

CITY COUNCIL

1520 AVENUE K

DATE: June 24, 2002

CALL TO ORDER: 7:00 p.m.

INVOCATION: Associate Pastor Josef Vollmer-Konig
Prince of Peace Catholic Community

PLEDGE OF ALLEGIANCE: Cub Scout Pack 25
Custer Road United Methodist Church

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><u>PROCLAMATIONS AND SPECIAL RECOGNITION</u></p> <p>“City Council Volunteer of the Month”</p> <p><u>OATHS OF OFFICE</u></p> <p><u>International Business Protocol Task Force</u> Dick Bode John R. Roach, Jr. Steve Hardy Sally Bane Irma Landis Don Mellor J. D. Williams George Wong Mary Alice Garza Jim Boswell Grady Searcy Shyrle Searcy Larry Flannery</p> <p>GENERAL DISCUSSION</p> <p>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.</p> <p>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.</p> <p>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>CONSENT AGENDA</p> <p><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></p>	
(a)	<p>Approval of Minutes</p> <p>June 10, 2002 June 15, 2002</p>	Approved
(b)	<p><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></p> <p>Bid No. B097-02 for Construction of Riverbend Lakes 2002 in the amount of \$116,382. (The project consists of the reconstruction of combination concrete bag and gabion pond walls along Prairie Creek in the Riverbend Lakes subdivision. Homeowners will participate 50% of this amount.)</p>	Approved
(c)	<p>Bid No. P094-02 for the (Legacy Drive) Arterial Concrete Replacement Contract 2001-02, Phase II within the City of Plano in the amount of \$444,250. This project will involve replacement of street pavement sections on Legacy Drive between US 75 and SH 121 and various other locations that may be identified by the City where repairs are needed.</p>	Approved
(d)	<p>Bid No. C079-02 for Median and Right-of-Way Maintenance on Spring Creek Parkway in the estimated annual amount of \$47,923 for an annual contract with renewals.</p>	Approved
(e)	<p>Bid No. B087-02 for a 25 Passenger Bus for the Senior Services Department in the amount of \$38,337.</p>	Approved
(f)	<p>Bid No. C083-02 for Ammunition for Police Department in the estimated annual amount of \$147,047.</p>	Approved
	<p><u>Adoption of Resolutions</u></p>	
(g)	<p>Resolution No. 2002-6-16(R): To support the Dallas Regional Mobility Coalition's request that the Texas Transportation Commission take no final action on its proposed frontage road policy until all rules and regulations have been finalized and all details relating to the policy have been approved by the parties responsible for implementing the policy; and providing an effective date.</p>	Adopted
(h)	<p>Resolution No. 2002-6-17(R): To affirm the appointment of a shared board member with the cities of Cockrell Hill, Dallas, and Glenn Heights to serve on the Dallas Area Rapid Transit Authority (DART) Board of Directors as provided in Chapter 452 of the Texas Transportation Code and providing an effective date.</p>	Adopted
(i)	<p>Resolution No. 2002-6-18(R): To appoint a board member to serve on the Dallas Area Rapid Transit Authority (DART) Board of Directors as provided in Chapter 452 of the Texas Transportation Code and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(j)	Resolution No. 2002-6-19(R): To approve the purchase of Gold Elite Radio Console Electronics (for Public Safety Communications) from Motorola Communications and Electronics Incorporated (in the amount of \$38,897); a sole-source provider, authorizing the City Manager to take such action as is necessary to effectuate the purchase; and providing an effective date.	Adopted
(k)	Resolution No. 2002-6-20(R): To endorse legislation to amend the Development Corporation Act of 1979 to further promote economic development, provide for greater accountability and reporting of tax incentives, and promote the expansion of metropolitan transit authorities; and providing an effective date.	Adopted
(l)	Resolution No. 2002-6-21(R): To express the City of Plano's commitment to complying with the Electric Consumption Reduction Requirements of Senate Bill 5 (relating to the Texas Emissions Reduction Plan); and providing an effective date.	Adopted
(m)	Resolution No. 2002-6-22(R): To deny TXU Gas Distribution's request to change rates in the North Texas Metroplex Distribution System; requiring prompt reimbursement of cities' rate case expenses; and providing an effective date.	Adopted
(n)	Resolution No. 2002-6-23(R): To approve the assignment of the tax abatement agreement by and between the City of Plano, Texas, the County of Collin, the Collin County Community College District, and Alcatel USA Sourcing, L.P. to Capital One Services, Inc.; approving an amendment to the tax abatement agreement to revise the notification information; and providing an effective date.	Adopted
(o)	Resolution No. 2002-6-24(R): To approve an economic development program agreement between Capital One Services, Inc., a Delaware Corporation, the City of Plano, Collin County and Collin County Community College District of Collin County, Texas, which agreement provides for an economic redevelopment incentive in the form of a partial tax rebate for adding business personal property to Reinvestment Zone No. 59 and creating additional employment; further authorizing the execution of this agreement by the City Manager; and providing an effective date.	Adopted
(p)	Resolution No. 2002-6-25(R): To approve the terms and conditions of a real estate contract by and between the City of Plano, Texas, and the trustees of the Darla C. Brodsky Irrevocable Marital Deduction Trust; Virginia Maxwell-Hale, Trustee; Ziff Investment Partners, and Robert J. Ziff; for the purchase of 3.215 acres of land being right-of-way for the south side of Spring Creek Parkway, west of the Dallas North Tollroad, in the City of Plano, Collin County, Texas; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(q)	Resolution No. 2002-6-26(R): To approve the terms and conditions of a real estate contract by and between the City of Plano, Texas, and John W. Jolly and Jon H. Jolly for the purchase of 1.102 acres of land for right-of-way for the west side of Los Rios Boulevard, south of Kite Landing, in the City of Plano, Collin County, Texas; authorizing its execution by the City Manager; and providing an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Adoption of Ordinances</u></p>	
(r)	<p>Ordinance No. 2002-6-27: To determine the public use, need and necessity for the acquisition of fee simple title to a 36.898 acre (1,607,277 square feet) tract of land located south of Morton Vale Road and 1,000 feet east of Jupiter Road in the City of Plano, Collin County Texas; a 26.994 acre (1,175,875 square feet) tract of land located south of Morton Vale Road and 3,000 feet east of Jupiter Road, in the City of Plano, Collin County, Texas; a 1.024 acre (44,621 square feet) tract of land and a 0.448 acre (19,532 square feet) tract of land both of which are east of Morton Vale Road and approximately 4,000 feet north of Parker Road, in the City of Plano, Collin County, Texas; for park purposes and for the purpose of constructing, reconstructing and maintaining street and highway facilities and related public improvements in the City of Plano, Collin County, Texas; authorizing the City Attorney to file proceedings in eminent domain to acquire the needed real property; and providing an effective date.</p>	Adopted
(s)	<p>Ordinance No. 2002-6-28: To determine the public use, need and necessity for the acquisition of fee simple title to a 29.275 acre (1,275,222 square feet) tract of land located 400 feet northwest of the corner of Morton Vale Road and Parker Road, in the City of Plano, Collin County, Texas; for park purposes and for the purpose of constructing, reconstructing and maintaining street and highway facilities and related public improvements in the City of Plano, Collin County, Texas; authorizing the City Attorney to file proceedings in eminent domain to acquire the needed real property; and providing an effective date.</p>	Adopted
(t)	<p>Ordinance No. 2002-6-29: To determine the public use, need and necessity for the acquisition of fee simple title to a 5.751 acre (250,524 square feet) tract of land, a 6.779 acre (295,293 square feet) tract of land, and a 10.435 acre (454,528 square feet) tract of land all of which are west of Morton Vale Road and approximately 3,000 feet north of Parker Road, in the City of Plano, Collin County, Texas for park purposes and related public improvements in the City of Plano, Collin County, Texas; authorizing the City Attorney to file proceedings in eminent domain to acquire the needed real property; and providing an effective date.</p>	Adopted
(u)	<p>Ordinance No. 2002-6-30: To establish a right-of-way beautification program for homeowners associations; establishing a monthly fee for irrigation meters that participating homeowners associations will be charged and establishing the minimum requirements for participation in the program; and providing an effective date.</p>	Adopted
(v)	<p>Ordinance No. 2002-6-31: To determine the public use, need and necessity for the acquisition of fee simple title to a 0.763 acre (33,224 square feet) tract of land located approximately 200 feet north of the intersection of Morton Vale Road and Jupiter Road, in the City of Plano, Collin County, Texas, and a 0.462 acre (20,113 square feet) tract of land located approximately 200 feet north of the intersection of Morton Vale Road and Jupiter Road, in the City of Plano, Collin County, Texas, for the purpose of constructing, reconstructing and maintaining street and highway facilities and related public improvements in the City of Plano, Collin County, Texas; authorizing the City Attorney to file proceedings in eminent domain to acquire the needed real property; and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(w)	<p><u>Award of Contract</u></p> <p>To approve and authorize for the selection of Parsons Transportation Group, Inc. to provide Professional Engineering Services for an amount not to exceed \$80,253 in connection with the Spring Creek Parkway Overpass Study and authorizing the City Manager to execute all necessary documents to effectuate the contract.</p>	Approved
(x)	<p>To approve and authorize Phase II of a professional transportation engineering services contract with Jacobs Civil, Inc. for Plano’s US 75 Ramp Improvement Project, and to authorize the City Manager to execute a Professional Engineering Services Contract with Jacobs Civil, Inc. in an amount not to exceed \$98,092.</p>	Approved
(y)	<p>To award contract for the purchase of fuel and fuel dispensing services in the estimated annual amount of \$945,000, through an interlocal agreement with Tarrant County and authorizing the City Manager to execute all documents necessary to effectuate the purchase.</p>	Approved
(z)	<p><u>Approval of Agreement</u></p> <p>To approve and authorize the selection of Environmental Concepts & Designs, LTD. to provide professional consulting in technical and marketing services that will enable the City to develop and promote a successful program utilizing compost as erosion control and as a soil amendment for residential, commercial and institutional properties in the amount of \$83,865; authorizing the City Manager to execute any and all documents necessary to effectuate this action; and providing an effective date.</p>	Approved
(aa)	<p><u>Approval of Change Order</u></p> <p>To Tri-Con Services, Inc., increasing the contract by \$38,365 for Street Reconstruction – Edgefield Drive, Kirmwood Drive and Westwood Drive, Change Order No. 6 (Bid No. B169-01)</p>	Approved
(bb)	<p><u>Approval of Reimbursement of Oversize Participation</u></p> <p>To approve and authorize reimbursement to Copacabana Corporation, Inc. for oversize participation for drainage, park improvements and parkland cost associated with construction of Crystal Creek Addition in the amount of \$194,391.</p>	Approved
	<p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p><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></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><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></p>	
(1)	<p>Public Hearing and adoption of Ordinance No. 2002-6-32 to request to establish and designate a certain area within the City of Plano as Reinvestment Zone No. 69 for commercial/industrial tax abatement consisting of a 3.568-acre tract of land located at 1331 East Plano Parkway, Suite #B, in the City of Plano, Texas, establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date.</p>	<p>Conducted and adopted</p>
(2)	<p>Resolution No. 2002-6-33(R): To approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, the Collin County Community College District, and 1331, Ltd. and American Electro-Mechanical Corp. dba American Tool & Fastener, and providing for a commercial/industrial tax abatement for 1331, Ltd. and American Electro-Mechanical Corp. dba American Tool & Fastener, and authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>
(3)	<p>Public Hearing and adoption of Ordinance No. 2002-6-34 as requested in Zoning Case 2002-13 - A request to amend Subsection 3-1601 (Administration) H. (Exempt Signs) 20., Subsection 3-1602 (Definitions) 4., 11., and 61., Subsection 3-1603 (Design and Construction Specifications) A. (Requirements for Wall Signs) 2. (Wall Signs) b. and e., 3. (Projection Over Private Property), and 5 (Canopy Signs); B. (Freestanding Signs) 5. (Institution Signs), 6. (Multi-Purpose Signs) e., and 11. (Menu Board Sign); D. (Miscellaneous Requirements of Freestanding Signs) 10. and 11.; E. (Temporary Signs) 10. (Special Event Signage); H. (Reader Boards/Electronic Message Center), Subsection 3-1604 (General) C. (Prohibited Signs) 4. (Portable Signs), 15. and 19., Subsection 3-1605 (Downtown Sign District) G. (Sign Standards) 6. (Building Identification Sign), 15. (Projecting Signs), 16. (Wall Signs Attached), and 17. (Wall Signs, Painted) of Section 3-1600 (Sign Regulations) of Article 3 (Supplementary Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano Tabled 05-28-02 and 06-10-02</p>	<p>Conducted and adopted with revision</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(4)	<p>Public Hearing and adoption of Ordinance No. 2002-6-35 as requested in Zoning Case 2002-11 - To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, so as to rezone 21.1± acres located on the south side of Alliance Boulevard, 600± feet east of Preston Road in the City of Plano, Collin County, Texas, from Planned Development-350-Retail/Office-2 with Specific Use Permit No. 164 for an Outdoor Commercial Amusement Facility (PD-350-R/O-2 w/SUP #164) to Planned Development-138-Retail/Office-2 with Specific Use Permit No. 164 for an Outdoor Commercial Amusement Facility (PD-138-R/O-2 w/SUP #164) to accommodate the development of a hospital; 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: Rinker Properties Company Tabled 06-10-02</p>	<p>Conducted and adopted with revision</p>
(5)	<p>Public Hearing and adoption of Ordinance No. 2002-6-36 to amend the “Education,” Element of the Comprehensive Plan as originally adopted by Resolution No. 87-2-21(R); providing procedures approving the utilization of said element as revised and amended by the appropriate personnel and departments of the City of Plano for the purpose of guiding future development within the City of Plano, Texas; and providing an effective date. Applicant: City of Plano</p>	<p>Conducted and adopted</p>
(6)	<p>Public Hearing and adoption of Ordinance No. 2002-6-37 as requested in Zoning Case 2002-18 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 471 so as to allow the additional use of a Private Recreation Facility on one lot on 0.4± acre on the northwest corner of New College Lane and Colorado Lane in the City of Plano, Collin County, Texas, presently zoned Single-Family-6; 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. Zoned Single-Family-6. Neighborhood #6. Applicant: Shaddock Companies</p>	<p>Conducted and adopted</p>
(7)	<p>Public Hearing and adoption of Ordinance No. 2002-6-38 as requested in Zoning Case 2002-20 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, so as to rezone three lots on 7.6± acres on the northeast corner of Jupiter Road and Summit Avenue in the City of Plano, Collin County, Texas, from Planned Development-7-Light Industrial-1 (PD-7-LI-1) to Light Industrial-1 (LI-1) to remove the outdated planned development stipulations; 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 #68. Applicant: City of Plano</p>	<p>Conducted and adopted</p>
(8)	<p>Discussion and direction regarding endorsement of <i>Don't Borrow Trouble</i> - a comprehensive nationwide consumer awareness campaign, combining public education and counseling services to help homeowners avoid lending practices that strip away their home's security.</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 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></p>	<p>Council directed Staff to bring back resolution for consideration</p>