

MURPHY CITY COUNCIL AGENDA
REGULAR CITY COUNCIL MEETING (COUNCIL CHAMBERS)
APRIL 19, 2016 AT 6:00 PM
206 NORTH MURPHY ROAD
MURPHY, TEXAS 75094



Eric Barna
Mayor

Scott Bradley
Mayor Pro Tem

Owais Siddiqui
Deputy Mayor Pro Tem

Ben St. Clair
Councilmember

Betty Spraggins
Councilmember

Sarah Fincanon
Councilmember

Rob Thomas
Councilmember

Bill Shipp
Interim City Manager

Susie Quinn
City Secretary

NOTICE is hereby given of a meeting of the City Council of the City of Murphy, Collin County, State of Texas, to be held on April 19, 2016 at Murphy City Hall for the purpose of considering the following items. The City Council of the City of Murphy, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. CALL TO ORDER

2. INVOCATION & PLEDGE OF ALLEGIANCE

3. ROLL CALL & CERTIFICATION OF A QUORUM

4. PUBLIC COMMENTS

5. PRESENTATIONS

- A. Proclamation recognizing Motorcycle Safety Awareness Month.

6. CONSENT AGENDA

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

- A. Consider and/or act on the April 5, 2016 regular meeting minutes.
- B. Consider and/or act on approval of Resolution No. 16-R-827 directing Oncor Electric Delivery Company, LLC to file certain information with the City of Murphy, Texas setting a procedural schedule for the gathering and review of necessary information in connection therewith; setting dates for the filing of the city's analysis of the company's filing and the company's rebuttal to such analysis; ratifying the hiring of legal counsel and consultants; reserving the right to require the reimbursement of the City of Murphy's rate case expenses; setting a public hearing for the purposes of determining if the existing rates of Oncor Electric Delivery Company are unreasonable or in any way in violation of any provision of law and the determination by the City of Murphy of just and reasonable rates to be charged by Oncor Electric Delivery Company, LLC.

7. INDIVIDUAL CONSIDERATION

- A. Consider and/or act on the application of Murphy Chamber Scholarship Foundation for consideration of a Community Grant fund award.
- B. Consider and/or act on the application of Wal-Mart Real Estate Business Trust requesting approval of a site plan, landscape plan, building elevations and construction plat for Wal-Mart Addition Lots 3 and 4, Block A for two single story retail centers on property zoned PD (Planned Development) District No. 12-02-905 located on the eastern outparcel of Wal-Mart on N. Murphy Road.
- C. Consider and/or act on application of Anshu Jain requesting to amend the Concept Plan for approximately 6.43 acres of property zoned PD (Planned Development) District No. 09-02-785, as amended by Ordinance No. 14-04-975, located on FM 544 approximately 800' west of Heritage Parkway for Lots 2-3, Block A, Nelson Addition.
- D. Consider and/or act upon authorizing the interim city manager to execute purchase and construction documents, and authorize funding through the sale of tax notes in the amount of \$1,800,000 for the Murphy Public Safety radio system component replacements and upgrades to the system.
- E. Discussion regarding the 2016 Sidewalk Replacement Program.

8. CITY MANAGER/STAFF REPORTS

- A. Timbers Nature Preserve
- B. Betsy Lane Road Widening Project
- C. South Maxwell Creek Parallel Trunk Sewer Line
- D. North Murphy Road
- E. Upcoming events:
 - April 22, 2016 Earthday
 - April 30, 2016 Drug take back day

9 EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council will now recess into Executive Session (closed meeting) to discuss the following:

- A. §551.071 Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter in regard to the City Charter review.

- B. §551.072 Deliberation on the purchase, exchange, lease, or value of real property.
- C. §551.087 Update and deliberation regarding economic development negotiations and projects.

10. RECONVENE INTO REGULAR SESSION

The City Council will reconvene into Regular Session, pursuant to the provisions of Chapter 551, Subchapter D, Texas Government Code, to take any action necessary regarding:

- A. §551.071 Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter in regard to the City Charter review.
- B. §551.072 Deliberation on the purchase, exchange, lease, or value of real property.
- C. §551.087 Update and deliberation regarding economic development negotiations and projects.
- D. Take Action on any Executive Session Items.

11. ADJOURNMENT

I certify that this is a true and correct copy of the Murphy City Council Meeting Agenda and that this notice was posted on the designated bulletin board at Murphy City Hall, 206 North Murphy Road, Murphy, Texas 75094; a place convenient and readily accessible to the public at all times, and said notice was posted on April 15, 2016 by 5:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.


Susie Quinn, TRMC
City Secretary

In compliance with the American with Disabilities Act, the City of Murphy will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 972.468.4011 or squinn@murphytx.org.

Notice of Possible Quorum: There may be a quorum of the Animal Shelter Advisory Committee, the Board of Adjustment, the Building and Fire Code Appeals Board, the Ethics Review Commission, the Murphy Community Development Corporation, the Murphy Municipal Development District Board, the Park and Recreation Board and/or the Planning and Zoning Commission members who may be present at the meeting, but they will not deliberate on any city or board business.

Proclamation

City of Murphy, Texas

Motorcycle Safety Awareness Month

WHEREAS, today's society is finding more citizens involved in motorcycling on the roads of our country; and

WHEREAS, motorcyclists are roughly unprotected and therefore more prone to injury or death in a crash than other vehicle drivers; and

WHEREAS, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and, most of all, fatalities, through a comprehensive approach to motorcycle safety; and

WHEREAS, it is the responsibility of all who put themselves behind the wheel, to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country; and it is the responsibility of riders and motorists alike to obey all traffic laws and safety rules; and

WHEREAS, urging all citizens of our community to become aware of the inherent danger involved in operating a motorcycle, and for riders and motorists alike to give each other the mutual respect they deserve;

NOW THEREFORE, I, Eric Barna, Mayor of the City of Murphy Texas, in recognition of this event do hereby proclaim the Month of May, 2016, as

Motorcycle Safety Awareness Month

Further, I urge all residents to do their part to increase safety and awareness in our community.



In Murphy, Texas, in official recognition of this nationwide event. Proclaimed this 19th day of April, 2016.

*Eric Barna, Mayor
City of Murphy*

CITY COUNCIL MINUTES
REGULAR CITY COUNCIL MEETING
APRIL 5, 2016 AT 6:00 PM

1. CALL TO ORDER

Mayor Eric Barna called the meeting to order at 6:00 PM.

2. INVOCATION & PLEDGE OF ALLEGIANCE

Councilmember Betty Nichols Spraggins gave the invocation and Mayor Barna led the Pledge of Allegiance.

3. ROLL CALL & CERTIFICATION OF A QUORUM

City Secretary Susie Quinn certified a quorum with the following Councilmembers present:

Mayor Eric Barna
Mayor Pro Tem Scott Bradley
Deputy Mayor Pro Tem Owais Siddiqui
Councilmember Ben St. Clair
Councilmember Betty Nichols Spraggins
Councilmember Sarah Fincanon
Councilmember Rob Thomas

4. PUBLIC COMMENTS

None

5. PRESENTATIONS

- A. Presentation by the Green Team regarding the upcoming Community Clean and Green event on Saturday, April 9, 2016.

Customer Service Manager and Keep Murphy Beautiful (KMB) Member, Candy McQuiston gave a presentation of the upcoming Clean and Green event. She explained the City will be taking items such as clothes, household items, document shredding etc. Once again curbside hazardous/electronic pick up will occur. To participate, residents must call and schedule their pick up by 4:00pm on Friday, April 8th. Volunteers are being encouraged to sign up to help clean the Timbers Nature Preserve; about 155 have signed up. McQuiston also invited Council and residents to join KMB for the April 22nd Moonlight Movie *Minions* and to come by the KMB booth for fun giveaways and information about recycling.

6. CONSENT AGENDA

All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and voted on separately.

- A. Consider and/or act on the March 15, 2016 regular meeting minutes.
B. Consider and/or act on the March 29, 2016 special meeting minutes.

- C. Consider and/or act on approval of Resolution No. 16-R-826 authorizing signature authority to sign and endorse checks and drafts of the City of Murphy bank accounts.
- D. Consider and/or act upon authorizing the City Manager to enter into an Interlocal Agreement (ILA) with the North Central Texas Council of Governments for the installation of a 90' communication tower at Murphy PD for the purpose of the Emergency Services Internet Protocol (IP) Network (ESInet) and Next Generation 9-1-1 (NG9-1-1) voice and data services.

COUNCIL ACTION (5.A. through 5.D.):

APPROVED

Mayor Pro Tem Bradley moved to approve the consent agenda as presented. Deputy Mayor Pro Tem Siddiqui seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

7. INDIVIDUAL CONSIDERATION

- A. Discussion regarding Murphy Public Safety radio system component replacements and upgrades to the system.

Fire Chief, Mark Lee explained he is the spokesperson for the great team, consisting of Chief Cotten, Wendle Medford, Bernie Parker, Linda Truitt, Kim Parker, Ron Goldsmith with the Plano Radio Shop, Bill Shipp, and also previous employees G.M Cox and James Fisher. Lee explained that the City joined the PAWM system, (Plano, Allen, Wylie, Murphy system) as a member city in 2009 and the City made a significant investment to put in the infrastructure at the water tower sight at a cost of approximately 1.8 million dollars at that time. The consoles the City had at that time were not replaced due to financial constraints but they were nearing the end of their life. Currently, those consoles are at the end of life and are in need of replacement. Parts are no longer available for the consoles and the Plano Radio Shop and our IT department is no longer able to patch them. The parts are no longer available and if they go down again, we will have a problem. The current mobile and hand-held's XTL/XTS-5000's will reach end of life December 2018 and the XTL/XTS 2500 will reach end of life December 2019. Currently, the various departments have a combined 12 (twelve) of the 5000 series and 72 of the 2500 series. There are many benefits for upgrading the system such as doubling the capacity to avoid congestion (heavy congestion may prohibit messages from getting through). By upgrading the system, it will essentially double the capacity. There will be 2 (two) microwave signals for Murphy, one pointing towards the Betsy Lane water tower, and one pointed to the Ave N tower in Plano; this redundancy would allow the City to continue without interruption if one fails.

The pricing in the packet currently shows the list price but the City will receive a 15% discount until December 2018 for all the replacement parts but not for the consoles as they are not considered replacement parts.

Director of Finance, Linda Truitt explained the total for this project is a total \$1,765,778 and explained she feels tax notes are the most fiscally sound way to finance this project with hopefully less than a 2.25% interest rate. The city could potentially have a delivery of funds in June if the private placement sale is in May. Questions from council regarded the tax notes and the length of term for the project if Council approves the project when it is brought back for approval. Truitt confirmed it would raise taxes about a cent and a half depending on the property valuations.

Lee explained, the team hopes to bring this back to Council for an action item April 19th to move forward, following that approval we will try to meet with the vendors in early May, and then work on implementing. Lee explained there was discussion on staff regarding potentially moving the dispatch center of the Police Department. He explained staff believes they can make it work in the space as is with some possible sound absorption being installed but we may have to look at moving/remodeling it in the future. There are some known-unknown items such as cabinets, sound absorption, chairs that will need to be purchased. There are also some unknown items such as possible roof penetration issues, power consumption issues, changes in installation costs, engineering costs, and other materials that are unknowns thus the reason for the healthy contingency. Known-knowns are items such as additional hand held radios for event and emergency managements. Lee gave the example of the recent tornados in Rowlett; when assisting agencies went into the field to help- there were many communication problems between the Rowlett and helping agencies. The additional radios would be checked out from a staging area and they would be on the frequency to allow everyone to communicate. Heavy equipment such as the backhoe and skid-steer will also have radios as safety management.

Council asked for clarification regarding the City's reserves and if the reserves might be used for this project. Truitt explained we can look into it. Council asked for more clarification regarding what exactly we will be getting from this project and potentially what we will be looking at in another seven (7) or so years.

Lee explained to make the system communicate it's about \$600,000 for new equipment.

COUNCIL ACTION (7.A.):

NO ACTION

B. Appointment of the Charter Review Commission members.

City Secretary Susie Quinn confirmed the receipt of eleven (11) applications for the Charter Review Commission and the Charter requires a minimum of eleven (11) members. The time table for ballot wording was discussed as all of the information has to be sent to Collin County by the last week in August, 2016.

COUNCIL ACTION (7.B.):

APPROVED

Mayor Pro Tem Bradley moved to appoint the following members to the 2016 Charter Review Commission Bernard J Grant, Kevin McGillis, Revis Smith, James Holley, Will Ewin, John Wideman, Barbara Harless, Chi Egwuekwe, Michelle Foley, Jody Johnson, Christine Johnson. Deputy Mayor Pro Tem Siddiqui seconded the motion. For: Unanimous. The motion carried by a vote of 7 to 0.

8. CITY MANAGER/STAFF REPORTS

A. Timbers Nature Preserve

Interim City Manager, Bill Shipp explained that the project is 95% complete with a few items such as tree/sod replacement that are being worked on as well as draining issues. Council asked for clarification on landscape for the stone seating areas. Director of Public Services Parker confirmed he believes the areas by the stone seating described will be "natural landscape".

B. Betsy Lane Road Widening Project

This project is continuing, sidewalks are nearing completion, and irrigation is continuing and finishing.

This project is 95% complete with only 61% of the contract time being used. Road and bridge work is complete, and sidewalks are nearing completion. Parker explained we are waiting to complete a few items but this project should be complete in approximately 6 weeks.

C. South Maxwell Creek Parallel Trunk Sewer Line

There are many challenges with this project due to rainfall.

This project continues to be behind schedule, the project is moving forward by working on the more northern side. Currently there are some possible costs that may be incurred due to the delays.

D. North Murphy Road

TxDOT has received all of the irrigation/entrance estimates and are working with the HOAs regarding resolutions for the HOA's entrances.

E. Upcoming events:

- April 22, 2016 Earthday, Candy McQuiston explained the environmental awareness celebration and presentations will be held in conjunction with the Moonlight Movies on Friday, April 22nd.
- April 30, 2016 Drug take back day at the Police Department will allow residents to drop off unwanted/unused/expired medicine at a location in front of the police department on Saturday, April 30th.

9. EXECUTIVE SESSION

In accordance with Texas Government Code, Chapter 551.087 (Economic Development) the City Council did not recess into Executive Session (closed meeting) to discuss the following:

- A. Update and deliberation regarding economic development negotiations and projects.

10. RECONVENE INTO REGULAR SESSION

The City Council did not reconvene into Regular Session as Executive Session was not convened.

- A. §551.087 (Economic Development) Update and deliberation regarding economic development negotiations and projects.
- B. Take Action on any Executive Session Items.

Executive session was not required.

10. ADJOURNMENT

With no further business, the regular council meeting was adjourned at 6:45 PM.

APPROVED BY:

ATTEST:

Eric Barna, Mayor

Susie Quinn, City Secretary

City Council Meeting
April 19, 2016

Issue

Consider and/or act upon Resolution No. 16-R-827 directing Oncor Electric Delivery Company, LLC to file certain information with the City Of Murphy, Texas setting a procedural schedule for the gathering and review of necessary information in connection therewith; setting dates for the filing of the city's analysis of the company's filing and the company's rebuttal to such analysis; ratifying the hiring of legal counsel and consultants; reserving the right to require the reimbursement of the City Of Murphy's rate case expenses; setting a public hearing for the purposes of determining if the existing rates of Oncor Electric Delivery Company are unreasonable or in any way in violation of any provision of law and the determination by the City Of Murphy of just and reasonable rates to be charged by Oncor Electric Delivery Company, LLC.

Staff Resource/Department

Linda Truitt, Finance Director

Background/History

Recent Public Utility Commission of Texas ("Commission") proceedings related to approval of conversion of Oncor into a Real Estate Investment Trust ("REIT") resulted in the Commissioners' desire to share \$200 million to \$250 million in annual federal income tax ("FIT") savings with Oncor ratepayers. Since the proceeding involving a change of ownership and control of Oncor was not a rate case, the Commission had no jurisdiction to order a reduction in rates. The new owners of Oncor indicated an intent to file a rate case in mid-2017 to become effective in 2018. Believing that a two year wait to factor FIT savings into rates was too long to wait, the Steering Committee of Cities Served by Oncor decided to initiate a rate case against Oncor.

Whereas Clauses Explained

Cities have original rate making jurisdiction over Oncor's rates and services within their municipal limits. The Commission has original jurisdiction over the environs outside municipal limits and appellate jurisdiction over city rate mailing orders.

As a regulatory authority, Cities that retain original jurisdiction may initiate rate making proceedings by filing a resolution requiring a public utility to show cause why rates should not be reduced.

The City works with other similar Oncor Cities on regulatory issues through the Steering Committee of Cities Served by Oncor which has functioned continuously since 1988.

The Executive Committee of the Steering Committee recommends that member Cities pass show cause resolutions to initiate a rate case so that Oncor rates may be reduced.

Resolved Sections Explained

Section 1 provides notice to Oncor that it is compelled to file information that would otherwise be required if the Company filed a request to increase rates at the Commission by September 1, 2016. This Section requires that historic data from calendar year 2015 be filed to demonstrate that its rates should not be reduced.

Section 2 authorizes Cities' representatives to file requests for information which shall be answered by Oncor within 15 days of receipt.

Sections 3 and 4 set other dates critical to the procedural process for rate setting. Cities' report will be due on October 13, 2016 and the Oncor rebuttal will be due November 10, 2016.

Section 5 establishes that a hearing will occur and final order will be issued between November 15, 2016 and December 15, 2016.

Section 6 provides that the procedural schedule may be amended by the City and that other orders may be extended. For example, once the REIT conversion is finalized, Cities may enter interim orders requiring a sharing of tax savings that benefit ratepayers.

Section 7 authorizes the hiring of legal counsel and authorizes the Executive Committee to hire consultants.

Section 8 confirms that Cities will seek reimbursement of their rate making expenses from Oncor.

Section 9 confirms that the resolution was passed in compliance with Open Meeting laws.

Section 10 confirms that a copy of the resolution will be sent to E. Allen Nye, Jr., Oncor Electric Delivery Company L.L.C. and to Geoffrey Gay, General Counsel to the Steering Committee of Cities served by Oncor.

Staff Recommendation

Staff recommends approval of Resolution No. 16-R-827.

Attachments

- 1) Resolution No. 16-R-827
- 2) Email from Geoffrey Gay

RESOLUTION NO. _16-R-827

DIRECTING ONCOR ELECTRIC DELIVERY COMPANY, LLC TO FILE CERTAIN INFORMATION WITH THE CITY OF MURPHY, TEXAS SETTING A PROCEDURAL SCHEDULE FOR THE GATHERING AND REVIEW OF NECESSARY INFORMATION IN CONNECTION THEREWITH; SETTING DATES FOR THE FILING OF THE CITY'S ANALYSIS OF THE COMPANY'S FILING AND THE COMPANY'S REBUTTAL TO SUCH ANALYSIS; RATIFYING THE HIRING OF LEGAL COUNSEL AND CONSULTANTS; RESERVING THE RIGHT TO REQUIRE THE REIMBURSEMENT OF THE CITY OF MURPHY'S RATE CASE EXPENSES; SETTING A PUBLIC HEARING FOR THE PURPOSES OF DETERMINING IF THE EXISTING RATES OF ONCOR ELECTRIC DELIVERY COMPANY ARE UNREASONABLE OR IN ANY WAY IN VIOLATION OF ANY PROVISION OF LAW AND THE DETERMINATION BY THE CITY OF MURPHY OF JUST AND REASONABLE RATES TO BE CHARGED BY ONCOR ELECTRIC DELIVERY COMPANY, LLC.

WHEREAS, the City of Murphy, Texas is a regulatory authority under the Public Utility Regulatory Act ("PURA") and has original jurisdiction over the rates of Oncor Electric Delivery Company, LLC ("Oncor") to determine if such rates are just and reasonable; and

WHEREAS, Sections 33.021, 36.003 and 36.151 of PURA empower a regulatory authority, on its own motion or on a complaint by any affected person, to determine whether the existing rates of any public utility for any service are unreasonable or in any way in violation of any provision of law, and upon such determination, to determine the just and reasonable rates; and

WHEREAS, the City of Murphy, has reason to believe that Oncor is over-earning and its rates are excessive; and

WHEREAS, the City of Murphy, is a member of the Steering Committee of Cities Served By Oncor; and

WHEREAS, the Executive Committee of the Steering Committee of Cities Served by Oncor has recommended that cities pass a resolution that requires Oncor to show cause why its transmission and distribution rates should not be reduced; and

WHEREAS, the City of Murphy, and the City Council of the City of Murphy, desires, on its own motion, to exercise its authority under Sections 33.021, 36.003 and 36.151 of PURA; and

WHEREAS, a procedural schedule should be established for the filing of certain information by Oncor, procedures to be followed to obtain and review information from Oncor, the filing of an analysis of such information by the City, the filing of rebuttal information from Oncor, and a public hearing at which time the City shall make a determination whether the

existing rates of Oncor are unreasonable or are in any way in violation of any provision of law, and if such rates should be revised, and just and reasonable rates determined for Oncor.

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

SECTION 1:

This resolution constitutes notice of the City's intent to proceed with an inquiry into the transmission and distribution rates charged by Oncor. On or before September 1, 2016, Oncor shall file with the City of Murphy information that demonstrates good cause for showing that Oncor's transmission and distribution rates should not be reduced. Specifically, Oncor shall file with the City of Murphy information for the test year beginning January 1, 2015 and ending December 31, 2015, regarding Oncor's cost of service elements, including, but not limited to, the elements detailed by the Public Utility Commission as necessary for the filing of a Statement of Intent to Change Rates. The test year may be updated for more current data and shall be adjusted for known and measureable changes.

SECTION 2:

City's designated representatives shall have the right to obtain additional information from Oncor through the filing of requests for information, which shall be responded to within fifteen (15) days from the receipt of such request for information.

SECTION 3:

City's designated representatives shall file their analysis of Oncor's filing and information on or before October 13, 2016.

SECTION 4:

Oncor shall file any rebuttal to the analysis of City's representatives on or before November 10, 2016. With its rebuttal, Oncor may present whatever additional information it desires to defend its current rates.

SECTION 5:

A public hearing shall be conducted by the City Council for the City of Murphy during a regular council meeting scheduled between November 15 and December 15. At such hearing a representative of Oncor and a representative of the City of Murphy's consultants will each be allowed to address the City Council and summarize previously filed reports for no more than 15 minutes. Based upon such hearing, a determination of the reasonableness of the existing rates of Oncor shall be made by the City Council and, if necessary, just and reasonable rates shall be determined to be thereafter observed and enforced for all services of Oncor within the City of Murphy, Texas.

SECTION 6:

The City Council may, from time to time, amend this procedural schedule and enter additional orders as may be necessary in the public interest and to enforce the provisions hereof.

SECTION 7:

Subject to the right to terminate employment at any time, the City of Murphy hereby ratifies the Steering Committee's selection of Geoffrey Gay with the law firm of Lloyd, Gosselink, Rochelle & Townsend as legal counsel to assist the City of Murphy in its ratemaking and to prosecute any appeals to the Texas Public Utility Commission or court. The Executive Committee of the Steering Committee of Cities Served by Oncor shall retain appropriate consultants to prepare a report and make rate recommendations.

SECTION 8:

Fees and expenses of attorneys and consultants assisting the City in the Steering Committee's review of the reasonableness of Oncor's rates will be processed through the Steering Committee but the City reserves the right to seek reimbursement from Oncor pursuant to the PURA Section 33.023.

SECTION 9:

That it is hereby officially found and determined that the meeting at which this resolution was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041, Texas Government Code.

SECTION 10. That a copy of this Resolution shall be sent to E. Allen Nye, Jr., Senior Vice President, General Counsel and Secretary, Oncor Electric Delivery Company LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202, and to Geoffrey Gay, General Counsel to the Steering Committee of Cities Served by Oncor, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

AND IT IS SO ORDERED.

The above and foregoing resolution was passed and approved on this the 19th day of April, 2016, by the following vote:

Ayes:

Nays:

Abstentions:

At regular meeting April 19, 2016.

Eric Barna, Mayor

ATTEST:

Susie Quinn, City Secretary

APPROVED AS TO FORM:

Wm. Andrew Messer, City Attorney

1669/-/7071297

Email from Geoffrey Gay

Dated: April 12, 2016

The following chronology might be helpful in explaining the background to the need for a show cause resolution against Oncor to city officials. Geoffrey

2007 publicly traded TXU is taken private by investors who created Energy Future Holdings (EFH). As part of its finding that the transaction was in the public interest, the Texas Public Utility Commission (PUC) required that regulated Oncor be financially and structurally “ring-fenced” from the deregulated portions of TXU, i.e., Luminant (generation company) and TXU Energy (REP) to avoid Oncor being drawn into bankruptcy.

2008-2014 EFH was saddled with more than \$40 billion in debt which it could not pay. EFH had bet on natural gas rates climbing from their 2007 highs. Since natural gas prices determine the marginal cost of electricity in the Texas wholesale market, EFH could not make sufficient profits on the sale of electricity to meet its debt obligations.

April 29, 2014, EFH and more than 70 subsidiaries (excluding Oncor) file for bankruptcy in Delaware.

December 7, 2015, the bankruptcy court signs an Order approving EFH’s Sixth Amended Joint Plan of Reorganization which includes a plan to sell Oncor to a consortium of investors who would divide Oncor into two companies and create a Real Estate Investment Trust (REIT) in order to provide Hunter Hunt sole control over Oncor operations and allow REIT owners to capture all federal tax savings derived from the REIT structure.

September 29, 2015, Hunt and Purchasers file an application at the PUC for approval of a transaction that would transfer ownership and control of Oncor and restructure the Company.

January 11-14, 2016, the PUC holds hearings on whether the proposed REIT transaction is in the public interest.

March 24, 2016, the PUC in a 2-1 vote approves the transaction subject to a number of conditions supported by Cities to offset some inherent risks associated with the REIT structure. As part of the Commissioners discussions, substantial attention was paid to the fact that REITs receive immediate, permanent exemption from federal taxation to the extent that the REIT distributes income to owners. Hunt and Purchasers claimed their intent is to distribute 100% of income, thus avoiding the asset company (Oncor would be divided into an asset company and an operating company with the operating company leasing assets from the asset company) having to pay any federal income taxes.

Oncor is currently collecting from ratepayers somewhere between \$200 million and \$250 million annually from ratepayers for presumed payments to the IRS. The two commissioners who voted in favor of the transaction with conditions expressed beliefs that the tax savings should be shared

with ratepayers. Since the case pending before the Commission was not a rate case, the Commissioners could not reduce Oncor's rates.

The PUC can only initiate rate proceedings in areas where it has original jurisdiction - the environs areas outside municipal limits. If there is to be any rate relief within municipal limits, Cities must either initiate a rate proceeding by passing a show cause resolution or wait until a final order from the PUC in a case initiated by Oncor, which will not occur before mid-2018.

Geoffrey M. Gay
Attorney
Lloyd Gosselink Rochelle & Townsend
512-322-5800 (Telephone)

If you would like more information about the firm, please visit our website at <http://www.LGlawfirm.com>, or about our Utilities Practice Group http://www.lglawfirm.com/PracticeAreas_Utility.asp

City Council
April 19, 2016

Issue

Consider and/or act the application of Murphy Chamber Scholarship Foundation for consideration of a MCDC Community Grant fund award.

Staff Resource/Department

Lee Elliott, Interim Director of Economic & Community Development

Summary

The first MCDC Community Grant application was received on behalf of the Murphy Chamber Scholarship Foundation.

- The Murphy Chamber Scholarship Foundation awards grants annually to Murphy graduates and teachers.
- Student scholarships are awarded in the amount of \$1500 per student.
- Teacher scholarships are awarded in the amount of \$500 per teacher.
 - Both of these amounts are based on available funds.
- Murphy Chamber Scholarship Foundation is constantly seeking funding support from additional revenue sources. This is a voluntary Foundation and all funds go directly to scholarships.
- Murphy Chamber Scholarship Foundation is requesting \$2000 (one student, one teacher) and will celebrate these, if granted, as scholarships awarded to a Murphy student/resident from a Murphy school and a Murphy teacher at a Murphy located school on behalf of Murphy Community Development Corporation.

Board Recommendation/Considerations

MCDC Board approved funding four (4) teacher grants in the amounts of:

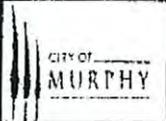
- \$500.00 each for two high school teachers
- \$500.00 each for two elementary/middle school teachers
- Total amount is \$2000.00

Action Requested

Approve the application of Murphy Chamber Scholarship Foundation for consideration of Community Grant fund award in the amount of \$2000.00.

Attachments

- MCDC Community Grant Application



Murphy Community Development Corporation
Community Enhancement Grant Program
Application - 2016

Community Development • City of Murphy Texas
206 North Murphy Road, Murphy, Texas 75094
972-468-4014 • www.murphytx.org

Note: Please clearly identify any information you deem to be confidential or proprietary. The City will attempt to protect any information marked confidential or proprietary and will notify the applicant of any requests for disclosure.

Applicant Information

Applicant Full Name: Murphy Chamber of Commerce Scholarship Foundation
 Applicant Organization Name: Murphy Chamber of Commerce
 Company's Representative(s): Jon Lashbrook
 Mailing Address: 120 E. FM 544, Ste 72, PMB 157 Murphy TX 75094
 Phone Number: 972 633 9919 Cell: 214 502 6417
 Email Address: jon.lashbrook.bzmc@STATEFARM.COM
 Website: www.murphychamber.org

Project Information

Project Address/ Location: Murphy Chamber of Commerce

Please describe the proposed project and goals in detail (attach additional pages as necessary):

The Scholarship Foundation has awarded scholarships since 2006 and Teacher Grants since 2010, over \$50000 to date! In 2016, we are increasing awards to \$10000 - 6 \$1500 scholarships and 2 \$500 Teacher Grants, all to Murphy grads and teachers. We request consideration for 2000 GRANT, enough to pay one scholarship and one Teacher Grant.

Has any of the above mentioned work begun? Yes No

Will project need to be funded to start? Yes No

Please detail the estimated project costs as well as any additional funding sources. Attach any written estimates or other applicable documentation. Include details such as local involvement, volunteers, etc., and how this project impacts and enhances the City of Murphy community while continuing to develop a vibrant economic base. (Attach additional pages as necessary). Also, include project budget including total project cost as well as identifying any additional funding sources and/or in kind resources:

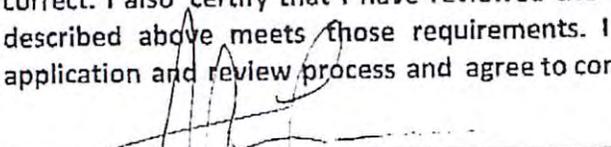
We get real busy this next 3 months. Scholarship application date is 4/16, and we like to make our decisions in April so we can feat the winners at our May Chamber-banquet.

As our foundation is all volunteer there are no costs about the awards we give. We are constantly looking for additional revenue source to help fund this worthy project. Our scholarships are only available to Murphy graduates and the Teacher Grants are only for teachers of Murphy kids.

Application and Review Process

Note: Once the submittal is complete, it will be scheduled for consideration by the MCDC Board, including a brief project presentation by the applicant and if approved, it will then be scheduled for City Council final consideration.

By my signature, I certify that all information submitted on this application is true and correct. I also certify that I have reviewed the eligibility requirements and that the project described above meets those requirements. I further certify that I have reviewed the application and review process and agree to comply with its requirements.

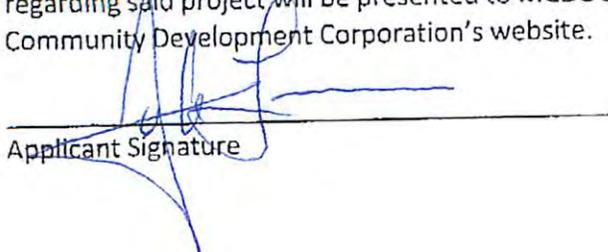

Applicant Signature

2-18-16
Date

Grant Payment

A one-time grant payment may be made to applicant to commence project or payments will be made to applicant based on receipts, construction costs or other applicable documentation at the discretion of the Director of Community Development, MCDC or City Council. A *Community Enhancement Grant* purchase (or project number) order will be issued if payments are to be disbursed and a log will be kept in file to track all expenses with copies of all said receipts.

The applicant also understands that if project is selected, photographs along with a short blog regarding said project will be presented to MCDC and subsequently posted on the Murphy Community Development Corporation's website.


Applicant Signature

2-18-16
Date

Project Approved: Yes No

3/21/16 MCDC consideration


Director of Community Development or designee

3/1/16
Date

Community Enhancement Grant Program Number: CEP NO. #2016-02

City Council Meeting
April 19, 2016

Issue

Consider and/or act on the application of Wal-Mart Real Estate Business Trust requesting approval of a site plan, landscape plan, building elevations and construction plat for Wal-Mart Addition Lots 3 and 4, Block A for two single story retail centers on property zoned PD (Planned Development) District No. 12-02-905 located on the eastern outparcel of Wal-Mart on N. Murphy Road.

Staff Resource/Department

Lee Elliott, Interim Director of Economic & Community Development

Summary

The applicant submitted a site plan, landscape plan, building elevations and construction plat for approval of two single story multiple tenant retail center buildings.

- The property is zoned PD 12-02-905 and the proposed uses are allowed within the PD.
 - o Planning & Zoning Commission and City Council approved an amendment to PD 12-02-905, Permitted Uses, to allow for a Professional Service (primarily limited to massages and facials and excluding nail services)

Considerations

Site Plan

The proposed site plan meets the requirements as set forth by the Planned Development District and the Code of Ordinances.

- Square footage of Building 1 is approximately 7,135 square feet
- Square footage of Building 2 is approximately 7,710 square feet.

Building Elevations

The proposed building elevation and materials meet requirements as set forth by the Planned Development District.

- As stated in the Planned Development District Conditions, Section E. Minimum Exterior Construction Standards, Building Materials and Design:
 - o All exterior elevations shall utilize a unified design.
 - o The following masonry materials shall be allowed:
 - Brick
 - Cast Stone
 - Scored and textured concrete tilt wall
 - EIFS and Stucco (limited to no more than 12%)
 - This requirement has been met
 - Integral-color split-face CMU
 - Stone/simulated stone (must be incorporated at a minimum of 15% in the exterior elevation)
 - This requirement has been met

Landscape Plan

The proposed landscape plan has been approved by the Planning and Zoning Commission.

Construction Plat

The proposed construction plat meets requirements.

Additional Considerations for Notation

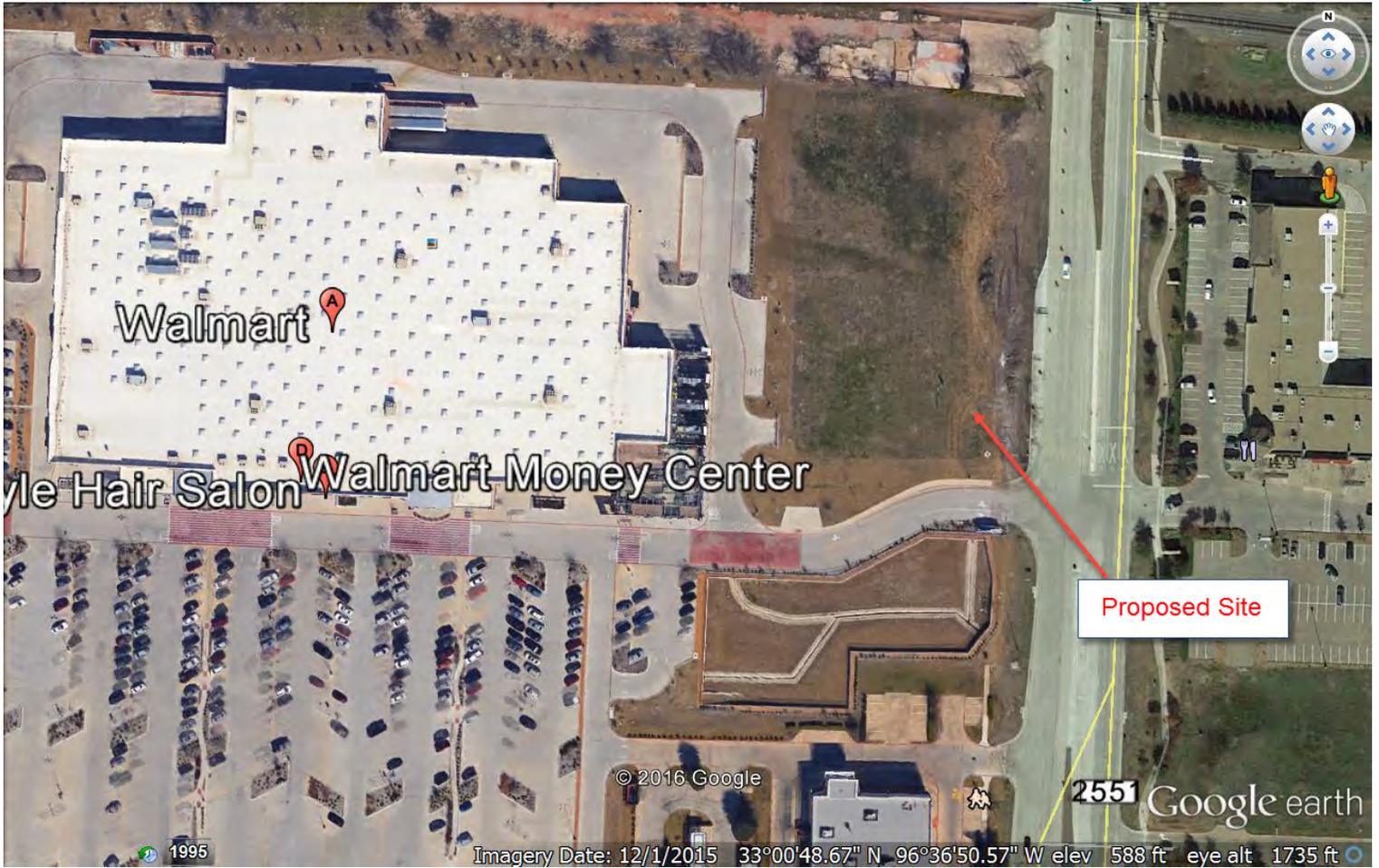
Prior to any signage installation, the sign plans for the building and on the site will be submitted to Customer Service, go through standard staff review to ensure compliance with the Sign Ordinance and Planned Development District and will be permitted separately after staff approved.

Staff Recommendation

Staff recommends approval of the site plan, landscape plan, building elevations and construction plat as submitted.

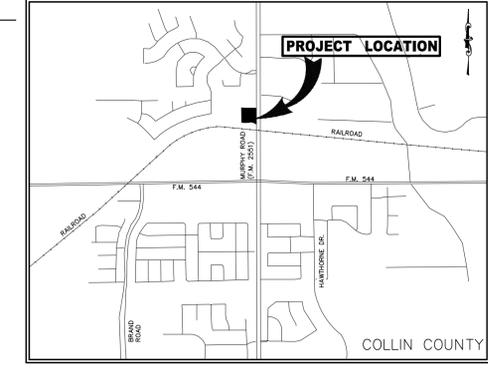
Attachments

Property location aerial
Site Plan
Building Elevations
Landscape Plan
Construction Plat
PD 12-02-905 and Ordinance 16-02-1007

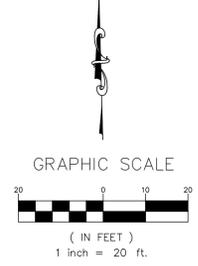


Engineer of Record:	DTB	
Drawn by:	RNB	
Date Plotted:	2/9/2016	
Issue for Pricing / Bidding:	-	
Issue for Permit Application:	-	
Issue for Construction:	-	
REVISIONS:		
#	DATE	COMMENTS

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VICINITY MAP
(NOT TO SCALE)



LEGEND

	PROPOSED FIRELANE
	ACCESSIBLE CROSSWALK
	PROPOSED FENCE
	PROPOSED LIGHT STANDARD

- NOTES**
1. ALL DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
 2. REFER TO SHEET C01 FOR GENERAL NOTES AND LEGEND.
 3. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS FOR BUILDING, DUMPSTER ENCLOSURE AND DETACHED GARAGE FOUNDATION LAYOUT AND DESIGN.
 4. REFER TO LANDSCAPE PLANS FOR FENCE AND HARDSCAPE LAYOUT AND DESIGN.

PRELIMINARY
 [NOT FOR CONSTRUCTION]
 THIS DRAWING IS RELEASED FOR THE PURPOSE OF SCHEMATIC REVIEW ONLY AND IS NOT INTENDED FOR PERMITTING, BIDDING, OR CONSTRUCTION PURPOSES.
 THESE PLANS WERE PREPARED UNDER THE DIRECT SUPERVISION OF DYLAN T. BLACKSHEAR, P.E., TEXAS REG. #117571
 DATE: 02/09/2016

HPCivil engineering, LLC.
 5339 ALPHA ROAD, SUITE 300 DALLAS, TEXAS 75240
 972.701.9636 972.701.9639 FAX 12600
 TX REGISTERED ENGINEERING FIRM F-12600
 WWW.HPCIVILENGINEERING.COM

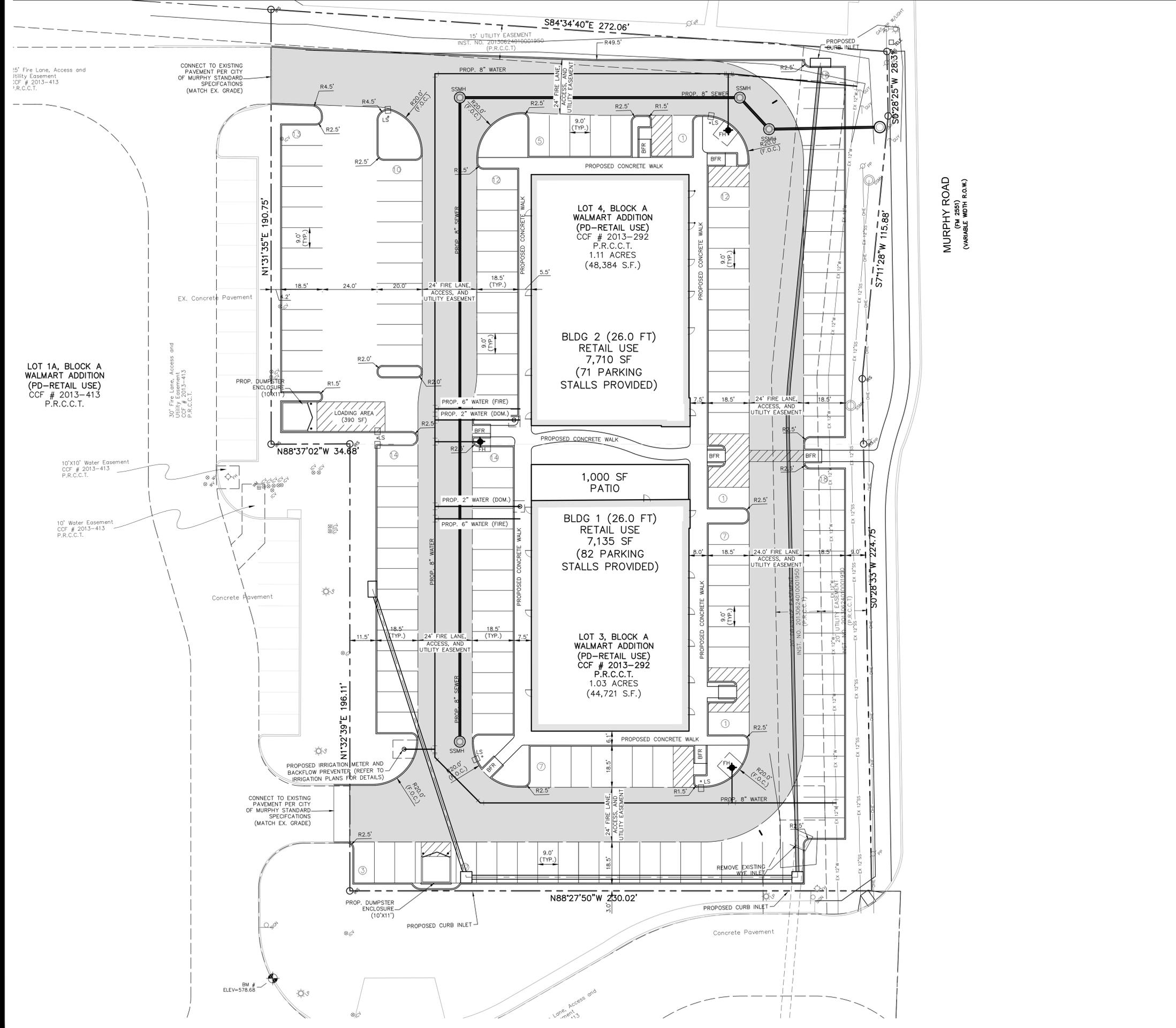
SHEET DESCRIPTION:
PLANNING SITE PLAN

SHEET NO.
C2.0

HPCE #15-695

SITE PLAN
 LOTS 3 AND 4, BLOCK A - 2.14 ACRES
 OF
 WALMART ADDITION
 OUT OF G. FIGUEROA, ABSTRACT NO. 689
 CITY OF MURPHY, COLLIN COUNTY, TEXAS
 JANUARY 22, 2016

OWNER WAL-MART REAL ESTATE BUSINESS TRUST MALSTOP # 0555, PO BOX 8050 BENTONVILLE, AR 72712-8055	ENGINEER HPCivil Engineering, LLC 5339 ALPHA ROAD SUITE 300 DALLAS, TEXAS 75240 PHONE: 972.701.9636 DYLAN T. BLACKSHEAR, PE FIRM # F-12600	SURVEYOR REALSEARCH OF TEXAS, LLC P.O. BOX 1008 GODLEY, TEXAS 76044 PHONE: 817.937.2658 JEREMY L. DEAL, RPLS FIRM # 101582200
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FILE: X:\projects\01515_605 TX Murphy, Bldg A & B\AutoCAD\Working Drawings\15085-C2.0-SITE.dwg
 USER: jldaly DATE: 02/09/2016 3:47pm

PRELIMINARY

This document shall not be used for regulatory approval, permit, or construction.

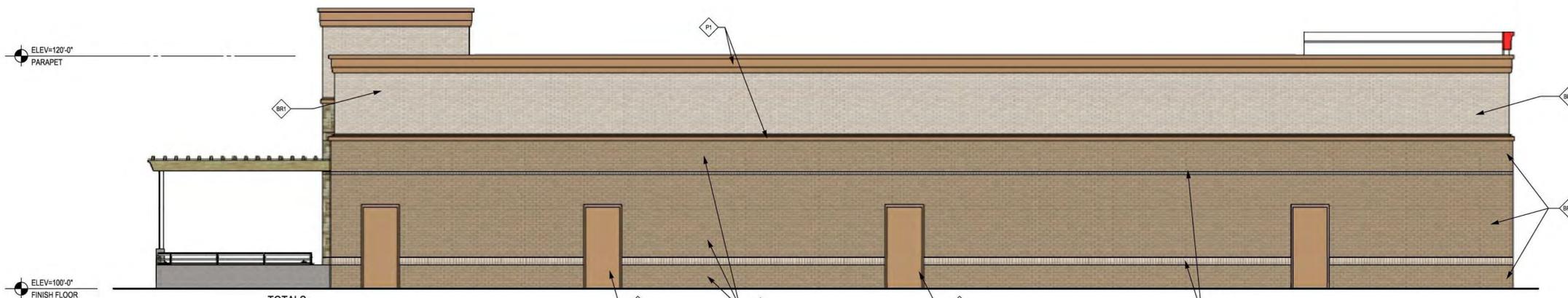
Released under the authority of Nicholas King Cade, TBAE license # 9301



TOTALS
 TOTAL FACADE = 2,120 SF
 STONE = 221 SF (10%)
 BRICK = 1,095 SF (52%)
 GLASS = 687 SF (32%)
 EIFS TRIM = 117 SF (6%)

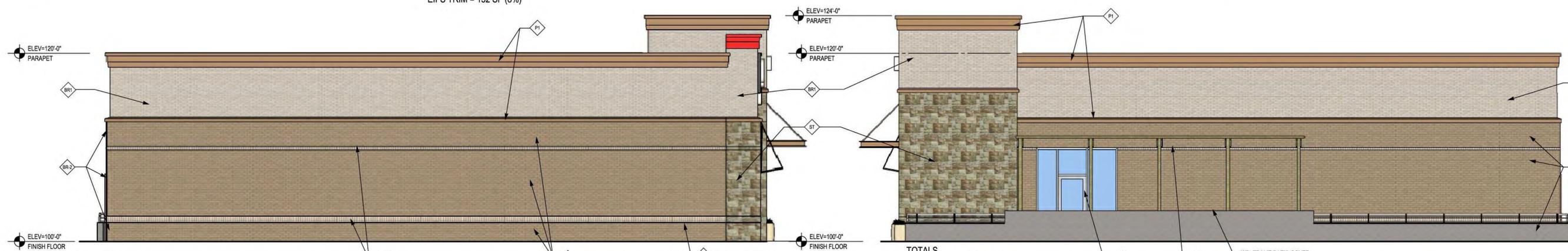
01 EAST ELEVATION - BUILDING 1
 SCALE: 3/16" = 1'-0"

SYMBOL	DESCRIPTION	LOCATION
BR1	BRICK MODULAR CONFEDERATE RUNNING BOND MANUF: ACME	FIELD BRICK
BR2	BRICK MODULAR PARK AVE. RUNNING BOND MANUF: ACME	FIELD BRICK
BR3	BRICK MODULAR CONFEDERATE SOLDIER ROW LOCK MANUF: ACME	BASE, SOLDIERS, DETAIL AREAS
ST	STONE COLOR: CAVE MANUF: SALADO QUARRY (SONOMA CAVE) OR ACME (PREMIUM CAVE CHOPPED)	ALL STONE LOCATIONS
P1	PAINTED COLOR: SW 602 COBBLE BROWN MANUF: SHERWIN WILLIAMS	EIFS LOCATIONS, TRIM, DOORS, METAL CANOPIES
P2	PAINTED EIFS COLOR: SW 667 FIREWORKS MANUF: SHERWIN WILLIAMS	EIFS AND CAP TRIM @ TENANT
SF1	STOREFRONT - COLOR: CLEAR AND: ALUMINUM MANUF: KAWNEER/TUBELITE/YKK OR SIM	STOREFRONT
SF2	STOREFRONT - COLOR: BLACK AND: ALUMINUM MANUF: KAWNEER/TUBELITE/YKK OR SIM	STOREFRONT @ TENANT
A1	AWNING COLOR: TALPE MANUF: SUNBRELLA	FABRIC AWNINGS
A2	AWNING COLOR: BLACK MANUF:	TENANT AWNING



TOTALS
 TOTAL FACADE = 2,023 SF
 STONE = 0 SF
 BRICK = 1,787 SF (88%)
 DOORS = 84 SF (4%)
 EIFS TRIM = 152 SF (8%)

02 WEST ELEVATION - BUILDING 1
 SCALE: 3/16" = 1'-0"



TOTALS
 TOTAL FACADE = 1,397 SF
 STONE = 46 SF (3%)
 BRICK = 1,184 SF (85%)
 GLASS = 63 SF (5%)
 EIFS TRIM = 104 SF (7%)

04 SOUTH ELEVATION - BUILDING 1
 SCALE: 3/16" = 1'-0"

TOTALS
 TOTAL FACADE = 1,450 SF
 STONE = 200 SF (14%)
 BRICK = 1,059 SF (74%)
 GLASS = 86 SF (5%)
 EIFS TRIM = 105 SF (7%)

03 NORTH ELEVATION - BUILDING 1
 SCALE: 3/16" = 1'-0"

WAL-MART OUTLOTS 3 & 4 @ MURPHY RD & FM-544 MURPHY, TX

NCA | Partners
 ARCHITECTURE

8 FEB. 2016

PRELIMINARY

This document shall not be used for regulatory approval, permit, or construction.

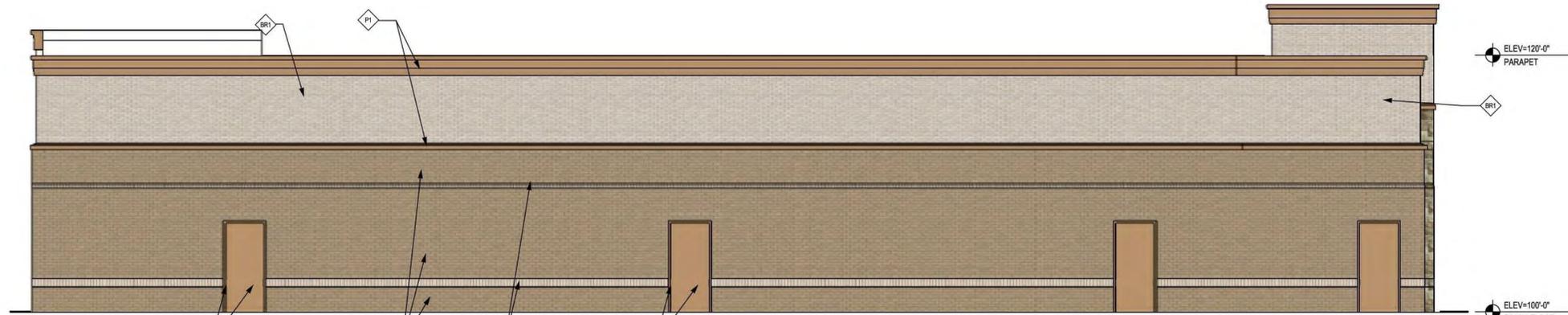
Released under the authority of Nicholas King Cade, TBAE license # 9301



TOTALS
 TOTAL FACADE = 2,300 SF
 STONE = 222 SF (10%)
 BRICK = 1,226 SF (53%)
 GLASS = 686 SF (30%)
 EIFS TRIM = 166 SF (7%)

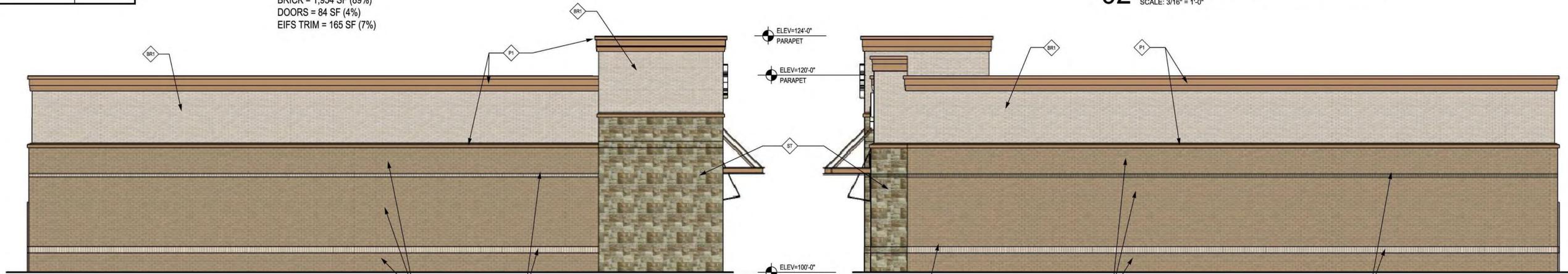
01 EAST ELEVATION - BUILDING 2
 SCALE: 3/16" = 1'-0"

FINISH SCHEDULE		
SYMBOL	DESCRIPTION	LOCATION
BR1	BRICK MODULAR CONFEDERATE RUNNING BOND MANUF: ACME	FIELD BRICK
BR2	BRICK MODULAR PARK AVE. RUNNING BOND MANUF: ACME	FIELD BRICK
BR3	BRICK MODULAR CONFEDERATE SOLDIER ROW LOCK MANUF: ACME	BASE, SOLDIERS DETAIL AREAS
ST	STONE COLOR: CAVE MANUF: SALADO QUARRY (SONOMA CAVE) OR ACME (PREMIUM CAVE CHOPPED)	ALL STONE LOCATIONS
P1	PAINTED - COLOR: SW 6082 COBBLE BROWN MANUF: SHERWIN WILLIAMS	EIFS LOCATIONS, TRIM DOORS, METAL CANOPIES
P2	PAINTED EIFS - COLOR: SW 6867 FIREWORKS MANUF: SHERWIN WILLIAMS	EIFS AND CAP TRIM @ TENANT
SF1	STOREFRONT - COLOR: CLEAR ANOD. ALUMINUM MANUF: KAWNEER/TUBELITE/YKK OR SIM	STOREFRONT
SF2	STOREFRONT - COLOR: BLACK ANOD. ALUMINUM MANUF: KAWNEER/TUBELITE/YKK OR SIM	STOREFRONT @ TENANT
A1	AWNING COLOR: TALPE MANUF: SUNBELLA	FABRIC AWNINGS
A2	AWNING COLOR: BLACK MANUF:	TENANT AWNING



TOTALS
 TOTAL FACADE = 2,203 SF
 STONE = 0 SF
 BRICK = 1,954 SF (89%)
 DOORS = 84 SF (4%)
 EIFS TRIM = 165 SF (7%)

02 WEST ELEVATION - BUILDING 2
 SCALE: 3/16" = 1'-0"



TOTALS
 TOTAL FACADE = 1,450 SF
 STONE = 200 SF (14%)
 BRICK = 1,146 SF (79%)
 GLASS = 0 SF
 EIFS TRIM = 104 SF (7%)

03 NORTH ELEVATION - BUILDING 2
 SCALE: 3/16" = 1'-0"

TOTALS
 TOTAL FACADE = 1,397 SF
 STONE = 46 SF (3%)
 BRICK = 1,184 SF (85%)
 GLASS = 63 SF (5%)
 EIFS TRIM = 104 SF (7%)

03 SOUTH ELEVATION - BUILDING 2
 SCALE: 3/16" = 1'-0"

WAL-MART OUTLOTS 3 & 4 @ MURPHY RD & FM-544

MURPHY, TX

8 FEB. 2016

NCA | Partners
 ARCHITECTURE

Flood Statement

According to Community Panel Number 48085C0415J, dated June 2, 2009, of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property lies within Zone "X" which is not a Special Flood Hazard Area. If this site is not within a Special Flood Hazard Area, this statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man made or natural causes. This statement shall not create liability on the part of the Surveyor.

APPROVED BY: City Council, City of Murphy, Texas

Signature of Mayor _____

Date of Approval _____

ATTEST: _____

City Secretary _____

Date _____

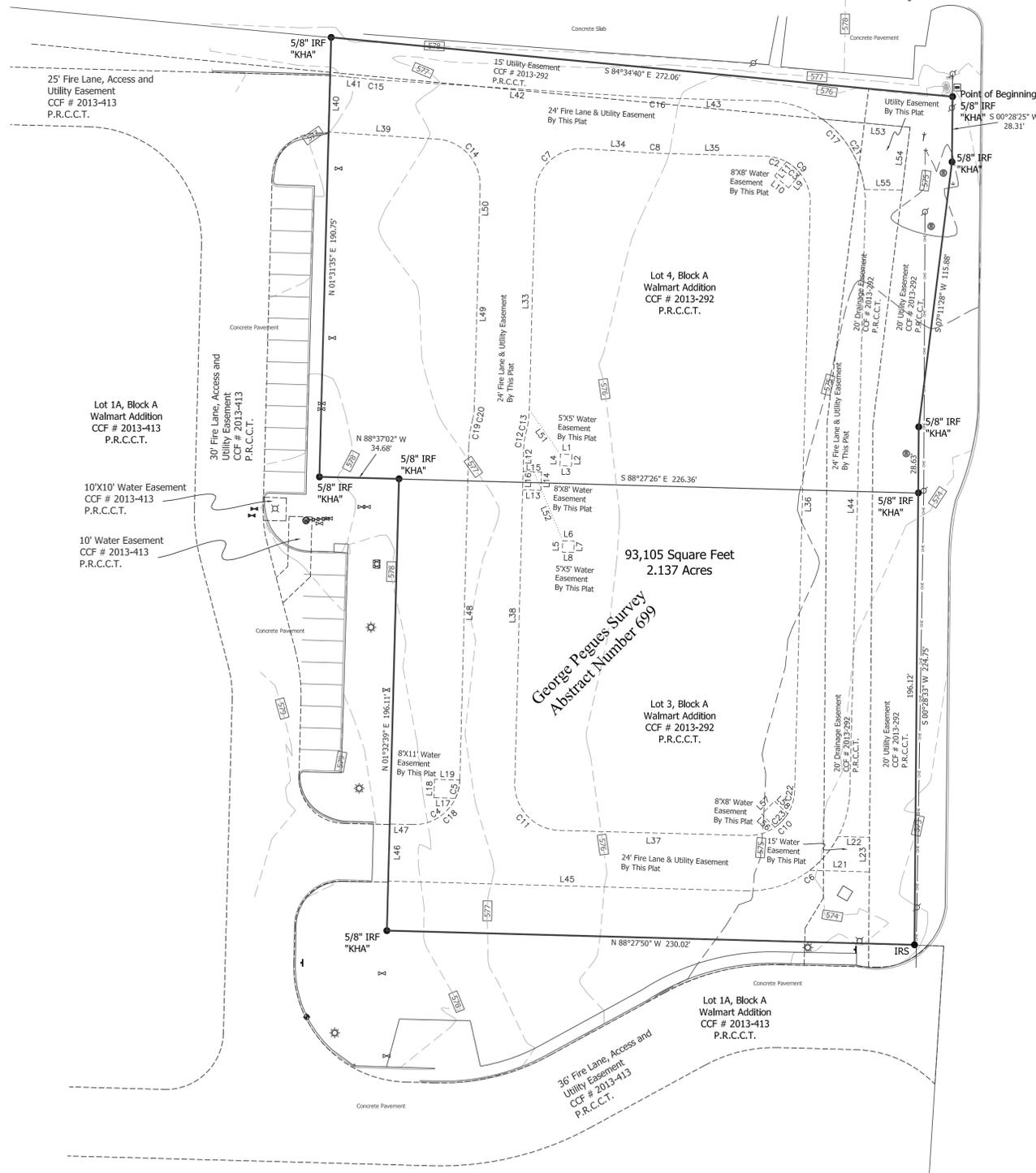
Approved by the City of Murphy for filing at the office of the County Clerk of Collin County, Texas

RECOMMENDED BY: Planning and Zoning Commission, City of Murphy, Texas

Signature of Chairperson _____

Date of Recommendation _____

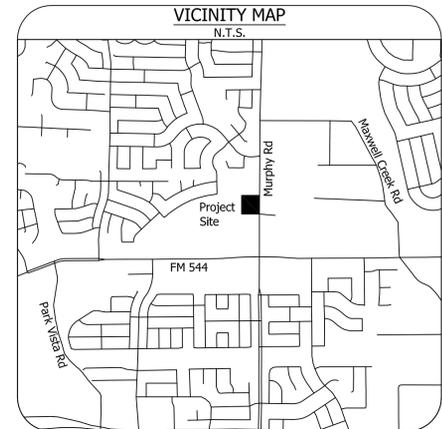
Dallas Area Rapid Transit Acquisition Corporation
Volume 3424, Page 126
D.R.C.C.T.



Murphy Road
(F.M. Highway 2251)
(Variable Width Right-of-Way)

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C2	20.00'	9.53'	9.44'	S 74°49'22\"	E 27°17'58\"
C3	20.00'	8.05'	8.00'	S 49°38'09\"	E 23°04'26\"
C4	20.00'	23.08'	21.82'	N 58°29'26\"	E 66°06'27\"
C5	20.00'	8.24'	8.18'	S 13°38'04\"	W 23°36'17\"
C6	44.00'	54.83'	51.35'	N 55°50'48\"	E 71°23'42\"
C7	20.00'	32.17'	28.81'	N 47°36'20\"	E 92°09'31\"
C8	74.00'	12.39'	12.79'	S 87°23'38\"	E 2°09'26\"
C9	20.00'	31.42'	28.28'	S 43°28'23\"	E 89°59'56\"
C10	20.00'	31.42'	28.29'	S 46°32'07\"	W 90°01'04\"
C11	20.00'	31.42'	28.28'	N 43°27'20\"	W 90°00'01\"
C12	28.00'	16.13'	6.17'	N 08°21'10\"	E 13°39'10\"
C13	44.00'	10.48'	10.46'	N 08°21'10\"	E 13°39'10\"
C14	20.00'	30.66'	27.75'	N 42°23'40\"	W 87°50'29\"
C15	60.00'	11.49'	11.49'	S 85°23'38\"	E 1°42'45\"
C16	50.00'	1.88'	1.88'	S 87°23'38\"	E 2°09'26\"
C17	44.00'	69.11'	62.22'	S 43°28'23\"	E 89°59'56\"
C18	20.00'	31.42'	28.28'	N 46°32'39\"	E 90°00'00\"
C19	60.00'	11.30'	11.81'	N 08°21'43\"	E 13°38'05\"
C20	20.00'	4.77'	4.75'	N 08°21'10\"	E 13°39'10\"
C21	44.00'	36.89'	35.82'	N 31°11'39\"	W 48°02'15\"
C22	20.00'	10.63'	10.51'	N 16°45'28\"	E 30°27'47\"
C23	20.00'	16.05'	8.00'	S 43°49'54\"	W 23°04'26\"

LINE	BEARING	DISTANCE
L1	S 88°27'20\"	E 5.00'
L2	S 01°32'40\"	W 5.00'
L3	N 88°27'20\"	W 5.00'
L4	N 01°32'40\"	E 5.00'
L5	N 01°32'40\"	E 5.00'
L6	S 88°27'20\"	E 5.00'
L7	S 01°32'40\"	W 5.00'
L8	N 88°27'20\"	W 5.00'
L9	S 40°21'51\"	W 8.00'
L10	N 49°38'09\"	W 8.00'
L11	N 49°21'51\"	E 8.00'
L12	S 01°32'40\"	W 8.36'
L13	N 88°27'20\"	W 8.00'
L14	N 01°32'40\"	E 8.00'
L15	S 88°27'20\"	E 8.00'
L16	S 01°32'40\"	W 8.00'
L17	N 88°27'20\"	W 9.31'
L18	N 01°32'40\"	E 8.00'
L19	S 88°27'20\"	E 11.02'
L21	N 88°27'20\"	W 25.98'
L22	S 88°27'20\"	E 13.67'
L23	S 00°28'33\"	W 15.00'
L33	N 01°31'55\"	E 93.91'
L34	N 88°18'54\"	E 29.80'
L35	S 88°28'21\"	E 46.68'
L36	S 01°31'55\"	W 254.87'
L37	N 88°27'21\"	W 82.02'
L38	N 01°32'40\"	E 145.61'
L39	N 88°18'54\"	W 47.38'
L40	N 01°43'47\"	E 24.62'
L41	N 84°38'09\"	E 19.39'
L42	S 88°18'54\"	E 121.19'
L43	S 88°28'21\"	E 46.68'
L44	S 01°31'55\"	W 254.87'
L45	N 88°27'21\"	W 156.02'
L46	N 01°32'39\"	E 24.79'
L47	S 88°27'21\"	E 10.00'
L48	N 01°32'40\"	W 144.81'
L49	N 01°31'55\"	E 81.63'
L50	N 01°31'55\"	E 14.69'
L51	S 34°56'08\"	E 23.56'
L52	S 72°44'45\"	E 43.76'
L53	S 84°36'09\"	E 38.59'
L54	S 07°09'44\"	W 27.36'
L55	N 89°31'35\"	W 16.45'
L56	N 46°10'26\"	W 8.00'
L57	N 43°49'34\"	E 8.00'
L58	S 46°10'26\"	E 8.00'



Surveyor's Certification

KNOW ALL MEN BY THESE PRESENTS
That I, Jeremy Luke Deal, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as "set" were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Murphy.
Executed this the ____ day of _____, in the year of our Lord 2015.

Jeremy Luke Deal
Registered Professional Land Surveyor
Texas Registration No. 5696

STATE OF TEXAS
COUNTY OF JOHNSON

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared JEREMY LUKE DEAL, Registered Professional Land Surveyor, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ____ day of _____, 2015.

Notary Public in and for the State of Texas _____

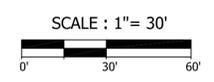
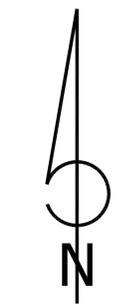
My Commission Expires On _____

Notes

- Basis of Bearings is the Texas State Plane Coordinate System, North American Datum of 1983, Texas North Central Zone.
- Elevations shown are based on the City of Plano Vertical Control Network.
- Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

LEGEND

- These standard symbols will be found in the drawing.
- ⊕ Temporary Benchmark
 - Buried Utility Marker
 - ⊕ Fire Hydrant
 - ⊕ Gas Riser
 - + Guy Wire
 - ⊕ Irrigation Control Valve
 - ⊕ Property Corner Monument
 - ⊕ Light Pole
 - ⊕ Power Pole
 - ⊕ Sign
 - ⊕ Sanitary Sewer Cleanout
 - ⊕ Sanitary Sewer Manhole
 - ⊕ Telephone Riser
 - ⊕ Water Meter
 - ⊕ Water Valve
 - Overhead Electric Line



Owner:
Wal-Mart Real Estate Business Trust
2001 SE 10th Street
Bentonville, Arkansas 72716
479-204-0258
Contact: Christopher Obenshain

Engineer:
HPCivil Engineering
5339 Alpha Road
Suite 300
Dallas, Texas 75240
972-701-9636
Contact: Dylan Blackshear, PE

Project Number: 150111 Date: December 09, 2015
Revised Date:
Revision Notes:
Sheet 1 of 1

LEGAL DESCRIPTION

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS Wal-Mart Real Estate Business Trust, is the owner of a tract of land situated in the George Pegues Survey, Abstract Number 699, City of Murphy, Collin County, Texas and being all of Lots 3 and 4, Block A, Walmart Addition, an addition to the City of Murphy according to the plat thereof recorded in County Clerk's File Number 2013-292, Plat Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap stamped "KHA" found at the northeast corner of said Lot 4, said iron rod also being in the south line of that certain tract of land described by deed to Dallas Area Rapid Transit Acquisition Corporation recorded in Volume 3424, Page 126, Deed Records, Collin County, Texas and being in the west right-of-way line of Murphy Road (F.M. Highway 2251)(Variable Width Right-of-Way);

THENCE along the east lines of said Lot 4 and said Lot 3 and said west right-of-way line of Murphy Road the following bearings and distances:

South 00 degrees 28 minutes 25 seconds West, 28.31 feet to a 5/8 inch iron rod with cap stamped "KHA" found;

South 07 degrees 11 minutes 28 seconds West, 115.88 feet to a 5/8 inch iron rod with cap stamped "KHA" found;

South 00 degrees 28 minutes 33 seconds West, at 28.63 pass a 5/8 inch iron rod with cap stamped "KHA" found at the southeast corner of said Lot 4 and the northeast corner of said Lot 3, in all 224.75 feet to a 5/8 inch iron rod with cap stamped "RESEARCH" set at the southeast corner of said Lot 3, said iron rod also being in a north line of Lot 1A, Block A, Walmart Addition, an addition to the City of Murphy according to the plat thereof recorded in County Clerk's File Number 2013-413, Plat Records, Collin County, Texas;

THENCE North 88 degrees 27 minutes 50 seconds West, 230.02 feet along the south line of said Lot 3 and said north line of Lot 1A to a 5/8 inch iron rod with cap stamped "KHA" found at the southwest corner of said Lot 3, said iron rod also being an ell corner in said north line of Lot 1A;

THENCE North 01 degrees 32 minutes 39 seconds East, 196.11 feet along the west line of said Lot 3 and an east line of said Lot 1A to a 5/8 inch iron rod with cap stamped "KHA" found at the northwest corner of said Lot 3, said iron rod also being in the south line of said Lot 4 and being an ell corner in said east line of Lot 1A;

THENCE North 88 degrees 37 minutes 02 seconds West, 34.68 feet along said south line of Lot 4 and a north line of said Lot 1A to a 5/8 inch iron rod with cap stamped "KHA" found at the southwest corner of said Lot 4, said iron rod also being an ell corner in said north line of Lot 1A;

THENCE North 01 degrees 31 minutes 35 seconds East, 190.75 feet along the west line of said Lot 4 and an east line of said Lot 1A to a 5/8 inch iron rod with cap stamped "KHA" found at the northwest corner of said Lot 4, said iron rod also being the northerly northeast corner of said Lot 1A and being in the aforementioned south line of the Dallas Area Rapid Transit tract;

THENCE South 84 degrees 34 minutes 40 seconds East, 272.06 feet along the north line of said Lot 4 and said south line of the Dallas Area Rapid Transit tract to the POINT OF BEGINNING and containing 93,105 square feet or 2.137 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Wal-Mart Real Estate Business Trust, acting herein by and through his(its) duly authorized officer(s), does hereby adopt the plat designating the herein above described property as WALMART ADDITION, LOTS 3 AND 4, BLOCK A, an addition to the City of Murphy, Texas and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements shown hereon. The streets and alleys, if any, are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City Council of the City of Murphy. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Murphy's use thereof. The City of Murphy and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance or efficiency of their respective systems in said easements. The City of Murphy and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

The undersigned does hereby covenant and agree that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface in accordance with the City of Murphy's paving standards for fire lanes, and the he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats or other impediments to the accessibility of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking or Standing." The local law enforcement agency(s) is hereby authorized to enforce parking regulations within the fire lanes, and to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for the fire department and emergency use.

The undersigned does covenant and agree that the access easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of general public vehicular and pedestrian use and access, and for fire department and emergency use in, along, upon and across said premises, with the right and privilege at all times of the City of Murphy, its agents, employees, workmen and representatives having ingress, egress and regress in, along, upon and across said premises.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Murphy, Texas.

WITNESS, my hand, this ____ day of _____, 2015.

By: _____

Printed Name and Title _____

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ____ day of _____, 2015.

Notary Public in and for the State of Texas _____

My Commission Expires On _____

CONSTRUCTION PLAT
LOTS 3 AND 4, BLOCK A
WALMART ADDITION
recorded in County Clerk's File Number
2013-292, Plat Records, Collin County, Texas
Being 2.137 Acres out of the
George Pegues Survey, Abstract Number 699
City of Murphy, Collin County, Texas

REALSEARCH OF TEXAS, LLC
P.O. Box 1006, Godley, Texas 76044
Ph. 817-937-2655, ldeal@realsearch.org, www.realsearch.org
"Thou shalt not remove thy neighbor's landmark" Deut. 19:14
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ORDINANCE NO. 12-02-905

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 86 OF THE CITY OF MURPHY CODE OF ORDINANCES BY AMENDING AN EXISTING PLANNED DEVELOPMENT DISTRICT FOR RETAIL USES ON AN APPROXIMATELY 24.09 ACRE TRACT OF LAND SITUATED IN THE GEORGE H. PEGUES SURVEY, ABSTRACT NO 699, LOCATED IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR ALL PURPOSES, APPROVING PLANNED DEVELOPMENT STANDARDS ATTACHED HERETO AS EXHIBIT "B", APPROVING A CONCEPT PLAN ATTACHED HERETO AS EXHIBIT "C", APPROVING A LANDSCAPE PLAN ATTACHED HERETO AS EXHIBIT "D", AND APPROVING A SIGNAGE PLAN ATTACHED HERETO AS EXHIBIT "E"; PROVIDING A SEVERABILITY CLAUSE, A CUMULATIVE/ REPEALER CLAUSE, A PENALTY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 00-10-504, adopted on October 16, 2000, changed the zoning for the property described in this ordinance from LC/R (Light Commercial/Retail) District to TC (Town Center) District; and

WHEREAS, Ordinance No. 05-07-664, adopted on July 25, 2005, changed the zoning for the property described in this ordinance from TC (Town Center) District to PD (Planned Development) District for Retail Uses; and

WHEREAS, Ordinance No. 10-05-841, adopted on May 17, 2010, amended the PD (Planned Development) District for Retail Uses for the property described in this ordinance by revising the concept plan and certain development conditions; and

WHEREAS, Ordinance No. 11-05-881, adopted on May 24, 2011, amended the PD (Planned Development) District for Retail Uses for the property described in this ordinance by revising the concept plan and certain development conditions; and

WHEREAS, this ordinance shall amend the PD (Planned Development) District for

Retail Uses for the property described hereinbelow by revising the concept plan and certain development conditions as set forth hereinbelow and this ordinance shall thereby amend, repeal and supercede the foregoing ordinances to the extent of such amendments in this ordinance; and

WHEREAS, the Planning and Zoning Commission of the City of Murphy and the City Council of the City of Murphy, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Murphy is of the opinion and finds that said changes should be granted and that the Comprehensive Zoning Ordinance should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, AS FOLLOWS:

Section 1. That all the above premises are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

Section 2. That the Comprehensive Zoning Ordinance and Map of the City of Murphy, Texas, be, and the same are hereby, amended so as to amend a Planned Development District for Retail Uses for the property described as an approximately 24.09 acre tract of land situated in the George H. Pegues Survey, Abstract No. 699, in the City of Murphy, Collin County, Texas, and more particularly described in Exhibit "A" attached hereto and made part hereof for all purposes.

Section 3. That the development standards for this Planned Development District are attached hereto as Exhibit "B", and the same are hereby approved for said Planned Development District as required by Section 86-603, of the City of Murphy, Texas, Code of Ordinances.

Section 4. That the Concept Plan, Landscape Plan, and Signage Plan for this Planned Development District are attached hereto as Exhibits "C", "D", and "E" and the same are hereby

approved for said Planned Development District as required by Section 86-604, of the City of Murphy, Texas, Code of Ordinances.

Section 5. That Chapter 86 of the City of Murphy Code of Ordinances, as amended, shall be and remain in full force and effect save and except as amended by this ordinance.

Section 6. That this ordinance shall amend the Planned Development District for Retail Uses for the property described herein by revising the concept plan and certain development conditions as set forth herein and this ordinance shall amend, repeal and supercede all prior amendments to the Planned Development District for Retail Uses for the property described herein to the extent of the amendments in this ordinance.

Section 7. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portions of this ordinance or the Comprehensive Zoning Ordinance, Chapter 86 of the City of Murphy Code of Ordinances, and the remaining portions shall remain in full force and effect.

Section 8. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Murphy, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

Section 9. Penalty Clause. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Murphy, Texas, shall be punished by a fine not to exceed the

sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 10. Effective Date. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Murphy, Texas, on this 7th day of February, 2012.



Bret M. Baldwin, Mayor
City of Murphy

ATTEST:



Aimee Nemer, City Secretary
City of Murphy



APPROVED AS TO FORM:

Wm. Andrew Messer, City Attorney
City of Murphy

Exhibit A
Legal Description



LEGAL DESCRIPTION

BEING a tract of land situated in the George Pegues Survey, Abstract No. 699, City of Murphy, Collin County, Texas and being all of a tract of land described in General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540150, Official Public Records of Collin County, Texas and all of a tract of land described in General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540160, Official Public Records of Collin County, Texas and all of a tract of land described in General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540170, Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a nail found in the north right-of-way line of F.M. 544 (a variable width right-of-way); said point being the southeast corner of Lot 3, Block A, Rio Dinero/FM 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet O, Page 49, Map Records of Collin County, Texas;

THENCE departing said north right-of-way line and with the east line of said Lot 3, North 02° 12' 34" East, at a distance of 335.69 feet, passing a 1/2" iron rod with "J.D.J.R." cap found at the northeast corner of said Lot 3 and being the southeast corner of Lot 1R, Block A, Rio Dinero/FM 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet O, Page 92, Map Records of Collin County, Texas, continuing, with the east line of said Lot 1R, in all a total distance of 1075.71 feet to a 1/2" iron rod with "ROOME" cap found for corner in the south line of a tract of land described in Deed to Dallas Area Rapid Transit Acquisition Corporation recorded in Volume 3424, Page 126, Land Records of Collin County, Texas; said point being the beginning of a non-tangent curve to the right having a central angle of 10° 26' 44", a radius of 1835.00 feet, a chord bearing and distance of North 82° 34' 25" East, 334.07 feet;

THENCE with the south line of said Dallas Area Rapid Transit Acquisition Corporation tract, the following courses and distances:

In an easterly direction, with said curve to the right, an arc distance of 334.54 feet to a 1" iron rod found at the end of said curve;

South 01° 52' 08" East, a distance of 50.00 feet to a "X" cut in concrete set for corner at the beginning of a non-tangent curve to the right having a central angle of 08° 07' 42", a radius of 1785.00 feet, a chord bearing and distance of South 87° 47' 19" East, 253.02 feet;

In an easterly direction, with said curve to the right, an arc distance of 253.23 feet to a 1/2" iron rod found at the end of said curve;

South 83° 55' 45" East, a distance of 557.20 feet to a 5/8" iron rod with "KHA" cap set for corner in the west right-of-way line of Murphy Road (F.M. 2251, a variable width right-of-way); said point being the northwest corner of a tract of land described in a deed to the State of Texas recorded in Volume 653, Page 612, Land Records of Collin County, Texas;

THENCE departing said south line and with said west right-of-way line, the following courses and distances:

South 01° 08' 57" West, a distance of 353.61 feet to a "X" cut in concrete found for corner;

South 04° 18' 57" West, a distance of 197.74 feet to a "X" cut in concrete found for corner;

THENCE with an offset in said west right-of-way line, North 89° 24' 14" West, at a distance of 2.82 feet, passing a 1/2" iron rod with "N.D.M." cap found at the northeast corner of Lot 2, Block A, Walgreens-F.M. 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet M, Page. 172, Map Records of Collin County, Texas, continuing, departing said west right-of-way line and with the north line of said Lot 2, in all a total distance of 152.76 feet to a 5/8" iron rod with "KHA" cap set for corner; said point being the northernmost northwest corner of said Lot 2;

THENCE with the west line of said Lot 2, South 01° 52' 09" West, a distance of 60.79 feet to a 1/2" iron rod with "N.D.M." cap found for corner; said point being an interior corner of said Lot 2;

THENCE with a north line of said Lot 2, North 88° 35' 23" West, at a distance of 68.34 feet, passing a 1/2" iron rod found at the westernmost northwest corner of said Lot 2 and the northeast corner of Lot 1R, Block A, Walgreens-F.M. 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet N, Page 872, Map Records of Collin County, Texas, continuing with the north line of said Lot 1R, Block A, in all a total distance of 221.70 feet to a 5/8" iron rod with "KHA" cap set for corner at the northwest corner of said Lot 1R; from said point, a 1/2" iron rod found bears South 35°20' East, a distance of 0.8 feet;

THENCE with the west line of said Lot 1R, South 01° 24' 37" West, at a distance of 370.00 feet, passing a 1/2" iron rod with "N.D.M." cap found, continuing in all a total distance of 373.27 feet to a 5/8" iron rod with "KHA" cap set for corner in the said north right-of-way line of F.M. 544; said point being the northeast corner of a tract of land described in Deed to the State of Texas recorded in Clerk's File No. 92-0048067, Land Records of Collin County, Texas and the northwest corner of a tract of land described in Deed to the State of Texas recorded in Clerk's File No. 92-0037385, Land Records of Collin County, Texas;

THENCE with said north right-of-way line, the following courses and distances:

South 87° 21' 30" West, a distance of 357.06 feet to a 5/8" iron rod with "KHA" cap set for corner at the beginning of a non-tangent curve to the left having a central angle of 00° 06' 16", a radius of 9414.00 feet, a chord bearing and distance of South 86° 39' 41" West, 17.15 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 17.15 feet to a 5/8" iron rod with "KHA" cap set at the beginning of a non-tangent curve to the right having a central angle of 00° 16' 04", a radius of 9489.00 feet, a chord bearing and distance of South 86° 44' 35" West, 44.36 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 44.36 feet to a 5/8" iron rod with "KHA" cap set at the end of said curve in the east line of a tract of land described in Deed to the State of Texas recorded in Clerk's File No. 95-0067686, Land Records of Collin County, Texas; said point being the northwest corner of said State of Texas tract recorded in Clerk's File No. 92-0048067;

North 01° 26' 09" East, a distance of 10.21 feet to a 5/8" iron rod with "KHA" cap set for corner at the beginning of a non-tangent curve to the right having a central angle of 02° 22' 30", a radius of 8591.75 feet, a chord bearing and distance of South 88° 03' 19" West, 356.13 feet; said point being the northeast corner of said State of Texas tract recorded in Clerk's File No. 95-0067686, Land Records of Collin County, Texas; from

said point a 1/2" iron rod found bears North 14° 32' West, a distance of 1.1 feet and a 1/2" iron rod found bears South 01°51' East, a distance of 0.6 feet; In a Southerly direction with said curve to the right, an arc distance of 356.16 feet to the **POINT OF BEGINNING** and containing 24.094 acres or 1,049,554 square feet of land.

The bearings system for this survey is based on a bearing of North 02° 12' 34" East, according to General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540170, Official Public Records of Collin County, Texas.

Exhibit B
Development Conditions

ZONING FILE NO. 2011-02

**Northwest Quadrant
FM 544 and North Murphy Road (FM 2551)**

PLANNED DEVELOPMENT CONDITIONS

- I. Statement of Intent:** The intent of this Planned Development District is to provide high quality retail development that is generally consistent with the Comprehensive Plan.
- II. Statement of Purpose:** The purpose of this Planned Development District is to ensure that any development that occurs within the area designated by this Planned Development encourage the following uses.
- Larger anchor uses
 - Grocery Store
 - Family, sit-down restaurants
 - Upscale retail shops
 - Individual pad site uses
- III. Statement of Effect:** This Planned Development shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 04-05-610, as amended, except as specifically provided herein.
- IV. General Regulations:** All regulations of the R (Retail) District set forth in Section 29 of the Comprehensive Zoning Ordinance are included by reference and shall apply except as otherwise specified by this ordinance.
- V. Development Plans:**
- A. Concept Plan: Development shall be in general conformance with the approved concept plan set forth in Exhibit C; however, in the event of conflict between the concept plan and the conditions, the conditions shall prevail.
- B. Landscape Plan: Development shall be in general conformance with the approved landscape plan set forth in Exhibit D; however, in the event of conflict between the landscape plan and the conditions, the conditions shall prevail.
- C. Signage Plan: Development on Lot 1 shall be in general conformance with the approved signage plan as set forth in Exhibit E; however, in the event of conflict between the signage plan and the conditions, the conditions shall prevail.
- D. Concept Plan, Landscape Plan, and Signage Plan approval shall be for a period of one year from the date of City Council action on the plan. If within that one-year period a site plan has been submitted for a portion of the development, then the Concept Plan shall be deemed to have no expiration date. However, if no site

EXHIBIT B

plan has been submitted for at least of portion of the development, then the Concept Plan shall be valid for a period of one year from the date of adopting ordinance. Site plans shall be valid for a period of one year from the date of City Council action on the plan.

- E. Site Plan: Before development can begin, a site plan shall be submitted in accordance with the requirements set forth in Chapter 86, Article II, Division 7 of the City of Murphy Code of Ordinances. The site plan may be for all or any part of the land within the Planned Development District.

VI. Specific Regulations:

- A. Permitted Uses: The following uses shall be permitted.

1. Amusement Services (Indoors) (SUP)
2. Antique Shop
3. Art Dealer/Gallery
4. Artist Studio
5. Automotive Driving School (SUP)
6. Bakery (Retail)
7. Bank or Credit Union (one free standing only) (SUP)
8. Barber/Beauty Shop
9. Barber/Beauty Shop College (SUP)
10. Book Store
11. Cafeteria
12. Church/Place of Worship
13. Civic Club
14. Clinic (Medical)
15. Computer Sales
16. Confectionery Store (Retail)
17. Department Store
18. Dinner Theatre (SUP Only)
19. Electronics (Retail)
20. Financial Services (Advice/Invest)
21. Florist
22. Food or Grocery Store (SUP)
23. Furniture Sales (Indoor)
24. Governmental Building (Municipal, State or Federal)
25. Hardware Store
26. Health Club (Indoors)) (SUP Only)
27. Home Improvement Center (SUP)
28. Insurance Agency Offices
29. Laundry/Dry Cleaning (Drop Off/Pick Up Only)
30. Library (Public)

EXHIBIT B

- 31. Motion Picture Theatre
- 32. Museum (Indoors Only)
- 33. Non-Profit Activities By Church
- 34. Offices (Brokerage Services)
- 35. Offices (Health Services)
- 36. Offices (Legal Services)
- 37. Offices (Medical Office)
- 38. Offices (Professional)
- 39. Pet Shop/Supplies
- 40. Pharmacy (SUP)
- 41. Photo Studio
- 42. Photocopying /Duplicating
- 43. Real Estate Offices
- 44. Restaurant
- 45. Restaurant (Drive-In/Drive Thru) (SUP Lot 4 only, see Exhibit C)
- 46. Retail Store
- 47. School, (K-12) (Public)
- 48. School, Vocational
- 49. Skating Rink (Ice)
- 50. Tailor Shop
- 51. Theatre (Live Drama)
- 52. Travel Agency

The following uses shall be permitted as part of a Retail Store exceeding 100,000 square feet (along with other uses customarily included in such large scale Retail Stores):

- 1. Alcoholic Beverage Retail Sales (subject to the requirements of Chapter 10 of the City of Murphy, Texas Code of Ordinances)
- 2. Automatic Teller Machines (ATMs)
- 3 Bank or Credit Union
- 4 Bike Sales and/or Repair
- 5. Food or Grocery Sales
- 4-6. Garden Shop
- 5-7 Handicraft Shop
- 6-8 Lawnmower Sales and/or Repair
- 7-9 Needlework Shop
- 8-10 Plant Nursery (Retail Sales/Outdoor Storage)
- 9-11 Video Rental/Sales
- 10-12 Temporary Outdoor Retail Sales/Commercial Promotion

B. Area Regulations:

- 1. Minimum Size of Lot/Tract: There shall be no minimum lot/tract areas required.
Minimum Lot/Tract Width: 170 feet.
- 2. Minimum Lot/Tract Depth: There shall be no minimum lot/tract depth required.

EXHIBIT B

3. Pad Sites: The maximum number of pad sites allowed along FM 544 shall be ~~two (2)~~ one (1). The maximum number of pad sites allowed along North Murphy Road (FM 2551) shall be ~~three (3)~~ two (2).

C. Parking, Driveways and Sidewalks:

1. Parking areas shall not be permitted within any landscape buffer strip.
2. Fire lanes, driveway, loading areas and access easements shall be paved in accordance with the minimum design standards of the City of Murphy codes and ordinances.
3. The number of required parking spaces for a Retail Store with a floor area greater than 100,000 square feet located on Lot 1 shall be as shown on Exhibit C. The number of required parking spaces for all other uses and lots shall be dependent upon the use and shall meet the requirements of the City of Murphy Comprehensive Zoning Ordinance.
4. No required parking space may be occupied by signs, merchandise, or display items at any time except by specific 30 day permit.
5. A special "signature" paving treatment shall be established as shown on the approved concept plan (Exhibit C). Appropriate locations for the special paving treatment shall include street intersections, pedestrian crosswalks and driveway openings.
6. Sidewalks along FM 544 and Murphy Road (FM 2551) shall be 8 feet in width.
7. Parking spaces for Lot 1 Block A shall be no less than 800 spaces, to allow additional ingress/egress on the pedestrian walkways.

D. Loading and Unloading

1. Truck loading berths and apron space shall only be required for space that totals 30,000 square feet or more and shall not be located on the street side of any building.
2. Truck loading berths shall not be located within any required setback or landscape buffer strip.

E. Minimum Exterior Construction Standards, Building Materials and Design. Exterior Construction and Design Requirements shall comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

EXHIBIT B

1. All structures, including all building elevations, shall be constructed utilizing a unified design that is substantially consistent with the approved Exterior Elevation Plan.
 2. All exterior elevations shall utilize a unified design. The following masonry materials shall be allowed:
 - a. Brick
 - b. Cast Stone
 - c. Scored & Textured concrete tilt wall
 - d. EIFS and Stucco (limited to no more than 12% total)
 - e. Integral-color split-face CMU
 - f. Stone/simulated stone
 3. The use of primary or garish colors shall not be predominately used on the exterior façade of any structure. Corporate identities shall be allowed with owner review and approval.
 4. Stand fans, skylights, cooling towers, communication towers, satellite dishes, vents, and any other structures or equipment, whether located on the roof or elsewhere, shall be architecturally compatible or effectively shielded from view from any immediately adjacent public dedicated street by an architecturally sound method.
 5. Each commercial building, complex of buildings or separate commercial business enterprise shall have a trash bin on the premises adequate to handle the trash and waste items generated, manufactured, or acquired thereon by such commercial activities. The sorting, handling, moving, storing, removing and disposing of all waste materials must be housed or screened from view.
 6. In all cases, mechanical equipment on roofs and outcroppings shall be clad by a like building material or painted with a color scheme similar to the principal structure walls or roof.
 7. The maximum height of buildings on the project is 40 feet.
 8. Stone must be incorporated at a minimum of 15% in the exterior elevation on the front and both sides (east and west) of the proposed store. Also, stone shall incorporate the base of the proposed Lot 1 monument sign.
- F. Landscape Standards. Landscaping shall comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

EXHIBIT B

1. Landscaping shall generally be as shown on the approved Landscape Plan (Exhibit D). Landscaping shall be required on all developments within the Planned Development District and shall be complete prior to the issuance of any certificate of occupancy for the specific development. An automatic underground irrigation system shall be installed and maintained for all required landscaping and shall be in place and operable at time of planting.
2. A landscape buffer shall be provided a minimum of 20 feet in depth, with an average depth of 25 feet adjacent to the right-of-way of FM 544 and a minimum 25 feet in depth adjacent to Murphy Road (FM 2551). No parking may be placed within any landscape buffer. Pedestrian easements and sidewalks may be located within a landscape buffer.
3. A landscape buffer shall be provided for an average of fifteen (15) feet in depth adjacent to the Southern Pacific /DART Railroad right-of-way.
4. **Parking Lots**
 - a. A minimum percentage of the parking area shall be landscaped according to the following requirements. Such landscaping shall be distributed within the parking area, occurring within medians, islands, or peninsulas. All such landscape areas shall be protected by concrete curbing or other acceptable devices which prohibit vehicular access to landscaped areas. Bumper overhang shall not be included as part of required landscaping. A permeable area no less than six (6) feet by six (6) feet shall be provided surrounding each tree located in a surface parking area.
 1. A total of five (5) percent of the interior of the entire parking lot regardless of location, shall be landscaped. One large tree or three (3) ornamental trees from the Plant List, shall be provided for each twelve (12) parking spaces, and planted within the five (5) percent area. Trees shall be distributed so that bays of parking spaces shall not exceed twenty (20) spaces in length.
 2. An additional 7% open space shall be provided. This 7% will be for the entire development and not necessarily on a lot by lot basis. The 7% area will consist of two or more of the following amenities:
 - a. Pedestrian walkways
 - b. Benches
 - c. Gazebo

EXHIBIT B

- d. Constant level pool
- e. Landscape material
- f. Hardscape
- g. Pedestrian lighting

- ~~5. More trees in the landscape area by Sonic and in the landscape area behind Lots 2, 3, and 4 of Block A.~~
- 3. Enhanced tree density shall be provided in landscape areas at the rear lot line of Lots 2, 3, and 4 of Block A and adjacent to the side lot line of Lot 1R, Block A Walgreens - FM 544 Addition as shown on Exhibit D.
- ~~6. No Bermuda grass under trees, use mulch and/or groundcover.~~
- 4. Areas beneath trees shall be mulched or planted with groundcovers other than Bermuda grass.
- ~~7. Detention pond shall have easy maintainable grass.~~
- 5. Low maintenance grasses shall be used for the detention pond.

G. Screening. Screening shall comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

- 1. All screening at the rear (north) of the property will be a live screen where required. Plant materials shall conform to the standards of the approved plant list in Section 50 and the current edition of the "American Standard for Nursery Stock" (as amended), published by the American Association of Nurserymen.
- 2. All truck docks/loading areas for anchor stores shall be screened from view through the use of 8 foot high masonry walls (which are the same colors and materials as main building). All truck docks/loading areas for pad sites shall be screened from view through the use of 8 foot high masonry walls (which are the same colors and materials as the main building) and shall have living screens (eight foot height and at least 75 percent density within three years of planting).
- 3. Outside seasonal displays shall be permitted within the Planned Development District. Outside storage shall not be permitted with the Planned Development District.
- 4. The back northeast corner of Lot 1, Block A shall be screened with evergreen type trees, preferably live oaks and magnolias, ~~and additional number of trees as shown on Exhibit D.~~
- 5. The stacking racks at the rear of the Garden Center shall be screened with black ornamental fence.

H. Site Lighting: Lighting shall comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

EXHIBIT B

1. Site lighting fixtures used along entrance driveways and parking areas shall be uniform and a consistent design within the development. Lighting standards for illuminating these areas shall be no taller than 30 ft. high. However, the height of all light standards shall be subject to review of the lighting plan during the Site Plan review.

I. Signage and Graphics. Signage will comply with the standards set forth in Chapter 28, Code of Ordinances, except as provided below.

1. General

- a. Monument signs All signage for Lot 1 the Planned Development District shall be allowed as shown on the approved Signage Plan (Exhibit E).
- b. Single Tenant Monument Signs-One (1) monument sign shall be allowed on each pad site and shall be limited to a maximum sign area of 40 square feet and a maximum structure area of 80 square feet.
- ~~c. Shopping center signs Two (2) shopping center signs shall be permitted as shown on the approved Signage Plan (Exhibit E). Each shopping center sign shall be limited to a maximum sign area of 300 square feet and a maximum structure area of 500 square feet.~~

2. Single Tenant Monument Signs

- a. Monument signs shall identify individual tenants or uses within a pad site. Monument signs shall be a maximum of seven (7) feet tall.
- b. All single tenant monument signs shall be double-sided, internally illuminated Plexiglas sign panels contained within a masonry structure. Single tenant monument signage may also be lit by ground mounted flood lighting or internal letter illumination either face lit or reverse channel lit.
- c. Monument signs shall be located at a set back distance of not less than eight (8) feet from the right-of-way line of any adjacent street and maybe incorporated within the landscaping area or buffer.
- d. Construction of monument signs shall include a base of material similar to the material used for buildings.

3. Shopping Center Signs

- ~~a. Shopping center signs shall be constructed at a height not to exceed thirty five (35) feet.~~
- ~~b. The base of the shopping center sign shall be located at a set back~~

EXHIBIT B

~~distance of not less than eight (8) feet from the right of way line of any adjacent street and may be incorporated within the landscaping area or buffer.~~

- ~~c. All shopping center signs shall be double sided, internally illuminated Plexiglas sign panels contained within a masonry structure. Pylon signs may also be lit by ground mounted flood lighting or internal letter illumination either face lit or reverse channel lit.~~
- ~~d. Construction of shopping center signs shall include a base of material similar to the material used for buildings.~~

4. Temporary Marketing Signage

- a. One (1) quality temporary marketing sign shall be permitted on the development on FM 2551 (Murphy Road) and on FM 544. These signs shall for a term of twelve (12) months from the date of installation.
- b. The maximum signage area will be 64 square feet. The maximum height shall be 8 feet.
- c. All other temporary signage specifically referred to in the Signage Criteria package or in this section shall comply with the City of Murphy standards.
- d. Temporary signs are not required to be constructed of the material used for buildings.

J. Open Space

- 1. All open space amenities shall use a unified design as shown on the approved Amenities Plan. Development with the Planned Development District should make a positive impact to the City by providing defined public spaces and activity centers so that varied activities are encouraged within these areas. This can be accomplished through the incorporation of open spaces that become public amenities and that provide interest within the Tract at the pedestrian level.
 - a. Outdoor Seating. Any establishment serving food for consumption on-premises is encouraged to provide an outdoor seating area and shall be approved with the site plan. The outdoor seating area may be included as a portion of the 7% open space requirement as stated in (b.) below.
 - b. An additional 7% of open space is required in addition to the landscape, setback, and parking lot island requirements. The additional 7% may be located adjacent to the required setbacks or landscaping at the ROW and property lines or in front or in some cases to the side of the structure. The additional open space percentage may not include the building footprint or vehicular

EXHIBIT B

parking lot. This area and associated amenities shall be approved on the site plan. At least one of the following amenities shall be located within the additional 5% open space area and count towards the required percentage.

1. Water feature, such as a fountain or detention pond with constant water level.
 2. Plaza or courtyard with art sculpture piece.
 3. Outdoor patio or gazebo with seating area.
 4. Other areas for pedestrian congregation, as may be approved on the site plan.
2. Outside seasonal displays shall be permitted within the Planned Development District. Outside storage shall not be permitted within the Planned Development District.

VII. Special Regulations:

- A. Right Turn Deceleration Lanes: A right turn deceleration lane shall be required for the median divided driveway on FM 544 at the time construction begins on any pad site along FM 544. A right turn deceleration lane shall be required for the south driveway on FM 2551 (North Murphy Road) at the time construction begins on any pad site along FM 2551 (North Murphy Road).
- B. Utility Power Lines: New utility distribution and service lines for individual business establishments, buildings, signs and for any other site development features shall be placed underground.
- C. Cross-Access Requirement: A joint access (i.e.-ingress, egress) easement shall be provided to minimize the number of driveway openings along FM 544 and FM 2551 (Murphy Road). The location(s) of access easement(s) shall be shown on the site plan and shall comply with the Texas Department of Transportation (TxDOT) Access Management Standards.
- D. ~~The divided median in the entrance off FM 544 is eliminated. The Lot 1, Block A ingress/egress at FM 544 shall be as shown on Exhibit C.~~
- E. Stained concrete shall be used for pedestrian entrances and walks that intersect driveways and roads.

Exhibit C
Concept Plan



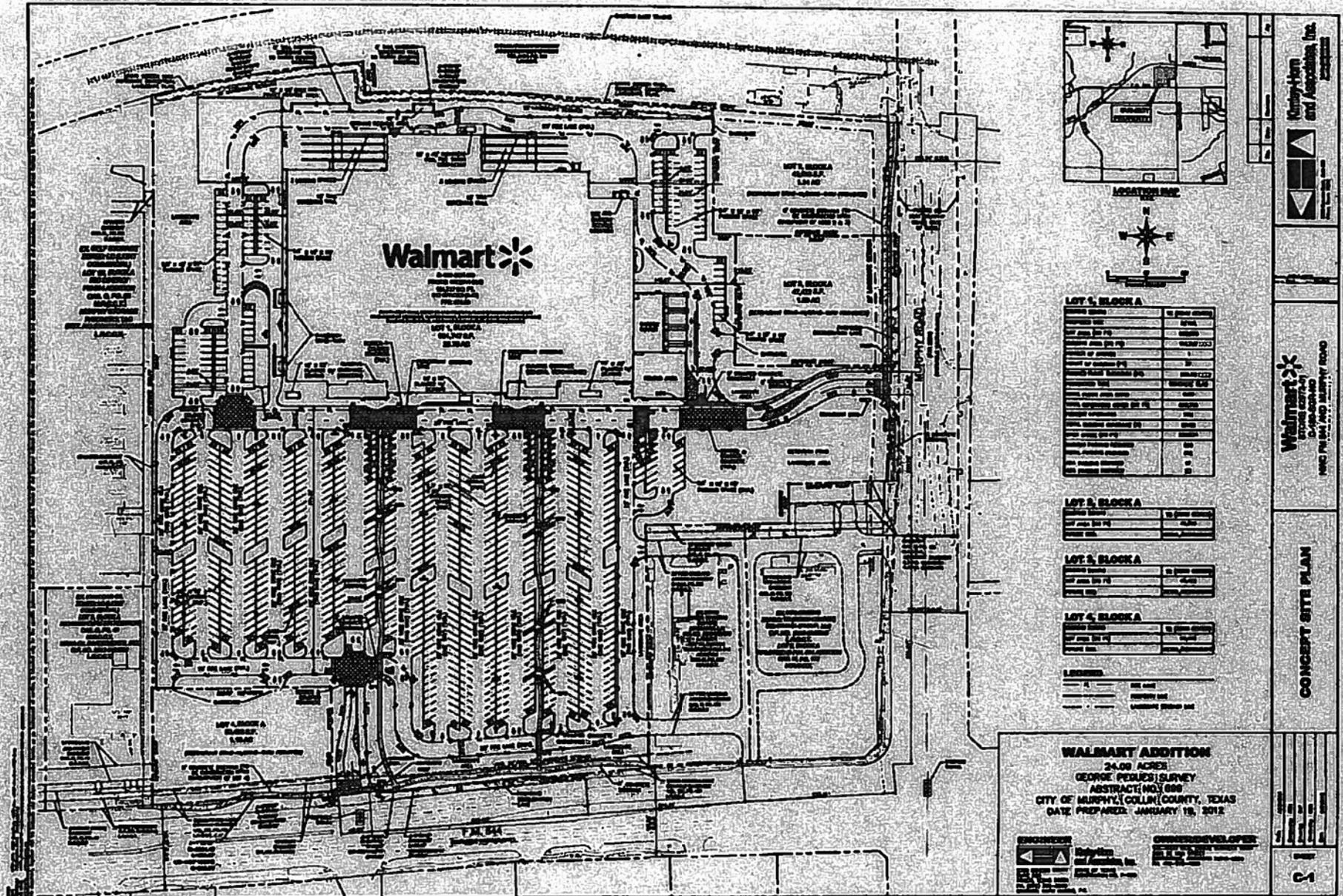


Exhibit D
Landscape Plan

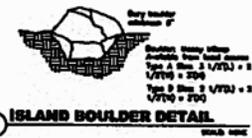


PLANT LIST

GROUP	PLANT	REMARKS	QTY	SIZE
GENERAL USE	1. Tree Maple	See schedule	20	24" x 24" x 6' H. with root ball
	2. White Oak	See schedule	20	24" x 24" x 6' H. with root ball
	3. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	4. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	5. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
STREET USE	1. Tree Maple	See schedule	20	24" x 24" x 6' H. with root ball
	2. White Oak	See schedule	20	24" x 24" x 6' H. with root ball
	3. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	4. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	5. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	6. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	7. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	8. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	9. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	10. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
STREET USE	1. Tree Maple	See schedule	20	24" x 24" x 6' H. with root ball
	2. White Oak	See schedule	20	24" x 24" x 6' H. with root ball
	3. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	4. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	5. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	6. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	7. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	8. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	9. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	10. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	11. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	12. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	13. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	14. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball
	15. Live Oak	See schedule	20	24" x 24" x 6' H. with root ball

**City of Murphy, Texas
LANDSCAPE CALCULATIONS**

Item	REQUIRED	PROVIDED
Total Lot Area	88,275 SF	
20% Required Landscape Area	17,655 SF	204,537 SF (23.0%)
Parking Lot Area	379,883 SF	
25% Required Landscape Area	94,971 SF	36,223 SF (3.8%)
Additional Open Space based on lot area including	7%	23.2%
STREET BUFFERS	REQUIRED	PROVIDED
FM 544	20 ft. Required	25 ft. Req.
Murphy Road	20 ft. Required	25 ft. Req.
STREET TREES	REQUIRED	PROVIDED
1 Large tree per 100 ft.		
2 Ornamental trees per 20 ft.		
FM 544	10 large 20 cal.	11 large 10 cal.
Murphy Road	121 LF	3 large 10 cal.
LANDSCAPE MATERIAL	REQUIRED	
Large trees 3" cal. min. 7 ft. H.		On. from 1 1/2" cal. 5 ft. H. min.



Integration studio
John F. Murphy, ASLA

Kimley-Horn and Associates, Inc.
Professional Engineers, Planners, and Architects
10000 Katy Road, Suite 100
Houston, Texas 77025
Tel: 281.465.1200
Fax: 281.465.1201
www.kimley-horn.com

LANDSCAPE NOTES:

1. ALL LANDSCAPE AREAS ARE TO BE MAINTAINED AT A MINIMUM OF 4" OF FERTILIZER, SEE SPECIFICATIONS.
2. ALL PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, AND FREE OF PESTS AND DISEASE.
3. ALL PLANT MATERIAL SHALL BE CHECKED PRIOR TO DELIVERY AND THE LATEST AS SHOWN IN THE PLANT LIST.
4. ALL TREES SHALL HAVE A STRAIGHT TRUNK AND FULL HEAD AND MEET ALL REQUIREMENTS SPECIFIED.
5. ALL MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO DELIVERY AND AFTER INSTALLATION.
6. ALL TREES MUST BE SHOWN BY NUMBER AS SHOWN IN THE DETAILS.
7. ALL PLANTING AREAS SHALL BE COMPLETELY FENCED AS SHOWN.
8. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL LABEL SAME TO ALL UTILITIES. THE LOCATION OF ALL UTILITIES SHALL BE SHOWN ON THE PLANS AND SHALL BE APPROVED BY THE CITY OF MURPHY PRIOR TO CONSTRUCTION. APPROXIMATE 12" SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION OF UTILITY LINES AND ADJUST TO THE WORK AREA TO PROTECT ALL UTILITY LINES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES, STRUCTURES, OR EQUIPMENT, ETC. WHICH OCCURS AS A RESULT OF THE CONSTRUCTION.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL UTILITIES SHOWN ON THESE PLANS BEFORE BEGINNING WORK.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DELIVERY SCHEDULE AND PROTECTION BETWEEN DELIVERY AND PLANTING FOR SPECIFICATIONS TO MATCHED WITH PLANT SPECIFICATIONS.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FULLY INSURING DELIVERY AND NOT LIMITED TO DELIVERY, STORAGE, HOLDING, FERTILIZATION, ETC. ALL OF THE PLANT MATERIALS AND LAWN PER THE PORT OF THE DRAWING OF THIS SPEC.
12. ANY PLANT MATERIAL WHICH IS DAMAGED, DEFECTIVE, DEAD, OR RELATED FROM TO SUBSTANTIAL DEFECTS SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIALS OF THE SAME SPECIES, QUALITY, AND SIZE AND MEET THE ALL PLANT LIST SPECIFICATIONS.
13. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIALS, FOR A PERIOD OF 12 MONTHS FROM THE DATE OF DELIVERY. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIALS, FOR A PERIOD OF 12 MONTHS FROM THE DATE OF DELIVERY.
14. AFTER BEING SET AS THE MATURE STAGE, ALL TREES IN LEAF SHALL BE MAINTAINED FOR TWO (2) YEARS UNLESS A FEEL TESTER FROM THE CONTRACTOR.
15. STAKEWAYS SET FOR AS SPECIFIED STANDARDS FOR MATURE STAGE. STAKEWAYS SHALL BE SPECIFIED AND SHALL CONFORM TO ALL CITY SPECIFICATIONS FOR PLANTING AREAS.
16. SHOWN SHOWN ON THE PLANS AND DETAILS, PLANTING AREAS ARE TO BE COMPLETELY COVERED WITH A MINIMUM PLANTING FROM A LEGAL SOURCE, INSPECTED BY A QUALIFIED PERSON TO A FULLY SUFFICIENT OF THESE NOTES.
17. REFER TO ALL CITY SPECIFICATIONS FOR INFORMATION NECESSARY FOR IMPLEMENTATION OF PLANTING PLANS.
18. NEED RATE IS REQUIRED IN ALL LANDSCAPE AREAS AS SHOWN.
19. ALL PLANT MATERIALS, SPECIFIED SHOWN ARE APPROVED. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETE CHANGE OF ALL PLANTING AREAS AS SHOWN.
20. THIS PLAN IS TO BE MAINTAINED CONSISTENTLY WITH SHOWN PLAN AS NECESSARY TO MAINTAIN THE SPECIFICATIONS OF THE SHOWN PLAN FOR THIS SPEC.
21. THE CONTRACTOR IS TO BE RESPONSIBLE FOR COMPLETE REMOVAL OF PERMANENT SIGNING OR SIGNING IN PLACES FOR SIGN REMOVAL AS NECESSARY AND COMPLETE AFTER SIGNING.
22. THIS PLAN IS NOT PRESENT AND TEMPORARY STAKEWAYS PROVIDED AS PART OF SHOWN PLAN.

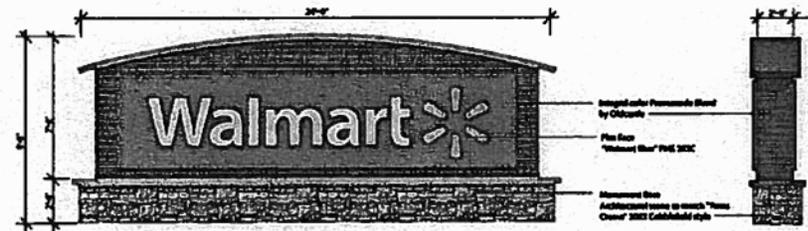
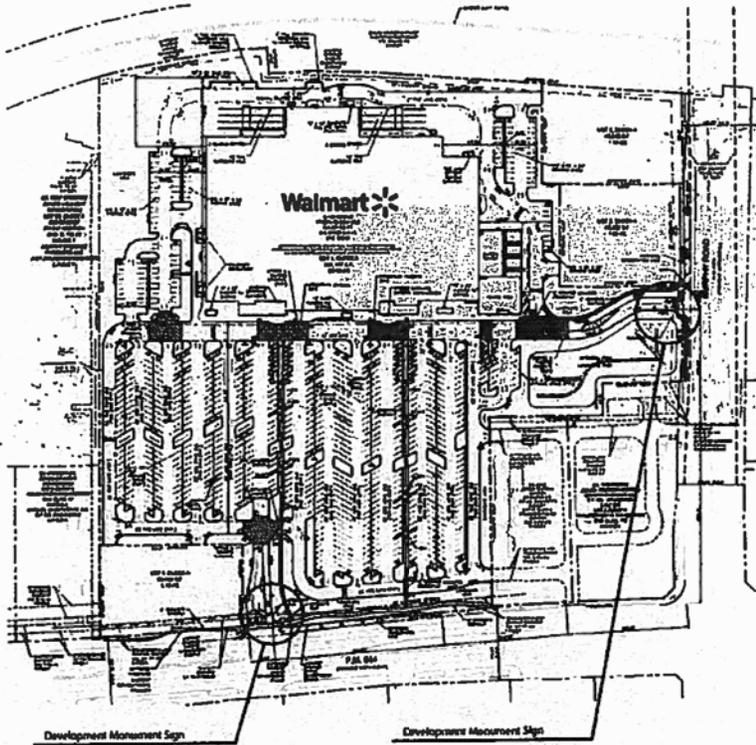
Walmart
STORE #2273-01
C-160-028-00
MURPHY, TEXAS

LANDSCAPE DETAILS

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Exhibit E
Signage Plan (Lot 1)

Sign	Qty.	Type	Color	Height	Illumination	Area (S.F.)	Total S.F.
Walmart*	2	Identity	White/Yellow	4'-9"	Internal	95	190
Total Site Signage							190.00



Monument Sign Front Elevation

Side Elevation



<p>Scott & Gobbs Architects, P.C.</p>	<p>Daryl L. Gray #17200 NCEM, Not for registration or renewal, practicing as consultant.</p>	<p>December 15, 2011</p>	<p>Murphy, Texas - Store #2973 - New Store</p>	<p>Site Signage Calculations</p>	
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DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION This building image is not a representation of the current design intent only. The building image may not reflect variations in color, tone, hue, and shading, ambient light intensity, material, texture, element, form style, construction materials or other building details or requirements, or any other detail or condition that may affect the final appearance of the building. PRELIMINARY - NOT FOR CONSTRUCTION

ORDINANCE NUMBER 16-02-1007

AN ORDINANCE OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 30, OF THE MURPHY CITY CODE, AS AMENDED, BY AMENDING AN EXISTING PLANNED DEVELOPMENT DISTRICT FOR RETAIL USES ON AN APPROXIMATE 24.09 ACRE TRACT OF LAND SITUATED IN THE GEORGE H. PEGUES SURVEY, ABSTRACT NO 699, LOCATED IN THE CITY OF MURPHY, COLLIN COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR ALL PURPOSES, BY AMENDING EXHIBIT "B" DEVELOPMENT STANDARDS OF ORDINANCE 12-02-905 TO ALLOW PROFESSIONAL SERVICES USES (LIMITED TO MASSAGE AND FACIAL SERVICES) WITH EXCLUSIONS; PROVIDING A CUMULATIVE/ REPEALER CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 00-10-504, adopted on October 16, 2000, changed the zoning for the property described in this ordinance from LC/R (Light Commercial/Retail) District to TC (Town Center) District; and

WHEREAS, Ordinance No. 05-07-664, adopted on July 25, 2005, changed the zoning for property described in this ordinance from TC (Town Center) District to PD (Planned Development) District for Retail Uses; and

WHEREAS, Ordinance No. 10-05-841, adopted on May 17, 2010, amended the PD (Planned Development) District for Retail Uses for the property described in this ordinance by revising the concept plan and certain development conditions; and

WHEREAS, Ordinance No. 11-05-881, adopted on May 24, 2011, amended the PD (Planned Development) District for Retail Uses for the property described in this ordinance by revising the concept plan and certain development conditions; and

WHEREAS, Ordinance No. 12-02-905, adopted on February 7, 2012, amended the PD (Planned Development) District for Retail Uses for the property described in this ordinance by revising the certain development conditions; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Murphy, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners generally and to all persons interested in this regard; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Murphy, in considering the application for a change in zoning of the property, have determined

that the proposed use and development is consistent and compatible with the goals and objectives of the City of Murphy and is in the best interest of the health, safety, morals and general welfare of the City of Murphy, and, accordingly, the City Council of the City of Murphy is of the opinion and finds that said zoning change is in the public interest and should be granted and that the Comprehensive Zoning Ordinance should be amended accordingly as set forth herein.

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

Section 1. That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

Section 2. That the Comprehensive Zoning Ordinance and Map of the City of Murphy, Texas, be, and the same are hereby amended so as to amend a Planned Development District for Retail Uses for the property described as an approximately 24.09 acre tract of land situated in the George H. Pegues Survey, Abstract No. 699, in the City of Murphy, Collin County, Texas, and more particularly described in **Exhibit A**, attached hereto and incorporated herein by reference for all purposes.

Section 3. That the Development Conditions for the Planned Development District as attached to Ordinance No. 12-02-905 as **Exhibit B** are hereby amended by the addition of Professional Services (limited to massage and facial services as a primary use in the eastern outparcel, and excluding nail services) as a permitted use under Section VI.A. thereto by the City Council for said planned development district as required by Chapter 30, of the City of Murphy, Texas, Code of Ordinances, and the Development Conditions otherwise remain in full force and effect.

Section 4. That the Concept Plan, Landscape Plan, and Signage Plan of the Planned Development District attached as **Exhibit C, Exhibit D, and Exhibit E**, respectively, to Ordinance No. 12-02-905 for this planned development district shall remain in full force and effect.

Section 5. That Chapter 30 of the Murphy City Code, as amended, shall be and remain in full force and effect save and except as amended by this ordinance, and that said property shall in all other respects be subject to all applicable regulations of the City of Murphy.

Section 6. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Murphy, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

Section 7. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining

portions of this ordinance or the Comprehensive Zoning Ordinance, Chapter 30 of the Murphy City Code, and the remaining portions shall remain in full force and effect.

Section 8. Penalty Clause. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Murphy, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 9. Effective Date. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and City Charter in such cases provide.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Murphy, Texas, on this 2nd day of February, 2016.



Eric Barna, Mayor
City of Murphy

ATTEST:

Susie Quinn, City Secretary

APPROVED AS TO FORM:

Wm. Andrew Messer, City Attorney

Exhibit A

LEGAL DESCRIPTION

BEING a tract of land situated in the George Pegues Survey, Abstract No. 699, City of Murphy, Collin County, Texas and being all of a tract of land described in General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540150, Official Public Records of Collin County, Texas and all of a tract of land described in General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540160, Official Public Records of Collin County, Texas and all of a tract of land described in General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540170, Official Public Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a nail found in the north right-of-way line of F.M. 544 (a variable width right-of-way); said point being the southeast corner of Lot 3, Block A, Rio Dinero/FM 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet O, Page 49, Map Records of Collin County, Texas;

THENCE departing said north right-of-way line and with the east line of said Lot 3, North 02° 12' 34" East, at a distance of 335.69 feet, passing a 1/2" iron rod with "J.D.J.R." cap found at the northeast corner of said Lot 3 and being the southeast corner of Lot 1R, Block A, Rio Dinero/FM 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet O, Page 92, Map Records of Collin County, Texas, continuing, with the east line of said Lot 1R, in all a total distance of 1075.71 feet to a 1/2" iron rod with "ROOME" cap found for corner in the south line of a tract of land described in Deed to Dallas Area Rapid Transit Acquisition Corporation recorded in Volume 3424, Page 126, Land Records of Collin County, Texas; said point being the beginning of a non-tangent curve to the right having a central angle of 10° 26' 44", a radius of 1835.00 feet, a chord bearing and distance of North 82° 34' 25" East, 334.07 feet;

THENCE with the south line of said Dallas Area Rapid Transit Acquisition Corporation tract, the following courses and distances:

In an easterly direction, with said curve to the right, an arc distance of 334.54 feet to a 1" iron rod found at the end of said curve;

South 01° 52' 08" East, a distance of 50.00 feet to a "X" cut in concrete set for corner at the beginning of a non-tangent curve to the right having a central angle of 08° 07' 42", a radius of 1785.00 feet, a chord bearing and distance of South 87° 47' 19" East, 253.02 feet;

In an easterly direction, with said curve to the right, an arc distance of 253.23 feet to a 1/2" iron rod found at the end of said curve;

South 83° 55' 45" East, a distance of 557.20 feet to a 5/8" iron rod with "KHA" cap set for corner in the west right-of-way line of Murphy Road (F.M. 2251, a variable width right-of-way); said point being the northwest corner of a tract of land described in a deed to the State of Texas recorded in Volume 653, Page 612, Land Records of Collin County, Texas;

THENCE departing said south line and with said west right-of-way line, the following courses and distances:

South 01° 08' 57" West, a distance of 353.61 feet to a "X" cut in concrete found for corner;

South 04° 18' 57" West, a distance of 197.74 feet to a "X" cut in concrete found for corner;

THENCE with an offset in said west right-of-way line, North 89° 24' 14" West, at a distance of 2.82 feet, passing a 1/2" iron rod with "N.D.M." cap found at the northeast corner of Lot 2, Block A, Walgreens-F.M. 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet M, Page. 172, Map Records of Collin County, Texas, continuing, departing said west right-of-way line and with the north line of said Lot 2, in all a total distance of 152.76 feet to a 5/8" iron rod with "KHA" cap set for corner; said point being the northernmost northwest corner of said Lot 2;

THENCE with the west line of said Lot 2, South 01° 52' 09" West, a distance of 60.79 feet to a 1/2" iron rod with "N.D.M." cap found for corner; said point being an interior corner of said Lot 2;

THENCE with a north line of said Lot 2, North 88° 35' 23" West, at a distance of 68.34 feet, passing a 1/2" iron rod found at the westernmost northwest corner of said Lot 2 and the northeast corner of Lot 1R, Block A, Walgreens-F.M. 544 Addition, an addition to the City of Murphy, Texas according to the plat recorded in Cabinet N, Page 872, Map Records of Collin County, Texas, continuing with the north line of said Lot 1R, Block A, in all a total distance of 221.70 feet to a 5/8" iron rod with "KHA" cap set for corner at the northwest corner of said Lot 1R; from said point, a 1/2" iron rod found bears South 35°20' East, a distance of 0.8 feet;

THENCE with the west line of said Lot 1R, South 01° 24' 37" West, at a distance of 370.00 feet, passing a 1/2" iron rod with "N.D.M." cap found, continuing in all a total distance of 373.27 feet to a 5/8" iron rod with "KHA" cap set for corner in the said north right-of-way line of F.M. 544; said point being the northeast corner of a tract of land described in Deed to the State of Texas recorded in Clerk's File No. 92-0048067, Land Records of Collin County, Texas and the northwest corner of a tract of land described in Deed to the State of Texas recorded in Clerk's File No. 92-0037385, Land Records of Collin County, Texas;

THENCE with said north right-of-way line, the following courses and distances:

South 87° 21' 30" West, a distance of 357.06 feet to a 5/8" iron rod with "KHA" cap set for corner at the beginning of a non-tangent curve to the left having a central angle of 00° 06' 16", a radius of 9414.00 feet, a chord bearing and distance of South 86° 39' 41" West, 17.15 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 17.15 feet to a 5/8" iron rod with "KHA" cap set at the beginning of a non-tangent curve to the right having a central angle of 00° 16' 04", a radius of 9489.00 feet, a chord bearing and distance of South 86° 44' 35" West, 44.36 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 44.36 feet to a 5/8" iron rod with "KHA" cap set at the end of said curve in the east line of a tract of land described in Deed to the State of Texas recorded in Clerk's File No. 95-0067686, Land Records of Collin County, Texas; said point being the northwest corner of said State of Texas tract recorded in Clerk's File No. 92-0048067;

North 01° 26' 09" East, a distance of 10.21 feet to a 5/8" iron rod with "KHA" cap set for corner at the beginning of a non-tangent curve to the right having a central angle of 02° 22' 30", a radius of 8591.75 feet, a chord bearing and distance of South 88° 03' 19" West, 356.13 feet; said point being the northeast corner of said State of Texas tract recorded in Clerk's File No. 95-0067686, Land Records of Collin County, Texas; from

said point a 1/2" iron rod found bears North 14° 32' West, a distance of 1.1 feet and a 1/2" iron rod found bears South 01°51' East, a distance of 0.6 feet;
In a Southerly direction with said curve to the right, an arc distance of 356.16 feet to the **POINT OF BEGINNING** and containing 24.094 acres or 1,049,554 square feet of land.

The bearings system for this survey is based on a bearing of North 02° 12' 34" East, according to General Warranty Deed to Murphy Plaza, LLC, recorded in Instrument No. 20070423000540170, Official Public Records of Collin County, Texas.

City Council Meeting
April 19, 2016

Issue

Consider and/or act on application of Anshu Jain requesting to amend the Concept Plan for approximately 6.43 acres of property zoned PD (Planned Development) District No. 09-02-785, as amended by Ordinance No. 14-04-975, located on FM 544 approximately 800' west of Heritage Parkway for Lots 2-3, Block A, Nelson Addition.

Staff Resource/Department

Lee Elliott, Interim Director of Economic & Community Development

Overview

The applicant submitted a revised concept plan, proposed grading elevations and architectural schematics for the purpose of building dental/medical offices. This item has been continued from the January 25, 2016, February 22, 2016 and the March 28, 2016 P&Z meetings.

Considerations

Per Planning & Zoning Commission direction, staff facilitated a meeting between Mr. Jain and Dr. Carbonell, (property owner bordering Mr. Jain's property to the east) Thursday, March 30, 2016. The following is what was agreed upon by the two parties:

1. No fire lane or access lane will be constructed between buildings on Lot 1 and Lot 2.
2. The proposed building on Lot 2 will be moved to the west so the distance between buildings on Lot 1 and Lot 2 has 45-50 feet of separation.
3. The proposed building on Lot 2 is to be moved to the north a distance of five feet minimum; this can be achieved either by reducing the square footage of the building or moving the location of the building.
4. Some parking from the west side of the building will be moved to the north side of the building.

Staff reached out to the Windy Hills Farms HOA for a representative to attend this meeting; unfortunately no reply was received.

Recommendation

Staff recommends approval of the proposed concept plan along with the changes agreed upon by both property owners. This item was approved by the Planning & Zoning Commission three (3) yes votes to one (1) no vote.

Attachments

Exhibit A – Property Location aerial

Exhibit B - Proposed Concept Plan (4-7-16)

Exhibit C – Current Concept Plan from PD for reference

Exhibit D – Signed Agreement Letter from the two neighboring property owners

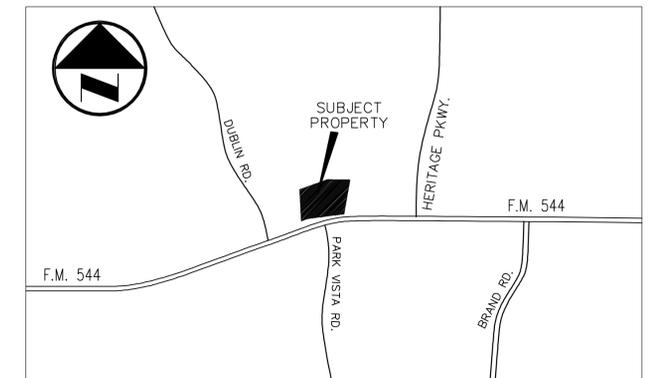
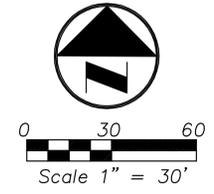
Exhibit A

Property Location Aerial



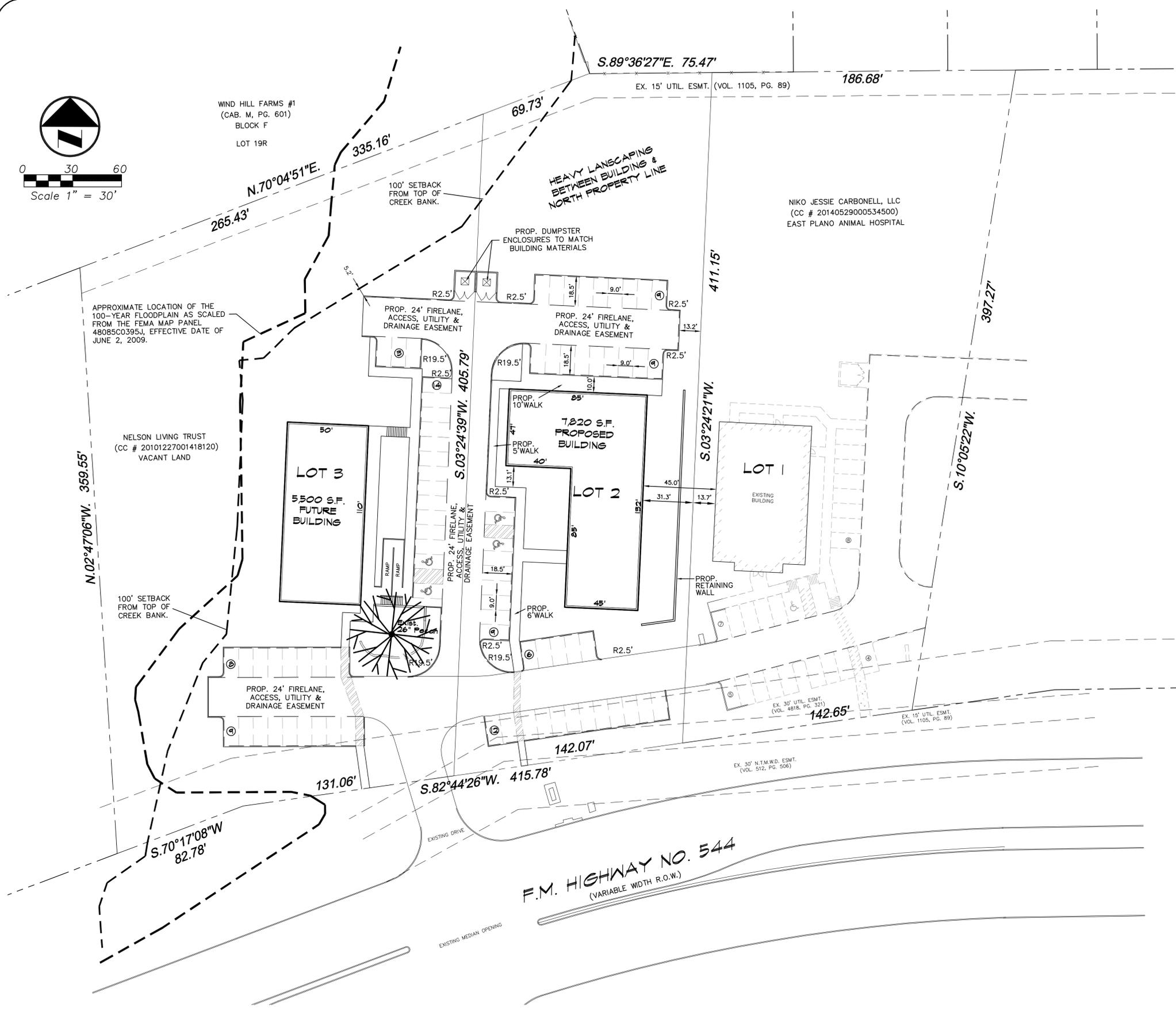
Exhibit B

Proposed Concept Plan (April 7, 2016)



VICINITY MAP
(NTS)

SITE DATA SUMMARY		
ITEM	LOT 2	LOT 3
ZONING:	PD-14-04-975 (Office)	PD-14-04-975 (Office)
PROPOSED USE:	MEDICAL OFFICE	MEDICAL OFFICE
TOTAL LOT AREA:	1.33 AC.	1.60 AC.
TOTAL BUILDING AREA:	7,820 S.F.	5,500 S.F.
BUILDING HEIGHT:	28'-0" (1-STORY)	28'-0" (1-STORY)
LOT COVERAGE:	13.5%	7.9%
PROPOSED FAR:	0.13	0.08
PARKING REQUIRED:	40 SPACES	28 SPACES
GENERAL OFFICE:	0 SPACES	0 SPACES
MEDICAL OFFICE (1/200):	40 SPACES	28 SPACES
PARKING PROVIDED:	44 SPACES	34 SPACES
HANDICAP PARKING REQUIRED:	2 SPACES	2 SPACES
HANDICAP PARKING PROVIDED:	2 SPACES	2 SPACES



ANSAMIELSON 04/05/2016 - 4:17PM
N:\0008645\00\DWG\CIVIL\0008645 CONCEPT PLAN.DWG
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NO.	DATE	REVISION / DESCRIPTION
DESIGN	DRAWN	DATE
AWS	MJN	04-05-2016

DEVELOPER
JAIN ESTATES, LLC
1331 TWIN KNOLL DRIVE
MURPHY, TEXAS 75094
MR. PANKAJ JAIN
(201) 970-6273 PHONE

PROJECT INFORMATION
SMILES AT MURPHY OFFICE BUILDING
A 1.3301 ACRE TRACT OF LAND IN
THE MARY SCOTT SURVEY, A-859
CITY OF MURPHY, TEXAS
EXISTING ZONING: PD-14-04-975 (OFFICE)

THIS DOCUMENT IS RELEASED FOR THE PURPOSE
OF INTERIM REVIEW UNDER THE AUTHORITY OF ARJYN W.
SAMUELSON, P.E. 95871 ON 04-05-2016. IT IS
NOT TO BE USED FOR CONSTRUCTION, BIDDING OR
PERMIT PURPOSES.

PRELIMINARY
FOR INTERIM REVIEW ONLY
NOT TO BE USED FOR
CONSTRUCTION OR
BIDDING PURPOSES.
Engineer: ARJYN W. SAMUELSON, P.E.
P.E. No.: 95871
Date: 04-05-2016

REVISED CONCEPT PLAN
SMILES AT MURPHY OFFICE BUILDING
LOTS 1, 2 & 3 BLOCK A
NELSON ADDITION
CITY OF MURPHY, TEXAS

SHEET NO.
CP-1

Exhibit C

Current Concept Plan from PD for reference

Exhibit D

Signed Agreement Letter from the two neighboring
Property Owners



March 30, 2015

In response to the meeting held today to discuss an amendment to Concept Plan PD district 09-02-785

The agreed upon changes between Dr. and Mrs. Carbonell and Mr. Jain include:

- On Lot 2:
 - No fire lane or access lane will be constructed between buildings on Lot 1 and Lot 2
 - Move the building to the west so the distance between buildings on Lot 1 and Lot 2 is 45 – 50 feet
 - Move the building to the north a distance of 5 feet minimum
 - Can be achieved either by reducing the square footage of the building or moving the location of the building
 - Move some parking from the west side of the building to the north side of the building

From the desk of
 Lee Elliott
 Interim
 Director of Economic
 And
 Community Development

Dr. Carbonell

Mrs. Carbonell

ASST. CITY ATTORNEY

Mr. Jain

INT. DIRECTOR OF COMM
 & ECON.

lelliott@murphytx.org
 (972)468-4006 tel
 (972)468-4094 fax

206 North Murphy Road
 Murphy, TX 75094
www.murphytx.org

Footnote: The incorrect date of the letter was a typographical error. The meeting date was March 30, 2016. Legal counsel is aware of the clerical error. TS
 April 19, 2016 Agenda Packet Page 74 of 81

City Council Meeting
April 19, 2016

Issue

Consider and/or act upon authorizing the interim city manager to execute purchase and construction documents, and authorize funding through the sale of tax notes in the amount of \$1,800,000 for the Murphy Public Safety radio system component replacements and upgrades to the system.

Staff Resource/Department

Mark Lee, Fire Department
Arthur Cotton, Police Department
Wendle Medford, IT Services
Kim Parker, Dispatch
Bernie Parker, Community Services Director (Facilities)
Linda Truitt, Finance
Ron Goldsmith, Plano Communications

Summary

This is a continuation of the discussion from the previous regularly scheduled council meeting. This is a request for council to consider the action necessary to begin this project of replacing older equipment and technologies with newer systems for dispatching and communicating with field units.

The current dispatch consoles are no longer supported by Motorola, Inc. and parts are no longer available from traditional sources.

The handheld and mobile radios are nearing end of support. The 5000 series are no longer supported after 2018 and the 2500 series are no longer supported after 2019. This is a total of approximately 88 radios.

Background/History

In 2009 City of Murphy joined in a collaborative project with Plano, Allen, and Wylie to form the PAWM Radio System. The total investment by the City of Murphy was approximately \$1,500,000. Significant infrastructure was purchased and installed at the Betsy Ln. water tower site. The costs associated with this part of the initial program were approximately \$1.24 million.

This included the concrete structure, lot preparation, emergency fuel supply for emergency power, microwave equipment, antennas, and all radio equipment installed.

The other costs were associated with the above mentioned 88 radios. 31 were purchased new in late 2009 early 2010. The cost of the new radios was \$123,051. There was also a purchase amount of \$11,419 for accessories.

At that same time the City of Murphy did software upgrades to the remaining 57 radios that were already in use. The software upgrades totaled \$84,733.

The total expended on field radios was \$219,203.

Betsy Ln Site Expenses	\$1,239,000	New – Infrastructure
New Radios x 31	\$123,051	New – field equipment
New Accessories	\$11,419	New – field equipment
Upgrade Radios x 57	\$84,733	Upgrade – field equipment

There were also expenses for training, system testing, engineering, and project management fees.

Financial Considerations

The first item for discussion has a cost of \$1.03 million dollars. This includes three dispatch consoles (complete) \$434, 722, two Alcatel Microwaves (redundancy) \$167,902, Voice and Radio recording equipment \$230,000, Fire Station Alerting 120,444, Emergency Medical Dispatch software \$46,168, and interfaces to the dispatch software currently in use \$29,175.

The field equipment replacement/upgrades/additions are \$507,048.

Subtotal for items 1 and 2 are \$1,535,458.39 and a contingency of 15% is recommended raising the total to \$1,765,777.15. The contingency is to fund any unforeseen items that will arise with a project of this scope.

The third component is still in development. These costs will be presented as an alternate. Remodel costs are difficult to obtain. Emergency electrical power needs are being assessed, as are HVAC requirements. As these costs become available the information will be forwarded to council.

The financing of this project will be available through tax notes. Preliminary budgetary numbers provided by First Southwest Financial indicate with a principal of \$1,87 million on a 7 year tax note annual payments would range from \$288, 024 - \$292, 956 with first payment due in 2017 and last payment due in 2023. See attachment First Southwest.pdf for details.

Item 1: Replacement of Dispatch Consoles	
Three dispatch consoles	\$ 434,722
Two Nokia/Alcatel Microwaves	167,902
Voice and Radio recording equipment	230,000
Fire Station Alerting	120,444
Emergency Medical Dispatch Software	46,168
Interfaces	29,175
<hr/>	
Total Replacement of Dispatch Consoles	\$ 1,028,411
<hr/>	
Item 2: Replacement and/or Software Upgrades of Field Equipment	
Field equipment replacement/upgrades/additions	\$ 507,048
<hr/>	
Total of Field Equipment	\$ 507,048
<hr/>	
Total Item 1 and 2	\$ 1,535,459
15% Contingency	230,319
<hr/>	
Total Item 1 , 2 and Contingency	\$ 1,765,778

Action Requested

Authorize the interim city manager to execute purchase and construction documents, and authorize funding through the sale of tax notes in the amount of \$1,800,000 for the Murphy Public Safety radio system component replacements and upgrades to the system.

Attachments

First Southwest Estimated Issuance of Tax Notes
 Memo from Linda Truitt, Finance Director

City of Murphy
Issuance of Tax Notes

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>
	June 2016 - 7 Years			June 2016 - 7 Years		
<u>Year</u>	<u>Principal ⁽¹⁾</u>	<u>Interest</u>	<u>Total P+I</u>	<u>Principal ⁽²⁾</u>	<u>Interest</u>	<u>Total P+I</u>
2016						
2017	\$ 240,000	\$ 48,024	\$ 288,024	\$ 310,000	\$ 61,070	\$ 371,070
2018	255,000	33,806	288,806	325,000	42,919	367,919
2019	265,000	27,956	292,956	335,000	35,494	370,494
2020	270,000	21,938	291,938	340,000	27,900	367,900
2021	275,000	15,806	290,806	350,000	20,138	370,138
2022	280,000	9,563	289,563	355,000	12,206	367,206
2023	285,000	3,206	288,206	365,000	4,106	369,106
	<u>\$ 1,870,000</u>	<u>\$ 160,299</u>	<u>\$ 2,030,299</u>	<u>\$ 2,380,000</u>	<u>\$ 203,833</u>	<u>\$ 2,583,833</u>

(1) Provides \$1.8 million in proceeds to the City. Includes all applicable estimated costs of issuance.

(2) Provides \$2.3 million in proceeds to the City. Includes all applicable estimated costs of issuance.

MEMO

Date: April 14, 2016

To: Murphy City Council
Bill Shipp, City Manager
Mark Lee, Fire Chief
Arthur Cotten, Police Chief
Kim Parker, Dispatch
Bernie Parker, Community Services Director
Wendle Medford, IT Director

From: Linda Truitt, Finance Director

Re: Funding for Radio System

Below is an excerpt from the City of Murphy's 2016 Budgetary Financial Policies regarding reserve fund balance:

F. Reserve Fund Balance Policies

1. The proposed General Fund budget shall be submitted to the City Council with a fund balance reserve of not less than 10 percent of total budgeted expenditures for each fiscal year. It is the goal of the Council to accumulate a fund balance of 15 percent of total expenditures.

Within the Reserve Fund, Replacement Fund shall be created and funded. The Replacement Fund is intended to fund major expenditures that the City will incur as it strives to provide for its citizens. The City Council will consider allocating the following percentages of the total General Fund expenditure budget annually during its budget retreat:

1% Fire Department Vehicle and Equipment Replacement Fund;

1% Vehicle Replacement Fund;

1% Equipment Replacement Fund; and

2% Building Renovation and Repair Fund"

The General Fund Balance for the FY 16 budget is 25.96% of the FY 16 budget expenditures which includes the actual fund balance at September 30, 2015. The reserve fund balance policy as shown above states the city will accumulate a fund balance of 15% which is \$2,028,510 of the FY 16 expenditures. I would recommend that we review this policy and increase the fund balance to 20% of

expenditures. If we use the 20% fund balance reserve, our requirement for FY 16 is \$2,704,680, which is approximately \$800,000 less the FY 16 budget fund balance. This excess will be used to purchase needed capital items for FY 17. The FY 16 budget projected approximately \$700,000 will be needed for capital items for FY 17.

At this point, I would recommend that the City issue tax notes to fund the radio system.

City Council Meeting
April 19, 2016

Issue

Discussion regarding the 2016 City of Murphy sidewalk repair program.

Staff Resource/Department

Bernie Parker, Director of Public Services

Summary

Reporting on status of the 2016 sidewalk repair program.

Background/History

At the October 14, 2014, meeting, Council approved Ordinance 14-10-990 amending Chapter 66, Article V Sidewalks, and Section 66-82 of the City of Murphy Code of Ordinances.

At the City Council meeting on December 2, Public Works Department presented that staff had estimated through windshield surveys, repair requests and onsite visits, there are approximately 554 locations in residential developments that are in need of repair, replacement and/or reconstruction. These locations equate to about 1863 sections. A section equals approximately 24 square feet. Staff is proposing utilizing the approved criteria in order to identify the integrity of sidewalks in Murphy's residential subdivisions. The approved criteria will enable staff to prioritize repairs, replacement and/or reconstruction of the sidewalks listed in the report generated by public works staff.

Action

No Action Requested.

Attachments

Staff is preparing a PowerPoint presentation.