

# CITY COUNCIL

1520 AVENUE K

DATE: February 10, 2003

CALL TO ORDER: 7:00 p.m.  
INVOCATION: Associate Pastor Kathryn Strempeke  
Custer Road United Methodist Church  
PLEDGE OF ALLEGIANCE: Junior Girl Scout Troop 658  
Thomas Elementary School

ITEM NO.	EXPLANATION	ACTION TAKEN
*	<p>MISSION STATEMENT: THE PURPOSE OF PLANO CITY GOVERNMENT IS TO FACILITATE AN OUTSTANDING QUALITY OF LIFE FOR RESIDENTS AT A REASONABLE COST IN TAXES AND FEES.</p> <p><b><u>OATH OF OFFICE</u></b></p> <p><u>Council Member – Place 7</u> John R. Roach, Jr.</p> <p>* <b><u>CERTIFICATES OF APPRECIATION</u></b></p> <p><u>Cultural Affairs Commission</u> Stephanie Caudill L. Kenyon Elliott</p> <p><u>Keep Plano Beautiful Commission</u> Jason Teel</p> <p><b><u>GENERAL DISCUSSION</u></b></p> <p><b>In accordance with the Open Meeting Act, the City Council will hear comments of public interest, but any discussion shall be limited to placing the item on a future agenda for further consideration.</b></p> <p><b>Persons wishing to speak before the City Council should limit remarks to a total speaking time of five (5) minutes per speaker, with a maximum of 30 total minutes of testimony. At the discretion of the Mayor other time restraints may be directed depending on prevailing factors.</b></p> <p><b>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</b></p> <p><b>CONSENT AGENDA</b></p> <p><b><u>Any citizen may remove an item from the Consent Agenda for individual discussion, limited to a maximum of two (2) items and discussion time of three (3) minutes each.</u></b></p>	Held

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><b><u>Approval of Minutes</u></b></p> <p>January 27, 2003 February 3, 2003</p>	Approved
	<p><b><u>Award, Rejection of Bids/Proposals, Conditional Acceptance of Lowest Responsible Bid/Proposal and Designation of Alternate Lowest Responsible Bid/Proposal when applicable on the following:</u></b></p>	
(b)	<p><b>Bid No. C020-03</b> for Lease of a Microfilm Reader/Printer for the Planning Department in the amount of \$6,338 for the first year of a five-year lease.</p>	Approved
(c)	<p><b>Bid No. C018-03</b> for a fixed-price contract for Traffic Signal Items in the estimated annual amount of \$62,358.</p>	Approved
(d)	<p><b>Bid No. B030-03</b> for construction of the South Cedar Elm Channel Improvements in the amount of \$235,219.</p>	Approved
(e)	<p><b>Bid No. C023-03</b> for \$10.04 per hour for Professional Kitchen Personnel for Food Service at the Plano Centre in the estimated annual amount of \$35,000.</p>	Approved
(f)	<p><b>Bid No. C026-03</b> for a fixed-price contract for Nitrile Emergency Medical Gloves for the Fire Department in the estimated annual amount of \$28,891.</p>	Approved
	<p><b><u>Adoption of Resolutions</u></b></p>	
(g)	<p><b>Resolution No. 2003-2-3(R):</b> To authorize the City Manager to enter into an agreement with the Plano Independent School District and Frisco Independent School District for the purpose of conducting a Joint General Election on May 3, 2003; and providing an effective date.</p>	Adopted
(h)	<p><b>Resolution No. 2003-2-4(R):</b> To approve and authorize refunds of property tax overpayments; and providing an effective date.</p>	Adopted
(i)	<p><b>Resolution No. 2003-2-5(R):</b> To urge the 78<sup>th</sup> Texas Legislature to adopt initiatives to preserve Texas air quality, enhance public health, and promote economic prosperity; and providing an effective date.</p>	Adopted
(j)	<p><b>Resolution No. 2003-2-6(R):</b> To authorize the purchase of two Model 6210 Self Check Units in the amount of \$46,475, from 3M Safety and Security Systems, the sole source supplier of such equipment; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the purchase; and providing an effective date.</p>	Adopted
(k)	<p><b>Resolution No. 2003-2-7(R):</b> To approve and grant a 15 foot sanitary sewer easement on City property approximately 40 feet north of Parker Road and extending east from Spring Creek Parkway approximately 460 feet, in the City of Plano, Collin County, Texas, authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(l)	<p><b>Resolution No. 2003-2-8(R):</b> To approve a license agreement by and between the City of Plano, Texas, and K&amp;C Capital Partners, LTD., for use of a nine by twenty foot portion of the public right-of-way situated in front of the proposed restaurant use located at 1422 Avenue K.</p>	Adopted
(m)	<p><b>Adoption of Ordinances</b></p> <p><b>Ordinance No. 2003-2-9:</b> To order an election to be held on May 3, 2003 for the purpose of electing four (4) members of Council, Place No. 1 (District 1), Place No. 3 (District 3), Place No. 5, and Place No. 7, to the City Council to hold office for a period of two years; designating locations of polling places; and ordering notices of election to be given as prescribed by law in connection with such election; and providing an effective date.</p>	Adopted
(n)	<p><b>Ordinance No. 2003-2-10:</b> To abandon all right, title and interest of the City, in and to that certain 50-foot right-of-way called M Avenue between 18<sup>th</sup> Street and 19<sup>th</sup> Street being situated in the Stanford Beck Survey, Abstract Number 73, which is located within the City limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such right-of-way to the abutting property owner, Plano Independent School District, to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.</p> <p><b>Approval of Agreement</b></p>	Adopted
(o)	<p>To approve payment of Geographic Information Systems Annual Maintenance and upgrade fees for software and core systems to Environmental Systems Research Institute (ESRI) in the amount of \$44,255.</p> <p><b>ITEMS FOR INDIVIDUAL CONSIDERATION:</b></p> <p><b><u>The purpose of a Public Hearing is to receive input and information. The City Council is always open to public comment, but wishes to clarify that their focus is on the singularly presented position, and not on the assemblage. Eliminating the repetition of statements enables the City Council to more effectively consider all presentations.</u></b></p> <p><b><u>In order to be fair to all persons who have items on the agenda or interest in one or more of the items, the Council must impose time limitations on speakers in the Public Hearings. The applicants will limit their presentations to 15 minutes with a five (5) minute rebuttal time, if needed. All other speakers will be limited to a maximum of 30 total minutes of testimony, and three minutes per individual on any single issue. Other time restraints may be imposed at the discretion of the Mayor depending on other prevailing factors. Speakers will be notified by the City Secretary when speaking time has expired.</u></b></p>	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
(1)	<p><b>Ordinance No. 2003-2-11</b> - To amend Ordinance No. 92-11-50, the existing gas franchise between the City of Plano and TXU Gas Company, to clarify revenues subject to the franchise fee, to provide for payment due dates, and to authorize the lease of facilities within the City’s rights-of-way; providing for acceptance by TXU Gas Company; and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Second reading – First reading held January 6, 2003)</p>	Adopted
(2)	<p><b>Ordinance No. 2003-2-12</b> - To amend Ordinance No. 93-7-24, the existing electric franchise between the City of Plano and Oncor Electric Delivery Company, to provide for a different method of calculating franchise fees; providing for acceptance by Oncor Electric Delivery Company; and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Second reading – First reading held January 6, 2003)</p>	Adopted
(3)	<p><b>Public Hearing and adoption of Ordinance No. 2003-2-13 as requested in Zoning Case 2002-57</b> - To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 485 so as to allow the additional use of a Private Club on 0.2± acre of land located on the northwest corner of Bishop Road and Martin Road in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #16 Applicant: The Shops at Legacy, LP (Passed Over 1-13-03)</p>	Conducted and adopted
(4)	<p><b>Public Hearing and an ordinance as requested in Zoning Case 2002-59</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 486 so as to allow the additional use of a Used Car Dealer on 2.7± acres of land located on the east side of K Avenue, 150± feet north of 11th Street in the City of Plano, Collin County, Texas, presently zoned Light Commercial; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #67. Applicant: Andrew Schultz (Passed Over 1-13-03)</p>	Tabled until 2/24/03
(5)	<p><b>Public Hearing and adoption of Ordinance No. 2003-2-14 as requested in Zoning Case 2002-60</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Heritage Resource Designation H-26 for the area bounded on the north by 15th Place, on the east by K Avenue including properties on the northeast and the southeast corner of K Avenue and 15th Street, on the south side by 14th Street, and on the west by J Avenue and the DART Right-of-Way, an addition to the City of Plano, Collin County, Texas, presently zoned Business/Government with Specific Use Permit #464 for a Private Club, and individual Heritage Resource Designations H-8 and H-9; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #59. Applicant: City of Plano</p>	Conducted and adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(6)	<p><b>Public Hearing and adoption of Ordinance No. 2003-2-15 as requested in Zoning Case 2002-61</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 487 so as to allow the additional use of a Private Club on 0.1± acre of land located on the southwest corner of Bishop Road and Kincaid Road in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #16. Applicant: The Shops at Legacy, LP (Passed Over 1-13-03)</p>	<p>Conducted and adopted</p>
(7)	<p><b>Public Hearing and adoption of Ordinance No. 2003-2-16 as requested in Zoning Case 2002-70</b> - To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, so as to rezone 8.0± acres located on the southeast corner of 18th Street and K Avenue in the City of Plano, Collin County, Texas, as more fully described in the attached Exhibit "A", from Retail to Downtown Business/Government; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Neighborhood #60. Applicant: City of Plano (Passed Over 1-13-03)</p> <p><b><u>Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. Training Room A is located on the first floor. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.</u></b></p>	<p>Conducted and adopted</p>