



Council Agenda Item

Budget Account Code:		Meeting Date: March 17, 2015
Budgeted Amount:		Department/ Requestor: TXDoT
Fund Balance-before expenditure:		Prepared by: J. Shepherd
Estimated Cost:		Date Prepared: March 11, 2015
Exhibits:	1) Proposed Resolution and Agreement	

AGENDA SUBJECT

APPROVAL OF RESOLUTION 2015-469 APPROVING AN AGREEMENT BETWEEN THE CITY OF PARKER AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDoT) FOR LANDSCAPING AND MAINTENANCE OF FM 2551 [SHEPHERD]

SUMMARY

The widening of FM 2551 is a TXDoT project. Parker has requested for TXDoT to landscape the project, primarily the median with no cost to the City; however, the City will have to maintain the median. This agreement authorizes that request. Several provisions will need discussion.

Council minutes September 2, 2014:

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2014-459 APPROVING AN AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR LANDSCAPING ALONG F.M. 2551/HOGGE ROAD. [FLANIGAN]

City Administrator Flanigan and Resident Eleanor Evans met with the Texas Department of Transportation (TXDoT) on behalf of the City and requested additional trees and landscaping in the right of way of FM2551/Hogge Road, as a part of the TXDoT road widening project. TXDoT has consented to the additional landscaping, so long as Parker does all maintenance at the City's expense. TXDoT will pay for the trees, installation and irrigation system.

City Attorney Shepherd requested Council table this item to allow additional time to discuss the termination clause of the contract with TXDoT.

MOTION: Councilmember Pettle moved to table this item to a future date. Councilmember Taylor seconded with Councilmembers Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

POSSIBLE ACTION

Approve, Deny, Modify, table

Inter-Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	Shepherd by email	Date:	3/11/2015 @ 10:07 pm
City Administrator:	Teffy Ray	Date:	3/13/15

RESOLUTION NO. 2015-469
(FM 2551 Landscaping and Maintenance Agreement)

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS,
PROVIDING FOR THE EXECUTION OF AN AGREEMENT BETWEEN
THE CITY OF PARKER AND THE TEXAS DEPARTMENT OF
TRANSPORTATION (TXDoT) FOR LANDSCAPING AND MAINTENANCE
OF FM 2551**

WHEREAS, the City of Parker is authorized by state law to execute an interlocal agreement for Landscaping and Maintenance in and along FM 2551- Hogge Road; and

WHEREAS, the City of Parker finds that landscaping the newly widened FM 2551 is in the best interest of its residents; and

WHEREAS, The City of Parker has budgeted sufficient funds to carry out the terms of the proposed agreement with TXDoT;

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

SECTION 1. The Parker City Council does authorize the Mayor to enter into an agreement with TXDoT for Landscaping and Maintenance of that portion of FM 2551 described in the attached interlocal agreement in substantially the form attached hereto.

SECTION 2. This resolution shall be effective upon its passage.

APPROVED AND ADOPTED this _____ day of _____, 2015.

Z Marshall, Mayor

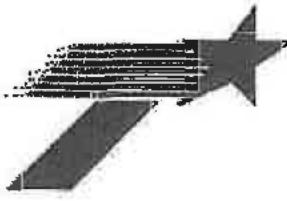
ATTEST: _____

Carrie L. Smith, City Secretary

APPROVED TO FORM:

James E. Shepherd, City Attorney

RESOLUTION NO. 2015-469
(FM 2551 Landscaping and Maintenance Agreement)



Texas Department of Transportation

4777 East Highway 80, Mesquite, Texas 75150-6643

August 19, 2014

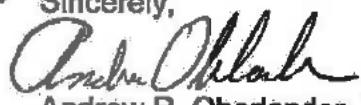
Landscape Maintenance Agreement
CSJ: 2056-01-048
FM 2551
City of Parker
Collin County

Mr. Jeff Flanigan
City Administrator
City of Parker
5700 E. Parker Rd.
Parker, TX 75002

Dear Mr. Flanigan:

Please find attached, two (2) original Landscape Maintenance Agreements for the subject project for your review and approval. If all is satisfactory, please obtain authorized signatures for both originals and return both further processing. A fully executed original will be returned to you for your file and use.

Feel free to contact Mr. Pat Haigh at 214-320-6205, if needed.

PROPOSED
Sincerely,

Andrew R. Oberlander, P.E.
District Transportation Operations Engineer

Attachments



Form 2043
(Rev. 04/12)
Page 1 of 3

LANDSCAPE MAINTENANCE AGREEMENT

THE STATE OF TEXAS

THE COUNTY OF TRAVIS

This AGREEMENT made this _____ day of _____, 20____, by and between the Texas Department of Transportation, hereinafter referred to as the "State," and the City of Parker, Collin County, Texas, acting by and through its duly authorized officers, hereinafter called the "City".

WITNESSETH

WHEREAS, Chapter 311 of the Transportation Code gives the City exclusive dominion, control, and jurisdiction over and under the public streets within its corporate limits and authorizes the City to enter into agreements with the State to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through its corporate limits; and

WHEREAS, Section 221.002 of the Transportation Code authorizes the State, at its discretion, to enter into agreements with cities to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through the corporate limits of such cities; and

WHEREAS, the State and the City have entered into a Municipal Maintenance Agreement dated September 20, 1994, the provisions of which are incorporated herein by reference, and wherein the City has agreed to retain all functions and responsibilities for maintenance and operations which are not specifically described as the responsibility of the department; and

WHEREAS, the State has existing and proposed landscape improvements, such as, but not limited to, the installation of tree, shrub, and turf plantings, irrigation systems, and other aesthetic elements for areas within the right of way of state highway routes within the City as shown on Attachment "A"; and

WHEREAS, the State will provide such landscape improvements, provided that the City agrees to be responsible for all required maintenance of the landscape improvements.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, it is agreed as follows:

Contract Period

This Agreement becomes effective upon the date of final execution by the State, and shall remain in effect until terminated or modified as hereinafter provided.

Coverage

This agreement prescribes the responsibilities of the State and the City relating to the installation and maintenance of landscape elements on non-controlled access state highways, as defined in the Municipal Maintenance Agreement, and described and graphically shown as "State Maintained and Operated" in that agreement.

Amendment

The parties agree that this agreement may be amended. Such amendments, to be effective, must be in writing and signed by both parties.

State's Responsibilities

The State shall install landscape elements including but not limited to trees, shrubs, grasses, sidewalks, irrigation systems, and hardscape features through its employees or duly appointed agents.

City's Responsibilities

The City may install landscape elements including but not limited to trees, shrubs, grasses, sidewalks, irrigation systems, and hardscape features through its employees or duly appointed agents. Any installations shall be performed in accordance with Texas Department of Transportation specifications and standards, and must be approved by the State in writing prior to any work being performed.

The City shall maintain all landscape elements within the limits of the right of way including all median and island areas but excluding paved areas intended for vehicular travel. Landscape maintenance shall include but not be limited to plant maintenance, plant replacement, mowing and trimming, hardscape element maintenance, and irrigation system operation and maintenance. All landscape elements must be maintained in a functional and aesthetically pleasing condition.

TERMINATION

It is understood and agreed between the parties hereto that should either party fail to properly fulfill its obligations as herein outlined, the other party may terminate this agreement upon thirty days written notice. Additionally, this agreement may be terminated by mutual agreement and consent of both parties.

Should the City terminate this agreement, as prescribed hereinabove, the City shall, at the option of the State, reimburse any reasonable costs incurred by the State.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures,
the City of Parker on the day of
 , year 2014 and the Texas Department of Transportation,
on the day of , year 2014.

ATTEST:

THE STATE OF TEXAS

City of Parker

or Marshall
(Title of Signing Official)

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, and the established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By _____
District Engineer

Dallas District

Attachments

NAME: **STP-2015 (2233)** ADDRESS: **1**
CITY: **DALLAS** STATE: **TX** ZIP CODE: **75201**

STATE OF TEXAS
DEPARTMENT OF TRANSPORTATION

FINAL PLANS	NAME OF CONTRACTOR
BATTE OF LETTING	DATE WORK BEGAN
	DATE WORK COMPLETED
	BATTE WORK ACCEPTED
	SUMMARY OF CHANGE ORDERS

PLANS OF PROPOSED
STATE HIGHWAY IMPROVE-

FEDERAL AID PROJECT
STP 2014 (223)

FM 2551
DALLAS COUNTY

LIMITS: FROM FM 944 TO FM 254 SPANNER RD
TOTAL LENGTH OF PROJECT: 15.840 MI.

TYPE OF WORK: FOR THE CONSTRUCTION OF LANDSCAPE DEVELOPMENT TO INCLUDE: TREE AND SHRUB PLANTING, BED

BIG LIN PROJECT
CSJ 2056-01-346
STA N/A
THM 246 + 1.550

END PROJECT
CSJ 2056-01-035
STA N/A
THM 250 + 0.575

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ATTACHMENT

INDEX OF SHEETS

SHEET	DESCRIPTION
1	TITLE SHEET
2	INDEX OF SHEETS
3	GENERAL NOTES
4	ESTIMATE AND QUANTITY SHEET

I. GENERAL

TITLE SHEET
INDEX OF SHEETS
GENERAL NOTES
ESTIMATE AND QUANTITY SHEET

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4-9	PC 12-13 12
4-10	PC 12-13 12

VI. UTILITIES

None

III. ROADWAY DETAILS

None

IV. RETAINING WALL DETAILS

None

VI. ENVIRONMENTAL ISSUES

ENVIRONMENTAL PERMIT, ISSUES AND COMPLIANCE REPORT
STORM WATER POLLUTION PREVENTION PLAN (SWPPP)
STORM WATER POLLUTION PREVENTION PLAN (SWPPP)
ESTATE CONTROL LOG (ECL)

V. DRIVEMAGE DETAILS

VI. UTILITIES

None

VI. MISCELLANEOUS ITEMS

LANDSCAPE PLANTING PLANS
LANDSCAPE PLANTING DETAILS
IRRIGATION PLANS
IRRIGATION DETAILS
IRRIGATION GENERAL NOTES & MATERIAL SPECIFICATIONS

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CSJ: 2068-01-048
County: COLLIN
Highway: FM 2851
General Notes: Revised on May 8, 2014

Sheet 3

CSJ: 2068-01-048
County: COLLIN
Highway: FM 2851

General Notes: Revised on May 8, 2014

SWAP RESPONSIBILITIES

TxDOT Area of Responsibility

Responsible for the area defined by the limits of the subject project, except for those areas utilized and operated by the contractor. These areas include, though are not limited to, areas used for field offices, equipment and material storage, and concrete or asphalt plants.

TxDOT Operational Responsibility

Responsible for seeking coverage under the TIPDES Construction General Permit (CGP) and operating the project within the requirements of the CGP for discharging storm water from the subject project and to notify MSA permit holders of the intent to discharge storm water.

File a Notice of Termination with TCEQ upon completion of the project when the exposed areas have been stabilized with a vegetative cover of at least 70%.

Contractor Area of Responsibility

Responsible for all areas under their direct operational control which includes, though not limited to, areas used for field offices, equipment and material storage, and concrete or asphalt plants. These areas may be located on or off the subject project's R.O.W.

Contractor Operational Responsibility

Responsible for seeking coverage under the TIPDES Construction General Permit (CGP) and adhering to all requirements of the permit for discharging storm water from the areas under their operational control. Perform regular inspections, prepare a written report of deficiencies and repair deficiencies within the time frame set forth by the permit. File a Notice of Termination with TCEQ upon completion of the project when the exposed areas have been stabilized with a vegetative cover of at least 70%.

Responsible under contractual obligations to TxDOT to clean, replace or remove sediment and erosion control devices as indicated on TxDOT's Inspection Report or as required by daily construction practices, within the time frame set forth by the permit.

GENERAL

Access will be provided to all business and residential areas in time. If necessary, traffic control lines, temporary lighting, railings, and other surface such as RAP or base in turning movements to accommodate and to reflect the traffic from edge drop-offs. Materials, labor, maintenance, and removal of these temporary structures and railings will not be paid for directly but will be included as part of the general bid items.

General Notes

General Notes

Sheet 1

The construction, operation and maintenance of the proposed project will be consistent with the state implementation plan as provided by the Texas Commission on Environmental Quality.

The disturbed area of the project, as shown on Figure 1, is 1.98 acres. However, the Total Disturbance Area (TDA) will establish the actual disturbed area for storm water discharge. The TDA of the project will be determined by the location of the disturbed area in all project locations. In the contract, and all documents, areas on all project-specific Locations (PSL) located in the project boundary or within 100' of the project limits. The department will obtain an authorization to discharge storm water from the Texas Commission on Environmental Quality (TCEQ) for the construction area as shown on the plans, according to the TDA of the project. The contractor will obtain any required authorization from the TCEQ for the discharge of storm water from any PSL. No construction support activities on or off of the project row according to the TDA of the project. When the TDA is determined, the contractor's area, provide a copy of the appropriate application of permit (D, E, or Construction Site Notice) to the engineer, for any PSL located in the project limits or within 1 mile of the project limits. Follow the directives and adhere to all requirements set forth in the TCEQ, Texas Pollution Discharge Elimination System, Construction General Permit (TPDES, CGP).

Leave all right-of-way areas undisturbed until annual construction is to be performed in sales areas.

Established industry and utility safety practices to erect poles, lumbaries, signs or structures near any overhead or underground utility. Consult with the appropriate utility company prior to beginning such work.

Underground utilities owned by the Texas Department of Transportation may be present within the Right-of-Way on this project. For signal, illumination, surveillance, and communications & control maintained by TxDOT, call the TxDOT Traffic Signal Office (214-320-8682) for location a minimum of 48 hours in advance of excavation. For irrigation systems, call TxDOT Maintenance/Landscaping Office (214-320-8625) for location & minimum of 48 hours in advance of excavation. If city or town owned irrigation facilities are present, call the appropriate department of the local city or town a minimum of 48 hours in advance of excavation. The Contractor is liable for all damages incurred to the above mentioned utilities when working without having the utilities located prior to excavation.

For the project to be deemed complete, permanently stabilize all unpaved disturbed areas of the project with a vegetative cover at a minimum of 70% density for the control of erosion. Repair or replace any structures and utilities that might have been damaged by negligence or a failure to have utility locate performed.

Perform all electrical work in accordance with the National Electrical Code and Texas Department of Transportation Specifications.

Consult with appropriate electric company representatives according to their respective area to coordinate electrical service installations.

Meet weekly with the engineer to notify him or her of planned work for the upcoming week.

Sheet B

ATTACHMENT

CSJ: 2088-01-048
County: COLLIN
Highway: FM 2851

Sheet 3 A

CSJ: 2088-01-048
County: COLLIN
Highway: FM 2851

Submit pre-letting questions, by email only, to the attention of Area Engineer or Assistant Area Engineer.

Email: Barn.Hastings@txdot.gov or Brennan.Hommer@txdot.gov

Answers will be provided by email.

An electronic file containing pre-letting questions and TxDOT answers will be provided upon email request.

Material On Hand (MOH) will not be used in calculating partial payments for Mobilization.

Provide the Engineer with a copy of all Disadvantage Business Enterprise (DBE) subcontract agreements prior to commencing work.

Item 8: This Project will be a Standard Workweek in accordance with Article 8.3.A.4.

Item 10: Provide tickets representing quantity of compost delivered to site.

Item 12a: For all meter locations, contact Parker or Murphy water utilities. Parker: Parker Water and Sanitation District (803.841.4627) Cottonwood Water and Sanitation (803.792.4808) Murphy: North Texas Municipal Water District (972.442.5405)

Item 12c: No plowing shall occur between June 1st and September 15th without written approval from Engineer.

Minimum Medlar turf areas within project limits between 10:30 AM of 2:30 PM during the maintenance period under both items 192&183.

Begin the 90-day maintenance period only after all live plant material and functional irrigation systems have been installed as shown on

Item 182: Begin the additional maintenance period covered under both items 170 & 183. The item only after all maintenance activities have been completed in both items 170 & 183.

General Notes

Sheet C

Sheet D

Freeway Lane Closures		Peak Times	Off Peak Times	Lowest Volume Times
Category of Work	Number of Freeway Lanes per direction	Monday-Friday 8:00 am - 6:30 pm Major Events and Major Holidays*	Monday-Friday 8:30 pm - 7:00 pm and Saturday 7:00 pm - 1:30 pm	Monday-Friday 10:30 pm to 6:00 am and Saturday

General Notes

Sheet D

Sheet E

DATA ATTACHMENT

CSJ:2088-01-048
County: COLLIN
Highway: FM 2881

CSJ:2088-01-048

County: COLLIN

Highway: FM 2881

Sheet 3 

Placement of CTB & Bridge Beams, Pavement Markings, Full Depth Resurfery, Repair, Bridge or Spanner Demolitions*	0	None	.2	.3
Adjacent Construction, Lanes for Construction Traffic or Shuttler Operations	6	None	1	2
4	None	1	2	
3	None	1	1	
2	None	None	1	

* Provide a traffic control plan where bridge demolition cannot be accomplished with lane closures. Freeway closure will only be done during Lowest Volume Times. ** Major Holidays are defined under Item 1.62 and also include the Easter Weekend. The table above is only to be used when traffic counts do not exceed 2000 Vehicles per Lane per Hour. The capacity of all remaining open lanes must not exceed 2000 Vehicles per Lane per Hour. When traffic counts do or will exceed 2000 Vehicles per Lane per Hour, Director of Construction, Assistant District Engineer or District Engineer approval will be required for lane closures.

Additional lanes may be closed during Off Peak Times or Lowest Times with written permission of the Engineer. Lane Closures during Off Peak Times may be started earlier or be extended later with written permission of the Engineer. Traffic Control Plans with Lane Closures causing backups of 20 minutes or greater in one direction will be modified by the Engineer.

Limit lane closures along FM 2881 to the hours between 8:00 am and 3:30 pm. Work in other areas of the project is not restricted to this time frame.

Item 9.15
The location of conduit and ground boxes are determined prior and may be in holes accommodated field conditions as directed.

Secure permission and approval from the owner authority prior to cutting into or removing any sidewalks or curbs for installation of this item.

When holes are drilled through concrete structures use a coring device. Do not use an anchor or concrete drill.

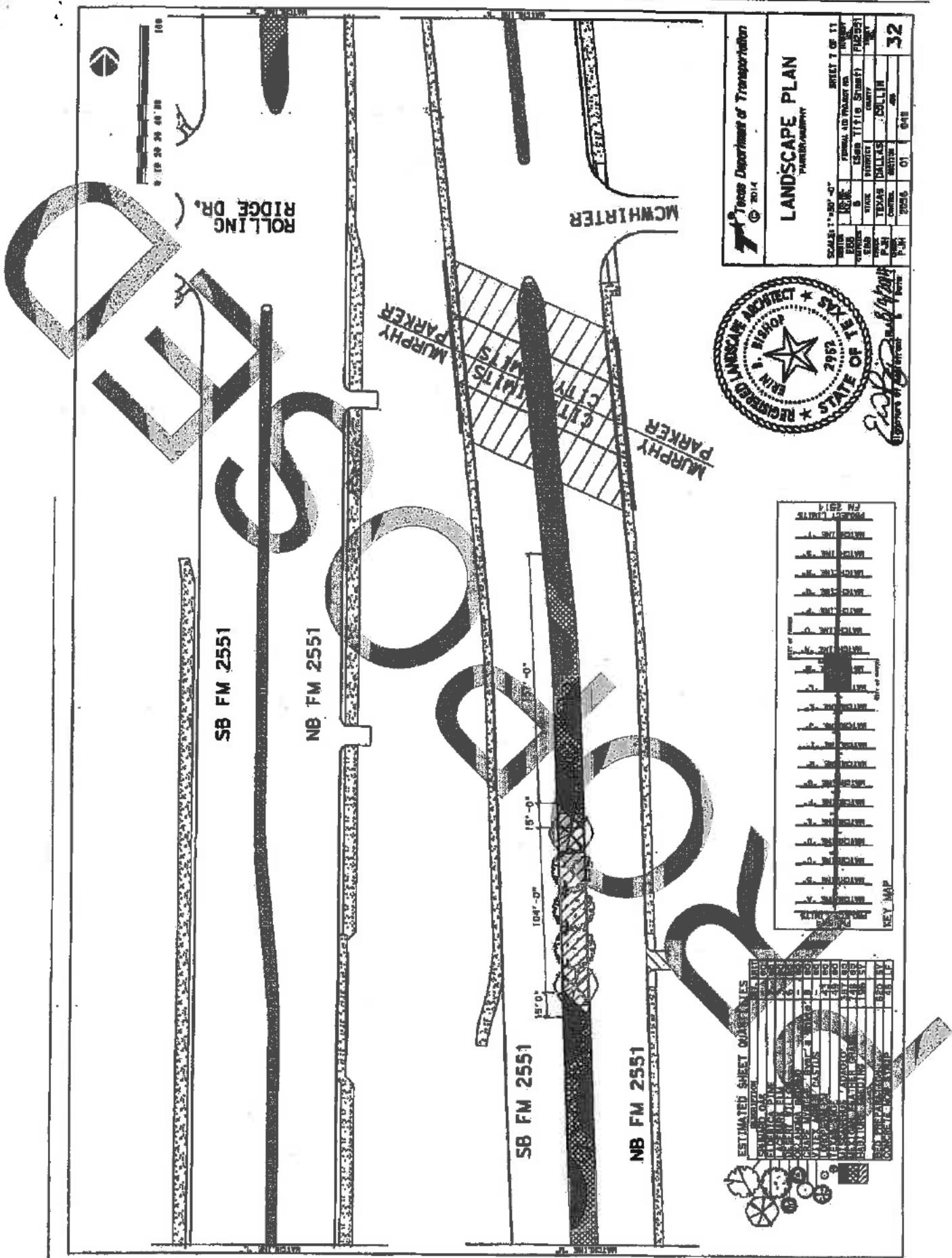
Place conduit under existing or current by unapproved coring method. Do not place bearing piles closer than 2 feet from the edges of pavements unless otherwise directed. Do not use water

General Notes

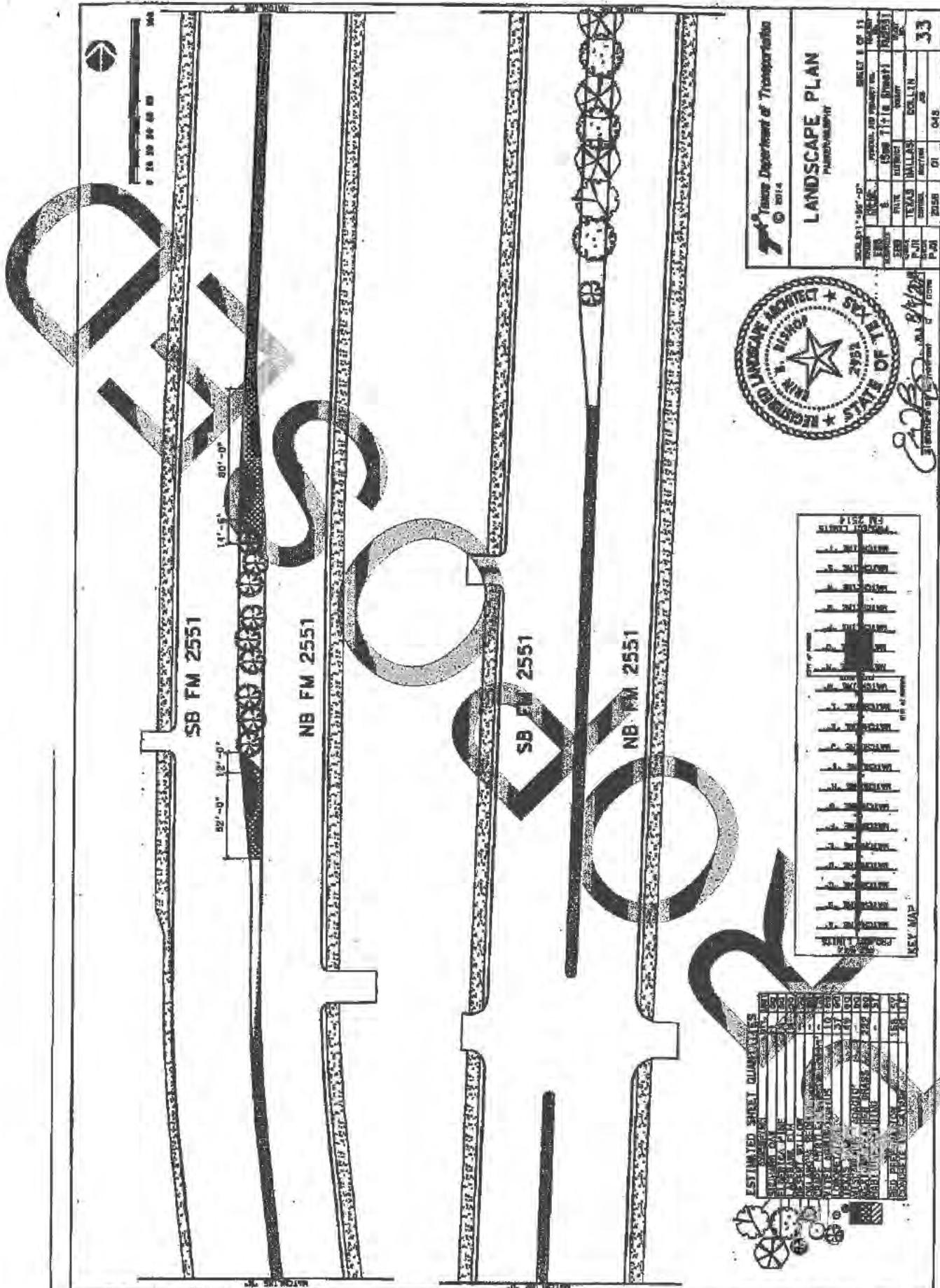
Sheet B

Sheet F

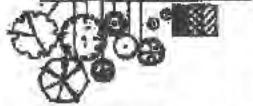
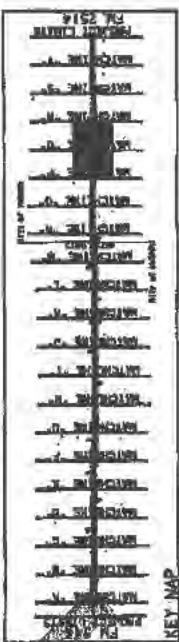
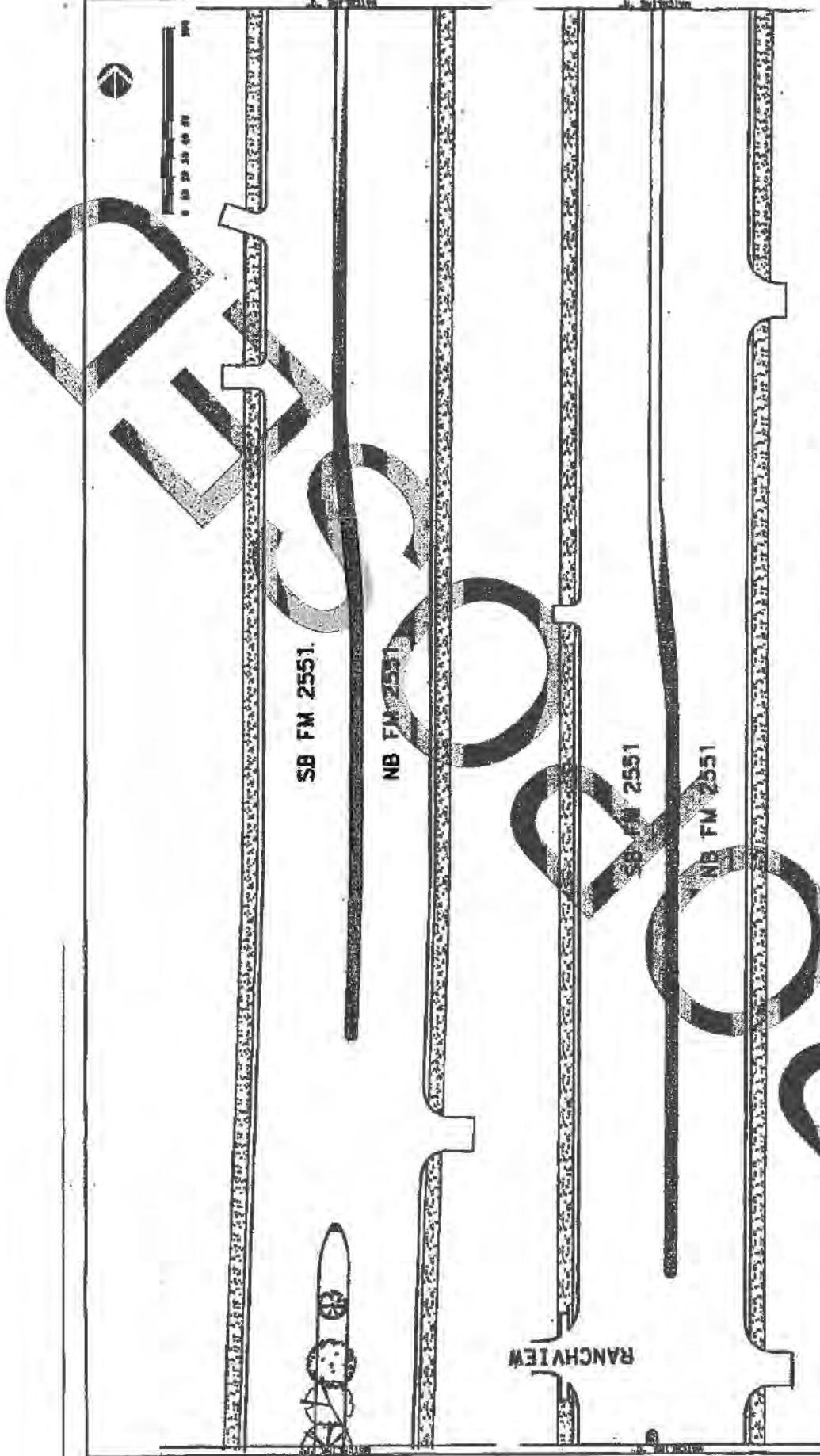
ATTACHMENT A



ATTACHMENT 1A



ATTACHMENT



ATTACHMENT A

A large, stylized letter 'R' logo, rendered in a dark, textured font. The letter is oriented vertically, with the top curve on the left and the bottom curve on the right. It is positioned on the left side of the page, with a vertical line running through its center.

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NB FM 2551

GREGORY LANE



Texas Department of Transportation

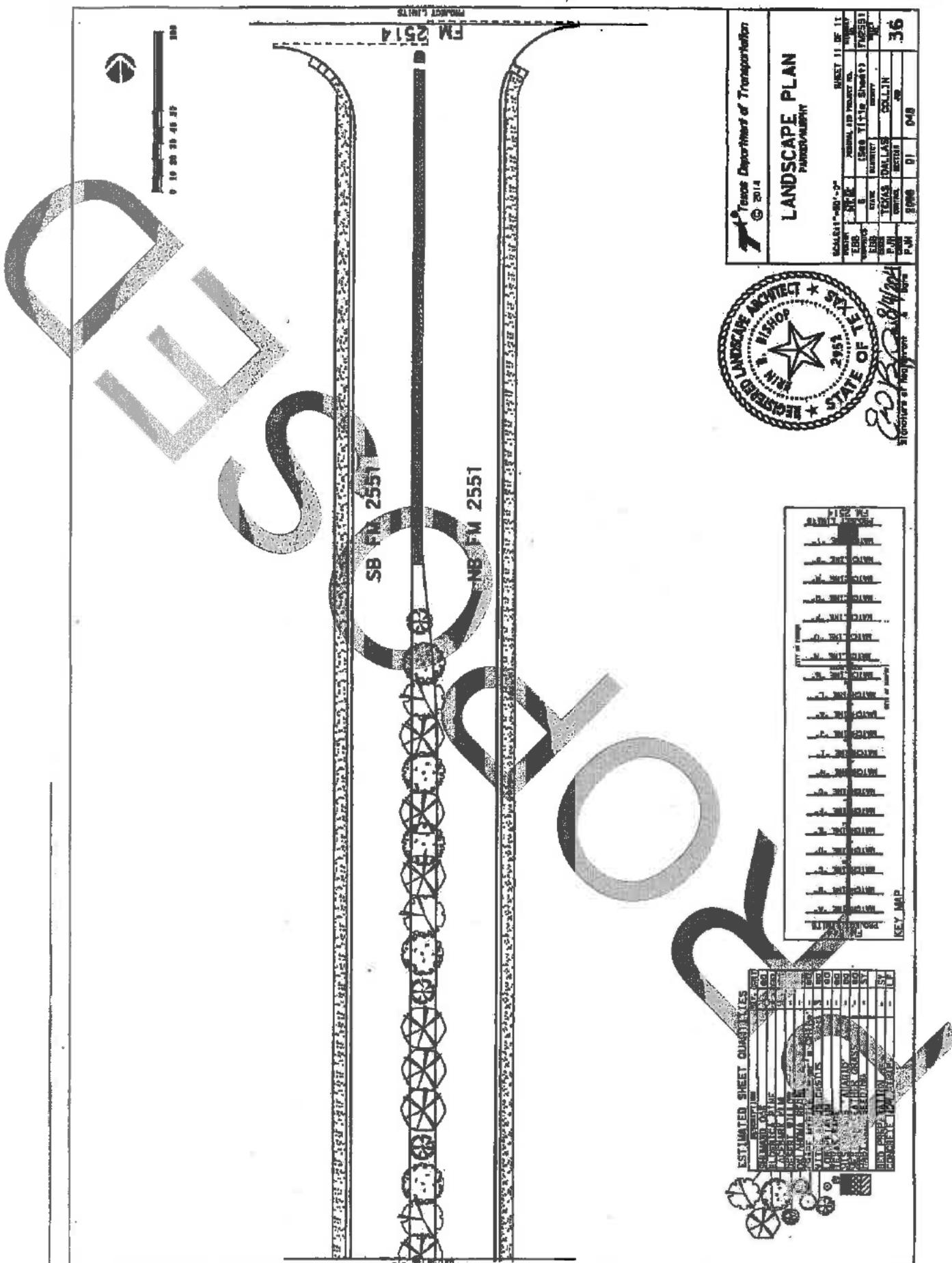
LANDSCAPE PLAN



2009/04/24

20-127-01 4025 JAZZ SHOWDOWN

ATTACHMENT



ATTACHMENT A

GENERAL NOTES:

Specializations for Construction of Highways, Bridges, and Bypasses 2004 for Specification, description, systems and usual methods that have been modified or not known.

1. All plants will be necessary to be in accordance with the 1992-2004.
2. Application of plants will be in accordance with the 1992-2004.
3. Locations of plants, structures and locations will be around the highway the construction in accordance with item 1992-2004.
4. The Contractor will be responsible for the spot's transportation of plants to the project site and their condition upon arrival.
5. Plant materials will not be stored on land surface or left exposed to the sun.
6. Protect the root balls and water regularly until planting.
7. Protect the root balls and water regularly until planting.
8. If plants are left in storage over the weekend or holidays, a means of periodically monitoring and keeping adequate moisture as well as protection.
9. All plants will be healthy, symmetrical, high root, root, no rot, no insects or infested in development and appearance on to its superior, firm, number of branches, and compactness. Plants will be strong, healthy and vigorous, well branched, densely foliated when in leaf, and will have healthy, well developed root systems.
10. All kinds of tree plantings will be planted under offer planting to the depth indicated in the detailed, which will be determined from each with a minimum 30 cm high from 20 cm to 30 cm of the trunk and root ball, will be free of any plastic, glass, metal, and other contaminants (leaves, stems, clay, or other foreign materials).

Within the 24 hours of the receiving grasses are received, we will receive complete telephone control, if necessary before applying treatment.

Texas Department of Transportation

A circular registration stamp for a Land Surveyor Architect. The outer ring contains the text "REGISTERED LAND SURVEYOR ARCHITECT * TEXAS" at the top and "STATE OF TEXAS" at the bottom. The inner circle features a five-pointed star in the center, with "TEXAS" written vertically along the left side of the star and "1951" written vertically along the right side. The bottom of the inner circle contains the text "STATE BOARD OF LAND SURVEYORS AND ARCHITECTS".

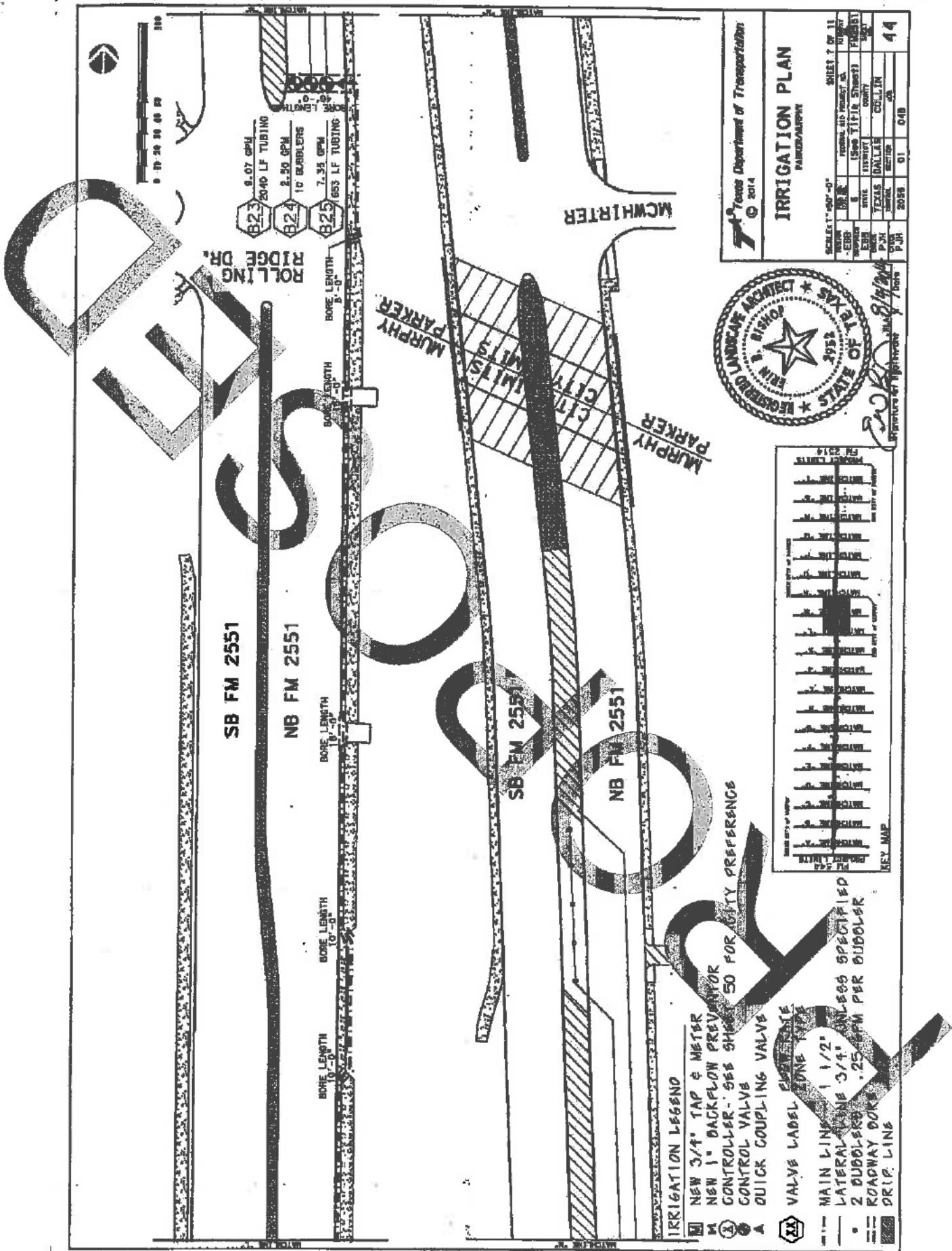
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TREE PLANTING - BBB, BOX, CANADA

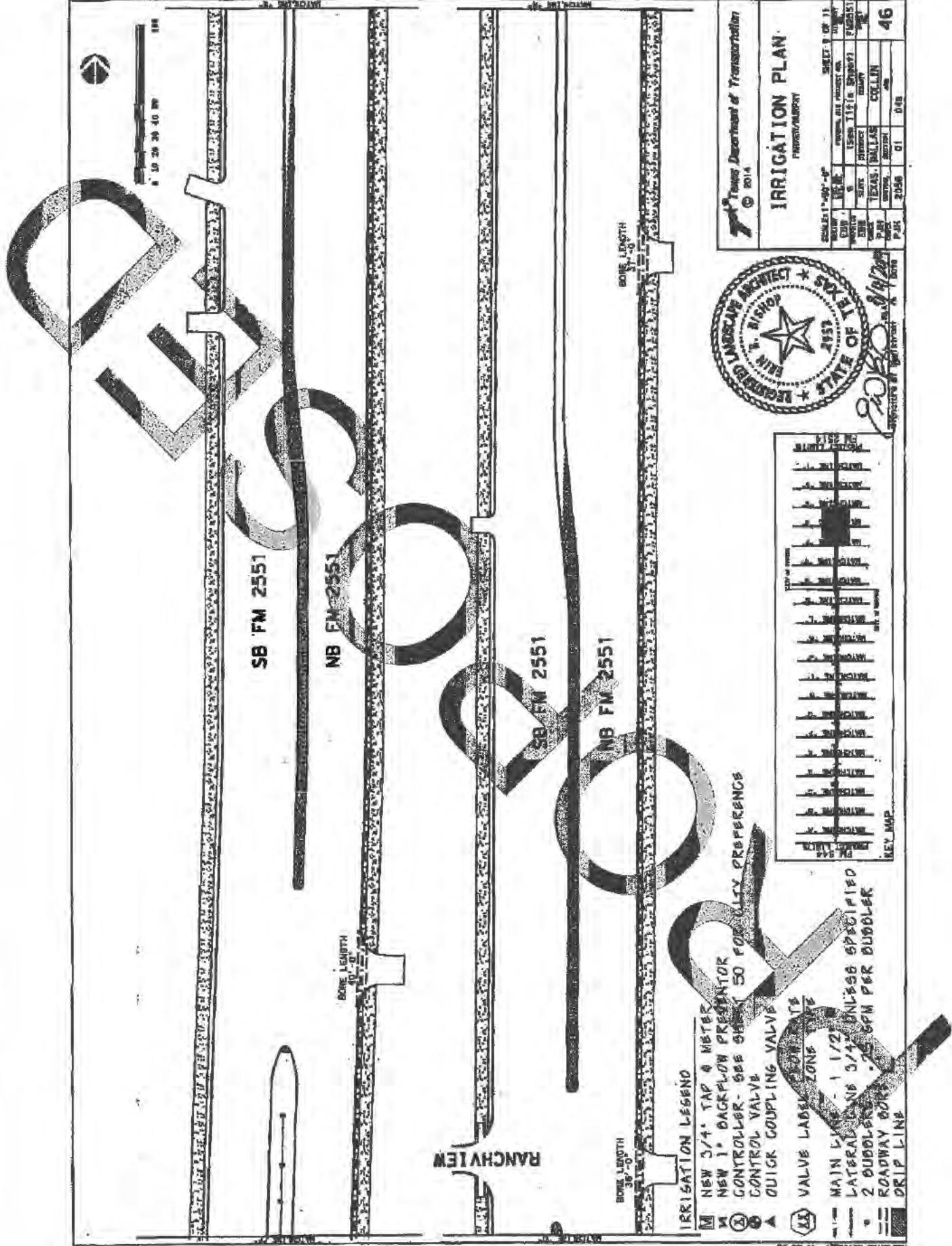
TREE PLANTING - B&B, BOX, CAN

20-62-01 40391A2 001774

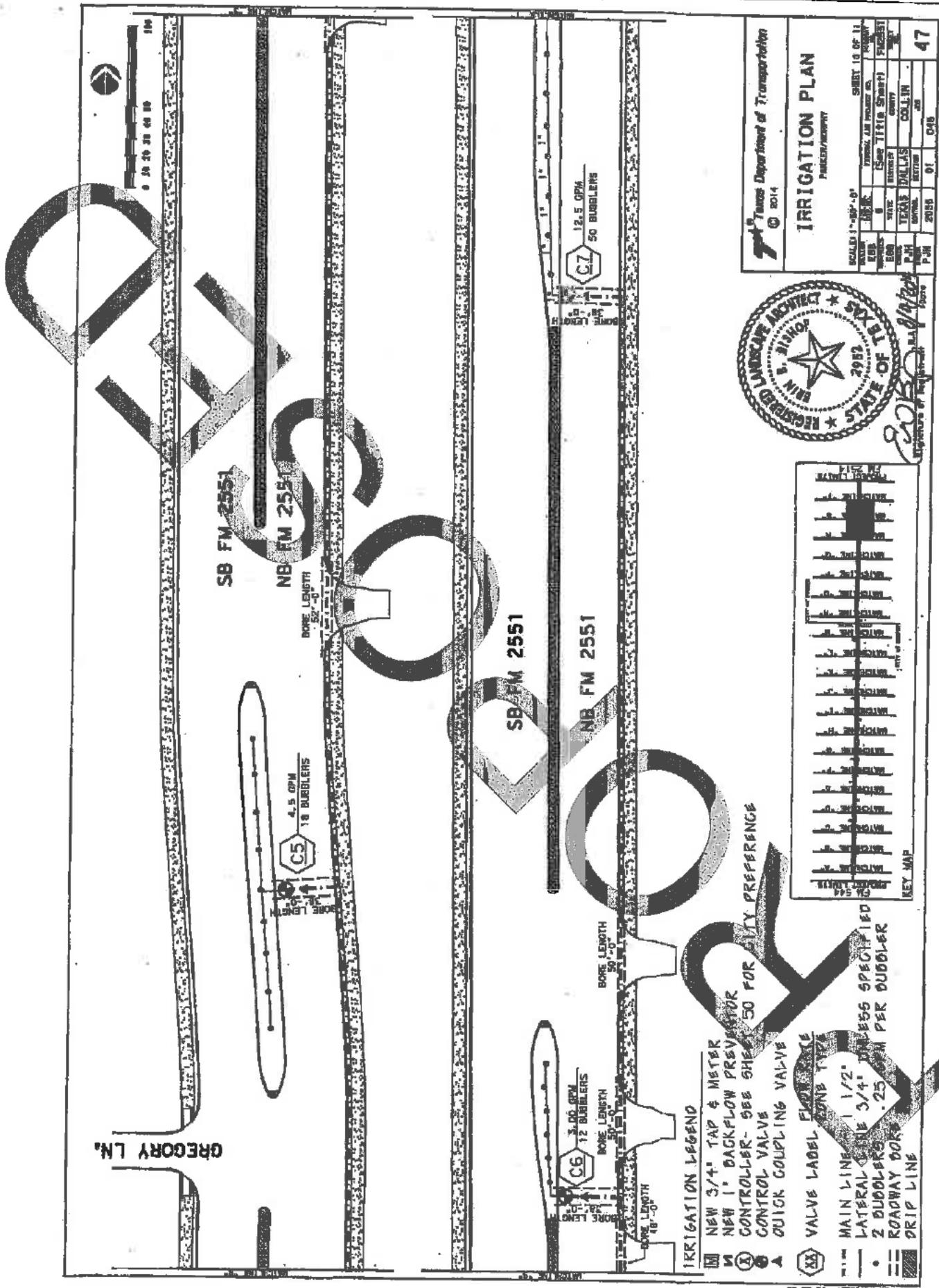
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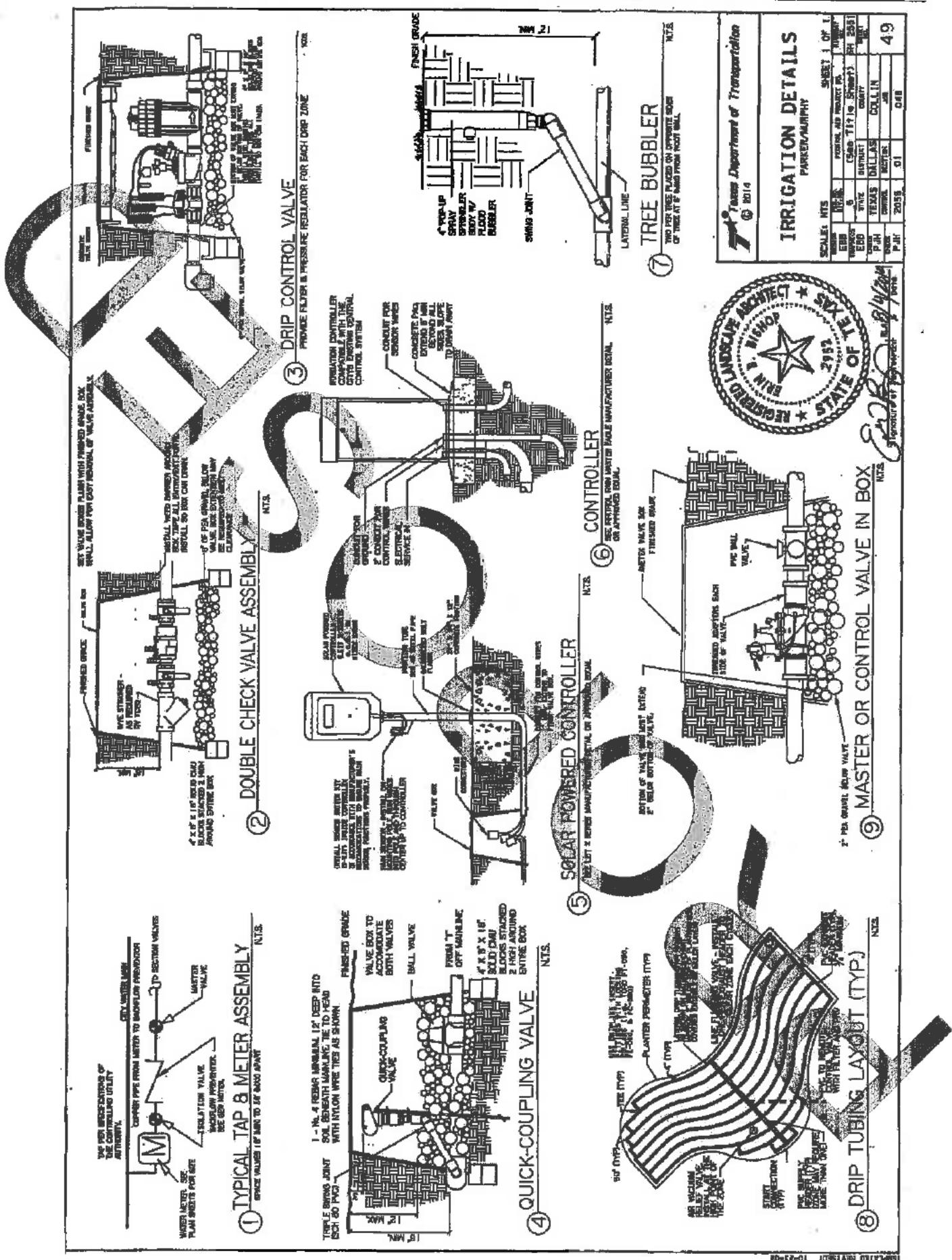
ATTACHMENT



ATTACHMENT



ATTACHMENT



RELATION WITHIN 5 SPECIES

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IRRIGATION GENERAL SPECIFICATIONS

2025 RELEASE UNDER E.O. 14176

ATTACHMENT - A



Council Agenda Item

Budget Account Code:	Meeting Date: March 17, 2015
Budgeted Amount:	Department/ Requestor: Code Compliance Sub-committee/Councilmember Taylor
Fund Balance-before expenditure:	Prepared by: J. Shepherd
Estimated Cost:	Date Prepared: March 11, 2015
Exhibits:	1) Proposed Ordinance

AGENDA SUBJECT

CONSIDERATION AND/OR OR ANY APPROPRIATE ACTION ON ORDINANCE 725 AMENDING ORDINANCES NO. 706 AND 666, REGULATING THE STORAGE, COLLECTION, AND DISPOSAL OF BRUSH AND BULKY ITEMS OF SOLID WASTE; AS RECOMMENDED BY THE CODE ENFORCEMENT COMMITTEE. [TAYLOR]

SUMMARY

This amendment to the brush and bulky items, ordinances 706 and 666 differentiates between the plant material "brush" and the man made "bulky" items. The change would allow brush items to be placed within ten feet of the surface of the roadway anytime during the month.

Bulky items would continue to be under existing requirements, which require bulky items to not be placed within 25 feet of the roadway edge except within 7 days of pickup by the solid waste service of the City.

POSSIBLE ACTION

Approve, Deny, Modify, Table

Inter-Office Use		
Approved by:		
Department Head/ Requestor:		Date:

City Attorney:	Shepherd by email	Date:	3/11/15 @ 10:02pm
City Administrator:	Terry Ray	Date:	3/13/15

ORDINANCE NO. 725
(AMENDING ORDINANCES NO. 706 and 666)

(Regulating Storage, Collection, and Disposal of Brush and Bulky Items of Solid Waste)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING ORDINANCES NO. 706 AND 666, REGULATING THE STORAGE, COLLECTION, AND DISPOSAL OF BRUSH AND BULKY ITEMS OF SOLID WASTE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED \$500.00 PER DAY, FOR EACH DAY OF VIOLATION; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR REVOCATION OF CONFLICTING ORDINANCES; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, large lots, extensive agriculture, and landscaping within the City of Parker may produce significant accumulations of brush and/or other bulky items in need of disposal; and

WHEREAS, the City of Parker provides a brush and bulky items solid waste disposal service to its residents, at certain regulated times during the year; and

WHEREAS, a property owner's storage of brush and other bulky items collected from the owner's property is a practice which may produce a physical and visual hazard for the travelling public, all against the health, safety, and welfare of the residents of the City of Parker, Texas;

WHEREAS, Ordinances 666 and 706 established requirements for the placement and timing of the removal of brush and bulky items, which the Council now has determined should be further amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS:

Section 1. :

- A. Bulky items include appliances, and other trash items too large to be contained in the residential trash bin. It is a violation of this Ordinance to place or store Bulky Items less than 25 feet from the edge of the surface of the road more than seven (7) days prior to the date such items are scheduled to be removed by the City solid waste service. The term "bulky items" does not include the brush items defined in Section 2. below.
- B. Residents are requested to place their bulky items within ten (10) feet from the edge of the roadbed within the seven (7) day period prior to the date such items are scheduled to be removed by the City solid waste service.

Section 2. Brush items (including trees, tree limbs, plants, and/or leaves) may be placed within 10 feet of the edge of the surface of the road at any time during the month.

Section 3. The date scheduled for collection by the City is not counted in the seven (7) day period. The schedule for brush and bulky item pick-up may be obtained from the City of Parker's website, or, in the event it is not available on the website, directly from Parker City Hall.

Section 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

Section 5. All provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 6. That any person, firm or corporation violating any of the provisions or terms of this Ordinance upon conviction shall be punished by a fine not to exceed the sum of \$500.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

Section 7. In accordance with Section 52.011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the City of Parker for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS _____ DAY OF _____, 2015.

APPROVED:

Mayor Z Marshall

ATTEST:

City Secretary Carrie L. Smith

APPROVED AS TO FORM:

City Attorney James E. Shepherd



Council Agenda Item

Budget Account Code:	Meeting Date: March 17, 2015
Budgeted Amount:	Department/ Requestor: Council
Fund Balance-before expenditure:	Prepared by: J. Flanigan
Estimated Cost:	Date Prepared: March 11, 2015
Exhibits:	1) Ordinance 638

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON AMENDING THE CURRENT ORDINANCE AND RENEWAL PROCESS FOR SPECIFIC USE PERMITS. [FLANIGAN]

SUMMARY

Staff has brought this to Council to discuss what changes, if any, should be made to the current ordinance.

Mr. Scott Jefferies came before Council and asked that the procedure and annual fee for a SUP be reviewed. He feels his SUP should be treated as any other permit issued by the City and not have to be renewed annually.

POSSIBLE ACTION

Approve, Table

Inter-Office Use		
Approved by:		
Department Head/ Requestor:		Date:
City Attorney:		Date:
City Administrator:	<i>Tiffy Flay</i>	Date: 3/13/15

ORDINANCE NO. 2009-638

AN ORDINANCE OF THE CITY OF PARKER, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MUNICIPAL CODE OF THE CITY OF PARKER AS HERETOFORE AMENDED, BY MODIFYING AND ADDING PROVISIONS FOR PARKING, HOME OCCUPATION, ACCESSORY BUILDINGS, ACCESSORY DWELLINGS, AND STORAGE UNITS, AS SET FORTH SPECIFICALLY HEREIN; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$2,000.00 FOR EACH OFFENSE; AND PROVIDING A PUBLICATION CLAUSE.

WHEREAS, Chapter 211, Texas Local Government Code empowers the City of Parker ("City") to enact a Comprehensive Zoning Ordinance to protect the health, safety and general welfare of its citizens and to provide for its administration, enforcement, and amendment; and

WHEREAS, Chapter 211, Texas Local Government Code grants cities express authority to enact regulations protecting and preserving places and areas of historical, cultural, or architectural importance and significance; and

WHEREAS, the Commission and City Council desire to prevent the ill effects of urbanization; and

WHEREAS, the Commission and City Council desire to conserve property values within the City; and

WHEREAS, the Commission and City Council have determined that there exists a need for amendments and additions to the Comprehensive Zoning Ordinance of the City; and

WHEREAS, in public hearings, the citizens have expressed their desire to maintain and enhance the overall environment by providing for open spaces, preservation of natural terrain features, architectural controls, and landscape regulations in order to preserve the City's small, quiet, semi-rural neighborhoods; and

WHEREAS, the City desires through this ordinance to provide an attractive, orderly, and unique environment for all its citizens and visitors; and

WHEREAS, the City of Parker Planning and Zoning Commission and the governing body of the City of Parker, in compliance with the laws of the State of Texas and the ordinances of the City of Parker, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested in and situated in the City, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance of the City of Parker should be amended as described herein;

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

SECTION 1. The Comprehensive Zoning Ordinance of the City of Parker, Texas, Ordinance 483, as heretofore amended, be, and the same is hereby amended as set forth in the provisions set forth herein. The Parker Municipal Code sections which include the Comprehensive Zoning Ordinance are therefore amended in compliance with this ordinance in Sec 156.37, Supplementary Distinct Regulations. The Comprehensive Zoning Ordinance and the Parker Municipal Code shall be modified by the following provisions, as shown in Exhibits A-E attached to this ordinance.

Parking Regulations	Amends §156.37 (H)
Home Occupation	Amends §156.37 (M)
Accessory Building Regulations	Amends §156.37 (N)
Accessory Dwellings	Creates §156.37 (O)
Storage Units and Construction Containers	Creates §156.37 (P)

SECTION 2. Should any sentence, paragraph, Subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance or the Code of Ordinances, as amended, as a whole.

SECTION 3. All provisions of the ordinances of the City of Parker in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Parker not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Parker, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of \$2,000.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 5. In accordance with Section 52.011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the City of Parker for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper. An affidavit by the printer or the publisher of the official newspaper verifying the publication shall be filed in the office of the City Secretary.

ADOPTED this 17th day of February, 2009, by the Parker City Council.



APPROVED:


Joe Cordova, Mayor

Accessory Dwellings

Section 156.37: Add section (O), as follows:

"(O) Accessory Dwellings

DEFINITION OF ACCESSORY DWELLING: A separate dwelling for immediate family, domestic help, farm hands or other permanent help, or used as a guest quarters.

Accessory Dwelling Regulations

Each single lot may have one accessory dwelling (either attached, or detached).

Detached Dwellings

1. No detached dwelling may be constructed on less than two (2) acres.
2. Detached dwellings must be designed, constructed, and used for single family use, not multi-family use.
3. Detached dwellings may not be larger than one thousand (1,000) square feet of living space, or twenty-five percent (25%) of the living space of the primary residence, whichever area is less.
4. Detached dwellings require a special use permit (SUP), with annual renewal.
 - a. Architectural design, features, and construction materials must match the primary dwelling.
 - b. The detached dwelling must meet all setback and side yard requirements.
 - c. The detached dwelling must be constructed in between the primary dwelling and the rear setback line of the lot. No portion of the detached dwelling may be constructed in the setback or side yard areas of the rear of the lot, nor may the detached dwelling be built any closer to the front of the lot than any existing portion of the primary residence.
 - d. The ingress and egress to the detached dwelling by vehicle must be shown on the site plan, and any driveway must connect with the main residence driveway.

Attached Dwellings

Attached dwellings must meet all requirements set forth above for detached dwellings, and an attached dwelling must also comply with the following:

1. The attached dwelling may be constructed on a lot of one (1) acre or larger.
2. The attached dwelling must be architecturally designed and constructed to be incorporated into the structure of the primary residence, connected by an enclosed walkway, or other means of attachment as approved in the SUP for the dwelling.
3. The front of the attached dwelling must not be located a distance greater than twenty (20) feet from the rear or side of the primary dwelling.

General Conditions for Accessory Dwellings

1. No accessory dwelling, either attached or detached, may be rented or leased to third parties by the owners or residents of the primary residence. The owners of the primary residence may not live in the accessory dwelling, and rent to third parties the primary residence.
2. No portion of a garage, bonus room, cabana, accessory, or any other structure on the property may be used as a dwelling for any person other than the occupants of the primary residence, and their family members of the first or second degree of affinity or consanguinity, other than as a short term (no longer than one month) guest room.
3. An attached or detached dwelling may be provided, without rental charge, to domestic or agricultural workers providing services to the residents of the primary residence or for farm and livestock care on the property.
4. There must be a Fire hydrant within 450 ft of a detached dwelling, or an 8" water line must be laid."



Accessory Dwelling Unit

Special Use Permit (SUP) Annual Certification

Renewal date: _____

State of Texas §
§
County of Collin §

Before me, the undersigned authority appeared the Owner(s) identified below, who, upon being sworn, deposed as follows:

1. Owner(s) of the property, and holder(s) of the SUP:

a. _____ b. _____

2. Property Address: _____

Parker, Texas

3. Date and ordinance number of SUP as originally issued: Date _____

Ord. No. _____

4. Conditions listed in the SUP or Required by Zoning Ordinance:

a. Occupant(s) are related to owner Yes No
b. Occupant(s) are caretakers Yes No
c. Other requirements (list)

5. Name of Occupant(s) in Accessory Dwelling:

6. Relationship to Owner, if any:

7. If Caretaker, the expected duties are:

8. There is no compensation (financial or otherwise) paid by the occupant to the homeowner for any

¹⁰ See, e.g., *Proposed Rulemaking on the Treatment of Certain Financial Assets* (2007), 72 FR 11171 (proposed use, storage fees, property use fees, etc.).

18 [View all 1,100 products in this category](#)

10. The Owner, or Owners, signing below swear, or affirm, that the information above is true, and correct.

"I (We) understand and acknowledge the following:

- a. Accessory Dwelling use requires annual confirmation that the use is consistent with the original SUP, does not violate the Parker Zoning ordinance and does not create multi-family zoning in a single-family zoning district.
- b. Neither I, nor my family, nor any occupants of my property may offer the Accessory Dwelling as rental property, or take compensation in any form, for occupancy of the dwelling.
- c. Convictions for violations of the Parker Zoning Ordinance may result in daily fines of up to \$2,000.00, plus court costs.
- d. If I am found in violation of the terms of the SUP for my property, the SUP is subject to revocation at any time. It is a criminal offense under the provisions of Chapter 37 of the Texas Penal Code to file a false document submitted to a government entity. Charges may be filed if any of the information on this document is found to be false."
- e. The Special Use Permit is not permanent zoning, and may be brought before the governing body of the city for a compliance review at any time.

The City may seek the issuance of an administrative search warrant in the event probable cause exists to review compliance with the city ordinances and the requirements of the SUP. Such warrants may be issued in the discretion of the court after a review of the evidence."

"Owner"

(Printed Name)

(Signature)

Sworn to (Affirmed) and subscribed before me this _____ day of _____, 20____, by

_____ Personally known, or _____ Produced _____ as identification.

(SEAL)

Notary Public

"Owner"

(Printed Name)

(Signature)

Sworn to (Affirmed) and subscribed before me this _____ day of _____, 20____, by

_____ Personally known, or _____ Produced _____ as identification.

(SEAL)

Notary Public





Council Agenda Item

Budget Account Code:		Meeting Date: March 17, 2015
Budgeted Amount:	0	Department/ Requestor: Councilmember Stone
Fund Balance-before expenditure:	N/A	Prepared by: M. Sheff
Estimated Cost:	\$903 fully covered by donation	Date Prepared: March 11, 2015
Exhibits:		

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON REPORT FROM FIRE CHIEF SHEFF ON THE FILE FOR LIFE PROGRAM. [SHEFF]

SUMMARY

Council directed Fire Chief Sheff to work with Councilmember Stone and City Attorney Shepherd to review the File for Life program.

Fire Dept. received donation which, at the direction of the donor, was utilized to cover the full cost of the File of Life Program.

POSSIBLE ACTION

Approve, Table

Inter - Office Use			
Approved by:			
Department Head/ Requestor:	<i>Sheff by email</i>	Date:	<i>3/12/2015</i>
City Attorney:		Date:	
City Administrator:	<i>Terry Har</i>	Date:	<i>3/13/15</i>



Council Agenda Item

Budget Account Code:	Meeting Date: March 17, 2015
Budgeted Amount:	Department/ Requestor: Fire Department/Mayor Pro Tem Levine
Fund Balance-before expenditure:	Prepared by: S. Levine
Estimated Cost: \$325,000	Date Prepared: March 11, 2015
Exhibits:	1) Cost estimate from Kent Spurgin 2) Floor Plan

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON UPDATE ON FIRE STATION MODIFICATION. [LEVINE]

SUMMARY

City Council Minutes for October 21, 2014:

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON MODIFICATION OF THE FIRE STATION. [LEVINE]

City Engineer Birkhoff has recommended Spurgin and Associates Architects to prepare a conceptual plan for modifications to the Fire Station. A conceptual plan will cost approximately \$1,500.00, whereas construction plans will cost anywhere from \$10,000.00 to \$12,000.00.

Mayor Pro Tem Levine recommends the Council spend this small amount to get a good concept plan of what the Fire Chief would ultimately like to achieve with the addition to the station.

Mayor Pro Tem Levine will meet with Mr. Spurgin and Chief Sheff if the Council approves.

MOTION: Councilmember Taylor moved to approve hiring Spurgin & Associates Architects to prepare a concept plan for modifications to the Fire Station at a cost of no more than \$1,500.00; and, authorize Mayor Pro Tem Levine to meet with Mr. Spurgin

and Chief Sheff on this project. Councilmember Pettle seconded with Councilmembers Stone, Standridge, Levine, Pettle and Taylor voting for. Motion carried 5-0.

POSSIBLE ACTION

Approve, Table

Inter-Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Taffy Flay</i>	Date:	3/13/15

Scobilt CONTRACTORS, INC.

2/13/15

Kent Spurgin
Spurgin and Associates
103 West Louisiana Street
McKinney, TX 75069

RE: Parker Fire Station
Dorm Addition

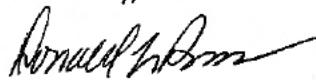
Kent,

The following is a budget price for the Parker Fire Station Dorm Addition. This includes a limited breakout of job costs. Several of the breakout categories include more than one item. General conditions includes the cost of the superintendent, mobilization costs, profit and overhead. The budget costs are as follows:

Item	Cost
1. Demolition	\$1,320.00
2. Dirt Work	\$26,250.00
3. Sidewalks	\$4,398.00
4. Building Foundation	\$24,440.00
5. Stone Veneer	\$58,900.00
6. Framing	\$22,850.00
7. Millwork	\$31,450.00
8. Insulation	\$3,670.00
9. Roofing	\$21,425.00
10. Gutters and Flashing	\$3,950.00
11. Storefront Doors	\$7,650.00
12. Gypboard System	\$12,450.00
13. Ceilings	\$3,617.00
14. Carpet	\$4,500.00
15. Paint	\$4,498.00
16. Canopy	\$7,150.00
17. HVAC	\$20,435.00
18. Electrical	\$23,647.00
19. General Conditions	\$42,400.00
Total	\$325,000.00

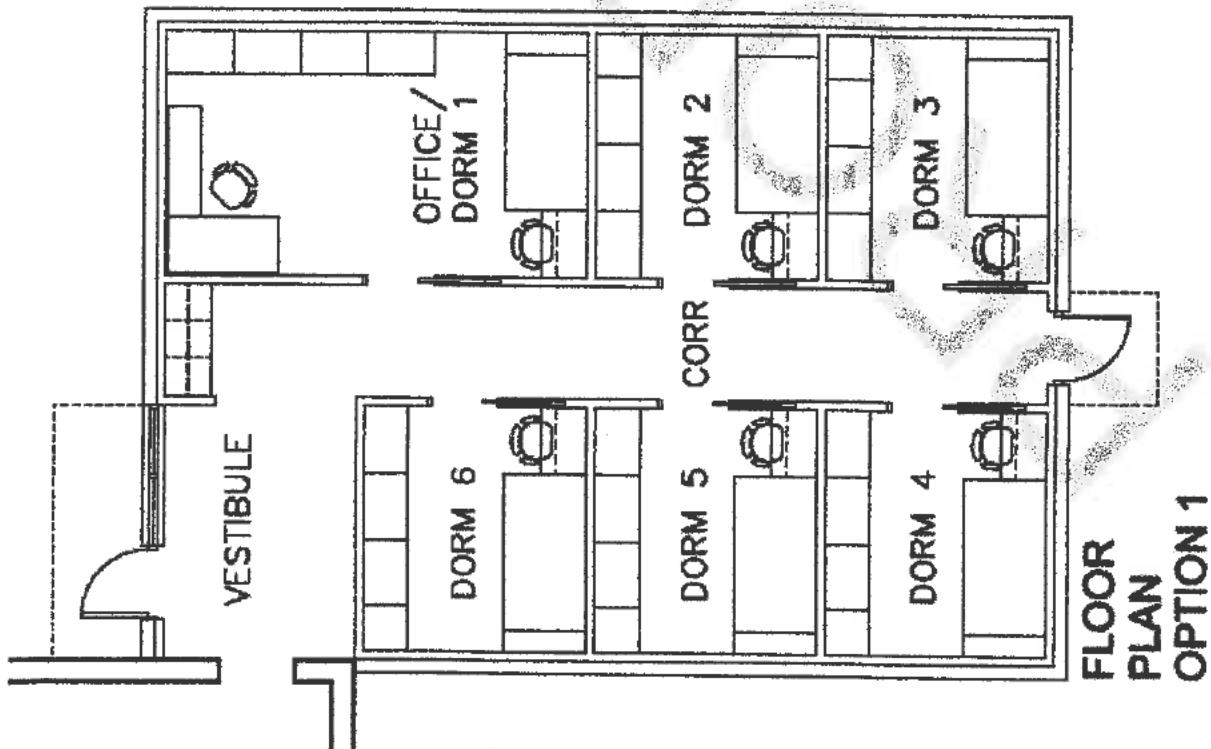
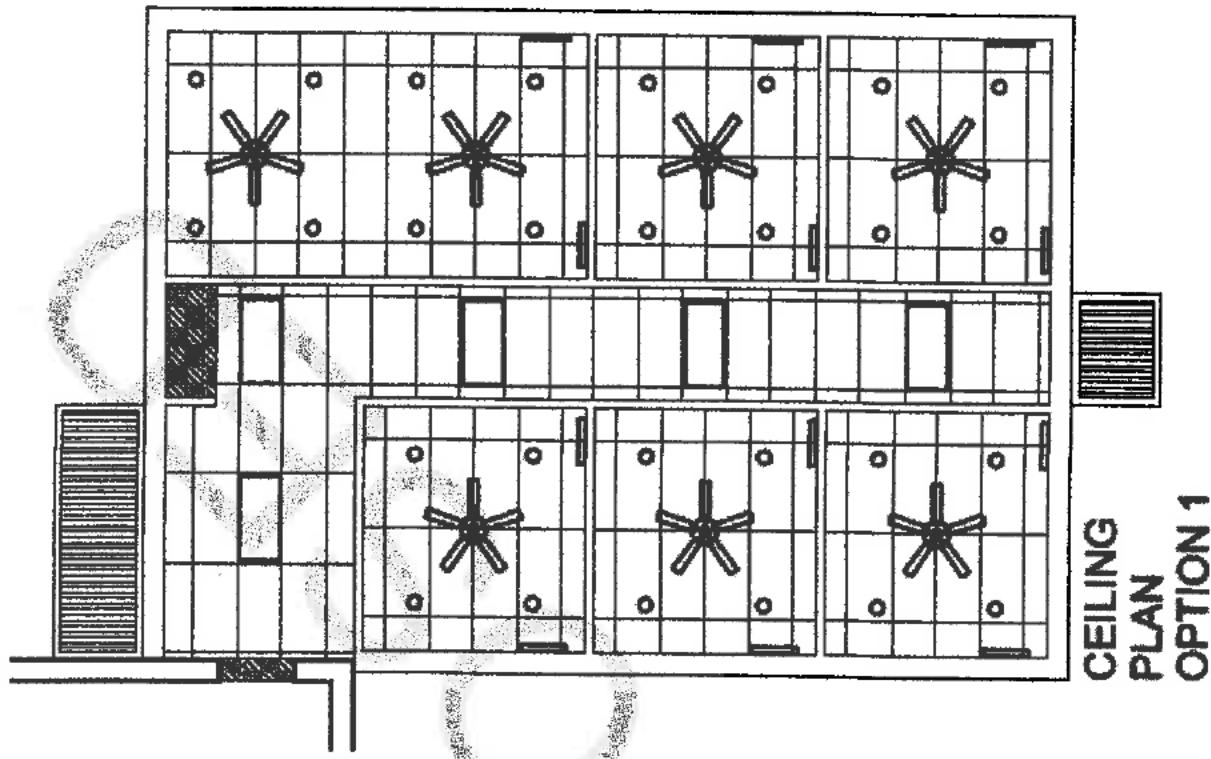
This price excludes taxes, permit and bond fees. Please feel free to contact me if you have any questions.

Sincerely,



Donald L. Pass

PROPOSER



CITY COUNCIL**FUTURE AGENDA ITEMS**

MEETING DATE	ITEM DESCRIPTION	CONTACT	Notes
2015			
TBD	EXTENDING MAYOR AND COUNCIL TERMS	Marshall	
TBD	Fire Department Building Modification	Levine	
TBD	ZBA Appointments	Flanigan	
TBD	Preliminary Plat Southridge Est Ph 3	Haynes	
TBD	Zoning Change request for Donihoo Farms	Flanigan	Requested by Sallman. P&Z will hold public hearing 2/12. (TENTATIVE)
TBD	Preliminary Plat The Reserve at Southridge	Aughinbaugh	
April 1, 2015	National Safe Digging Month	Atmos Energy	Proclamation by Mayor
Jan., Apr., July., Oct,	Republic Waste Report		REQUIRED PER ORDINANCE AND AGREEMENT.
May 1, 2015	Asian American Month	Wei Wei Jeang	
May 1, 2015	Solid Waste Contract		<u>Allied Contract Expires 12/2015 - Termination date 10/2015</u>
June 1, 2015	Canvass May Election	City Secretary	Annual
June 1, 2015	Personnel Committee	Council	Res. 2013-410
July 1, 2015	2015 Police Dispatch	Police	Exp. 9/30/2015
July 1, 2015	2015 Jail Service Agreement	Police	Exp. 9/30/2015
Jan., Apr., July., Oct,	Republic Waste Report		REQUIRED PER ORDINANCE AND AGREEMENT.

CITY COUNCIL**FUTURE AGENDA ITEMS**

MEETING DATE	ITEM DESCRIPTION	CONTACT	Notes
July 1, 2015	<u>DPS Co-op Agreement</u>	Police	Resolution 2013-422 8/31/2015
September 30, 2015	<u>Review Curfew Ordinance 594</u>	Police	Reviewed and no changes made in 2012
September 30, 2015	<u>2010-308 Fire and Emergency Dispatch with Plano</u>	Fire	Law requires review every five years.
September 30, 2015	<u>2010-307 Fire Radio Use Agreement with Plano and Allen</u>	Fire	
November 1, 2015	<u>Board Appointments</u>	Ordinance	Annually in November
2016			
Jan., Apr., July., Oct,	<u>Republic Waste Report</u>		REQUIRED PER ORDINANCE AND AGREEMENT.
March 30, 2016	<u>Collin County Election Contract</u>	City Secretary	Annual
June 1, 2016	<u>Canvass May Election</u>	City Secretary	Annual