



CITY COUNCIL

1520 AVENUE K

DATE: May 11, 2009

CALL TO ORDER: 7:00 p.m.

INVOCATION: Reverend Shannon Grubbs
First Christian Church Plano

PLEDGE OF ALLEGIANCE: Jr. Girl Scout Troop 68

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 & SPECIAL RECOGNITION</u></p> <p>Presentation: 2009 Paul L. Standberry Scholarship Award</p> <p>Proclamation: Public Service Recognition Week - 2009</p> <p>Special Recognition: 2009 Employee of the Year – Joan Shopoff</p> <p>Special Recognition of Mayor Pat Evans by the Arts of Collin County Commission, Inc.</p> <p><u>OATHS OF OFFICE</u></p> <p><u>Civil Service Commission</u> David M. O’Dens</p> <p><u>CERTIFICATES OF APPRECIATION</u></p> <p><u>Cultural Affairs Commission</u> A. Basit Siddiqui</p> <p><u>COMMENTS OF PUBLIC INTEREST</u></p> <p><u>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.</u></p>	<p>Presented</p> <p>Administered</p> <p>Presented</p> <p>Received</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>CONSENT AGENDA</u></p> <p><u>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.</u></p> <p><u>Approval of Minutes</u></p> <p>(a) April 27, 2009</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> <p>(b) Bid No. 2009-91-B for Legacy Greenbelt Extension to Irricon Construction in the total amount of \$746,265. This amount includes the base bid of \$647,765 and Alternates 1 and 2. This project includes new trail construction from Ohio Drive to Preston Road with undercrossings of Preston Road, Hedgcoxe Road and Ohio Drive; pedestrian bridge; gabion baskets and a large retaining wall adjacent to the trail will also be constructed. The alternate bid items are for a stone face treatment to the gabion baskets and stone facing on the concrete retaining wall.</p> <p>(c) Bid No. 2009-86-C for Auto & Truck Non-OEM Parts to O'Reilly Auto Parts in the estimated annual amount of \$100,000. This will establish an annual contract with a fixed price percentage discount off list price, with three optional one-year renewals.</p> <p>(d) Bid No. 2009-101-B for 2008-09 Arterial Concrete Pavement Rehab, Legacy Drive and Preston Meadow Drive, Project No. 5974 to Advanced Paving Acquisitions LTD, DBA as Advanced Paving Company in the amount of \$373,467. This project involves the replacement of arterial street pavement, curb and gutter, sidewalk repair and barrier free ramp construction on Legacy Drive between Independence Parkway and Coit Road and on Preston Meadow Drive between Parker Road and Quincy Drive.</p> <p>Purchase from an Existing Contract</p> <p>(e) To approve the purchase of Gasoline Fuel in the estimated annual amount of \$500,000 from Martin Eagle Oil Company through an existing contract/agreement with City of Fort Worth contract; and the City Manager is hereby authorized to execute all necessary documents (Bid No. 08-0259). The contract term is 12/17/08 to 12/16/09 for a term of one year with options to renew for four additional one-year periods for the purchase of gasoline fuel.</p> <p>(f) To approve the purchase of Diesel Fuel in the estimated annual amount of \$500,000 from Martin Eagle Oil Company through an existing contract/agreement with City of Fort Worth contract, and the City Manager is hereby authorized to execute all necessary documents (Bid No. 08-0008). The contract term is 3/9/09 to 3/8/10 for a term on one year with options to renew for three additional one-year periods for the purchase of diesel fuel.</p>	<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(g)	<p>To authorize the purchase and installation of System Asset Management System Software in the amount of \$119,606 from Cima Solutions Group, LTD, through a Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-841).</p> <p>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</p>	Approved
(h)	<p>To approve a Professional Services Contract by and between the City of Plano and James Duncan and Associates, Inc. (d/b/a Duncan Associates), in the amount of \$75,000 for updating and reformatting the text, page layout, illustrations and graphics and preparing updated use tables and definitions for the City's Zoning and Development Regulations, and authorizing the City Manager to execute all necessary documents.</p> <p><u>Adoption of Resolutions</u></p>	Approved
(i)	<p>Resolution No. 2009-5-1(R): To approve the terms and conditions of an amendment to a Police/School Liaison Interlocal Agreement by and between the Plano Independent School District and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(j)	<p>Resolution No. 2009-5-2(R): To approve the terms and conditions of an amendment to a Police/School Liaison Interlocal Agreement by and between the Frisco Independent School District and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(k)	<p>Resolution No. 2009-5-3(R): To approve the Investment Portfolio Summary for the quarter ending March 31, 2009; and providing an effective date.</p>	Adopted
(l)	<p>Resolution No. 2009-5-4(R): To approve an amendment to the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Invensys Systems, Inc., a Massachusetts corporation; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(m)	<p>Resolution No. 2009-5-5(R): To approve the terms and conditions of a second amendment to the Development Agreement between the City of Plano, Texas, and Pinnacle AMS Development Company, LLC, for development of Eastside Station – Plano; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(n)	<p>Resolution No. 2009-5-6(R): To authorize the City Attorney to file suit against Plano International Preschool, Inc. and any other responsible persons and/or entities to recover funds provided under the Community Development Block Grant Program; and providing an effective date.</p> <p><u>Adoption of Ordinances</u></p>	Adopted
(o)	<p>To repeal Ordinance No. 2009-2-14, entitled "Health Categories and Fees"; and replacing with this ordinance, to be entitled "Health Categories and Fees" to provide the addition of Industrial User Fees for permitted industries; providing a repealer clause, a severability clause, and an effective date.</p>	Pulled and held

ITEM NO.	EXPLANATION	ACTION TAKEN
(p)	<p>Ordinance No. 2009-5-7: To amend Section 3-6 of Chapter 3. Alcoholic Beverages of the Code of Ordinances of the City of Plano regarding consumption of alcoholic beverages in certain public places; providing a repealer clause, a savings clause; a severability clause; a penalty clause; and providing an effective date.</p>	<p>Adopted</p>
(q)	<p>Ordinance No. 2009-5-8: To abandon all right, title and interest of the City, in and to that certain 22' Drainage Easement recorded in Volume 5949, Page 29 and a portion of that 70' Temporary Drainage Easement recorded in Volume 5949, page 46 of the Land Records of Collin County and being situated in the M.C. Vela Survey, Abstract No. 935, which are located within the city limits of Plano, Collin County, Texas, quitclaiming all right, title and interest of the City in such easements to the abutting property owners, Acres of Sunshine, Ltd. and Windhaven Development, Ltd., to the extent of its interest, authorizing the City Manager to execute any documents deemed necessary, and providing an effective date.</p>	<p>Adopted</p>
(r)	<p>Ordinance No. 2009-5-9: To amend Section 12-101 of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to prohibit stopping, standing, or parking of motor vehicles on certain sections of Placid Avenue and Mosswood Drive, within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; providing a fine for criminal penalties not to exceed \$200 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>	<p>Adopted</p>
(s)	<p>Ordinance No. 2009-5-10: To amend Section 114.1 of Chapter 12, Motor Vehicles and Traffic of the Code of Ordinances of the City of Plano to prohibit stopping, standing, or parking of a vehicle with a gross vehicle weight rating of 10,000 pounds or more on certain sections of Wedgewood Drive within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to park vehicles with gross vehicle weight ratings of 10,000 pounds or more upon such sections of such roadway within the limits herein defined; providing a fine for criminal penalties not to exceed \$200 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>	<p>Adopted</p>
<p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p>		
<p><u>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.</u></p>		
<p><u>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.</u></p>		

ITEM NO.	EXPLANATION	ACTION TAKEN
(1)	To approve a Professional Services Agreement by and between Weibring-Wolfard Golf Design, Inc. and the City of Plano, Texas in the amount of \$876,200 for Pecan Hollow Golf Course Renovation (RFQ #208-55B) and authorizing the City Manager to execute all necessary documents (Tabled 4/27/09).	Approved
(2)	Resolution No. 2009-5-11(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Symon Communications, Inc., a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(3)	Public Hearing and adoption of Resolution No. 2009-5-12(R) to adopt the 2008-09 Action Plan, including proposed uses of \$509,050 in additional grant funds for Program Year 2008-09; and declaring an effective date.	Conducted and Adopted
(4)	Resolution No. 2009-5-13(R): To authorize the filing of applications for Federal Funds in an amount not to exceed \$1,755,741 under the Housing and Community Development Act and the HOME Investment Partnership Act and \$509,050 under the American Recovery and Reinvestment 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
(5)	Public Hearing and adoption of Ordinance No. 2009-5-14 as requested in Zoning Case 2009-02 to amend Section 3.1200 (Landscaping Requirements) 6. (Landscape Plan Approval) c. of Article 3 (Supplementary Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, regarding the estimation of annual landscape water requirements; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano	Conducted and Adopted
(6)	Public Hearing and adoption of Ordinance No. 2009-5-15 as requested in Zoning Case 2009-04 to amend Subsection 3.1602 (Definitions) and Subsection 3.1603 (Design and Construction Specifications) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations); Subsection 4.506 of Section 4.500 (Preston Road Overlay District), Subsection 4.606 of Section 4.600 (Dallas North Tollway Overlay District), Subsection 4.706 of Section 4.700 (190 Tollway/Plano Parkway Overlay District), Subsection 4.806 of Section 4.800 (State Highway 121 Overlay District), Subsection 4.905 of Section 4.900 (Parkway Overlay District) of Article 4 (Special District Regulations), Subsection 2.826 (RT-Research/Technology Center) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended regarding signage; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano	Conducted and Adopted with revision
(7)	Public Hearing and adoption of Ordinance No. 2009-5-16 to revise Section 6-488. Banners of Article XII. Temporary Signs of Chapter 6. Buildings and Building Regulations of the Code of Ordinances of the City of Plano; providing a repealer clause, a severability clause, a penalty clause, a publication clause, and an effective date. Applicant: City of Plano	Conducted and Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(8)	<p>Public Hearing and adoption of Ordinance No. 2009-5-17 as requested in Zoning Case 2009-06 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to expand Specific Use Permit No. 598 from 1.9± acres of land to 3.9± acres of land, located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive in the City of Plano, Collin County, Texas, presently zoned Planned Development-320-Estate Development with Specific Use Permit #598 for Day Care Center, 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. Applicant: Bruce Kinna</p> <p><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/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.</u></p>	<p>Conducted and Adopted</p>