, as of the Effective Date, supersede and replace that certain Ordinance No. 92-11-50, passed and approved by the City Council of the City on November 23, 1992, as subsequently amended.



**DULY PASSED AND APPROVED ON FIRST READING** on this the 10<sup>th</sup> day of December, 2018.

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY

**DULY PASSED AND APPROVED ON SECOND READING (which date is at least 30 days from the first reading) on this the 14<sup>th</sup> day of January, 2019.**

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Harry LaRosiliere, MAYOR

ATTEST:

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

APPROVED AS TO FORM:

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

ACCEPTED BY ATMOS ENERGY  
CORPORATION

BY: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)