



CITY COUNCIL

1520 AVENUE K

DATE: April 28, 2008

CALL TO ORDER: 7:00 p.m.

INVOCATION: Reverend David Batchelder
West Plano Presbyterian Church

PLEDGE OF ALLEGIANCE: Cub Scout Pack 261, Den 2
Christie Elementary

ITEM NO.	EXPLANATION	ACTION TAKEN
	<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 by the Building Inspections Department – 2007 Award of Excellence by the Building Officials Association of Texas (BOAT)</p> <p>Proclamation: National Volunteer Month – April, 2008</p> <p>Proclamation: National Historic Preservation Month</p> <p>Proclamation: Wildflower Week – 2008</p> <p><u>OATHS OF OFFICE</u></p> <p><u>Global Advisory Committee</u> Esau Liu</p> <p><u>BOARD AND COMMISSION REPORT</u></p> <p>Community Relations Commission – Bob Masengill, 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>No one appeared to speak</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
	<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>April 14, 2008</p>	Approved
	<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. 2008-131-C Ford Automobile and Light Truck OEM Parts to Bob Tomes Ford in the estimated annual amount of \$70,000. This will establish an annual fixed price contract with three optional one-year renewals.</p>	Approved
(c)	<p>Bid No. 2008-111-B, 2008 Stadium and Custer Pump Station Irrigation Project to Cole Construction, Inc., in the amount of \$119,290. This project involves the installation of new irrigation systems for landscaping at the Stadium and Custer ground storage pump stations.</p>	Approved
(d)	<p>Bid No. 2008-137-B 2007-2008 Residential Concrete Pavement Rehabilitation Project, Zone L7 to Jerusalem Corporation in the amount of \$433,224. This project involves the repair of residential street and alley pavement in the area bounded by Spring Creek Parkway on the south, Custer Road on the west, Legacy Drive on the north and Alma Road on the east.</p>	Approved
(e)	<p>Bid No. 2008-138-B, 2007-2008 Residential Concrete Pavement Rehabilitation Project, Zone Q3 to Jerusalem Corporation in the amount of \$632,215. This project involves the repair of residential street and alley pavement in the area bounded by 14th Street on the south, Shiloh Road on the west, Rowlett Creek on the north and Los Rios Boulevard on the east.</p>	Approved
	<p><u>Cancellation of Award</u></p> <p>Cancellation of CSP No. 2008-69-B for tree replacement contract to Fannin Tree Farm in the amount of \$160,000.</p>	Approved
	<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>	
(g)	<p>To authorize the purchase of Plano City Jail Addition in the amount of \$112,813 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)</p>	Approved

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(h)	<p><u>Approval of Contract</u></p> <p>To approve and authorize a contract with F & S Partners, Incorporated (RFQ 2008-54-B) to provide architectural services for the Carpenter Park Recreation Center expansion project in an amount not to exceed \$70,000 and authorizing the City Manager to execute any and all documents necessary to effectuate the contract.</p>	Approved
(i)	<p><u>Approval of Change Order</u></p> <p>To JRJ Paving, L.P., increasing the contract by \$82,236 for the 15th Street Reconstruction (Avenue G to Avenue I), Change Order No. 2. (Original Bid No. 2006-237-B). This change order is for revising the scope of work to include additional water main, storm sewer and changing the sidewalk pavers from a concrete to a clay brick paver.</p>	Approved
(j)	<p><u>Adoption of Resolutions</u></p> <p>Resolution No. 2008-4-26(R): To approve and grant a 548 square foot access easement to 15th Street Village, L.P. on City property in the northwest corner of Lot 1, Block 1, Plano Justice Center Addition as recorded in Cabinet O, Page 516 of the Land Records of Collin County, Texas, authorizing its execution by the City Manager, and providing an effective date.</p>	Adopted
(k)	<p>Resolution No. 2008-4-40(R): To authorize the purchase of dry kiln cement as the base bid, with an alternative bid for the purchase of cement from an unspecified source and the giving of a preference to bid evaluations for cement produced at facilities that produce cement with the emissions rates that meet 1.7 pounds of nitrogen oxide (NOx) per ton of clinker or less on City construction bids (preference may only be given if the cost for the goods or services would not exceed 105% of the cost of the goods or services provided by a vendor who does not meet the standards); authorizing the City Manager to approve any documents necessary to effectuate this resolution. This resolution shall become effective immediately upon passage.</p>	Adopted
(l)	<p>Resolution No. 2008-4-41(R): To approve the terms and conditions of a Wayside Horn Agreement between The Kansas City Southern Railway Company and the City of Plano; authorizing its execution by the City Manager, and providing an effective date.</p>	Adopted
(m)	<p>Resolution No. 2008-4-27(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and the Dallas County Community College District on behalf of Richland College, providing terms and conditions for Educational Services, authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(n)	<p>Resolution No. 2008-4-28(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and the Collin County Community College District, providing terms and conditions for Educational Services, authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(o)	Resolution No. 2008-4-29(R): To authorize continued participation with the Steering Committee of Cities Served by Oncor; and authorizing the payment of 10 cents per capita to the Steering Committee to fund regulatory and related activities related to Oncor Electric Delivery; authorizing its execution by the City Manager, and providing an effective date.	Adopted
(p)	Resolution No. 2008-4-30(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Natural Polymer International Corporation, authorizing its execution by the City Manager; and providing an effective date.	Adopted
(q)	Resolution No. 2008-4-31(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between Capital One, National Association, along with Capital One Auto Finance, Inc. and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(r)	Resolution No. 2008-4-32(R): To approve the terms and conditions of an Amendment to Economic Development Incentive Agreement by and between Capital One, National Association and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date	Adopted
(s)	Resolution No. 2008-4-33(R): To approve an Assignment of a Tax Abatement Agreement from The Shops at Legacy, L.P. to The Shops at Legacy (Inland) L.P.; and providing an effective date.	Adopted
(t)	<u>Adoption of Ordinances</u> Ordinance No. 2008-4-34: To amend Ordinance No. 2007-5-20 relating to City of Plano Retirement Security Plan as restated January 1, 2007 as follows: the first paragraph of Section 6.6 "Maximum Annual Benefit Under Code Section 415" and Subsection 6.6(a)(2)(d) "Limitation on Benefits, Maximum Permissible Benefit" in Article VI "Amount of Retirement Benefits" to comply with Code 415 of the Internal Revenue Regulations; Subsection 8.6(2) "Eligible Retirement Plan" and Subsection 8.6(3) "Distributee" of Section 8.6 "Direct Rollover Options for Eligible Rollover Distributions" in Article VIII "Other Optional Forms of Payment" in order to comply with the Internal Revenue Service Code Regulations and to allow certain lump sum distributions to be placed in a Roth IRA by non-spouse beneficiaries, all of these changes effective January 1, 2008; authorizing its execution by the City Manager; providing a repealer clause, a severability clause, a savings clause, and an effective date	Adopted
(u)	Ordinance No. 2008-4-35: To repeal in its entirety, City of Plano Ordinance No. 2004-8-8 and Ordinance No. 2006-8-16 codified as Article II, Building Code, of Chapter 6 of the Code of Ordinances; and adopting the 2006 Edition of the International Building Code, with certain additions, deletions and amendments, as the Building Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, and an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(v)	<p>Ordinance No. 2008-4-36: To repeal in its entirety, City of Plano Ordinance No. 2004-8-12 codified as Article XIX, Fuel Gas Code, of Chapter 6 of the Code of Ordinances; and adopting the 2006 Edition of the International Fuel Gas Code, with certain additions, deletions and amendments, as the Fuel Gas Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, and an effective date.</p>	<p>Adopted</p>
(w)	<p>Ordinance No. 2008-4-37: To repeal in its entirety, City of Plano Ordinance No. 2004-8-14 codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City; and adopting the 2006 Edition of the International Mechanical Code, with certain additions, deletions, and amendments, as the Mechanical Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, and an effective date.</p>	<p>Adopted</p>
(x)	<p>Ordinance No. 2008-4-38: To repeal in its entirety, City of Plano Ordinance No. 2004-8-11 and Ordinance 2007-11-9 codified as Division 2, Plumbing Code, of article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances; and adopting the 2006 Edition of the International Plumbing Code, with certain additions, deletions and amendments, as the Plumbing Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, and an effective date.</p>	<p>Adopted</p>
(y)	<p>Ordinance No. 2008-4-39: To repeal in its entirety, City of Plano Ordinance No. 2004-8-9 and Ordinance No. 2007-11-10 codified as Article XX, Residential Code, of Chapter 6 of the Code of Ordinances; and adopting the 2006 Edition of the International Residential Code, with certain additions, deletions and amendments, as the Residential Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, and an effective date.</p>	<p>Adopted</p>
	<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)	<p>Second Reading and adoption of Ordinance No. 2008-4-42 to amend Section 3 of Ordinance No. 2003-6-3 to extend the non-exclusive franchise granted to Denton County Electric Cooperative, Inc., d/b/a CoServ Electric, a Texas Corporation to use the present and future streets, avenues, alleys, roads, highway, sidewalks, easements and other public rights-of-way in the City of Plano, Collin County, Texas, for the purposes of constructing and operating an electric distribution system in the City of Plano which is set to expire on or about June 9, 2008; and providing a repealer clause, a severability clause and an effective date. (First reading approved March 25, 2008)</p>	<p>Adopted</p>

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(2)	First Reading of an ordinance to amend Ordinance No. 2006-8-10 between the City and Atmos Energy Corporation, a Texas and Virginia Corporation, to provide for a different consideration; providing for acceptance by Atmos Energy Corporation; finding and determining that the meeting at which this ordinance is passed is open to the public as required by law; providing a repealer clause, a severability clause, and an effective date.	Approved
(3)	Public Hearing and adoption of Ordinance 2008-4-43 to designate a certain area within the City of Plano as Reinvestment Zone No. 111 for a Tax Abatement consisting of a 24.850 acre tract of land located north of Hedgcoxe Road between Preston Road and Dominion Parkway, in the City of Plano, Texas, establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date.	Conducted and adopted
(4)	Resolution No. 2008-4-44(R): To approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, Texas, and Capital One, National Association, a National Banking Association, along with Capital One Auto Finance, Inc., a Texas Corporation, and providing for a business personal property tax abatement, and authorizing its execution by the City Manager; and providing an effective date.	Adopted
(5)	Public Hearing on an application for the adoption of a Municipal Setting Designation ordinance for a 1.9317 acre tract of land located at the southeast corner of Plano Parkway and K Avenue, as requested by Quik Trip Corporation.	Conducted
(6)	Resolution No. 2008-4-45(R): To support the application of Quik Trip Corporation to the Texas Commission on Environmental Quality for certification of a Municipal Setting Designation on 1.9317 acres at the southeast corner of East Plano Parkway and Avenue K; and providing an effective date.	Adopted
(7)	Ordinance No. 2008-4-46: To prohibit the use of designated groundwater from beneath a 1.9317 acres generally located at southeast corner of East Plano Parkway and Avenue K and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality; providing a penalty clause; providing a saving clause; providing a severability clause; and providing an effective date.	Adopted
(8)	Public Hearing and consideration of ordinances as requested in Zoning Cases 2008-08 and 2008-28 through 2008-35 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 and ordinances adopted
(8a)	Adoption of Ordinance No. 2008-4-47 as requested in Zoning Case 2008-08 – Request to rescind Specific Use Permit #408 for Private Club on one lot on 0.2± acre located on the west side of Preston Road, 112± feet north of Lorimar Drive. Zoned Planned Development-447-Retail/Multifamily Residence-2.	Adopted
(8b)	Adoption of Ordinance No. 2008-4-48 as requested in Zoning Case 2008-28 – Request to rescind Specific Use Permit #461 for Private Club on one lot on 2.9± acres located at the northwest corner of Park Boulevard and the Dallas North Tollway. Zoned Regional Commercial.	Adopted

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(8c)	Adoption of Ordinance No. 2008-4-49 as requested in Zoning Case 2008-29 – Request to rescind Specific Use Permit #462 for Private Club on one lot on 0.1± acre located on the west side of Bishop Road, 220± feet south of Legacy Drive. Zoned Planned Development-65-Central Business-1.	Adopted
(8d)	Adoption of Ordinance No. 2008-4-50 as requested in Zoning Case 2008-30 – Request to rescind Specific Use Permit #464 for Private Club on one lot on 0.1± acre located on the north side of 15th Street, 50± feet west of K Avenue. Zoned Downtown Business/Government w/Heritage Resource Designation #26.	Adopted
(8e)	Adoption of Ordinance No. 2008-4-51 as requested in Zoning Case 2008-31 – Request to rescind Specific Use Permit #466 for Private Club on one lot on 0.2± acre located on the south side of Legacy Drive, 245± feet east of Bishop Road. Zoned Planned Development-65-Central Business-1.	Adopted
(8f)	Adoption of Ordinance No. 2008-4-52 as requested in Zoning Case 2008-32 – Request to rescind Specific Use Permit #472 for Private Club on one lot on 1.1± acres located on the east side of U.S. Highway 75, 1,300± feet north of Parker Road. Zoned Corridor Commercial.	Adopted
(8g)	Adoption of Ordinance No. 2008-4-53 as requested in Zoning Case 2008-33 – Request to rescind Specific Use Permit #476 for Private Club on one lot on 1.6± acres located on the north side of Park Boulevard, 300± feet west of Preston Road. Zoned Planned Development-68-Retail.	Adopted
(8h)	Adoption of Ordinance No. 2008-4-54 as requested in Zoning Case 2008-34 – Request to rescind Specific Use Permit #479 for Private Club on one lot on 0.1± acre located on the north side of Granite Parkway, 290± feet east of Dallas North Tollway. Zoned Central Business-1.	Adopted
(8i)	Adoption of Ordinance No. 2008-4-55 as requested in Zoning Case 2008-35 – Request to rescind Specific Use Permit #485 for Private Club on one lot on 0.3± acre located at the northwest corner of Bishop Road and Martin Road. Zoned Planned Development-65-Central Business-1.	Adopted
	<p>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.</p> <p>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.</p>	