

**AGENDA  
CITY OF ALLEN  
CITY COUNCIL WORKSHOP MEETING  
MARCH 10, 2009 – 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. Introduction of Susan McDaniel, Vice-Chair of the Library Board —  
Peter H. Vargas, City Manager
2. Update Regarding the Allen Event Center Programming —  
Tim Dentler, Director of Parks and Recreation  
Doug Waugh, General Manager, Allen Event Center
3. Briefing Regarding the Public Art Committee's Annual Work Plan —  
Tim Dentler, Director of Parks and Recreation  
Lori Smeby, Assistant Director of Parks and Recreation
4. Committee Updates from City Council Liaisons —
5. Discussion of Regular Agenda 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, March 6, 2009, at 5:00 p.m.

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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.

<b>CITY COUNCIL AGENDA COMMUNICATION</b>
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**AGENDA DATE:** Tuesday, March 10, 2009

**SUBJECT:** Update Regarding the Allen Event Center Programming

**STAFF RESOURCE:** Tim Dentler, Director of Parks and Recreation

**PREVIOUS COUNCIL ACTION:** None

**ACTION PROPOSED:** Information Item

**BACKGROUND**

Staff will provide a brief update on programs and activities currently being considered and booked for the Allen Event Center (AEC). This will also be an opportunity for AEC staff introductions and discussions on programming philosophy. City Council will have an opportunity for a question and answer session with staff.

<b>CITY COUNCIL AGENDA COMMUNICATION</b>
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**AGENDA DATE:** Tuesday, March 10, 2009

**SUBJECT:** Review of the Public Art Committee's Annual Work Plan

**STAFF RESOURCE:** Tim Dentler, Director of Parks and Recreation  
Lori Smeby, Assistant Director of Parks and Recreation

**PREVIOUS COUNCIL ACTION:** None

**BOARD/COMMISSION ACTION:** Approved by the Public Art Committee and Recommended for City Council Consideration on January 20, 2009

**ACTION PROPOSED:** Information Item

**BACKGROUND**

The Public Art Master Plan and associated Ordinance No. 2429-8-05 calls for the Public Art Committee to present an Annual Work Plan to the City Council for discussion. The plan identifies projects for 2009-2010 as funded by the successful bond election in 2006 which provides for up to 2% for public art. The anticipated bond sales for public art in 2009 total \$690,000.

**BUDGETARY IMPACT**

\$690,000 in public art bond funds as well as an estimated \$20,000 in nonbond funds for program administration/artist selection. Current program administration fees are allocated from the Antennae Fund.

**AGENDA  
CITY OF ALLEN  
CITY COUNCIL REGULAR MEETING  
MARCH 10, 2009 – 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 Proclamations by the Office of the Mayor:
  - Presentation of a Proclamation to Gail Donaldson, Water Conservation Manager, Proclaiming March 16-20, 2009, as, “*Fix A Leak Week.*”
  - Presentation of a Proclamation to Gail Donaldson, Water Conservation Manager, Proclaiming March 2009, as, “*Smartscape Your Landscape Month.*”
3. Present Plaques-of-Appealation to Former Members of the Various Boards and Commissions.
4. Presentation of the Library Board's Annual Report by Vice-Chair Susan McDaniel.

**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.]*

5. Approve Minutes of the February 24, 2009, Regular Meeting.

6. Adopt Resolutions Determining the Public Necessity for Acquisition of 1.5± Acres of Land and 1.1± Acres of Land along Watters Road from Bossy Boots Drive to Star Trail Drive and Authorizing the City Manager and City Attorney to Initiate Eminent Domain Proceedings, if Necessary.
7. Authorize the City Manager to Execute a Deed Dedicating a 0.2± Acre Portion of City of Allen Property South of Kitty Hawk as Right-of-Way for Watters Road.
8. Motion to Appoint Mr. Steve Matthews as the Second Allen Appointee to the Arts of Collin County Commission, Inc. Board of Directors.
9. Declare a Vacancy for the At-Large Representative on the Arts of Collin County Commission, Inc. Board of Directors for a Term to Expire September 30, 2011.

**Regular Agenda.**

10. Motion to Accept the 2007-2008 Comprehensive Annual Financial Report (CAFR) as Presented by Weaver and Tidwell L.L.P.

**Other Business.**

11. Calendar.

- April 6 – TRIAD Meeting

12. Items of Interest. *[Council announcements regarding local civic and charitable events, meetings, fundraisers, and awards.]*

**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, March 6, 2009, at 5:00 p.m.

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Shelley B. George, City Secretary

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*Office of the Mayor  
City of Allen*

*Proclamation*

- WHEREAS,** Allen residents are encouraged to improve the water efficiency of their homes and landscapes by checking for and fixing leaks; and,
- WHEREAS,** fixing household water leaks can save homeowners more than 10 percent on their water bills. The average leak accounts for nearly 11,000 gallons of water loss a year, or equivalently enough water to fill a backyard swimming pool; and,
- WHEREAS,** irrigation systems with damaged sprinkler heads or broken pipes, when left unnoticed, waste significant amounts of water due to their high pressure and the total volume of water used by irrigation systems; and,
- WHEREAS,** the City of Allen, as a WaterSense partner and water-savvy community, will continue to support our state's natural water resources and seek advanced water efficiency and conservation strategies to reduce water waste.

**NOW, THEREFORE, I, STEPHEN TERRELL, MAYOR OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, do hereby proclaim March 16 - 20, 2009, as:**

**“FIX A LEAK WEEK”**

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.

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Stephen Terrell, MAYOR



*Office of the Mayor  
City of Allen*

*Proclamation*

- WHEREAS,** water quality and conservation are serious issues in North Texas; and,
- WHEREAS,** the Texas Smartscape program is designed to educate homeowners how native and adaptive plants and trees can provide a wide variety of selection and long-lasting beauty; attract native butterflies, hummingbirds, and other wildlife; and prevent and reduce storm water pollution; and,
- WHEREAS,** traditional home landscapes use 40% to 60% more water during the summer while a Texas Smartscape can reduce water requirements by 30%; and,
- WHEREAS,** the City of Allen is committed to recommending the Texas Smartscape program to all homeowners in Allen and encourage residents to utilize these principles in their own yards to help conserve our water resources and reduce their water utility bills.

**NOW, THEREFORE, I, STEPHEN TERRELL, MAYOR OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, do hereby proclaim March 2009 as:**

**“SMARTSCAPE YOUR LANDSCAPE MONTH”**

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.

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Stephen Terrell, MAYOR

<b>CITY COUNCIL AGENDA COMMUNICATION</b>
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**AGENDA DATE:** Tuesday, March 10, 2009

**SUBJECT:** Present Plaques-of-Appreciation to Former Members of Boards and Commissions

**STAFF RESOURCE:** Shelley B. George, City Secretary

**PREVIOUS COUNCIL ACTION:** The City Council accepted resignations and declared vacancies on various Boards and Commissions at the February 24, 2009, Council Meeting

**ACTION PROPOSED:** Present Plaques-of-Appreciation

**BACKGROUND**

The Mayor will present Plaques-of-Appreciation to the following individuals for their service on various City Boards and Commissions:

- <sup>1</sup> Steve Shaffer, Central Business District Design Review Committee, 2006-2009
- <sup>1</sup> Jason Shepard, Keep Allen Beautiful Board, 2008-2009

<b>CITY COUNCIL AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	Tuesday, March 10, 2009
<b>SUBJECT:</b>	Presentation of the Library Board's Annual Report
<b>STAFF RESOURCE:</b>	Jeff Timbs, Library Director
<b>PREVIOUS COUNCIL ACTION:</b>	None
<b>BOARD/COMMISSION ACTION:</b>	Library Board reviewed the Library's FY 2007-2008 Annual Report at their Regular Meeting on March 3, 2009

**BACKGROUND**

Library Board Vice-Chair Susan McDaniel will present the Library's FY 2007-2008 Annual Report. The report indicates that library participation continues to increase. Children's, teen and Bach to Books programs are popular and are an integral part of the library's success.

**ALLEN CITY COUNCIL**

**REGULAR MEETING**

**FEBRUARY 24, 2009**

**Present:**

Stephen Terrell, Mayor

**Councilmembers:**

Debbie Stout, Mayor Pro Tem  
Ross Obermeyer  
Joey Herald  
Robin L. Sedlacek  
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**

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With a quorum of the Councilmembers present, the Workshop Session of the Allen City Council was called to order by Mayor Terrell at 6:18 p.m. on Tuesday, February 24, 2009, in the Council Conference Room of the Allen City Hall, 305 Century Parkway, Allen, Texas:

- Review of the Chase Oaks Golf Club Master Plan
- Committee Updates from City Council Liaisons
- Discussion of Regular Agenda Items

With no further discussion, the Workshop Session of the Allen City Council was adjourned at 7:03 p.m. on Tuesday, February 24, 2009.

**Call to Order and Announce a Quorum is Present**

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With a quorum of the Councilmembers present, the Regular Meeting of the Allen City Council was called to order by Mayor Terrell at 7:08 p.m. on Tuesday, February 24, 2009, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

**Pledge of Allegiance**

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**Public Recognition**

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**1. Citizens' Comments.**

**ALLEN CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 24, 2009**

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- Kathy Litinas, 306 Cordova Drive, Allen, Texas, provided an update on the activities of the Allen Philharmonic Symphony.
  - George Truitt, 600 Freestone Drive, Allen, Texas, expressed concern over the type of screening between his property and the Wildwood Apartments.
  - Mike Jabary, 979 Rutgers Court, Allen, Texas, owner of the Mediterranean Jabary Bar, expressed his appreciation to staff during the process of opening his restaurant.
- 2. Presentation of *Arbor Day* Poster Contest Winners by the Keep Allen Beautiful Board.**
- Lillian Zha, first place, Evans Elementary
  - Jennifer Herron, second place, Bolin Elementary
  - Anca Hodadea, third place, Vaughan Elementary
- 3. Presentation of a Proclamation by the Office of the Mayor:**
- **Presentation of a Proclamation to Representatives of the Keep Allen Beautiful Board and Parks and Recreation Department, Proclaiming March 7, 2009, as, “Arbor Day.”**

**Consent Agenda**

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**MOTION:** Upon a motion made by Councilmember McGregor and a second by Councilmember Obermeyer, the Council voted seven (7) for and none (0) opposed to adopt the items on the Consent Agenda as follows:

- 4. Approve Minutes of the February 10, 2009, Regular Meeting.**
- 5. Adopt a Resolution Ordering the May 9, 2009, General Election and Authorizing the City Manager to Enter into a Contract with the Elections Administrator of Collin County to Provide Joint Election Services with the Allen Independent School District.**
- RESOLUTION NO. 2804-2-09(R):** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ORDERING A JOINT ELECTION TO BE HELD ON MAY 10, 2009, FOR THE PURPOSE OF ELECTING THE CITY COUNCILMEMBER FOR PLACE NOS. 1, 3 AND 5; DESIGNATING LOCATION OF POLLING PLACE; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; AUTHORIZING EXECUTION OF JOINT ELECTION AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
- 6. Authorize the City Manager to Execute a Contract with TriTech Software Systems to Supply a Computer Aided Dispatch and Records Management System in the Amount of \$1,628,733.**
- 7. Award Bid and Authorize the City Manager to Execute a Contract with Bill D. Bennett Construction, Inc. in the Amount of \$117,695 for Construction of the Rowlett Water Tower Fencing Project and Establish the Project Budget in the Amount of \$140,000.**
- 8. Authorize the City Manager to Execute a Professional Services Agreement with Kleinfelder Central, Inc. in the Amount Not to Exceed \$75,000 for Construction Material Testing on the Ridgeview Drive Construction Project.**
- 9. Declare a Vacancy in Place No. 4 on the Keep Allen Beautiful Board.**

**ALLEN CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 24, 2009**

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10. **Accept a Resignation and Declare a Vacancy in Place No. 2 on the Central Business District Design Review Committee.**
11. **Receive Investment Report for the Period Ending December 31, 2008.**
12. **Receive Financial Report for the Period Ending December 31, 2008.**
13. **Receive the Summary of Property Tax Collections as of January 2009.**
14. **Receive the CIP (Capital Improvement Program) Status Report.**

The motion carried.

**Regular Agenda.**

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15. **Consider All Matters Incident and Related to the Issuance and Sale of "CITY OF ALLEN, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE REFUNDING BONDS, SERIES 2009," Including the Adoption of an Ordinance Authorizing the Issuance of Such Bonds and Providing for the Redemption of Certain Outstanding Bonds of the City Being Refunded.**

**ORDINANCE NO. 2805-2-09:** AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF ALLEN, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE REFUNDING BONDS, SERIES 2009"; PLEDGING THE NET REVENUES OF THE CITY'S COMBINED WATERWORKS AND SEWER SYSTEM TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; ENACTING PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A BOND PURCHASE AGREEMENT AND AN ESCROW AGREEMENT; PROVIDING FOR THE REDEMPTION OF THE BONDS BEING REFUNDED; AND PROVIDING AN EFFECTIVE DATE.

**MOTION:** Upon a motion made by Councilmember Obermeyer and a second by Councilmember Sedlacek, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 2805-2-09, as previously captioned, authorizing the issuance of "City of Allen, Texas, Waterworks and Sewer System Revenue Refunding Bonds, Series 2009" in the aggregate principal amount of \$5,795,000; approving and authorizing the execution of a Paying Agent/Registrar Agreement, a Bond Purchase Agreement and an Escrow Agreement in relation to such Bonds and the approval and distribution of an Official Statement; and providing for the redemption of the bonds being refunded. The motion carried.

16. **Consider Making Appointments to Fill Vacancies in Place No. 3 on the Board of Adjustment, Place No. 2 on the Central Business District Design Review Committee, and Place No. 4 on the Keep Allen Beautiful Board.**

**MOTION:** Upon a motion made by Councilmember Caplinger and a second by Mayor Pro Tem Stout, the Council voted seven (7) for and none (0) opposed to appoint Joel Hemphill to complete the unexpired term in Place No. 3 on the Board of Adjustment and set a term expiration date of September 30, 2009, Larry Wainwright to complete the unexpired term in Place No. 2 on

**ALLEN CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 24, 2009**

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the Central Business District Design Review Committee and set a term expiration date of September 30, 2010, and Mardy Brown to complete the unexpired term in Place No. 4 on the Keep Allen Beautiful Board and set a term expiration date of September 30, 2010. The motion carried.

**Other Business**

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**17. Calendar.**

- March 7 – Arbor Day/Twin Creeks Park/9:00 a.m.

**18. Items of Interest.** [Council announcements regarding local civic and charitable events, meetings, fundraisers, and awards.]

The Regular Meeting was recessed at 7:47 p.m.

**Executive Session**

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In accordance with the Texas Government Code, the Allen City Council convened into Executive Session at 8:00 p.m. on Tuesday, February 24, 2009, in the Council Conference Room, 305 Century Parkway, Allen, Texas, in order to continue discussing matters pertaining to:

**19. Personnel Pursuant to Section 551.074 of the Texas Government Code – Annual Performance Review of the City Manager.**

The Executive Session adjourned at 8:05 p.m. on Tuesday, February 24, 2009.

**20. Reconvene and Consider Action on Items Discussed during Executive Session.**

The Allen City Council reconvened into Regular Meeting at 8:07 p.m. on Tuesday, February 24, 2009. The following action was taken on the item discussed in Executive Session:

**MOTION:** Upon a motion made by Councilmember Obermeyer and a second by Councilmember Herald, the Council voted seven (7) for and none (0) opposed to increase the City Manager's salary by 4.5%. The motion carried.

**Adjourn**

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**MOTION:** Upon a motion made by Mayor Pro Tem Stout and a second by Councilmember Sedlacek, the Council voted seven (7) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 8:08 p.m. on Tuesday, February 24, 2009. The motion carried.

**ALLEN CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 24, 2009**

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These minutes approved on the 10<sup>th</sup> day of March, 2009.

**APPROVED:**

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**Stephen Terrell, MAYOR**

**ATTEST:**

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**Shelley B. George, CITY SECRETARY**



<b>CITY COUNCIL AGENDA COMMUNICATION</b>
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**AGENDA DATE:**

Tuesday, March 10, 2009

**SUBJECT:**

Adopt Two Resolutions Determining the Public Necessity for Acquisition of 1.5± Acres of Land and 1.1± Acres of Land along Watters Road from Bossy Boots Drive to Star Trail Drive and Authorizing the City Manager and City Attorney to Initiate Eminent Domain Proceedings, if Necessary  
(CIP #ST0802)

**STAFF RESOURCE:**

John Baumgartner, Director of Engineering

**PREVIOUS COUNCIL ACTION:**

On April 8, 2008, Council adopted Resolution No. 2722-4-08(R) that authorized the City Manager to execute an Interlocal Agreement with Collin County regarding funds for the design and construction of improvements to Watters Road from Bossy Boots Drive to Ridgeview Drive and establish a project budget.

On July 8, 2008, Council authorized the City Manager to execute a professional services agreement with Halff Associates, Inc. for the design of Watters Road from Bossy Boots Drive to Star Trail Drive and establish a preliminary project budget.

**ACTION PROPOSED:**

Adopt Two Resolutions Determining the Public Necessity for Acquisition of 1.5± Acres of Land and 1.1± Acres of Land along Watters Road from Bossy Boots to Star Trail Drive and Authorizing the City Manager and City Attorney to Initiate Eminent Domain Proceedings, if Necessary

**BACKGROUND**

Watters Road is identified on the City Thoroughfare Plan as a six-lane divided thoroughfare that runs north and south, between SH 121 and Bethany Drive. Segments of this roadway have

been built as development has progressed along the corridor. Most of the roadway is four-lanes wide; however, one segment is only two-lanes wide.

Watters Road, from Bossy Boots Drive to Star Trail Drive, currently exists as a single two-lane roadway segment. This project entails the addition of the other two lanes (southbound) and corresponding improvements to storm sewer and street lighting systems along the roadway, from Bossy Boots Drive to the north of Star Trail Drive (approximately 1,100 feet north of Stacy Road).

Two parcels have been identified as necessary for the expansion of Watters Road. Those parcels are described as follows:

Parcel	Property Owner	Area	Description
1	Paul and Virginia Lehner	1.571 acres	Francis Dosser Survey Abstract No. 280
2	Quail Run Allen HOA	1.128 acres	John Fyke Survey Abstract No. 325

### **BUDGETARY IMPACT**

This item does not have an immediate budgetary impact. Real estate sales contracts or court orders will be brought before Council at a later date.

### **STAFF RECOMMENDATION**

Adopt two Resolutions determining the public necessity for land acquisition for construction of Watters Road from Bossy Boots Drive to Star Trail Drive and authorize the City Manager and City Attorney to initiate eminent domain proceedings, if necessary.

### **MOTION**

*I make a motion to adopt Resolution No. \_\_\_\_\_(R) and Resolution No. \_\_\_\_\_(R) determining the public necessity for acquisition of 1.5± acres of land and 1.1± acres of land along Watters Road from Bossy Boots Drive to Star Trail Drive and authorizing the City Manager and City Attorney to initiate eminent domain proceedings, if necessary.*

**ATTACHMENT**

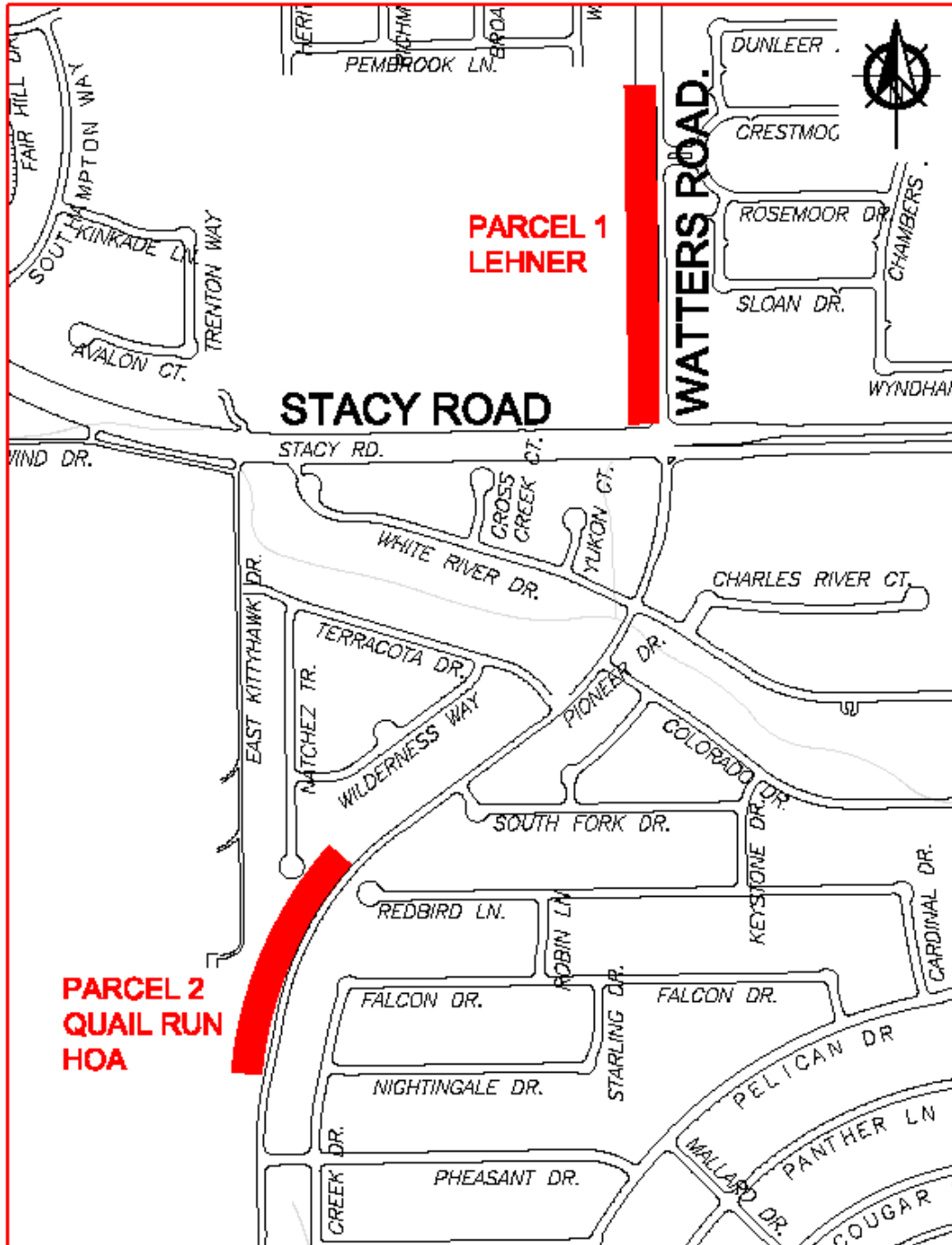
Location Map

Resolution - Lehner

Resolution - Quail Run

## LOCATION MAP

Watters Road – Bossy Boots Drive to Star Trail



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DETERMINING THE NECESSITY FOR THE ACQUISITION OF RIGHT-OF-WAY EASEMENT FOR WATTERS ROAD AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, WITHIN THE CITY OF ALLEN, COLLIN COUNTY, TEXAS; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE THE RIGHT-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**SECTION 1.** The City Council of the City of Allen, Texas, hereby finds and determines that a public necessity exists for the welfare of the City and its citizens and it is in the public interest to acquire right-of-way for Watters Road, as described in Exhibit "A" attached hereto, and being made a part hereof for all purposes.

**SECTION 2.** The City Manager, or designee, is hereby authorized on behalf of the City to acquire the necessary easements, and if necessary to attempt to agree on damages and compensation to be paid to the owners of the property. If the City Manager or designee is unable to acquire the necessary easements or determines that an agreement as to damages and compensation cannot be reached then the City Attorney or designee, is hereby authorized to file or cause to be filed against the owners and interested parties of the property, proceedings in eminent domain to acquire the roadway right-of-way.

**SECTION 3.** If it is later determined that there are any errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or designee is authorized to have such errors corrected or revisions made without the necessity of obtaining City Council approval authorizing the condemnation of the corrected or revised property.

**SECTION 4.** This resolution shall become effective immediately from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 10<sup>TH</sup> DAY OF MARCH, 2009.**

**APPROVED:**

\_\_\_\_\_  
**Stephen Terrell, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Shelley B. George, CITY SECRETARY**

**EXHIBIT "A"**

**WATTERS ROAD  
RIGHT-OF-WAY DEDICATION  
68,413 SQUARE FEET or 1.571 ACRES**

**BEING** a tract of land located in the FRANCIS DOSSER SURVEY, ABSTRACT NO. 280, in the City of Allen, Collin County, Texas and being a part of a tract of land described in Deed to Paul Lehner and Virginia Lehner, recorded in Document No. 92-0083443, Deed Records, Collin County, Texas and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set (said corner set to replace a 1/2" iron rod previously found in 2003 and destroyed during construction of Watters Road) in the existing West right-of-way line of Watters Road, a 60 foot right-of-way, at the Northeast corner of said Lehner tract, said point being North 88 degrees 41 minutes 31 seconds East from a 1/2 inch iron rod found at the Northwest corner of said Lehner tract and the Southeast corner of Shaddock Park, an Addition to the City of Allen according to the Plat thereof recorded in Cabinet 2007, Slide 13, Map Records, Collin County, Texas;

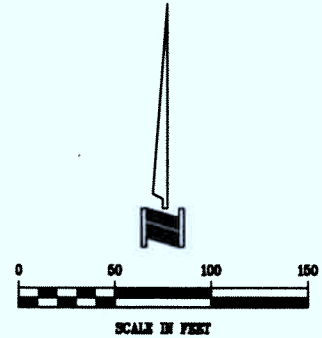
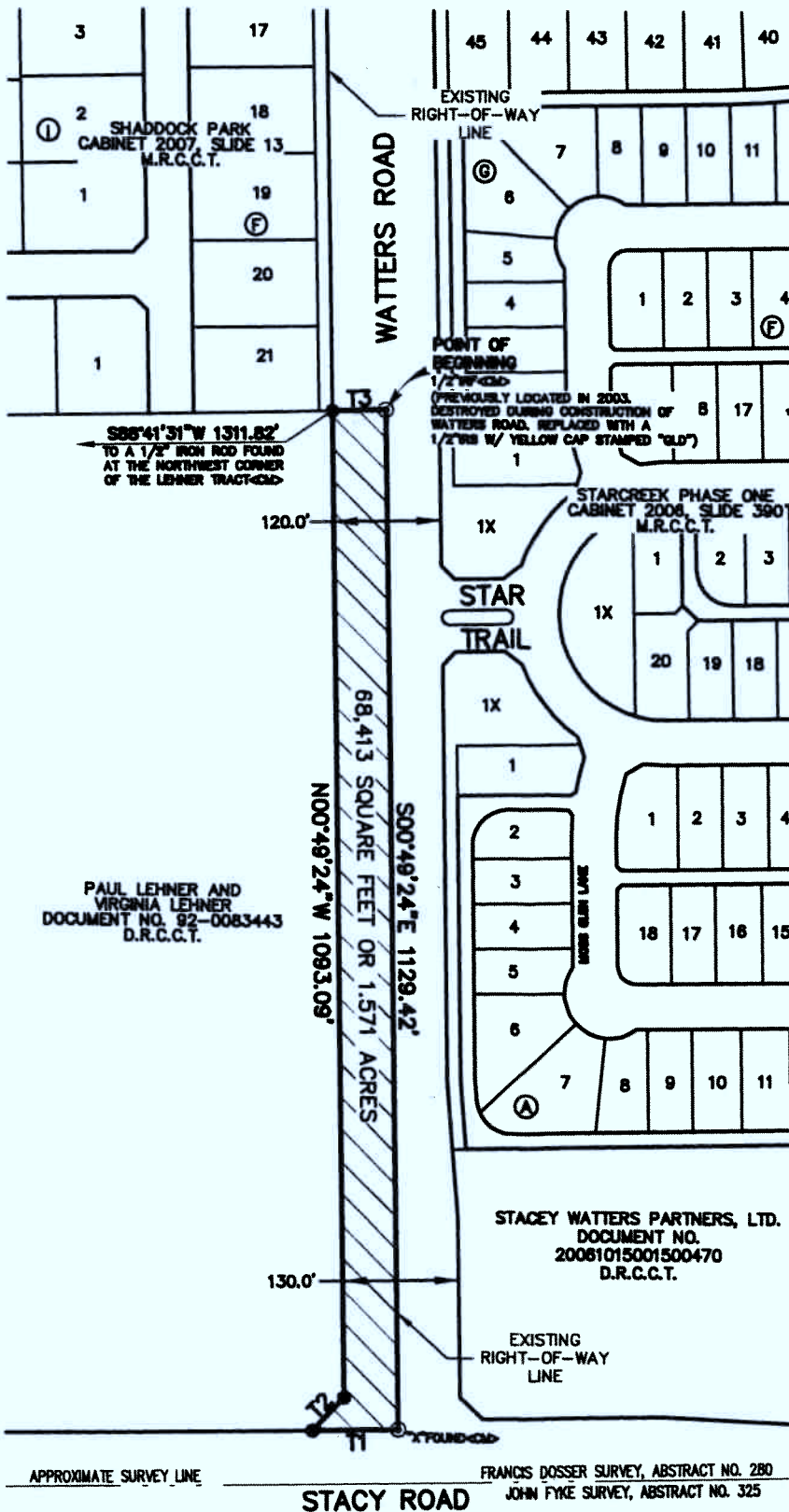
**THENCE** South 00 degrees 49 minutes 24 seconds East, along the East line of said Lehner tract and said West right-of-way line, a distance of 1,129.42 feet to an "X" found for corner at the intersection of said West right-of-way line with the North right-of-way line of Stacy Road, a variable width right-of-way;

**THENCE** South 88 degrees 51 minutes 41 seconds West, along said North right-of-way line, a distance of 96.14 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set for corner;

**THENCE** North 44 degrees 00 minutes 34 seconds East, leaving said North right of way line, a distance of 51.26 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set for corner;

**THENCE** North 00 degrees 49 minutes 24 seconds West, a distance of 1,093.09 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set for corner in the North line of said Lehner tract and the South line of said Shaddock Park;

**THENCE** North 88 degrees 41 minutes 31 seconds East, along the common line of said Lehner tract and said Shaddock Park, a distance of 60.00 feet to the **POINT OF BEGINNING** and containing 68,413 square feet or 1.571 acres of land, more or less.



LEGEND	
D.R.C.C.T.	= DEED RECORDS, COLLIN COUNTY, TEXAS
M.R.C.C.T.	= DEED RECORDS, COLLIN COUNTY, TEXAS
DOC. NO.	= COUNTY CLERK'S DOCUMENT NUMBER
IPF	= IRON PIPE FOUND
<CM>	= CONTROL MONUMENT
●	= 1/2" IRON ROD SET W/ YELLOW CAP STAMPED "GLD"
NOTE: BASIS OF BEARINGS DERIVED FROM THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, NORTH CENTRAL ZONE AS ESTABLISHED FROM THE CITY OF ALLEN GEODETIC CONTROL NETWORK.	

LINE TABLE		
LINE	BEARING	LENGTH
T1	N88°51'41"E	96.14'
T2	S44°00'34"W	51.26'
T3	N88°41'31"E	60.00'

**RIGHT-OF-WAY DEDICATION**  
 68,413 SQUARE FEET OR 1.571 ACRES  
 FRANCIS DOSSER SURVEY, ABSTRACT NO. 280  
 CITY OF ALLEN, COLLIN COUNTY, TEXAS

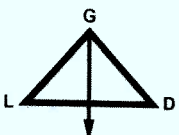
*[Signature]*

Sean Shropshire  
 Registered Professional Land Surveyor  
 No. 5674



**Garcia Land Data, Inc.**

T 214-987-0149 1201 N. Bowser Rd., Ste. 201  
 F 214-987-4026 Richardson, TX 75081-2275



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DETERMINING THE NECESSITY FOR THE ACQUISITION OF RIGHT-OF-WAY EASEMENT FOR WATTERS ROAD AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, WITHIN THE CITY OF ALLEN, COLLIN COUNTY, TEXAS; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE THE RIGHT-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**SECTION 1.** The City Council of the City of Allen, Texas, hereby finds and determines that a public necessity exists for the welfare of the City and its citizens and it is in the public interest to acquire right-of-way for Watters Road, as described in Exhibit "A" attached hereto, and being made a part hereof for all purposes.

**SECTION 2.** The City Manager, or designee, is hereby authorized on behalf of the City to acquire the necessary easements, and if necessary to attempt to agree on damages and compensation to be paid to the owners of the property. If the City Manager or designee is unable to acquire the necessary easements or determines that an agreement as to damages and compensation cannot be reached then the City Attorney or designee, is hereby authorized to file or cause to be filed against the owners and interested parties of the property, proceedings in eminent domain to acquire the roadway right-of-way.

**SECTION 3.** If it is later determined that there are any errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or designee is authorized to have such errors corrected or revisions made without the necessity of obtaining City Council approval authorizing the condemnation of the corrected or revised property.

**SECTION 4.** This resolution shall become effective immediately from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 10<sup>TH</sup> DAY OF MARCH, 2009.**

**APPROVED:**

\_\_\_\_\_  
**Stephen Terrell, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Shelley B. George, CITY SECRETARY**



**EXHIBIT "A"**

**WATTERS ROAD  
RIGHT-OF-WAY DEDICATION  
49,137 SQUARE FEET or 1.128 ACRES**

**BEING** a tract of land located in the JOHN FYKE SURVEY, ABSTRACT NO. 325, in the City of Allen, Collin County, Texas and being a part of a tract of land described as Tract III in Deed to Quail Run Allen Homeowners Association, Inc., recorded in Document No. 20070326000402700, Deed Records, Collin County, Texas and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set in the existing West right-of-way line of Watters Road, a 60 foot right-of-way, at the Northeast corner of said Tract III, from which a 5/8 inch iron rod with a red plastic cap stamped "TIPTON ENG. INC." bears North 64 degrees 57 minutes 49 seconds West, 0.98 feet, said point being at the beginning of a curve to the left having a central angle of 33 degrees 09 minutes 00 seconds, a radius of 1,050.00 feet and a chord bearing and distance of South 28 degrees 17 minutes 02 seconds West, 599.07 feet;

**THENCE** Southerly along said West right-of-way line the following three (3) courses and distance:

Southwesterly along said curve to the left, an arc distance of 607.51 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set for corner;

South 11 degrees 42 minutes 32 seconds West, a distance of 235.98 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set for corner at the beginning of a curve to the left having a central angle of 12 degrees 31 minutes 20 seconds, a radius of 1,050.00 feet and a chord bearing and distance of South 05 degrees 26 minutes 52 seconds West, 229.02 feet;

**THENCE** Southerly, along said curve to the left, an arc distance of 229.48 feet to a 5/8 inch iron rod with a red plastic stamped "TIPTON ENG. INC." found at the South corner of said Tract III;

**THENCE** North 00 degrees 49 minutes 02 seconds West, leaving said West right-of-way line and along the West line of said Tract III, a distance of 391.81 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set for corner;

**THENCE** North 11 degrees 42 minutes 32 seconds East, leaving the West line of said Tract III, a distance of 81.16 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set for corner at the beginning of a curve to the right having a central angle of 30 degrees 03 minutes 57 seconds, a radius of 1,110.00 feet and a chord bearing and distance of North 26 degrees 44 minutes 31 seconds East, 575.81 feet;

**THENCE** Northeasterly, along said curve to the right, an arc distance of 582.47 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set in the North line of said Tract III and the South line of Waterford Trails Phase II, an Addition to the City of Allen, Collin County, Texas according to the Plat thereof recorded in Cabinet P, Slide 428, Map Records, Collin County, Texas, said point being North 89 degrees 12 minutes 48 seconds East, 284.01 feet from a 1/2 inch iron rod found at the Northwest corner of said Tract III;

**THENCE** North 89 degrees 12 minutes 48 seconds East, along the common line of said Tract III and said Addition, a distance of 83.53 feet to the **POINT OF BEGINNING** and containing 49,137 square feet or 1.128 acres of land, more or less.



<b>CITY COUNCIL AGENDA COMMUNICATION</b>
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**AGENDA DATE:** Tuesday, March 10, 2009

**SUBJECT:** Authorize the City Manager to Execute a Deed Dedicating a Portion of City of Allen Property as Right-of-Way for Watters Road (CIP# ST0802)

**STAFF RESOURCE:** John Baumgartner, Director of Engineering

**PREVIOUS COUNCIL ACTION:** On July 8, 2008, Council authorized the City Manager to execute a professional services agreement with Halff Associates, Inc. for the design of Watters Road, from Bossy Boots Drive to Star Trail Drive, and establish a preliminary project budget

**ACTION PROPOSED:** Authorize the City Manager to execute a deed dedicating a portion of City property as right-of-way for Watters Road

**BACKGROUND**

Watters Road was proposed as a six-lane, divided thoroughfare on the City's Thoroughfare Plan. Engineering design for this project by our consultant is approaching completion and construction is anticipated to begin in July 2009, provided funding is available.

In order to facilitate construction of the Watters Road widening project (from Bossy Boots Drive to Star Trail Drive), the City should execute a deed transferring a 0.2± acre portion of the City of Allen property just south of Kitty Hawk as formal right-of-way for Watters Road.

**BUDGETARY IMPACT**

There is no budgetary impact for this action.

**STAFF RECOMMENDATION**

Staff recommends that the City Council authorize the City Manager to execute a right-of-way deed transferring City property as right-of-way for Watters Road.

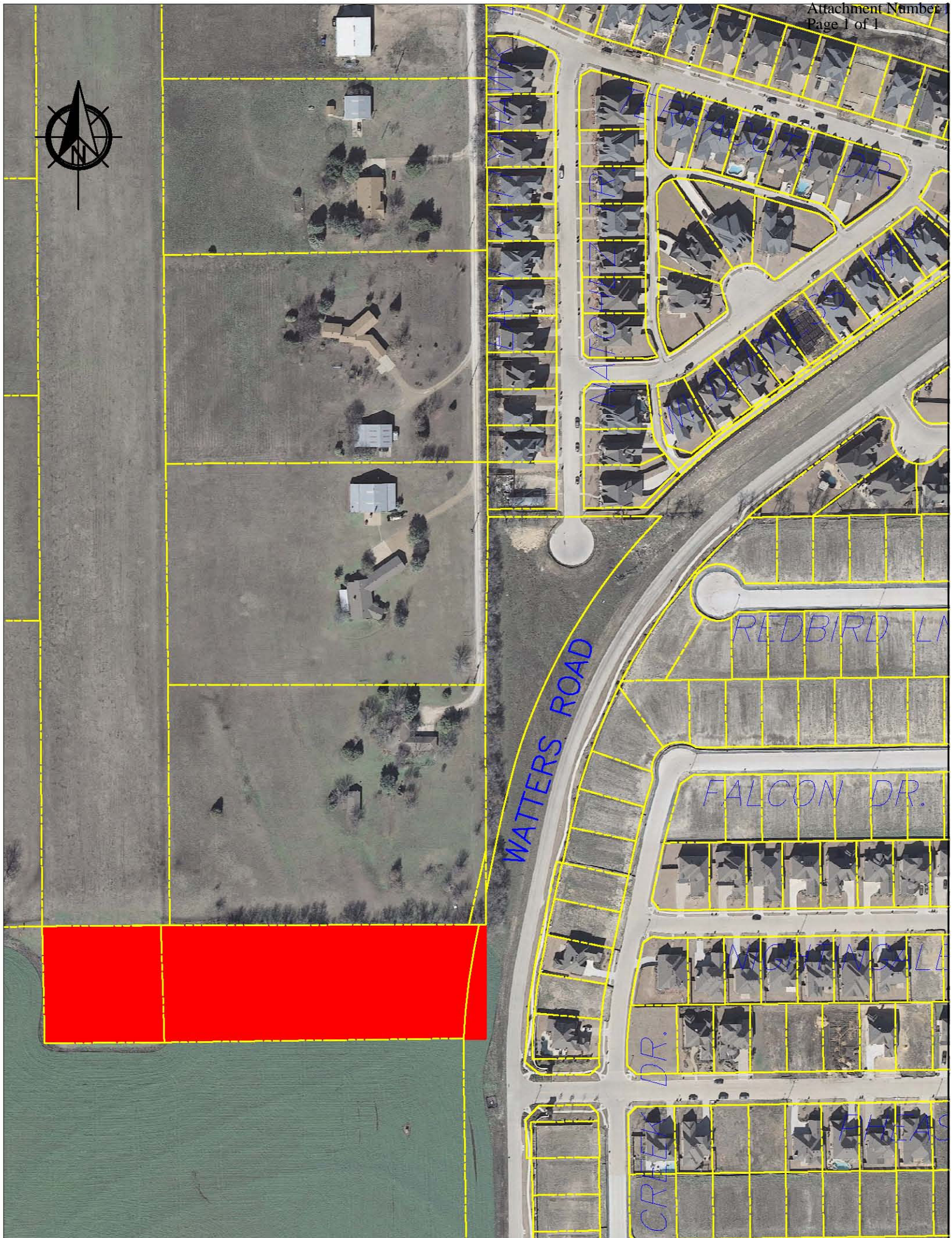
**MOTION**

*I make a motion to authorize the City Manager to execute a deed dedicating a 0.2± acre portion of City of Allen property south of Kitty Hawk as right-of-way for Watters Road.*

**ATTACHMENT**

Aerial Map-Watters Road  
Location Map  
ROW Deed









EAST KITTICAWK

NATCHEZ TR.

TERRACOTA DR.

WILDERNESS WAY

PIONEER

SOUTH FORK

WATTERS ROAD

REDBIRD LN.

ROBIN LN

FALCON DR.

NIGHTINGALE DR.

STARLING DR

DR.

CREEK

PHEASANT DR.



**RIGHT-OF-WAY DEDICATION DEED**

**STATE OF TEXAS           §**  
**§**  
**COUNTY OF COLLIN       §**

**KNOW ALL MEN BY THESE PRESENTS:**

That City of Allen, Collin County, Texas as Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration in hand paid by the City of Allen, Collin County, Texas, as Grantee, the receipt and sufficiency of which is hereby acknowledged, has granted, sold and conveyed, and by these presents does grant, sell and convey unto the said City of Allen, Collin County, Texas, right-of-way for public street purposes, including the right of ingress, egress, and regress therein, and easements to construct, maintain, and repair water lines, sewer lines, and any and all other public utilities deemed necessary by said City into, over, under and through all those certain property described and depicted in the Exhibits attached hereto and made part hereof for all purposes, the same as if fully copied herein.

To have and to hold the above described street rights-of-way and utility easements in and to said premises with the right of ingress, egress, and regress therein, together with all and singular the usual rights thereto in anywise belonging, unto the said City of Allen, Texas, its successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns, to warrant and forever defend, all and singular, the said premises unto the said City of Allen, Texas, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

In witness whereof, I have hereunto subscribed my name this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

City of Allen, Texas

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

**GRANTOR'S ACKNOWLEDGMENT**

**STATE OF TEXAS**                   §  
   §  
**COUNTY OF COLLIN**           §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2009, by Peter H. Vargas, the City Manager of City of Allen, Collin County, Texas a political subdivision, on behalf of said municipality.

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

My Commission expires: \_\_\_\_\_

Grantee's Address:

City of Allen  
Attn: Peter H. Vargas  
City Manager  
One Allen Civic Plaza  
305 Century Parkway  
Allen, Texas 75013



**WATTERS ROAD  
RIGHT-OF-WAY DEDICATION  
9,320 SQUARE FEET or 0.214 ACRES**

**BEING** a tract of land located in the MICHAEL SEE SURVEY, ABSTRACT NO. 544, City of Allen, Collin County, Texas and being a part of a tract of land described in Deed to the City of Allen, recorded in Volume 5123, Page 849, Deed Records, Collin County, Texas and being more particularly described as follows:

**BEGINNING** at a 1 inch iron pipe found at the Northeast corner of said City of Allen tract and the Southeast corner of a tract of land described in Deed to the City of Allen, recorded in Volume 5604, Page 2126, Deed Records, Collin County, Texas;

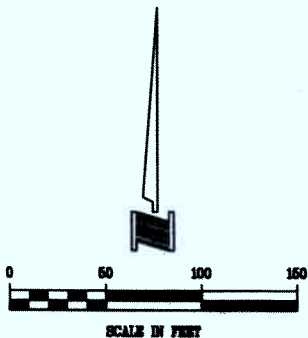
**THENCE** South 00 degrees 46 minutes 05 seconds East, along the East line of said City of Allen tract recorded in Volume 5123, Page 849, a distance of 200.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set for corner from which a 5/8 inch iron rod with a red plastic cap stamped "TIPTON ENG. INC." bears South 01 degrees 37 minutes 11 seconds East, a distance of 56.74 feet;

**THENCE** South 89 degrees 29 minutes 53 seconds West, leaving said East line and along the South line of said City of Allen tract recorded in Volume 5123, Page 849, a distance of 57.74 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set for corner at the beginning of a non-tangent curve to the right having a central angle of 09 degrees 35 minutes 00 seconds, a radius of 1,110.00 feet and a chord bearing and distance of North 06 degrees 55 minutes 02 seconds East, 185.44 feet;

**THENCE** Northerly, leaving said South line and along said curve to the right, an arc distance of 185.66 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set for corner;

**THENCE** North 11 degrees 42 minutes 32 seconds East, leaving said curve a distance of 16.49 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "GLD" set for corner in the North line of said City of Allen tract recorded in Volume 5123, Page 849, and the South line of said City of Allen tract recorded in Volume 5604, Page 2126, from which a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" bears South 89 degrees 30 minutes 30 seconds West, a distance of 0.62 feet;

**THENCE** North 89 degrees 30 minutes 30 seconds East, along the common line of said City of Allen tracts, a distance of 29.38 feet to the **POINT OF BEGINNING** and containing 9,320 square feet or 0.214 acres of land, more or less.



REMAINDER OF  
LOT 5

KITTYHAWK ESTATES  
VOLUME 802, PAGE 334  
D.R.C.C.T.

CITY OF ALLEN  
VOLUME 5804, PAGE 2126  
D.R.C.C.T.

1/2" IRF W/YELLOW CAP STAMPED  
"GLD" FROM WHICH A 1/2" IRF  
W/YELLOW CAP STAMPED "DAA"  
BEARS S89°30'30"W, 0.62'

HENRY BRANDENBURG SURVEY, ABSTRACT NO. 110  
MICHAEL SEE SURVEY, ABSTRACT NO. 544

REMAINDER OF  
CITY OF ALLEN  
VOLUME 5123, PAGE 849  
D.R.C.C.T.

PART OF  
CITY OF ALLEN  
VOLUME 5123, PAGE 849  
D.R.C.C.T.  
9,320 SQUARE FEET  
OR 0.214 ACRES

TRACT THREE  
BRIAR RIDGE INVESTMENTS, INC.  
DOC. NO. 92-0019155  
D.R.C.C.T.

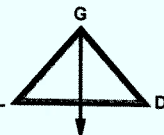
PROPOSED  
RIGHT-OF-WAY  
LINE

JOHN FINE SURVEY, ABSTRACT NO. 325  
MICHAEL SEE SURVEY, ABSTRACT NO. 544

LINE TABLE		
LINE	BEARING	LENGTH
T1	S00°46'05"E	200.00'
T2	S89°29'53"W	57.74'
T3	N11°42'32"E	16.49'
T4	N89°30'30"E	29.38'

CURVE TABLE					
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C1	9°35'00"	1110.00'	93.05'	185.66'	N 6°55'02" E 185.44'

LEGEND	
D.R.C.C.T.	= DEED RECORDS, COLLIN COUNTY, TEXAS
M.R.C.C.T.	= DEED RECORDS, COLLIN COUNTY, TEXAS
DOC. NO.	= COUNTY CLERK'S DOCUMENT NUMBER
IPF	= IRON PIPE FOUND
IRF	= IRON ROD FOUND
<CM>	= CONTROL MONUMENT
⊙	= MONUMENT FOUND AS NOTED
●	= 1/2 INCH IRON ROD WITH AN YELLOW PLASTIC CAP STAMPED "GLD" (UNLESS OTHERWISE NOTED)
NOTE: BASIS OF BEARINGS DERIVED FROM THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, NORTH CENTRAL ZONE AS ESTABLISHED FROM THE CITY OF ALLEN GEODETIC CONTROL NETWORK.	



**Garcia Land Data, Inc.**

T 214-987-0149 1201 N. Bowser Rd., Ste. 201  
F 214-987-4026 Richardson, TX 75081-2275

*[Signature]*

Sean Shropshire  
Registered Professional Land Surveyor  
No. 5674



**RIGHT-OF-WAY DEDICATION**  
9,320 SQUARE FEET OR 0.214 ACRES  
MICHAEL SEE SURVEY, ABSTRACT NO. 544  
CITY OF ALLEN, COLLIN COUNTY, TEXAS

<b>CITY COUNCIL AGENDA COMMUNICATION</b>
--

**AGENDA DATE:** Tuesday, March 10, 2009

**SUBJECT:** Motion to Appoint Mr. Steve Matthews as the Second Allen Appointee to the Arts of Collin County Commission, Inc. (ACC) Board of Directors

**STAFF RESOURCE:** Peter H. Vargas, City Manager

**PREVIOUS COUNCIL ACTION:** On January 13, 2009, the City Council approved amendments to the Arts of Collin County Commission, Inc. By Laws changing the number and composition of the Board of Directors

**ACTION PROPOSED:** Appoint Steve Matthews as the Allen representative on the Arts of Collin County Commission, Inc. Board of Directors for the remainder of his current term

**BACKGROUND**

In December 2008 and January 2009, the Arts of Collin County Commission, Inc. Board of Directors and the City Councils of the cities of Allen, Frisco and Plano all approved amendments to the ACC By Laws changing the number and composition of the Board of Directors to include seven total members with two members appointed by each Owner City and one At-Large member to be appointed by all three Owner Cities unanimously.

Steve Matthews, an Allen resident, currently serves as an At-Large representative on the ACC Board. Due to the reorganization of the Board, it is necessary to reappoint Mr. Matthews as the second Allen representative.

**BUDGETARY IMPACT**

None

**STAFF RECOMMENDATION**

Staff recommends that the City Council appoint Steve Matthews as the second Allen appointee to the Arts of Collin County Commission, Inc. Board of Directors for the remainder of his current term which expires September 30, 2009.

**MOTION**

***I make a motion to appoint Steve Matthews as the second Allen appointee to the Arts of Collin County Commission, Inc. Board of Directors for the remainder of his current term which expires September 30, 2009.***

<b>CITY COUNCIL AGENDA COMMUNICATION</b>
--

**AGENDA DATE:** Tuesday, March 10, 2009

**SUBJECT:** Declare a Vacancy for the At-Large Representative on the Arts of Collin County Commission, Inc. Board of Directors for a Term to Expire September 30, 2011

**STAFF RESOURCE:** Peter H. Vargas, City Manager

**PREVIOUS COUNCIL ACTION:** On January 13, 2009, the City Council approved amendments to the Arts of Collin County Commission, Inc. By Laws changing the number and composition of the Board of Directors

**ACTION PROPOSED:** Declare a vacancy for the At-Large Representative on the Arts of Collin County Commission, Inc. Board of Directors

**BACKGROUND**

In December 2008 and January 2009, the Arts of Collin County Commission, Inc. Board of Directors and the City Councils of the cities of Allen, Frisco and Plano all approved amendments to the ACC By Laws changing the number and composition of the Board of Directors to include seven total members with two members appointed by each Owner City and one At-Large member to be appointed by all three Owner Cities unanimously.

The two former At-Large representatives, Steve Matthews, an Allen resident, and Bob Baggett, a Plano resident, have been appointed to fill the second Owner City positions allocated to each of the three cities. There is one At-Large position that is now vacant. The term for the At-Large position will run through September 30, 2011, and is appointed unanimously by the three Owner Cities.

**STAFF RECOMMENDATION**

Staff recommends that the City Council declare a vacancy in the At-Large position on the Arts of Collin County Commission, Inc. Board of Directors to be appointed unanimously by the three Owner Cities to a term that expires September 30, 2011.

**MOTION**

***I make a motion to declare a vacancy for the At-Large representative on the Arts of Collin County Commission, Inc. Board of Directors for a term to expire September 30, 2011.***

<b>CITY COUNCIL AGENDA COMMUNICATION</b>
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**AGENDA DATE:** Tuesday, March 10, 2009

**SUBJECT:** Motion to Accept the 2007-2008 Comprehensive Annual Financial Report (CAFR) as Presented by Weaver and Tidwell L.L.P.

**STAFF RESOURCE:** Joanne Stoehr, Assistant Finance Director  
Kevin Hammeke, Finance Director

**PREVIOUS COUNCIL ACTION:** None

**BOARD/COMMISSION ACTION:**

**ACTION PROPOSED:** Accept 2007-2008 Comprehensive Annual Financial Report

**BACKGROUND**

An annual independent audit of the City's funds and account groups is required by Section 2.20 of the City of Allen Charter. Upon completion of the audit, the Comprehensive Annual Financial Report (CAFR) covering the 2008 fiscal year ending September 30, 2008, was prepared. Included in the CAFR are the combined financial statements of all funds and component units, on which the auditor expresses an opinion.

The City received an unqualified opinion or "clean audit" from Weaver and Tidwell, L.L.P. that the financial statements present fairly, in all material respects, the financial position of the City. Also, there were no instances of noncompliance or material weaknesses reported on federal or state financial assistance.

An Audit/Finance Committee meeting was held on March 6, 2009, to discuss the audit findings and the financial reports. The meeting was attended by Councilmembers Gary Caplinger and Jeff McGregor, the City Manager, Finance Director, and Finance staff involved in the audit. A separate report on the internal control structure was not prepared this year because there were no reportable items.

The City will again submit the CAFR to the Government Finance Officers Association to determine its eligibility for a Certificate of Achievement for Excellence in Financial Reporting.

The CAFR is now being submitted to the City Council for formal acceptance. A representative of Weaver and Tidwell L.L.P. will be in attendance at the Council meeting to discuss the CAFR.

### **BUDGETARY IMPACT**

None

### **STAFF RECOMMENDATION**

Staff recommends acceptance of the City of Allen 2007-2008 Comprehensive Annual Financial Report.

### **MOTION**

*I make a motion that the City Council accept the 2007-2008 Comprehensive Annual Financial Report.*

*NOTE: The following documents are available for review in the Finance Department or at the Allen Public Library.*

- <sup>1</sup> 2007-2008 Comprehensive Annual Financial Report (CAFR)*
- <sup>1</sup> Report to the Finance Committee (Finance/Audit Committee)*