

**AGENDA
CITY OF ALLEN
CITY COUNCIL WORKSHOP MEETING
OCTOBER 28, 2008 – 6:00 P.M.
COUNCIL CONFERENCE ROOM
ALLEN CITY HALL
305 CENTURY PARKWAY**

Call to Order and Announce a Quorum is Present.

Questions on Current Agenda.

Items of Interest.

1. Briefing Regarding the Capital Improvement Program —
John Baumgartner, Director of Engineering
Brian Bristow, Assistant Director of Parks and Recreation
2. Committee Updates from City Council Liaisons —
3. Other Items —

Adjourn to Regular Meeting.

- open to the public -

This notice was posted at Allen City Hall, 305 Century Parkway, Allen, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, October 24, 2008, at 5:00 p.m.

Shelley B. George, City Secretary

Allen City Hall is wheelchair accessible. Access to the building and special parking are available at the entrance facing Century Parkway. 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 214.509.4105.

CITY COUNCIL AGENDA COMMUNICATION
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AGENDA DATE: Tuesday, October 28, 2008

SUBJECT: Capital Improvement Program (CIP) Update

STAFF RESOURCE: John Baumgartner, Director of Engineering
Brian Bristow, Assistant Director of Parks & Recreation

PREVIOUS COUNCIL ACTION: None

ACTION PROPOSED: Information Item

BACKGROUND

Staff will provide a briefing on the Capital Improvement Program including transportation projects, water and sewer projects, facility projects, and park projects.

**AGENDA
CITY OF ALLEN
CITY COUNCIL REGULAR MEETING
OCTOBER 28, 2008 – 7:00 P.M.
COUNCIL CHAMBERS
ALLEN CITY HALL
305 CENTURY PARKWAY**

Call to Order and Announce a Quorum is Present.

Pledge of Allegiance.

Public Recognition.

1. Citizens' Comments. *[The City Council invites citizens to speak to the Council on any topic not on the agenda or not already scheduled for Public Hearing. Prior to the meeting, please complete a "Public Meeting Appearance Card" and present it to the City Secretary. The time limit is three minutes per speaker, not to exceed a total of fifteen minutes for all speakers.]*
2. Presentation of a Proclamation by the Office of the Mayor:
 - Presentation of a Proclamation to Donna Kliewer, Waste Services Manager, and Members of the Keep Allen Beautiful Board Proclaiming November 1, 2008, as *Allen Recycles Day*.
3. Recognition of the Public and Media Relations Department for a Series of Awards from the Texas Association of Telecommunications Officers and Advisors (TATOA), National Association of Telecommunications Officers and Advisors (NATOA), and the Lone Star Emmy.

Consent Agenda. *[Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.]*

4. Approve Minutes of the October 14, 2008, Regular Meeting.

5. Adopt a Resolution Appointing Ogden "Bo" Bass, Director of Planning and Development, to Fill the Unexpired Term of Office in Place 5 of the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 1 (Garden District).
6. Adopt a Resolution Appointing Lee Battle, Assistant Director of Planning and Development, to Fill the Unexpired Term of Office in Place 3 of the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 2 (Central Business District).
7. Adopt a Resolution Authorizing the City Manager to Execute the Necessary Documents Ratifying Cities Aggregation Power Project (CAPP) Contracts with Direct Energy Business Services for Billing Services and with Florida Power and Light for the Provision of Electricity for the Period of January 1, 2009, to December 31, 2013.
8. Receive the Summary of Property Tax Collections as of September 2008.
9. Receive the Capital Improvement Program Status Report.

Regular Agenda.

10. Consider an Appeal of Sign Control Board Action on October 20, 2008, to Grant a Variance to the Arts of Collin County for 100+/- Acres of Land Located South of SH 121 and East of Custer Road and to Take Action to Approve, Disapprove, or Modify Action of the Sign Control Board.

Other Business.

11. Items of Interest.
[Council announcements regarding local civic and charitable events, meetings, fundraisers, and awards.]
 - November 12 – Ducks Unlimited Banquet
 - November 8 – Panache! 2008/6:00 p.m.
12. Calendar.
 - October 29-31 – Event Center Sales Expo/Hilton Garden Inn
 - November 1 – Allen Recycles Day

- November 3 – TRIAD Meeting/Senior Center/6:00 p.m.

Executive Session. (As needed)

Legal, Section 551.071; Property, Section 551.072; Personnel, Section 551.074.
As authorized by Section 551.071(2) of the Texas Government Code, the Workshop Meeting and/or the Regular Agenda may be Convened into Closed Executive Session for the Purpose of Seeking Confidential Legal Advice from the City Attorney on any Agenda Item Listed Herein.

(Closed to Public as Provided in the Texas Government Code.)

13. Reconvene and Consider Action on Items Discussed during Executive Session.

Adjournment.

This notice was posted at Allen City Hall, 305 Century Parkway, Allen, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, October 24, 2008, at 5:00 p.m.

Shelley B. George, City Secretary

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*Office of the Mayor
City of Allen*

Proclamation

WHEREAS, November 1st is designated as *Allen Recycles Day* and is celebrated locally as part of the *Texas Recycles Day*; and,

WHEREAS, recycling greatly decreases the amount of money spent annually by Texans to dispose of their trash, and using recycled materials reduces the use of fossil fuels, resulting in the conservation of our natural resources; and,

WHEREAS, Allen continues to be a leader in recycling with over 15,000 tons recycled in 2007; and,

WHEREAS, Keep Allen Beautiful works with Keep Texas Beautiful and the Texas Commission on Environmental Quality to keep our community committed to the environment by focusing on this year's theme "It All Comes Back To You";

NOW, THEREFORE, I, STEPHEN TERRELL, MAYOR OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, do hereby proclaim Saturday, November 1, 2008, as:

"ALLEN RECYCLES DAY"

in Allen, Texas, and I urge all citizens to take cognizance of this event and participate in all the events related thereto in this community.

Stephen Terrell, MAYOR

CITY COUNCIL AGENDA COMMUNICATION
--

AGENDA DATE:

Tuesday, October 28, 2008

SUBJECT:

Recognition of the Public and Media Relations Department for a Series of Awards from the Texas Association of Telecommunications Officers and Advisors (TATOA), National Association of Telecommunications Officers and Advisors (NATOA), and the Lone Star Emmy

STAFF RESOURCE:

Teresa Warren, Public Information Officer

PREVIOUS COUNCIL ACTION:

None

BACKGROUND

Since 2000, Allen City Television (ACTV) has won more than 90 local and national awards. This year's award presentation includes the following awards:

2008 TATOA Programming Awards**Texas Association of Telecommunications Officers & Advisors**

Overall Excellence in Government Programming (Budget under \$250K)

1st Place - ACTV

Partnership Program

1st Place - ACTV Bulletin Board in Partnership with TVTN - TelVue

Promotion/Public Service Announcement (Budget under \$250K)

1st Place - Website Facelift

Public Health/Public Safety (Budget under \$250K)

1st Place - Helmet Mounted Thermal Imaging Cameras

Magazine Format Series (Budget under \$250K)

1st Place - Access Allen

Profile of a City/City Department (Budget under \$250K)

2nd Place - 2006:2007-The Year in Review

Public Health/Public Safety (Budget under \$250K)

2nd Place - Allen Police Department Recruitment Video

Promotion/Public Service Announcement (Budget under \$250K)
3rd Place - Make Wise Driving Decisions

2008 NATOA Programming Awards
National Association of Telecommunications Officers & Advisors

Overall Excellence in Government Programming (Budget from \$100K to \$250K)
1st Place - ACTV

Children/Young Adult (Budget under \$300K)
1st Place - In Memory of ...

Public Safety (Budget under \$200K)
1st Place - In Memory of ...

2008 Lone Star EMMY
Arts/Entertainment Program/Special
Mark Kaufmann, Executive Producer

Other Nominations

"David Chicken,'Book a Trip"
Mark Kaufmann

"Getting Seniors Off the Streets"
Scott Evans

ALLEN CITY COUNCIL

REGULAR MEETING

OCTOBER 14, 2008

Present:

Stephen Terrell, Mayor

Councilmembers:

Debbie Stout, Mayor Pro Tem

Ross Obermeyer

Joey Herald

Robin L. Sedlacek (absent)

Gary L. Caplinger

Jeff McGregor

City Staff:

Peter H. Vargas, City Manager

Shelli Siemer, Assistant City Manager

Shelley B. George, City Secretary

Pete Smith, City Attorney

Workshop Session

With a quorum of the Councilmembers present, the Workshop Session of the Allen City Council was called to order by Mayor Terrell at 6:14 p.m. on Tuesday, October 14, 2008, in the Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas:

- Introduction of Cheryl Lawson, President of the Parks and Recreation Board
- Briefing Regarding Drainage Fund Commercial Rate Adjustments

With no further discussion, the Workshop Session of the Allen City Council was adjourned at 6:54 p.m. on Tuesday, October 14, 2008.

Call to Order and Announce a Quorum is Present

With a quorum of the Councilmembers present, the Regular Meeting of the Allen City Council was called to order by Mayor Terrell at 7:03 p.m. on Tuesday, October 14, 2008, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

Pledge of Allegiance

Public Recognition

1. Citizens' Comments.

**ALLEN CITY COUNCIL
REGULAR MEETING
OCTOBER 14, 2008**

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Christina Panek, 1121 Nick Circle, Allen, Texas, spoke regarding the restrictions on planting cool weather grasses.

Council requested staff present this for discussion at a future workshop meeting of the City Council.

2. Presentation of a Proclamation by the Office of the Mayor:

- **Presentation of a Proclamation to Representatives of the Allen Chamber of Commerce Proclaiming October 20-24, 2008, as *Allen Chamber of Commerce Week*.**

3. Briefing by Members of the 'Friends of the Library' Regarding their Annual Membership Drive – *Chocolate Friendly*.

4. Present Plaques-of-Appeal to Former Members of the Various Boards and Commissions.

Cheryl Lawson, Parks & Recreation Board, 2003-2008

Jo Long, Library Board, 2000-2008

Ruth Pringle, Library Board, 2000-2008

5. Cheryl Lawson, Chair, Presented the Parks and Recreation Board's Annual Report to the City Council.

Consent Agenda

MOTION: Upon a motion made by Councilmember Obermeyer and a second by Councilmember Herald, the Council voted six (6) for and none (0) opposed to adopt the items on the Consent Agenda as follows:

6. Approve Minutes of the September 23, 2008, Regular Meeting.

7. Adopt a Resolution Denying Oncor Electric Delivery Company's Request to Increase Electric Transmission and Distribution Rates.

RESOLUTION NO. 2777-10-08(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, FINDING THAT ONCOR ELECTRIC COMPANY'S REQUESTED INCREASES TO ITS ELECTRIC TRANSMISSION AND DISTRIBUTION RATES AND CHARGES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

8. Adopt a Resolution Requesting the Removal of Greenville Avenue (SH 5) from the Texas Department of Transportation Highway System from Exchange Parkway through the Northern City Limit Line at Stacy Road.

RESOLUTION NO. 2778-10-08(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, REQUESTING THE REMOVAL OF GREENVILLE

AVENUE (SH 5) FROM THE TEXAS HIGHWAY SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE.

9. **Adopt a Resolution Authorizing the City Manager to Determine the Necessity for Acquisition of Right-of-Way, Easements, and Improvements for Construction of Chaparral Bridge and Roadway Improvements from Persimmon Court to Brook Ridge Avenue, and Authorize the City Manager and City Attorney to File Proceedings in Eminent Domain to Acquire Such Property, if Necessary.**

RESOLUTION NO. 2779-10-08(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DETERMINING THE NECESSITY FOR THE ACQUISITION OF RIGHT-OF-WAY, SLOPE EASEMENTS, DRAINAGE EASEMENTS, AND ALL ATTACHED IMPROVEMENTS FOR THE EXTENSION OF CHAPARRAL ROAD AS DESCRIBED IN THE EXHIBITS ATTACHED HERETO, WITHIN THE CITIES OF ALLEN, PARKER, AND PLANO, COLLIN COUNTY, TEXAS; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE THE EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

10. **Adopt a Resolution Designating Investment Officers of the City of Allen.**

RESOLUTION NO. 2780-10-08(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DESIGNATING INVESTMENT OFFICERS OF THE CITY AND AUTHORIZING THESE INDIVIDUALS TO INVEST, TRANSFER, WITHDRAW, DEPOSIT, GIVE INSTRUCTIONS ON BEHALF OF THE ORGANIZATION, OR MANAGE FUNDS FOR THE CITY OF ALLEN; AND PROVIDING AN EFFECTIVE DATE.

11. **Authorize the City Manager to Execute a Bank Depository Agreement Designating The American National Bank of Texas as the City Bank Depository and Adopt a Resolution Designating City Representatives to Execute All Related Bank Depository Documents.**

RESOLUTION NO. 2781-10-08(R): A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DESIGNATING CITY REPRESENTATIVES FOR THE BANK DEPOSITORY; AND PROVIDING AN EFFECTIVE DATE.

12. **Authorize the City Manager to Purchase Twenty-seven Replacement Vehicles for Various Departments through the State of Texas and the Houston-Galveston Area Council of Governments' Contractors: Philpott Motors for an Amount of \$305,890.37; Dallas Dodge for an Amount of \$206,379; Frazer (through Freeway Ford) for an Amount of \$148,975; Holiday Chevrolet for an Amount of \$81,219.03; and Pursuit Safety, Inc. for an Amount of \$12,639.50 with the Total Amount not to Exceed \$755,102.90.**

13. **Approve the Assignment of the Second Amended and Restated Tax Abatement Agreement by and Among the City of Allen, Collin County, Collin County College District and SCI Allen Hotel Ltd., a Texas Limited Partnership to Apple Nine SPE Allen, Inc., a Virginia Corporation and the Assignment of the Third Amended and Restated Allen Civic Center Development and Lease Agreement between the City and SCI Allen Hotel Ltd., a Texas Limited Partnership to Apple Nine SPE Allen, Inc., a Virginia Corporation and Authorize the City Manager to Execute the Assignments on Behalf of the City and Any Other Documents or Instruments Related to Any Agreements between the City and SCI Allen Hotel Ltd., a Texas Limited Partnership Necessary to Effect the Purchase of the Property by Apple Nine SPE Allen, Inc.**

The motion carried.

Other Business

**ALLEN CITY COUNCIL
REGULAR MEETING
OCTOBER 14, 2008**

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14. Items of Interest.

Councilmember McGregor requested that the Ducks Unlimited Banquet be listed on the next Council Agenda under Items of Interest.

15. Calendar.

- October 20 — Chocolate Friendly hosted by the Friends of the Library
- October 29-31 — Event Center Sales Expo hosted by Global Entertainment
- November 1 — Allen Recycles Day

Executive Session

The Executive Session was not held.

16. Reconvene and Consider Action on Items Discussed during Executive Session.

Adjourn

MOTION: Upon a motion made by Mayor Pro Tem Stout and a second by Councilmember Caplinger, the Council voted six (6) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 7:27 p.m. on Tuesday, October 14, 2008. The motion carried.

These minutes approved on the 28th day of October, 2008.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY

CITY COUNCIL AGENDA COMMUNICATION
--

AGENDA DATE:

Tuesday, October 28, 2008

SUBJECT:

Adopt a Resolution Appointing Ogden "Bo" Bass, Director of Planning and Development, to Fill the Unexpired Term of Office in Place 5 of the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 1 (Garden District)

STAFF RESOURCE:

Shelley B. George, City Secretary

ACTION PROPOSED:

Adopt Resolution

BACKGROUND

On December 13, 2005, the City Council designated Allen Tax Increment Financing Reinvestment Zone No. 1 and appointed the initial Board of Directors. The City Council designated Place 5 to be held by a City staff representative. As the Director of Planning and Development, Ogden "Bo" Bass is eligible to serve as a director on the Board of Directors.

Members of the Board of Directors are listed as follows:

Place 1	Lissa Smith Designee of Senator Florence Shapiro
Place 2	Ken Paxton Texas House of Representatives
Place 3	Peter H. Vargas, Chairman City Staff Representative
Place 4	Kevin Hammeke City Staff Representative
Place 6	Robert Winningham Allen Economic Development Corporation
Place 7	Joe Jaynes Collin County Commissioners Court
Place 8	Tom Carter Trademark Property Company
Place 9	Steve Rodgers Emerson Partners, Inc.

STAFF RECOMMENDATION

Staff recommends the City Council adopt the proposed resolution appointing Ogden "Bo" Bass to fill the unexpired term of office in Place 5 of the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 1 (Garden District).

MOTION

I make a motion to adopt Resolution No. _____ appointing Ogden "Bo" Bass, Director of Planning and Development, to fill the unexpired term of office in Place 5 of the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 1 (Garden District).

ATTACHMENT

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPOINTING OGDEN “BO” BASS, DIRECTOR OF PLANNING AND DEVELOPMENT, TO SERVE ON THE BOARD OF DIRECTORS OF THE ALLEN TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 1; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has designated Allen Tax Increment Financing Reinvestment Zone No. 1 and appointed the initial Board of Directors; and

WHEREAS, the City Council desires to appoint Ogden “Bo” Bass as a director to serve on the Board of Directors of the City of Allen Tax Increment Financing Reinvestment Zone No. 1 to serve the unexpired term of office created by a vacancy in Place 5 of the Board of Directors.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The following person is hereby appointed to Place 5 of the Board of Directors of the City of Allen Tax Increment Financing Reinvestment Zone No. 1, to serve the unexpired term of office created in Place 5 of the Board of Directors.

Place 5:

Ogden “Bo” Bass
City of Allen
305 Century Parkway
Allen, Texas 75013
(214) 509-4161
(214) 509-4179 (fax)

SECTION 2. This Resolution shall take effect from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 28TH DAY OF OCTOBER, 2008.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY

CITY COUNCIL AGENDA COMMUNICATION
--

AGENDA DATE: Tuesday, October 28, 2008

SUBJECT: Adopt a Resolution Appointing Lee Battle, Assistant Director of Planning and Development, to Fill the Unexpired Term of Office in Place 3 of the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 2 (Central Business District)

STAFF RESOURCE: Shelley B. George, City Secretary

ACTION PROPOSED: Adopt Resolution

BACKGROUND

On December 12, 2006, the City Council designated Allen Tax Increment Financing Reinvestment Zone No. 2 and appointed the initial Board of Directors. The City Council designated Place 3 to be held by a City staff representative. As the Assistant Director of Planning and Development, Lee Battle is eligible to serve as a director on the Board of Directors.

Members of the Board of Directors are listed as follows:

Place 1	Peter H. Vargas, Chairman City Staff Representative
Place 2	Kevin Hammeke City Staff Representative
Place 4	John Baumgartner City Staff Representative
Place 5	Robert Winningham Allen Economic Development Corporation
Place 6	Charles Nies Dal Briar Corporation
Place 7	Bruce Heller JaRyCo Development, L.L.C.

STAFF RECOMMENDATION

Staff recommends the City Council adopt the proposed resolution appointing Lee Battle to fill the unexpired term of office in Place 3 of the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 2 (Central Business District).

MOTION

I make a motion to adopt Resolution No. _____ appointing Lee Battle, Assistant Director of Planning and Development, to fill the unexpired term of office in Place 3 of the Board of Directors for Tax Increment Financing (TIF) Reinvestment Zone No. 2 (Central Business District).

ATTACHMENT

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, APPOINTING LEE BATTLE, ASSISTANT DIRECTOR OF PLANNING AND DEVELOPMENT, TO SERVE ON THE BOARD OF DIRECTORS OF THE ALLEN TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 2; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has designated Allen Tax Increment Financing Reinvestment Zone No. 2 and appointed the initial Board of Directors; and

WHEREAS, the City Council desires to appoint Lee Battle as a director to serve on the Board of Directors of the Allen Tax Increment Financing Reinvestment Zone No. 2, to fill the unexpired term of office created by the vacancy in Place 3 of the Board of Directors.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The following person is hereby appointed to Place 3 of the Board of Directors of the City of Allen of Tax Increment Financing Reinvestment Zone No. 2, to serve the unexpired term of office created by a vacancy in Place 3 of the Board of Directors.

Place 3:

Lee Battle
City of Allen
305 Century Parkway
Allen, Texas 75013
(214) 509-4161
(214) 509-4179 (fax)

SECTION 2. This Resolution shall take effect from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 28TH DAY OF OCTOBER, 2008.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY

CITY COUNCIL AGENDA COMMUNICATION
--

AGENDA DATE: Tuesday, October 28, 2008

SUBJECT: Electric Supply Contract

STAFF RESOURCE: Steve Massey, Community Services Director

PREVIOUS COUNCIL ACTION:

By Resolution No. 1948-5-01(R), dated May 17, 2001, the City of Allen accepted membership in the Cities Aggregation Power Project (CAPP); by Resolution No. 1990-9-01 (R), dated September 20, 2001, the City of Allen authorized the City Manager to sign an Electric Supply Agreement ratifying the contract between CAPP and a Retail Electric Provider (REP);

By Resolution No. 2086-9-02(R), dated September 10, 2002, the City of Allen authorized the City Manager to sign an Electric Supply Agreement ratifying the contract between CAPP and a Retail Electric Provider (REP);

By Resolution No. 2220-9-03(R), dated September 23, 2003, the City of Allen authorized the City Manager to sign an Electric Supply Agreement ratifying the contract between CAPP and a Retail Electric Provider (REP);

By Resolution No. 2319-8-04(R), dated August 24, 2004, the City of Allen authorized the City Manager to sign an Electric Supply Agreement ratifying the contract between CAPP and a Retail Electric Provider (REP);

By Resolution No. 2524-6-06(R), dated June 13, 2006, the City of Allen authorized the City Manager to sign an Electric Supply Agreement ratifying the contract between CAPP and a Retail Electric Provider (REP).

ACTION PROPOSED: Authorize the City Manager to sign the necessary contracts or agreements ratifying CAPP's contracts with Direct Energy Business

Services for billing services and with Florida Power and Light for the provision of electricity for the period from January 1, 2009, to December 31, 2013.

BACKGROUND

The City of Allen joined the Cities Aggregation Power Project (CAPP) aggregation group in 2001 to receive the benefit of reduced electric costs achieved by marketing the combined electric loads of over 111 CAPP members at one time. This arrangement has proven to be cost advantageous relative to the Electric Price to Beat (PTB) in calendar years 2002 to 2006, when the State ceased establishing a PTB electric rate. In the subsequent years, CAPP has also assisted member cities to obtain competitive market rates for electricity.

The purpose of this communication is to recommend adoption by the Mayor and City Council of the proposed resolution authorizing the City Manager to sign an electric supply contract or agreement with the CAPP for the provision of the City's deregulated electricity requirement for the five-year period from January 1, 2009, to December 31, 2013. During this period, Direct Energy Business Services (DEBS) will continue to serve as CAPP's billing agent. In addition, Florida Power and Light (FP&L) will continue to produce or acquire the electricity required to serve the needs of the aggregation group. Both of these commercial entities have provided CAPP reliable and cost effective service for several years now.

This resolution is indirectly related to the CAPP long term base load electric contract, but this resolution is not the City Council action that would commit the City to the 24 year duration of that endeavor. Council will remember that CAPP has negotiated a five-year "full requirement" contract as a back-up to the long-term contract negotiations. This action represents our City's participation in that back-up five-year contract. This five-year contract does not involve a capacity prepayment or bond issuance. It is essentially how CAPP has been buying power for the last seven years.

Status of CAPP Long-term Contract

- 1 CAPP has received informal notice from the Chief of the Attorney General's (AG) Public Finance Division that they intend to not support the legal premise that would allow CAPP to issue municipal debt to purchase the long-term capacity based electric contract from Luminant. As this is a reversal of previously provided Attorney General opinion that was provided by a different Public Finance Division Chief, the current Division Chief has pushed the final decision up one level for consideration. It is now uncertain how this issue will be resolved, so it is imperative that every CAPP member take action to ratify the five-year full requirement electric contract.
- 1 Natural Gas prices have now dropped to one-half what they were last spring and summer and there continues to be downward pressure from two sources. First, the recent rapid decline of oil prices. Second, the fact that the nation's natural gas storage in preparation for the upcoming winter was at 94.4% full by September 26th and will be full well before the winter withdrawal season begins. These natural gas cost declining factors have driven the cost of the five-year full requirement electricity to even lower than the projected 8.4 cents per kilowatt hour range that was presented at Council Workshop on

September 23, 2008. Several of the years in the five-year full requirement contract could be well under 8 cents per kilowatt hour and actually prove less expensive than the long-term base load contract cost of about 8.2 cents per kilowatt hour in the first five-year period of the long-term contract. These costs are termed indicative and are not really “locked in” until CAPP members sign up for the power supply contracts, and the prices are “locked-in” between CAPP and Florida Power and Light. The price of natural gas at the time the CAPP actually contracts with FP&L will establish the actual contracted cost.

- 1 Due to the disarray of the financial markets, there is now some concern around issuing the bond debt associated with the long-term base load contract. It is possible that although municipal debt is low risk, there may not be a market for the securities at the anticipated 6.5 percent interest rate. If the interest rate escalates, the cost savings of the initiative are reduced and the 24-year deal becomes less desirable.
- 1 To allow time for the AG opinion to be finalized, CAPP has now extended the deadline for cities to endorse the long-term base load contract to December 7, 2008. As a result, the City Council will not consider the long-term contract before the November 25, 2008, City Council Meeting. Should the AG opinion remain negative or the long-term deal become less desirable than previously believed by the City Staff in comparison to the risk-free cost of the five-year full requirement deal with FP&L, City Council may not be asked to take further action on the long term base load contract.

Staff will keep City Council informed of long term base load contract developments.

STAFF RECOMMENDATION

Staff recommends that City Council authorize the City Manager to sign the necessary contracts or agreements ratifying CAPP’s contracts with Direct Energy Business Services for billing services and with Florida Power and Light for the provision of electricity for the period from January 1, 2009, to December 31, 2013.

BUDGETARY IMPACT

Funds to pay electric expenses are included in the City budgets developed for each Fiscal Year.

MOTION

I make a motion to adopt Resolution No. _____ authorizing the City Manager to execute the necessary contracts or agreements ratifying the Cities Aggregation Power Project’s contracts with Direct Energy Business Services for billing services and with Florida Power and Light for the provision of electricity for the period from January 1, 2009, to December 31, 2013.

ATTACHMENT

CAPP Background Memorandum
Resolution



816 Congress Avenue, Suite 1900
Austin, Texas 78701
Telephone: (512) 322-5800
Facsimile: (512) 472-0532
www.lglawfirm.com

Ms. Doyle's Direct Line: (512) 322-5820
Email: kdoyle@lglawfirm.com

MEMORANDUM

TO: CAPP Members

FROM: Geoffrey Gay
Kristen Doyle

DATE: October 10, 2008

RE: **ACTION NEEDED BY ALL CAPP MEMBERS** - Resolution to support locking in electric prices and authorizing contracts with Direct Energy and FPL Energy

IMPORTANT NOTICE – PLEASE PLACE THE ATTACHED RESOLUTION ON THE AGENDA FOR COUNCIL CONSIDERATION AT THE NEXT SCHEDULED MEETING.

CAPP's current electric contract will expire on December 31, 2008. The CAPP Board has approved indicative electric pricing available through FPL Energy and Direct Energy Business Services (DEBS) for all CAPP members for a five (5) year term beginning January 1, 2009 through December 31, 2013. Energy markets have been falling in response to recessionary pressures and the CAPP Board desires to lock-in very favorable gas based pricing for as long as possible (five years). If members act quickly, CAPP should be able to fix rates for each of the next five years at commodity prices (i.e. excluding non-bypassable wires charges) that range from 8.0 cents (possibly lower) to 8.5 cents per kilowatt hour. This means that CAPP members will lock-in prices for five years that are below electric prices members are currently paying.

Adopting this resolution is a necessary step for all CAPP members that will not participate in the long term contract. The contract with FPL Energy and DEBS that will be negotiated and secured as a result of the authority granted by the attached resolution is structured like the energy contracts CAPP has put together for members over the past six years. There is no prepayment of capacity costs or debt allocation associated with this contract.

For those members that have passed or are planning to pass an ordinance to participate in the long term purchase power agreement (PPA) with Luminant, you should also take action to pass the attached resolution. FPL Energy will be the wrap energy provider for the power needs not served by the PPA. Because of this and at the Board's instruction to provide added protection for all CAPP members, FPL Energy has agreed to initially secure 100 percent of the power needs for all CAPP members, including those participating in the PPA. For those members participating in the PPA, FPL Energy will allow CAPP/STAP to exercise a one-time option to back out of the FPL Energy contract the portion of energy associated with base load and substitute energy under the Luminant agreement. Although we don't anticipate that

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October 10, 2008

CAPP will be unable to issue bonds to fund the prepayment required by the PPA, this added security provided by FPL Energy is critical as we await the full ramifications of the unfolding credit crisis.

Explanation of the Contracting Process

The contracting process is exactly like the process used the last several contracting periods. Your council will need to approve one of the two attached model resolutions. One resolution (Model Resolution A) authorizes CAPP to act as an agent to negotiate and execute a contract for the member's electricity needs while the other resolution (Model Resolution B) requires the city to contract with CAPP to purchase power for the member through CAPP and to designate an individual with the power to execute the contract.

The resolutions streamline contracting procedures. The resolutions empower the Chairman of CAPP to sign a contract with the selected power provider on behalf of all CAPP members for 2009 - 2013 energy needs. A majority of CAPP members previously authorized the CAPP Chairman to execute the 2007 energy contract on their behalf. Model Resolution A accomplishes that objective for 2009 - 2013. Model Resolution B is to be adopted by those cities whose charters prevent the cities from delegating contracting power to anyone but the mayor or other designated city representative. For those cities, the resolution directs the city to contract with CAPP for the city's 2009 -2013 electricity needs. In addition, both resolutions reiterate that each member is obligated only for its proportionate share of the contracted load. Every CAPP member should expeditiously adopt one of the two resolutions and provide a copy of the resolution to our office.

(To assist you in determining which model resolution your city should adopt this year, the following cities adopted Model Resolution B last contracting cycle: Addison, Allen, Benbrook Library District, Cisco, Colleyville, Colorado City, Comanche, Copperas Cove, Crockett, Denison, Fort Stockton, Highland Park, Irving, Lewisville, Mansfield, North Richland Hills, Odessa, Paris, Richland Hills, Rotan, Saginaw, San Angelo, Sweetwater, and Watauga.)

If you have any questions or need more information, please contact Geoffrey (512/322-5875, ggay@lglawfirm.com) or Kristen (512/322-5820, kdoyle@lglawfirm.com).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AUTHORIZING THE CITIES AGGREGATION POWER PROJECT, INC. (CAPP) TO NEGOTIATE AN ELECTRIC SUPPLY AGREEMENT FOR DELIVERIES OF ELECTRICITY AND NECESSARY, RELATED SERVICES EFFECTIVE JANUARY 1, 2009; APPROVING CAPP CONTRACTING WITH FLORIDA POWER AND LIGHT (FPL) ENERGY AND DIRECT ENERGY AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO SIGN A CONTRACT WITH CAPP FOR THE CITY OF ALLEN'S ELECTRICITY NEEDS FOR THE PERIOD BEGINNING JANUARY 1, 2009, AND EXTENDING UP TO DECEMBER 31, 2013; COMMITTING TO BUDGET FOR ENERGY PURCHASES AND TO HONOR THE CITY OF ALLEN'S COMMITMENTS TO PURCHASE POWER THROUGH CAPP FOR ITS ELECTRICAL NEEDS BEGINNING JANUARY 1, 2009, AND EXTENDING UP TO DECEMBER 31, 2013; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Allen, Texas (City), is a member of Cities Aggregation Power Project, Inc. (CAPP), a nonprofit political subdivision corporation dedicated to securing electric power for its more than 111 members in the competitive retail market; and,

WHEREAS, CAPP negotiated favorable contract terms and a reasonable commodity price for delivered electricity since 2002 resulting in significant savings for its members; and,

WHEREAS, the City's current contract for power expires December 31, 2008; and,

WHEREAS, CAPP members must secure power supplies for 2009 or revert to high price standard contracts and independently shop for a power contract; and,

WHEREAS, the CAPP Board of Directors is currently considering indicative retail energy prices that point to favorable pricing for the five year period ending December 31, 2013; and,

WHEREAS, power providers desire to execute a contract with one, and only one, entity rather than have unique contracts for each CAPP member; and,

WHEREAS, CAPP believes that the pricing opportunity window for favorable 2009 deliveries will be short-lived and that CAPP must be able to commit contractually to prices within a 24-hour period in order to lock-in favorable prices; and,

WHEREAS, experiences in contracting for CAPP load since 2002 demonstrated that providers demand immediate response to an offer and may penalize delay with higher prices; and,

WHEREAS, aggregated rates contracted during favorable pricing periods are likely to be lower than prices obtained by the City contracting individually during the same time period; and,

WHEREAS, suppliers demand assurance that CAPP will pay for all contracted load; and,

WHEREAS, the City must assure CAPP that it will budget for energy purchases and honor its commitments to purchase power for its electrical needs through CAPP for the period beginning January 1, 2009, and extending through December 31, 2013; and,

WHEREAS, CAPP intends to continue to contract with both FPL Energy (power supply) and Direct Energy (billing, administrative, and other customer services); and,

WHEREAS, the current contractual relationships between CAPP and FPL Energy and Direct Energy have been beneficial and cost effective for CAPP members and the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The CAPP Board and its consultants and advisors are agents authorized to negotiate for the City's electricity needs as a member of CAPP for a term to begin January 1, 2009, and extending up to December 31, 2013.

SECTION 2. The City approves CAPP contracting with FPL Energy and Direct Energy for the supply of electric power and related, necessary services for the City for a term to begin January 1, 2009, and extending up to December 31, 2013.

SECTION 3. The City will execute a contract with CAPP that permits the Chairman of CAPP to sign a Commercial Electric Service Agreement ("CESA") for the City's electricity needs and related, necessary services beginning January 1, 2009, and extending up to December 31, 2013, as a member of CAPP and commits its load for the same period pursuant to the contract recommended and approved by the CAPP Board of Directors.

SECTION 4. The City will budget and approve funds necessary to pay electricity costs proportionate to the City's load under the supply agreement arranged by CAPP and signed by the Chairman of CAPP on behalf of all CAPP members for the term beginning January 1, 2009, and extending up to December 31, 2013.

SECTION 5. A copy of the resolution shall be sent to Mary Bunkley with the City Attorney's office in Arlington and Geoffrey M. Gay, legal counsel to CAPP.

SECTION 6. This resolution shall become effective from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 28TH DAY OF OCTOBER, 2008.

APPROVED:

Stephen Terrell, Mayor

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY

Kenneth L Maun
Tax Assessor/Collector
Collin County
P O Box 8046
McKinney Tx 75070

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Monthly Collection Status Report
September 2008

City of Allen #06

	Collections Month of September	Cumulative Total 10/1/07 thru 9/30/08	% of Collections
Current Tax Year Collections			
Base M&O	\$29,291.08	28,095,097.13	102.01%
Base I&S	8,951.87	8,586,359.81	
Base I&S Bond			
P&I M&O	5,813.94	117,881.78	
P&I I&S	1,776.84	36,026.98	
P&I I&S Bond			
Attorney Fee	9,070.80	47,054.37	
Subtotal	<u>\$54,904.53</u>	<u>\$36,882,420.07</u>	102.57%
Delinquent TaxYears Collections			
Base M&O	\$4,893.62	384,953.12	
Base I&S	2,090.09	173,450.28	
Base I&S Bond			
P&I M&O	397.27	79,787.36	
P&I I&S	169.69	39,876.05	
P&I I&S Bond			
Attorney Fee	368.02	85,300.00	
Other>	0.00	0.00	
Subtotal	<u>\$7,918.69</u>	<u>\$763,366.81</u>	2.12%
Combined Current & Delinquent:			
Base M&O	\$34,184.70	\$28,480,050.25	
Base I&S	\$11,041.96	\$8,759,810.09	
Base I&S Bond			
P&I M&O	6,211.21	197,669.14	
P&I I&S	1,946.53	75,903.03	
P&I I&S Bond			
Attorney Fee	9,438.82	132,354.37	
Other>	0.00	0.00	
Total Collections	<u><u>\$62,823.22</u></u>	<u><u>\$37,645,786.88</u></u>	104.69%
			100.00%
Original 2007 Tax Levy		<u><u>\$35,959,334.67</u></u>	

Kenneth L. Maun
Tax Assessor/Collector
Collin County
P O Box 8046
McKinney Tx 75070

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Cumulative Comparative Collection Status Report
September 2008

City of Allen #06

	Collections thru September 2008	% Collections	Collections thru September 2007	% Collections
Current Tax Year Collections				
Base M&O + I&S	\$36,681,456.94	102.01%	\$32,184,530.54	98.51%
P&I M&O + I&S	153,908.76		135,400.30	
Attorney Fee	47,054.37		42,014.44	
Subtotal	<u>\$36,882,420.07</u>	102.57%	<u>\$32,361,945.28</u>	99.05%
Delinquent Tax Years Collections				
Base M&O + I&S	\$558,403.40		\$797,164.27	
P&I M&O + I&S	119,663.41		61,188.42	
Attorney Fee	85,300.00		53,915.62	
Other>	0.00		0.00	
Subtotal	<u>\$763,366.81</u>	2.12%	<u>\$912,268.31</u>	2.79%
Combined Current & Delinquent:				
Base M&O + I&S	\$37,239,860.34		\$32,981,694.81	
P&I M&O + I&S	273,572.17		196,588.72	
Attorney Fee	132,354.37		95,930.06	
Other	0.00		0.00	
Total Collections	<u><u>\$37,645,786.88</u></u>	104.69%	<u><u>\$33,274,213.59</u></u>	101.84%
Adjusted 2006 Tax Levy			<u><u>\$32,671,927.74</u></u>	100.00%
Original 2007 Tax Levy	<u><u>\$35,959,334.67</u></u>	100.00%		

Kenneth L Maun
Tax Assessor/Collector
Collin County
P O Box 8046
McKinney Tx 75070

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Levy Outstanding Status Report
September 2008

City of Allen #06

	Current Tax Year	Delinquent Tax Years
Current Month:		
Tax Levy Remaining as of 8/29/08	\$262,958.45	\$249,236.32
Base M&O Collections	38,242.95	6,983.71
Supplement/Adjustments	-347.99	-479.02
Write-off	0.00	0.00
Remaining Levy as of 9/30/08	<u>\$224,367.51</u>	<u>\$241,773.59</u>
Cumulative (From 10/01/07 thru 9/30/08)		
Original 2006 Tax Levy (as of 10/01/07)	\$35,959,334.67	\$773,041.82
Base M&O + I&S Collections	36,681,456.94	558,403.40
Supplement/Adjustments	946,558.23	27,135.17
Write-off	68.45	0.00
Remaining Levy as of 9/30/08	<u>\$224,367.51</u>	<u>\$241,773.59</u>

Kenneth L Maun
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Monthly Distribution Report
September 2008

City of Allen #06

	Distribution Month of September	Distribution 10/1/07 thru 9/30/08
Weekly Remittances:		
Week Ending 9/5/08	\$20,316.32	\$4,850,475.64
Week Ending 9/12/08	14,283.90	\$6,174,435.90
Week Ending 9/19/08	7,936.98	\$8,137,160.98
Week Ending 9/26/08	\$6,643.16	\$12,004,489.14
Week Ending 9/30/08	4,203.95	\$6,346,301.34
Total Weekly Remittances	<u>\$53,384.31</u>	<u>\$37,512,863.00</u>
Overpayment from Prior Month	\$0.00	\$0.00
Manual Adjustment Refund	\$0.00	\$0.00
Commission Paid Delinquent Attorney	\$9,438.82	\$132,354.37
Entity Collection Fee	\$0.00	\$0.00
Judgement Interest	0.00	\$0.00
5% CAD Rendition Penalty	0.09	\$569.51
Total Disbursements	<u><u>\$62,823.22</u></u>	<u><u>\$37,645,786.88</u></u>
Carryover to Next Month	\$0.00	\$0.00



CAPITAL IMPROVEMENT PROJECTS

Prepared by Finance Department

Active Status

Date: 10/17/2008

Project Number	Project Description	Funding Sources	Completion Date	Project Estimate	Total Encumbrance & Expenditures	Percent Expended
CD0201	HERITAGE GLD HISTORIC VLG	NON-BONDS, CDC, GRANT	9/30/2009	\$1,202,284	\$1,147,802	95.5%
DR0602	BOWLING ALLEY DRAINAGE	GO BOND & NON-BONDS	1/31/2009	\$500,000	\$435,284	87.1%
DR0801	BUCKINGHAM DRAINAGE REHAB	NON-BONDS	9/30/2009	\$23,003	\$0	0.0%
DR0802	RIDGEVIEW DRIVE	NON-BONDS	9/30/2009	\$101,448	\$14,550	14.3%
DR0803	FOUNTAIN GATE ALLEY DRAIN	NON-BONDS	9/30/2009	\$23,004	\$0	0.0%
EC0801	EVENT CENTER BUILDING	CDC BONDS	10/29/2009	\$25,000,000	\$17,704,112	70.8%
EC0802	EVENT CTR PARKING GARAGE	CDC BONDS	2/20/2010	\$7,000,000	\$7,000,000	100.0%
EC0803	EVENT CTR INFRASTRUCTURE	EDC BONDS	2/20/2010	\$13,095,545	\$13,095,545	100.0%
IS0703	IT DATA CENTER @CITY HALL	NON-BONDS	9/30/2009	\$512,500	\$510,276	99.6%
IT0701	IT MASTER PLAN	NON-BONDS	9/30/2009	\$510,000	\$0	0.0%
IT0801	IT PUBLIC SAFETY WIRELESS	GO BONDS	9/30/2010	\$395,941	\$20,000	5.1%
LB0601	LIBRARY DONOR WALL	NON-BONDS	9/30/2009	\$35,000	\$0	0.0%
PR0202	HILLSIDE PARK	CDC, GO BOND, NON-BOND	9/30/2009	\$569,064	\$3,700	0.7%
PR0204	TREE FARM	CDC	12/30/2008	\$48,000	\$0	0.0%
PR0302	JUPITER PARK	GO BOND	9/30/2009	\$785,156	\$20,990	2.7%
PR0305	ENTRY & MONUMENT SIGNAGE	CDC, GO BOND	9/30/2009	\$75,304	\$6,039	8.0%
PR0402	DAYSRING NATURE PRESERVE	CDC, PARK DEDICATION FEES	9/30/2009	\$300,330	\$5,787	1.9%
PR0405	TRAILS CONSTRUCTION, PH 3	CDC, GO BOND, NON-BONDS	9/30/2010	\$722,570	\$342,198	47.4%
PR0406	ALLENWOOD PARK DEVELOPMNT	GO BOND, CDC, PARKLAND	4/30/2009	\$1,130,682	\$1,027,306	90.9%
PR0408	PUBLIC ART	NON-BONDS	9/30/2009	\$1,127	\$0	0.0%
PR0418	HERITAGE VILLAGE LANDSCAP	NON-BONDS	9/30/2009	\$25,000	\$0	0.0%
PR0504	ALLEN BARK PARK	CDC	9/30/2009	\$247,000	\$25,830	10.5%
PR0508	FOX HOLLOW RECREATION A.	CDC	4/30/2009	\$72,000	\$0	0.0%
PR0509	FORD POOL REDEVLPMNT PLAN	CDC	12/31/2008	\$100,000	\$74,500	74.5%
PR0514	6 CITIES TRL CONNECTION 8	CDC,GO BOND,NON-BONDS,GR	9/30/2009	\$654,222	\$71,300	10.9%
PR0601	BATTING CAGES & WARM UP	CDC	6/30/2009	\$75,000	\$583	0.8%
PR0603	CELEBRATION #2 SPRAYGRD	CDC, GO BOND	9/30/2009	\$172,875	\$124,545	72.0%
PR0604	COUNTRY MEADOW PARK IMP#2	CDC, PARKLAND, BOND, NON B	6/30/2009	\$126,400	\$13,265	10.5%
PR0609	BETHANY LAKES VETERAN'S	CDC	5/30/2010	\$25,000	\$25,000	100.0%
PR0611	PARKS & REC MASTER PLAN	BONDS	9/30/2009	\$30,000	\$0	0.0%
PR0615	CHASE OAKS IMPROVEMENT II	CDC	9/30/2010	\$1,135,392	\$240,923	21.2%
PR0701	PARK LAND ACQUISITION #3	GO BONDS	9/30/2010	\$3,244,288	\$1,043	0.0%
PR0702	WINDRIDGE NEIGHBORHOOD PK	PARKLAND FEE	12/30/2008	\$160,000	\$144,320	90.2%
PR0703	SHADOW LAKES GREENBELT	CDC	12/30/2008	\$150,000	\$0	0.0%
PR0704	JFRC RENOVATION PHASE 1	CDC	9/30/2009	\$50,000	\$23,582	47.2%
PR0705	PARK COMP SECURITY SYSTEM	CDC	9/30/2009	\$150,000	\$0	0.0%
PR0706	MOLSEN FARM MASTER PLAN	CDC	5/30/2009	\$25,000	\$25,000	100.0%
PR0707	SHADE STRUC @ BALLFIELDS	CDC	9/30/2009	\$236,802	\$215,512	91.0%
PR0709	ASP II BRIDGE DECK	GO BOND, GRANT, CDC	12/30/2008	\$55,488	\$4,495	8.1%
PR0710	YOUTH CENTER CUST COUNTER	NON-BONDS	9/30/2009	\$6,500	\$0	0.0%
PR0711	WATER FORD PARK PH 5 NP	GO BONDS,PARK DEDICATION	9/30/2010	\$745,350	\$745,349	100.0%
PR0801	SHADE @ CELEBRATION PARK	CDC	9/30/2009	\$100,000	\$0	0.0%
PR0804	MOLSEN FARM DRIVE	CDC	5/30/2009	\$150,000	\$0	0.0%
PR0805	BETHANY LAKES PIER	CDC	9/30/2009	\$85,000	\$0	0.0%



CAPITAL IMPROVEMENT PROJECTS

Prepared by Finance Department

Active Status

Date: 10/17/2008

Project Number	Project Description	Funding Sources	Completion Date	Project Estimate	Total Encumbrance & Expenditures	Percent Expended
PR0808	POLICE MONUMENT SIGN	CDC, NON-BOND	12/31/2008	\$43,386	\$33,750	77.8%
PR0809	SHELLEY FARM NEIGHBH PARK	PARKLAND	9/30/2009	\$6,000	\$6,000	100.0%
PR0810	CELEBRATION PASS PED TRL	CDC,GRANT	12/31/2009	\$91,224	\$48,000	52.6%
PR0812	WATTERS BRANCH BRIDGE	CDC	9/30/2009	\$50,000	\$36,000	72.0%
PR0813	CANCER WALK OF HOPE	NON-BOND	5/30/2009	\$40,000	\$1,200	3.0%
PR0814	PUBLIC ART BONDS FUND	BONDS	9/30/2010	\$196,501	\$0	0.0%
PR0815	CELEBRATION PARK PHASE II	GO-BOND,CDC	12/31/2009	\$504,032	\$270,735	53.7%
PR0816	OUTDOOR CINEMA SYSTEM	CDC	12/30/2008	\$19,937	\$0	0.0%
PS0601	FIRE STATION #5	NON-BONDS, BONDS	9/30/2010	\$3,743,726	\$456,170	12.2%
PS0701	SERVICE CENTER	NON-BONDS	9/30/2011	\$2,356,461	\$1,360,137	57.7%
PS0801	JAIL EXPANSION	GO BONDS	9/30/2009	\$746,407	\$686,796	92.0%
PS0802	ANIMAL SHELTER EXPANSION	GO BONDS	2/28/2010	\$147,719	\$14,000	9.5%
PS0803	FIRE STATION #6	GO BONDS	9/30/2012	\$196,501	\$0	0.0%
ST0110	SH5, EXCHANGE-STACY	GO BOND & NON-BOND	9/30/2009	\$1,404,518	\$1,340,928	95.5%
ST0312	SIGNAL UPGRADE/COM.SYSTEM	GO BOND & NON-BOND	9/30/2009	\$492,517	\$293,376	59.6%
ST0316	FM 2551	FACILITY AGREEMENT	9/30/2010	\$553,080	\$0	0.0%
ST0317	N BETHANY LAKES-WALL PRJ	FACILITY AGREEMENT	9/30/2009	\$100,000	\$0	0.0%
ST0501	EXCHANGE,WATTERS-W.BRANCH	FACILITY AGRMNT, NON-BONDS	9/30/2009	\$2,450,000	\$2,365,880	96.6%
ST0503	EXCHANGE PK,TWN CRK-SH121	FACILITY AGRM, NON-BONDS	9/30/2010	\$3,363,814	\$2,014,083	59.9%
ST0603	STACY RD-US 75 TO GREENVI	NON-BONDS, FCLTY AG	9/30/2009	\$635,652	\$540,560	85.0%
ST0610	ANGEL PARKWAY, PH III	GO BONDS, NON-BOND, FAC AGR	9/30/2009	\$860,564	\$807,321	93.8%
ST0702	EXCHANGE PKWY SIGNALS	ROADWAY IMPACT FEES	9/30/2009	\$152,000	\$144,781	95.3%
ST0704	STACY PII-GREENV TO ANGEL	NON-BONDS	10/31/2011	\$52,500	\$0	0.0%
ST0709	COUNTRY BROOK LANE	NON-BONDS	9/30/2009	\$398,501	\$398,276	99.9%
ST0710	RIDGEVIEW DRIVE	ROADWAY IMPACT FEES	12/31/2008	\$44,000	\$44,000	100.0%
ST0711	MAIN STREET LANDSCAPING	NON-BONDS	9/30/2009	\$320,000	\$292,392	91.4%
ST0713	STREET LIGHTS PAHSE II	NON-BONDS	9/30/2009	\$17,752	\$0	0.0%
ST0714	EXCHANGE/STACY RAMP REVER	EDC BONDS	2/20/2010	\$1,905,482	\$1,875,482	98.4%
ST0801	RIDGEVIEW-CUSTER TO ALMA	GO BONDS	3/30/2010	\$5,276,887	\$588,500	11.2%
ST0802	WATTERS RD BOSSY TO RIDGE	NON-BONDS	9/30/2010	\$502,141	\$201,363	40.1%
ST0805	STREET & ALLEY REPAIR	NON-BONDS	11/30/2008	\$300,000	\$295,039	98.3%
ST0806	ALMA IMP ROWLETT/TATUM	NON-BONDS	9/30/2009	\$253,404	\$0	0.0%
ST0810	ALMA/HEDGCOXE TRAFFIC SIG	NON-BONDS	9/30/2009	\$6,740	\$6,740	100.0%
ST0811	2009 TRAFFIC SIGNALS	NON-BONDS	12/31/2009	\$310,282	\$36,246	11.7%
ST0812	FY09 STREET& ALLEY REPAIR	NON-BONDS	9/30/2009	\$147,587	\$0	0.0%
ST0813	SHALLOWATER DRIVE	GO BONDS	9/30/2009	\$35,000	\$0	0.0%
ST9904	CHAPARRAL BRIDGE	GO BOND, NON-BONDS, FCLTY	9/30/2010	\$1,572,025	\$382,313	24.3%
WA0118	ALLENWOOD SANITARY SEWER	NON-BONDS	9/30/2009	\$1,211,714	\$1,097,847	90.6%
WA0240	CUSTER RD PMP STA#3 EXPNS	W&S BOND, NON-BONDS, IMPACT	3/30/2009	\$6,003,821	\$5,746,143	95.7%
WA0301	TWN CREEKS 36" WTRLIN 6B	NON-BONDS, IMPACT FEES	9/30/2009	\$818,237	\$818,237	100.0%
WA0305	OVERSIZING W/S	NON-BONDS, IMPACT FEES	9/30/2010	\$250,000	\$131,109	52.4%
WA0335	WESTSIDE WATERLINE	W&S BOND, NON-BONDS, IMPACT	9/30/2009	\$3,500,460	\$3,484,404	99.5%
WA0340	CUSTER/RIDGEVIEW WATERLIN	NON-BONDS	9/30/2009	\$100,000	\$0	0.0%
WA0401	US75 LIFT STA +12"FRC MN	NON-BONDS	9/30/2011	\$450,054	\$0	0.0%



CAPITAL IMPROVEMENT PROJECTS

Prepared by Finance Department

Active Status

Date: 10/17/2008

Project Number	Project Description	Funding Sources	Completion Date	Project Estimate	Total Encumbrance & Expenditures	Percent Expended
WA0601	JUPITER RD SEWER REPLACEMENT	NON-BONDS	9/30/2009	\$573,500	\$491,143	85.6%
WA0602	EXCHANGE PARKWAY WATERLINE	NON-BONDS	9/30/2009	\$84,000	\$72,502	86.3%
WA0703	BEACON HILL/MCDERMOTT W/L	NON-BONDS	12/31/2008	\$51,317	\$43,035	83.9%
WA0704	CUSTER ROAD WATERLINE	NON-BONDS	3/30/2009	\$55,000	\$47,290	86.0%
WA0802	FAIR MEADOW SANITARY SEWER	NON-BONDS	11/20/2008	\$144,000	\$128,477	89.2%
WA0803	LIFT STATION IMPROVEMENTS	NON-BONDS	9/30/2009	\$40,000	\$16,750	41.9%
WA0804	PUMP STATION IMPROVEMENTS	NON-BONDS	9/30/2009	\$50,000	\$36,419	72.8%
WA0805	HILLSIDE WATER TOWER	IMPACT FEES	6/30/2010	\$4,534,676	\$233,200	5.1%
WA0806	STACY TANK CATHODIC PROTECTION	NON-BONDS	9/30/2009	\$10,000	\$9,813	98.1%
WA0807	HIGH MEADOWS SEWER LINE	NON-BONDS	3/27/2009	\$150,000	\$81,900	54.6%
WA0808	WATERLINE REPLACEMENT	NON-BONDS	9/30/2009	\$750,000	\$0	0.0%
WA0809	PUMP STATION REHABILITATION	NON-BONDS	9/30/2009	\$25,000	\$0	0.0%
WA0810	LIFT STATION REHABILITATION	NON-BONDS	9/30/2009	\$15,000	\$0	0.0%
WA9998	WATER/SEWER REPLACEMENT	NON-BONDS	9/30/2009	\$500,000	\$0	0.0%



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CD0102	88	FIRE & WEATHER SAFETY TRL	9/30/2001	\$39,722	\$39,722
CD0401	628	HISTORICAL VLG LAND	9/30/2004	\$126,549	\$126,549
DR0311	742	TWIN CREEKS DRAINAGE	9/30/2005	\$703,849	\$703,847
DR0401	703	DRAINAGE REPLACEMENTS	9/30/2005	\$72,991	\$72,991
DR0601	1096	FOREST GROVE	9/12/2008	\$18,993	\$18,992
DR0701	1100	ROWLETT CREEK FLOODPLAIN	9/18/2008	\$30,133	\$30,132
DR9301	576	MUSTANG CREEK	9/30/2003	\$1,123,034	\$1,123,034
DR9905	445	HILLSIDE DRAINAGE	9/30/2004	\$252,944	\$252,944
DR9906	339	HISTORIC DAM	9/30/2003	\$333,226	\$333,226
ED0201	322	MILLENIUM TECH	9/30/2002	\$963,788	\$963,588
ED0301	318	MILLENIUM TECH, PH 2	6/7/2006	\$1,017,817	\$1,017,817
ED0302	628	CENTURY @ BUTLER LAND	6/7/2006	\$597,488	\$587,361
ED8900	862	RIDGEMONT	9/30/2006	\$547,613	\$547,613
ED8910	768	MILLENIUM CORPORATE CNTR	6/7/2006	\$3,277,340	\$3,277,340
G05011	697	SW GRAPPLE TRUCK	9/30/2005	\$89,473	\$89,410
IS0305	313	IT CONDUIT/PHONE SYS,PH1	9/30/2005	\$80,240	\$80,240
IS0306	998	IT CONDUIT/PHONE SYS,PH2	12/20/2007	\$83,225	\$83,225
IS0406	388	CIVIC BLDGS IMPRV, PH3	9/30/2005	\$52,666	\$52,666
IS0501	866	SERVICE CTR LAND ACQUISIT	8/31/2006	\$2,451,091	\$2,451,091
IS0503	850	PUMP STATION PWR FACTOR C	9/7/2006	\$27,666	\$27,666
IS0504	313	CITY HALL BLDG IMPROVEMNT	2/28/2006	\$18,802	\$18,800
IS0505	545	NATATORIUM POWER FACTOR C	3/22/2006	\$30,000	\$30,000
IS0601	877	CITY HALL REMODEL 2006	6/20/2007	\$29,700	\$29,700
IS0602	387	CITY HALL ANNEX RMDL 2006	3/22/2007	\$19,722	\$19,720
IS0702	377	FIRE STATION #2 ROOF	9/21/2007	\$50,038	\$50,038
IS0704	984	FIRE STATION #1 CARPET	9/21/2007	\$14,535	\$14,534
IS0705	984	FIRE STATION #1 WRK ROOM	9/21/2007	\$2,301	\$2,301
LB0101	693	MAIN LIBRARY	8/31/2006	\$11,855,075	\$11,855,075
LB0401	848	LIBRARY-ADAPTIVE RE-USE	9/30/2007	\$1,162,673	\$1,162,672
LB0501	863	LIBRARY BOOKS	8/25/2006	\$100,000	\$99,999
LB0701	885	MAIN LIBRARY PHASE II	9/6/2007	\$7,533	\$7,532
PR0002	575	NATATORIUM	9/30/2003	\$9,983,369	\$9,983,369
PR0003	357	BETHANY LAKES AMEN.BLDG.	9/30/2003	\$355,158	\$355,146
PR0004	580	CELEBRATION PARK	9/30/2003	\$6,797,817	\$6,797,814
PR0005	743	TRAILS CONSTRUCTION	11/4/2005	\$606,464	\$606,464
PR0006	334	MEDIAN BEAUTIFICATION	9/30/2002	\$131,333	\$131,333
PR0007	561	ALLEN STA PRK PH.1B	9/30/2003	\$640,777	\$640,777
PR0008	420	GLNDVR,BETHNY,TWNCRK	9/30/2003	\$803,452	\$803,452
PR0009	233	BOLIN/SUNCREEK PRK	9/30/2002	\$866,922	\$866,922

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PR0011	227	CITY HALL LANDSCAPE PH2	9/30/2002	\$455,665	\$455,665
PR0101	233	BOLIN PARK FENCE	9/30/2002	\$85,408	\$85,408
PR0102	746	ALLEN STATION PARK, PH 2	6/4/2007	\$6,571,744	\$6,545,273
PR0103	456	HERITAGE HOUSE TRAINDEPOT	9/30/2003	\$605,706	\$605,706
PR0104	864	CIVIC CENTER PLAZA	8/18/2006	\$1,709,740	\$1,701,446
PR0105	987	SPRING MEADOWS PARK	1/2/2008	\$574,240	\$574,238
PR0106	764	COM. PARK ACQUISITION #1	3/30/2006	\$2,860,834	\$2,860,834
PR0107	368	LOST CREEK PARK	9/30/2003	\$310,140	\$310,140
PR0109	566	FORD EAST PARK RENOVATION	9/30/2005	\$232,147	\$232,147
PR0110	566	FORD WEST PLAYGROUND	9/30/2003	\$47,937	\$47,937
PR0111	570	CTTNWOOD BEND PLAYGROUND	9/30/2003	\$58,629	\$58,007
PR0112	432	REED PARK PLAYGROUND	9/30/2003	\$65,847	\$65,846
PR0113	369	CELEBRATION PLAYGROUND	9/30/2003	\$206,276	\$206,277
PR0114	391	PARK ACQUISITION #2	9/30/2003	\$587,080	\$587,080
PR0115	711	STACY RIDGE PARK	9/30/2005	\$557,444	\$557,444
PR0116	359	MAIN ST LANDSCAPING	9/30/2003	\$205,907	\$205,907
PR0117	577	VALCON SYSTEM	9/30/2003	\$130,207	\$130,207
PR0201	896	COLLIN SQUARE GREENBELT	12/14/2006	\$4,700	\$4,700
PR0203	716	STORY PARK	9/30/2005	\$609,312	\$609,312
PR0206	376	FIRE STA #1 REMODEL	9/30/2004	\$123,736	\$123,736
PR0207	336	SIX CITIES TRAIL	9/30/2002	\$7,500	\$7,500
PR0211	301	BLUFF @ LOST CREEK PH 2	9/30/2002	\$300,000	\$300,000
PR0303	1011	PARK SIGNAGE	1/15/2008	\$56,336	\$56,336
PR0304	696	WATTERS CREEK TRAIL	9/30/2005	\$231,979	\$231,979
PR0306	233	BOLIN/SUNCREEK PARK PH2	9/30/2003	\$3,927	\$3,927
PR0307	389	FORD POOL RENOVATION	9/30/2003	\$83,753	\$83,317
PR0308	840	SENIOR CITIZENS CENTER	9/7/2007	\$4,807,328	\$4,804,321
PR0309	660	TWN CRK 3, IRRIGATION	9/30/2004	\$39,723	\$39,723
PR0401	820	LOST CREEK, PH 3	12/30/2005	\$340,000	\$340,000
PR0403	865	CELEBRATION ADDITIONS #1	8/18/2006	\$483,282	\$400,404
PR0407	432	REED PARK, PH 2	9/30/2005	\$10,900	\$10,320
PR0409	904	NATATORIUM PH 1B	1/2/2007	\$5,000	\$4,850
PR0410	456	HERITAGE CNTR,PH1B	9/30/2004	\$21	\$21
PR0412	817	GLENDOVER NP, PH2	12/31/2005	\$277,024	\$277,024
PR0413	818	BETHANY RIDGE NP, PH2	12/31/2005	\$173,514	\$173,514
PR0414	819	DAYSPRING NP (TWN CRK)	12/31/2005	\$39,208	\$39,208
PR0415	740	QUAIL RUN PARK	8/16/2006	\$403,664	\$403,664
PR0419	937	JUPITER RD STORAGE FAC	6/22/2007	\$36,331	\$36,331
PR0420	748	GOLF COURSE-TAX EXEMPT	7/3/2007	\$5,350,272	\$5,350,268

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PR0422	765	GOLF COURSE-TAXABLE	9/30/2006	\$919,887	\$919,883
PR0503	821	BETHANY LAKES PLAYGROUND	12/31/2005	\$114,201	\$114,201
PR0505	911	HERITAGE PARK BRIDGE	3/14/2007	\$184,255	\$184,255
PR0507	1012	BRIDGEWATER CROSSING R.A.	1/17/2008	\$120,653	\$120,652
PR0511	390	FORD PARK EAST IMPRVMNTS	9/30/2005	\$2,505	\$2,505
PR0512	383	J FARMER RCQTBL CT REPLCM	9/30/2005	\$51,899	\$51,899
PR0513	744	COTTONWOOD PARK PH 1B	9/30/2005	\$4,750	\$4,750
PR0602	1116	CMPTR CNTRLs/IRRIG+LIGHTS	9/30/2008	\$143,995	\$143,995
PR0605	870	BETHANY LAKES DISCGOLF EQ	9/7/2006	\$21,071	\$21,070
PR0607	849	CHASE OAKS CLUBHOUSE IMP	12/31/2007	\$175,619	\$175,618
PR0608	859	FORD PARK WEST-HOCKY WALL	8/30/2006	\$24,980	\$24,980
PR0610	1079	HOCKEY STORAGE FACILITY	8/19/2008	\$5,000	\$5,000
PR0612	871	RESERVATION MESSAGE BOARD	9/7/2006	\$4,880	\$4,880
PR0613	1003	CHASE OAKS PAVILION ENCLO	12/14/2007	\$210,800	\$210,799
PR0708	989	EX EQUIPMENT @ JFRC & DRN	6/2/2008	\$275,790	\$275,790
PR0722	986	GOLF COURSE-TAXABLE PH 2	12/26/2007	\$19,811	\$19,811
PR0802	1077	FORD SOFTBALL IMPROVEMENT	8/12/2008	\$59,366	\$59,366
PR0803	1047	DRN UV H2O TREATMENT PKG	3/31/2008	\$60,650	\$60,650
PR0807	1076	TWIN CREEK NP	8/7/2008	\$485,000	\$465,190
PR0811	1043	BOLIN PARK ACCESSIBILITY	3/25/2008	\$12,178	\$12,178
PR3S03	0	SUMMER SOUNDS CONCERT SER	9/22/2004	\$105,257	\$117,692
PS0001	388	POLICE BLDG EXPANSION	9/30/2003	\$4,628,393	\$4,628,393
PS0004	546	CENTRAL FIRE STATION	9/30/2003	\$4,300,041	\$4,300,041
PS0201	730	FIRE STA APPARATUS	9/30/2005	\$349,981	\$349,981
PS0301	629	EMERGENCY MGMT WARNG SYST	9/30/2005	\$294,713	\$294,713
PS0302	374	EXHST SYS STA3&4	9/30/2003	\$17,110	\$17,110
PS0304	546	CNTRL FIRE ST GARAGE	9/30/2004	\$143,452	\$143,452
PS0305	630	CNTRL FIRE STA RENVATION	9/30/2004	\$31,902	\$31,902
PS0306	691	FIRE STA 2 3&4 RENVATION	9/30/2005	\$37,700	\$36,975
PS0401	388	POLICE STA ADDITIONS	9/30/2004	\$60,867	\$60,867
PS0402	927	PARKING LOT EXPNSN-POLICE	4/16/2007	\$245,443	\$245,442
PS0403	546	FIRE STATION IMPRVMNT	9/30/2005	\$11,980	\$11,980
ST0035	574	ANGEL PKWY & MALONE	9/30/2003	\$3,290,404	\$3,290,404
ST0036	574	ANGEL PKWY,BY DVLPR	9/30/2003	\$131,042	\$131,042
ST0101	728	ALLEN HTS,BTHNY-PRKMEDIAN	9/30/2005	\$345,000	\$333,385
ST0111	761	FM2170E, ALLEN HTS-FM2551	9/12/2007	\$7,014,185	\$7,014,185
ST0113	854	BETHANY E, US75-ALLEN HTS	5/8/2006	\$3,915,419	\$3,915,419
ST0123	671	E EXCHANGE,SH5-1378	9/30/2004	\$3,014,641	\$3,014,641
ST0127	367	SGNL LT-CNTRY@MCDRM	9/30/2003	\$445,783	\$445,783

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ST0136	672	ALMA DR,TATUM-BELAIR	9/30/2004	\$1,181,982	\$1,181,982
ST0137	330	WATTERS RD, PH I	9/30/2002	\$351,626	\$351,626
ST0141	395	ASPHALT PAVEMENT,PH I	9/30/2003	\$361,382	\$361,381
ST0142	556	CONCRETE ALLEY REPLCMNT	9/30/2003	\$672,824	\$672,823
ST0146	195	MAIN/MALONE INTERSECTION	9/30/2002	\$150,000	\$148,279
ST0148	231	101 S BUTLER,ASBSTS	9/30/2002	\$14,086	\$14,086
ST0201	396	SH 5 SIDEWALKS, PH2	9/30/2003	\$314,059	\$314,059
ST0202	876	ALLEN DRIVE	9/27/2006	\$3,036,182	\$3,036,182
ST0203	674	ST MARY'S DRIVE	9/30/2004	\$550,731	\$550,729
ST0204	360	STREET LIGHT INSTALLATION	9/30/2003	\$425,933	\$425,933
ST0205	361	ASH DRIVE	9/30/2003	\$320,736	\$320,735
ST0206	193	TEN OAKS	9/30/2002	\$58,880	\$58,880
ST0207	670	BETHANY SIGNAL	9/30/2004	\$151,140	\$151,140
ST0249	1089	ALLEN CENTRAL DRIVE	9/10/2008	\$48,116	\$48,116
ST0301	731	RIDGEMONT DRIVE	9/30/2005	\$824,510	\$824,510
ST0302	652	ASPHLT RPLCMNT PH2	9/30/2004	\$648,681	\$648,681
ST0304	364	RIDGEVIEW, US75-STACY RD	9/30/2004	\$228,000	\$227,250
ST0306	895	ANGEL PKWY, LANDSCAPE& LT	11/20/2006	\$418,831	\$418,830
ST0309	664	CONCRETE ALLEY PH 11	9/30/2004	\$476,646	\$476,035
ST0310	766	ALLEN DRIVE, PHASE 2	9/7/2006	\$674,124	\$674,124
ST0311	1058	INTERSECTION IMPROVEMENTS	4/30/2008	\$95,194	\$95,193
ST0313	628	BEL AIR DR ROW	9/30/2004	\$186,099	\$186,099
ST0315	767	BETHANY DRIVE EAST	12/8/2006	\$1,825,519	\$1,825,519
ST0318	351	BTHNY @AYLSBY SGNL	9/30/2004	\$74,840	\$74,840
ST0319	373	RDGVIEW/RWLT CR BRG	9/30/2003	\$74,376	\$74,375
ST0320	673	EXCHNGE PKWY@RVRCST	9/30/2004	\$92,298	\$92,298
ST0321	657	TRAFFIC SIGNALS	9/30/2004	\$130,700	\$130,700
ST0338	703	CONCRETE REPLACEMENTS	9/30/2005	\$835,525	\$835,525
ST0403	812	ST. MARY DRIVE, PH 2	2/10/2006	\$617,417	\$617,417
ST0404	853	HEDGCOXE RD,DCHSS-LNGWOOD	5/2/2006	\$144,283	\$144,282
ST0406	672	BEL AIR - ALMA SIGNAL	9/30/2005	\$106,916	\$106,916
ST0407	739	TWIN CREEKS 7A1 AND 7A2	9/30/2005	\$133,380	\$133,380
ST0415	720	WATTERS RD,TWN CRK-WTRAIL	9/30/2005	\$244,935	\$244,935
ST0416	940	HILLSIDE/WNDRDGE ST.LIGHT	7/5/2007	\$7,248	\$7,248
ST0504	855	LED SIGNAL LIGHTS	5/11/2006	\$42,027	\$42,026
ST0505	979	RIDGEVIEW/CUSTER INTR SCTN	8/31/2007	\$153,014	\$153,014
ST0506	739	TEN OAKS LANDSCAPE	9/30/2005	\$25,000	\$24,210
ST0507	1090	ST. MARY DRIVE, PH 3	9/10/2008	\$2,007,891	\$2,007,890
ST0508	856	MCDERMOTT/75 INTERSECTION	5/11/2006	\$158,835	\$158,835

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ST0509	822	McDRMTT@ALLEN DR INTR SCTN	2/20/2006	\$132,508	\$132,508
ST0601	1101	FIRE STA 2&3 EMERG SIGNAL	9/18/2008	\$130,870	\$130,871
ST0604	935	DUCHESSE AND HEDGCOXE	6/21/2007	\$120,958	\$120,958
ST0606	941	CUMBERLAND CROSSING	7/5/2007	\$43,954	\$43,953
ST0607	939	SHALLOWATER BRIDGE	7/2/2007	\$180,000	\$180,000
ST0608	1117	STACY-WATTERS TRAFFIC SIG	9/30/2008	\$146,318	\$140,317
ST0697	892	SIDEWALK	9/30/2006	\$17,308	\$17,308
ST0701	1113	ALLEN DRIVE, PHASE 3	9/30/2008	\$361,098	\$361,098
ST0703	923	WINDRIDGE EXCHANGE PKWY	3/22/2007	\$78,432	\$78,431
ST0705	1091	ALMA/HEDGCOXE	9/9/2008	\$480,000	\$410,322
ST0706	1083	JUPITER RD SEWER REPLACE	9/5/2008	\$193,810	\$193,809
ST0707	954	US 75/SH 121 ROW	9/9/2008	\$150,000	\$150,000
ST0708	980	MCDERMOTT TURN LANE	9/12/2007	\$25,044	\$25,044
ST0712	1092	2551/MAIN ST SIDEWALKS	9/12/2008	\$19,613	\$19,612
ST0715	1093	HEDGCOXE ROAD	9/10/2008	\$400,000	\$370,051
ST0717	1094	MCDERMOTT PAVEMENT REHABI	9/10/2008	\$348,729	\$348,728
ST0809	1119	BETHANY TRAFFIC SIGNALS	9/30/2008	\$8,750	\$8,750
ST9508	719	SH5 MEDIANS,CHP-XCH	9/30/2005	\$1,367,605	\$1,367,605
ST9512	229	MCDERMOTT,CUSTER-US75	9/30/2002	\$11,638,037	\$11,638,037
ST9809	572	COLLECTOR SIDEWALKS	9/30/2003	\$559,631	\$559,225
ST9828	230	ALMA DR, EXCHANGE-SH121	9/30/2002	\$3,566,608	\$3,566,608
ST9829	538	STACY RD,US75-SH121	9/30/2003	\$9,672,319	\$9,672,319
ST9903	541	BETHANY WEST	9/30/2003	\$5,671,564	\$5,671,564
ST9918	366	WATTERS,BETHANY-MCDERMOTT	9/30/2003	\$1,689,394	\$1,689,394
WA0009	228	LOST CREEK LIFT STATION	9/30/2001	\$88,000	\$87,879
WA0016	87	HIGHPOINT WATER LINE	9/30/2001	\$57,271	\$57,271
WA0027	560	ALLEN HTS IMPROVEMENTS	9/30/2003	\$1,170,306	\$1,170,302
WA0030	537	ALLEN HTS,PH II WATERLINE	9/30/2003	\$1,205,493	\$1,205,491
WA0036	579	STACY RD PUMP STA#2	9/30/2003	\$5,130,942	\$5,130,942
WA0112	872	PRESTIGE CIR WATER TOWER	9/12/2006	\$4,165,604	\$4,165,604
WA0120	632	LOST CREEK RANCH PH2A	9/30/2004	\$348,230	\$348,230
WA0132	557	S.C.A.D.A.	9/30/2003	\$352,456	\$352,456
WA0133	356	HEDGCOXE WATERLINE	9/30/2003	\$255,881	\$255,881
WA0134	356	OVERSIZING W&S	9/30/2003	\$14,654	\$14,654
WA0214	392	WATERLINE REPLACEMENT	9/30/2003	\$124,375	\$124,375
WA0215	677	OLA SEWER/LIFT STA.	9/30/2004	\$936,723	\$936,720
WA0216	578	COTTONWOOD CREEK SEWER	9/30/2003	\$835,838	\$835,838
WA0217	731	RIDGEMONT SEWERLINE	9/30/2005	\$225,000	\$225,000
WA0218	308	STACY RIDGE LIFT STATION	9/30/2002	\$218,550	\$218,550

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WA0219	358	BETHANY RIDGE LIFTSTATION	9/30/2003	\$113,616	\$113,616
WA0302	735	WATER TOWER SECURITYLIGHT	9/30/2005	\$423,572	\$423,572
WA0303	676	FAIRVIEW WSTWTR INTR	9/30/2004	\$104,682	\$104,682
WA0402	698	36" WATERLINE TC6A	9/30/2005	\$211,242	\$211,242
WA0403	811	ST. MARY DRIVE, PH 2	2/9/2006	\$83,000	\$82,798
WA0407	739	TWIN CREEKS 7A1 AND 7A2	9/30/2005	\$237,435	\$237,435
WA0415	720	WATTERS RD-QUAIL RUN	9/30/2005	\$29,470	\$29,470
WA0507	936	ST MARY DR PH III WATER	6/20/2007	\$57,000	\$57,000
WA0511	932	EAST MAIN WATER LINE	6/12/2007	\$1,554,666	\$1,554,666
WA0701	579	STACY RD GROUND STORAGE	9/12/2007	\$555,816	\$555,816
WA0702	1095	COUNTRY CLUB WATERLINE	9/9/2008	\$97,442	\$96,121
WA0801	1084	ALLEN DRIVE PHASE III	9/5/2008	\$161,198	\$161,198
WA9822	226	PUMP STA #3 & 2 TNK	9/30/2002	\$9,552	\$9,552
WA9923	224	LNDSCP 2 ELEV TANK	9/30/2002	\$6,645	\$6,645
WA9925	225	CUSTER PMP ST3 LDSC	9/30/2002	\$89,488	\$89,488
WA9931	636	ALMA,TATUM-BELAIR	9/30/2004	\$20,921	\$20,920
				Total Expenditures:	\$178,786,004

CITY COUNCIL AGENDA COMMUNICATION
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AGENDA DATE: Tuesday, October 28, 2008

SUBJECT: Arts of Collin County Sign Variance Appeal

STAFF RESOURCE: Bo Bass, Director of Planning & Development

PREVIOUS COUNCIL ACTION: None

BOARD/COMMISSION ACTION: On October 20, 2008, the Sign Control Board granted a variance to allow an increase in maximum allowable area for a temporary sign to 192 square feet, for the Arts of Collin County

ACTION PROPOSED: Consider an Appeal of Sign Control Board Action on October 20, 2008, to Grant a Variance to the Arts of Collin County to Allow an Increase in Maximum Area for a Temporary Sign

BACKGROUND

The property is located south of SH 121 and east of Custer Road. The zoning for this property is Planned Development 101 – Corridor Commercial. The sign ordinance permits temporary signs (for sites over 100 acres) to be a maximum 15 feet in height and have a maximum area of 96 square feet. The ordinance also states that one sign is allowed per 50 acres. The property is 124 acres. Therefore, two signs would be allowed on the site.

VARIANCE

The request is being made by The Arts of Collin County. The request is to increase the size allowed for the temporary sign on this property. The proposed sign contains renderings of the Arts Park Project as well as project information. Due to the amount of content displayed, the proposed sign is 288 square feet.

ANALYSIS

The ordinance states that the Sign Control Board should consider the following: reasons for the variance; the effect on public safety; protection of neighborhood property; the degree of hardship or injustice involved and the effect of the variance on the general plan for signing within the City. The applicant's justification for requesting the variance is based on promotion and fundraising efforts for the Arts Park Project. The Arts of Collin County believes the sign is essential to communicating the project's design to the public as well as drawing in potential

donors and/or developers.

On October 20, 2008, the Sign Control Board granted a variance to allow an increase in maximum allowable area for a temporary sign to 192 square feet. The Arts of Collin County is appealing the Sign Control Board's decision and is requesting a variance to allow a maximum area of 288 square feet.

STAFF RECOMMENDATION

Staff supports the variance request.

MOTION

I make a motion to grant a variance to the Arts of Collin County to allow an increase in maximum allowable area for a temporary sign to a maximum area of 288 square feet.

ATTACHMENT

Proposed sign
Sign Location Map
Sign Board Minutes
ACC Appeal Letter



October 22, 2008

Mr. Bo Bass
Planning Director
City of Allen
305 Century Parkway
Allen, TX 75013

Dear Bo:

Please accept this letter as a formal request to appeal the Sign Board's denial of our application for a variance in the size of the temporary sign to be placed on the Arts of Collin County site located near SH 121 and the northern extension of Exchange Parkway.

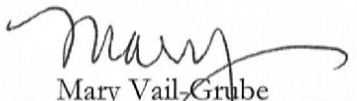
We believe that the location and size of this sign will be an important tool for keeping the residents of Allen, Frisco and Plano, as well as all of Collin County, informed about the progress and plans for this exciting project.

Due to the large area of vacant land surrounding the sign location; 124 acres of ACC property as well as approximately 100 vacant acres to the east, and 60 vacant acres to the west, and the proximity to a major highway; the size of the sign is important for visibility from a distance as well as for cars travelling at high speed. The visual impact of the sign, showing the plans for the Performance Hall and Park, will be greatly improved if we are able to keep the design as originally proposed.

As you know, this project is a joint effort of the cities of Allen, Frisco and Plano and will provide a central gathering place for all of the residents of these communities, as well as draw visitors from throughout north Texas. Phase I includes a 2100 seat performing arts hall and outdoor Festival Meadow with a permanent stage, sculpture gardens, hike and bike trails and native plant demonstration gardens.

We appreciate your assistance with presenting our appeal to the City of Allen City Council at its meeting October 28, 2008.

Sincerely yours,


Mary Vail-Grube
Administrative Director

Cc: Peter Vargas, City Manager
Steve Matthews, President ACC Commission and Board Members
David Hicks, David Hicks Company

Arts of Collin County Capital Campaign



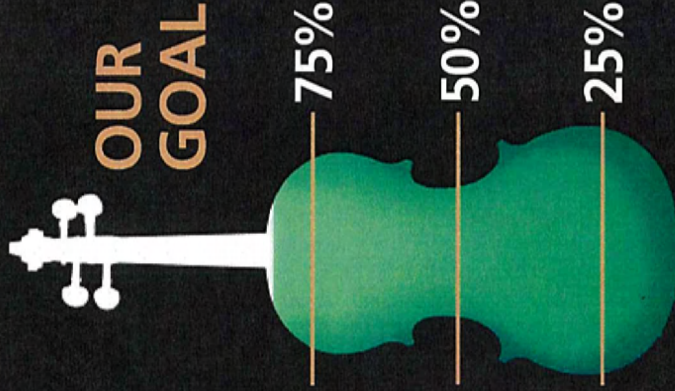
(214) 495-5800

www.artsofcollincounty.org

Hotel – Office – Restaurants

David Hicks Company (214) 957-3842

Illustration courtesy BOPRA Architects



A PROJECT OF:



Fairview | Melissa

Proposed Sign



McKinney

SH-121

SH-121

Item # 10
Attachment Number 3
Page 1 of 1



Location Map

POWELL CREEK

SIGN CONTROL BOARD

October 20, 2008

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Ms. Anderson stated that all the tenants are “for” the approval of this variance and many wrote letters of support. The letters will be attached to these minutes for the record.

Board Member McNutt questioned why the sign was not originally designed for the number of tenants? Ms. Anderson was not sure. She stated even if the variance is granted, there is not enough space for all tenants.

Board Member Brown again stated that the economic downturn is a valid reason to grant the variance.

Chairman Leeper stated that the economy is very difficult right now. The intent of the Council was for all signs to comply with the ordinance and for pylon signs to eventually go away. Many already have been replaced with monument signs. Allen Heights Shopping Center has always had a lot of tenant turn-over. Every tenant does not get their name on the pylon sign – this is the case for any shopping center. This shopping center does not have any special conditions or hardship compared to any other shopping center in town – all shopping centers are facing the same challenge. Their would need to be a condition or hardship that was different from other shopping centers.

Board Member Kirk stated that as a consumer, it is difficult to find some businesses with such small signs (monuments). His suggestion was just for the applicant to take this on to the Council.

Chairman Leeper suggested that the Board review the sign ordinance in the future for discussion and possible amendments.

Mr. Bass stated that staff would follow that direction and place a discussion item on an upcoming agenda for review.

Chairman Leeper requested a survey of surrounding Cities to give the Board information about what is being allowed in neighboring communities.

MOTION: Upon a motion by Board Member Autrey and a second by Board Member McNutt, the Board voted 4 FOR 1 OPPOSED to DENY the request for a variance to increase the copy area of an existing non-conforming multi-tenant sign for Allen Heights Village Shopping Center. Board Member Brown was Opposed. The Motion Carried.

Agenda Item 3: Public Hearing – Conduct a Public Hearing and consider a request for a variance for the Arts of Collin County to allow an increase in maximum allowable area for a temporary sign. The property is 100± acres of land located south of SH121 and east of Custer Road.

Mr. Bass, Director, presented the request to the Board for the Arts of Collin County. Mr. Bass described the location of the property and the zoning and intended use. He stated that the only traffic was from SH121. The proposed sign will contain renderings of the Arts Park Project as well as project information. Due to the amount of content, the request is for 288 square feet. Mr. Bass

SIGN CONTROL BOARD
October 20, 2008

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stated that the Arts of Collin County believes the sign is essential to communicating the project's design to the public as well as drawing potential donors and/or developers.

Staff is recommending approval of a variance due to it being temporary in nature, a community oriented project, and high speed of the traffic on SH121.

Board Member Kirk agrees, but wants to support the ordinance as written. He stated that the sign could be made smaller and still be effective.

Mr. Bass suggested 192 square feet as an alternative. This is simply combining the allowed square footage into one sign. He also stated that this is a single-sided sign and would be temporary, renewable each year if needed.

Chairman Leeper opened the Public Hearing.

No one was present to speak.

Chairman Leeper closed the Public Hearing.

Board Member Autrey questioned if a traffic count had been done. Mr. Bass stated that he was not aware of any for this specific request.

The Board continued to discuss the size of the request and Chairman Leeper stated that the request for 288 square foot was practically the size of a billboard. Chairman Leeper and Board Member Autrey agreed that they could support a variance of 192 square feet.

Board Member Kirk agreed, stating that would be a combination of the two allowed signs.

Chairman Leeper, Board Members Autrey and McNutt were concerned about installing the sign parallel to SH121 rather than perpendicular – that may not be the best way.

The Board noted that they were disappointed that no representative from The Arts of Collin County was present at the meeting.

MOTION: Upon a motion by Board Member Kirk and a second by Board Member Brown, the Board voted 5 FOR 0 OPPOSED to APPROVE the request for a variance to allow an increase in maximum allowable area for a temporary sign to 192 square feet, for The Arts of Collin County. The Motion Carried.

Agenda Item 4: Discussion on signage integrated into mesh construction fences.

Mr. Battle, Assistant Director, presented the discussion item regarding the mesh construction fences. Currently the sign regulations do not permit signage on construction fencing. Developers have recently asked if the City would consider allowing mesh construction fencing with signage. Their desire is to promote new development while under construction as well as provide a visual barrier of the construction site from public view.