



CITY COUNCIL

1520 AVENUE K

DATE: April 14, 2008

CALL TO ORDER: 7:00 p.m.

INVOCATION: Pastor Gene Wilkes
Legacy Church

PLEDGE OF ALLEGIANCE: Daisy Girl Scout Troop 8859
Harrington Elementary

| ITEM NO. | EXPLANATION | ACTION TAKEN |
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| | <p>THE MISSION OF THE CITY OF PLANO IS TO PROVIDE OUTSTANDING SERVICES AND FACILITIES, THROUGH COOPERATIVE EFFORTS WITH OUR CITIZENS THAT CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.</p> <p>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p><u>PROCLAMATIONS AND SPECIAL RECOGNITION</u></p> <p>Presentation: To the City of Plano – Dallas Business Journal “Best Real Estate Deals 2007 – Best Office Deal – Newly Developed Space” for the Capital One Campus Project</p> <p>Proclamation: Sexual Assault Awareness Prevention Month – April, 2008</p> <p>Proclamation: Plano, Texas – Relay for Life Community</p> <p>Special Recognition: Parks and Recreation Department – Texas Gold Medal Award, Class 1</p> <p>Proclamation: National Library Week – 2008</p> <p><u>OATHS OF OFFICE</u></p> <p><u>North Texas Municipal Water District Board</u> A.R. Schell, III</p> <p><u>BOARD AND COMMISSION REPORT</u></p> <p>Public Art Committee – Bob Drotman, Chair</p> <p><u>COMMENTS OF PUBLIC INTEREST</u></p> <p>This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.</p> | <p>Presented</p> <p>Administered</p> <p>Received</p> <p>Received</p> |

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| | <p><u>CONSENT AGENDA</u></p> <p>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</p> | |
| (a) | <p><u>Approval of Minutes</u></p> <p>March 25, 2008 March 31, 2008</p> | <p>Approved</p> |
| | <p><u>Approval of Expenditures</u></p> <p>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</p> | |
| (b) | <p>Bid No. 2008-108-B for Windrow Compost Turner and Hose Reel to N40, Inc., in the amount of \$582,086.</p> | <p>Approved</p> |
| (c) | <p>Bid No. 2008-60-C for the purchase of Water Line Replacement & Fire Rehabilitation to Morrison Supply Co., Ferguson Waterworks, Texas Water Products, Inc., ACT Pipe and Supply, and Mainline Supply Co. in the amount of \$202,979. This project will involve the addition of fire hydrants where existing spacing is in excess of 500 ft. and include the replacement of water mains and services to enhance the City's infrastructure.</p> | <p>Approved</p> |
| (d) | <p>Bid No. 2007-15-C for an annual fixed price contract for the best value bid for Right-of-Way Landscape Maintenance – Hwy. 121 and Preston Road to DAL Technologies, Inc. in the estimated annual amount of \$118,650. This will be a two-year contract with three City optional one-year renewals.</p> | <p>Approved</p> |
| | <p>Purchase from Existing Contract/Agreement: (Purchase of products/services through Cooperative Purchasing Interlocal Contract with another governmental/quasi-governmental agency or an additional purchase from current City of Plano annual purchase agreement).</p> | |
| (e) | <p>To approve an expenditure in the amount of \$65,166 to Affiliated Telephone Inc. to replace the Norstar Key System with VOIP (Voice Over Internet Protocol) at the Haggard Library, through the Department of Information Resources (DIR) Contract and authorizing the City Manager to execute all necessary documents (DIR-SDD-289).</p> | <p>Approved</p> |
| (f) | <p>To authorize an expenditure in the amount of \$235,000 with Software House International (SHI) for Microsoft Enterprise Licensing and true-up costs for additional server and desktop products necessary for SharePoint 2007 and Exchange 2007 upgrade, through a Department of Information Resources (DIR) Contract, and authorizing the City Manager to execute all necessary documents. (SHI DIR Contract No. DIR-SDD-198).</p> | <p>Approved</p> |

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| (g) | To approve the purchase of one John Deere Excavator in the amount of \$166,171 from RDO Equipment Company through an existing contract/agreement with H-GAC Cooperative Purchase Program and authorizing the City Manager to execute all necessary documents. (EM06-08) | Approved |
| (h) | To approve the purchase of two Soil Relievers-Heavy Duty (Aerator) in the amount of \$59,400 from Professional Turf Products through an existing contract/agreement with Texas Association School Buyboard Purchase Program, and authorizing the City Manager to execute all necessary documents. (#225-05) | Approved |
| (i) | To authorize the purchase of Plano Centre Restroom Remodel in the amount of \$234,236 from Centennial contractors enterprises, inc., through The Cooperative Purchasing Network (TCPN) contract, and authorizing the City Manager to execute all necessary documents (TCPN Contract No. R4538). | Approved |
| | <u>Approval of Contract</u> | |
| (j) | To approve and authorize a contract with Freese & Nichols, Inc. to provide Engineering Services in conjunction with the Park System Pond Restoration Project in an amount not to exceed \$76,175 and authorizing the City Manager to execute any and all documents necessary to effectuate the contract. | Approved |
| | <u>Approval of Contract Modification</u> | |
| (k) | To approve Contract Modification #1 to 2007-70-C (Occupational Resource Services) to Merit Insurance Services, Inc. in the amount of \$44,885 and authorizing the City Manager to execute all necessary documents (Annual Contract with Renewals). This modification is for additional technology, installation and continuous monthly alarm system monitoring of the Occupational Resource Service Building. | Approved |
| (l) | To approve Contract Modification #1 to 2007-70-C (Claims Administration and Occupational Resource Services) to Merit Insurance Service, Inc. in the amount of \$139,025 and authorizing the City Manager to execute all necessary documents (Annual Contract with Renewals). This modification is for the upgrade of one part-time clerical position to full-time and an additional yearly expenditure for the addition of one full-time adjuster. | Approved |
| | <u>Approval of Change Order</u> | |
| (m) | To Parsons Transportation Group, Inc., increasing the Professional Services Contract by \$28,000 for Preston at Legacy Intersection Improvements, with the original contract amount of \$280,000. Contract Modification No. 1 (B113-04) | Approved |
| | <u>Adoption of Resolutions</u> | |
| (n) | Resolution No. 2008-4-1(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the State of Texas acting by and through the Department of Information Resources and the City of Plano, Texas for web security testing; authorizing its execution by the City Manager and providing an effective date. | Adopted |

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| (o) | Resolution No. 2008-4-2(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano and Collin County Sheriff’s Office to utilize Offender Watch software for registering and tracking sex offenders; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date. | Adopted |
| (p) | Resolution No. 2008-4-3(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the North Central Texas Council of Governments providing terms and conditions for the funding of a Centralized CFL Recycling Program; authorizing its execution by the City Manager and providing an effective date. | Adopted |
| (q) | Resolution No. 2008-4-4(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the North Central Texas Council of Governments providing terms and conditions for the funding of a Commercial Recycling Incentive Program; authorizing its execution by the City Manager and providing an effective date. | Adopted |
| (r) | Resolution No. 2008-4-5(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the North Central Texas Council of Governments providing terms and conditions for the funding for Multi-Family Recycling; authorizing its execution by the City Manager and providing an effective date. | Adopted |
| (s) | Resolution No. 2008-4-6(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the North Central Texas Council of Governments providing terms and conditions for the funding to facilitate public awareness and education opportunities to reduce littering and illegal dumping; authorizing its execution by the City Manager and providing an effective date. | Adopted |
| (t) | Resolution No. 2008-4-7(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the North Central Texas Council of Governments providing terms and conditions for the funding of a series of Live Green 2008 Expo recycling exhibits; authorizing its execution by the City Manager and providing an effective date. | Adopted |
| (u) | <u>Adoption of Ordinances</u> Ordinance No. 2008-4-12: To amend Section 12-104 of Article V Stopping, Standing and Parking of Chapter 12 Motor Vehicles and Traffic of the Code of Ordinances of the City of Plano by adding Section 12-104.2 to provide for regulations regarding parking in public parking lots adjacent to library buildings during specified periods; providing a repealer clause, a severability clause, a savings clause, a penalty clause, and an effective date. | Adopted |

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| (v) | Ordinance No. 2008-4-8: To amend Section 12-101 (Prohibited on Certain Streets at All Times) of Article V (Stopping, Standing, and Parking), of Chapter 12 (Motor Vehicles and Traffic) of the City of Plano Code of Ordinances, to prohibit stopping, standing, or parking of motor vehicles along the west side of Thunderbird Lane between Lexington Drive and Parker Road within the City limits of the City of Plano; declaring it unlawful and a Class C Misdemeanor to stop, stand, or park motor vehicles in said sections of Thunderbird Lane within the limits herein defined; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a severability clause, a savings clause, and an effective date. | Adopted |
| (w) | Ordinance No. 2008-4-9: To abandon all right, title and interest of the City, in and to a portion of that certain Sanitary Sewer Easement recorded in Volume 1509, Page 430 of the Land Records of Collin County, Texas, located within the City limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, Custer Highway 190 Joint Venture, to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. | Adopted |
| (x) | Ordinance No. 2008-4-10: To amend Ordinance No. 2001-6-7, Section 6-468 (Exemptions) of Article XI (Outdoor Lighting), Chapter 6 of City of Plano Code of Ordinances providing a repealer clause, a severability clause, a penalty clause, a savings clause and an effective date. | Adopted |
| (y) | Ordinance No. 2008-4-11: To transfer the sum of \$161,549 from the General Fund Unappropriated Fund Balance to the General Fund Operating Appropriation for Fiscal Year 2007-08 for the purpose of providing additional funds for increased operational costs associated with safety guidelines at the Tom Muehlenbeck Center due to higher than projected facility usage; amending the budget of the City and Ordinance 2007-9-6, as amended, to reflect the actions taken herein; declaring this action to be a case of public necessity; and providing an effective date. | Adopted |
| | <p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</p> <p>Non-Public Hearing Items: The Presiding Officer may permit limited public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.</p> | |
| (1) | Transmittal of Fiscal Year 2006-2007 Affirmative Action Report | Received |
| (2) | Public Hearing and adoption of Resolution No. 2008-4-13(R) to adopt the 2008-09 Action Plan, including the Final Statement of Community Development Block Grant (CDBG) and HOME Program Objectives and Proposed Use of \$1,690,825 in Grant Funds for Program Year 2008-09; and declaring an effective date. | Conducted and adopted |

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| (3) | Resolution No. 2008-4-14(R): To authorize the filing of applications for federal funds in an amount not to exceed \$1,690,825 under the Housing and Community Development Act, the HOME Investment Partnership Act, and the American Dream Downpayment Act; designating Thomas H. Muehlenbeck as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date. | Adopted |
| (4) | Resolution No. 2008-4-15(R): To approve the terms and conditions of Agreements between the City of Plano and various Community Organizations, providing for the expenditure of Community Development Block Grant Funds in the amount of \$363,084 and HOME Funds in the amount of \$371,097 for the provision of various community services; authorizing its execution by the City Manager, and providing an effective date. | Adopted |
| (5) | Public Hearing and consideration of ordinances as requested in Zoning Cases 2008-19 through 2008-26 all of which are limited to the repeal of certain Specific Use Permits for Private Clubs. The following ordinances are proposed to be repealed which, if approved, will result in the rescission of the Specific Use Permit for an additional use of a Private Club and the applicant is the City of Plano. | Conducted |
| (5a) | Ordinance No. 2008-4-16 as requested in Zoning Case 2008-19 - Request to rescind Specific Use Permit #443 for a Private Club on one lot on 1.5± acres located on the east side of U.S. Highway 75, 1,200± feet north of Parker Road. Zoned Corridor Commercial. | Adopted |
| (5b) | Ordinance No. 2008-4-17 as requested in Zoning Case 2008-20 - Request to rescind Specific Use Permit #445 for Private Club on one lot on 0.2± acre located 1,070± feet west of Dallas North Tollway and 790± feet north of Park Boulevard. Zoned Regional Commercial. | Adopted |
| (5c) | Ordinance No. 2008-4-18 as requested in Zoning Case 2008-21 - Request to rescind Specific Use Permit #446 for Private Club on one lot on 1.3± acres located on the east side of Dallas North Tollway, 1,600± feet south of Parker Road. Zoned Regional Employment | Adopted |
| (5d) | Ordinance No. 2008-4-19 as requested in Zoning Case 2008-22 - Request to rescind Specific Use Permit #447 for Private Club on one lot on 0.2± acre located 1,430± feet north of Park Boulevard and 895± feet west of Dallas North Tollway. Zoned Regional Commercial | Adopted |
| (5e) | Ordinance No. 2008-4-20 as requested in Zoning Case 2008-23 - Request to rescind Specific Use Permit #456 for Private Club on one lot on 2.0± acres located on the west side of U.S. Highway 75, 840± feet north of Ruisseau Drive. Zoned Corridor Commercial. | Adopted |
| (5f) | Ordinance No. 2008-4-21 as requested in Zoning Case 2008-24 - Request to rescind Specific Use Permit #457 for Private Club on one lot on 2.2± acres located on the north side of Park Boulevard, 500± feet west of Dallas North Tollway. Zoned Regional Commercial. | Adopted |

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| (5g) | Ordinance No. 2008-4-22 as requested in Zoning Case 2008-25 - Request to rescind Specific Use Permit #458 for Private Club on one lot on 0.2± acre located at the southeast corner of Legacy Drive and Bishop Road. Zoned Planned Development-65-Central Business-1. | Adopted |
| (5h) | Ordinance No. 2008-4-23 as requested in Zoning Case 2008-26 - Request to rescind Specific Use Permit #460 for Private Club on one lot on 0.1± acre located on the west side of Bishop Road, 180± feet south of Legacy Drive. Zoned Planned Development-65-Central Business-1. All of the above locations are located within the City of Plano, Collin County, Texas, and the repeal of each ordinance will amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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. | Adopted |
| (6) | Resolution No. 2008-4-24(R): To support utilization of the Burlington Northern Santa Fe Rail Line to connect the cities of Carrollton, Farmers Branch, Frisco, Irving and Plano to the Regional Commuter Rail Network; authorizing the City Manager to participate in the solicitation of consultants to prepare a business plan for the rail line; and providing an effective date. | Adopted |
| (7) | Resolution No. 2008-4-25(R): To approve a Funding Agreement among the cities of Allen, Frisco, and Plano for additional funding in the amount of \$100,000 each for final construction document and bid document development and related services for a proposed project pertaining to the Arts of Collin County Commission, Inc.; authorizing the City Manager to execute the agreement; and providing an effective date. 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/Building Inspections Training Room are 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. | Adopted |