



CITY COUNCIL

1520 AVENUE K

DATE: October 26, 2004

CALL TO ORDER: 7:00 p.m.

INVOCATION: Dr. Leon Aduddell
First Baptist Church Plano

PLEDGE OF ALLEGIANCE: Cub Scout Pack 1113 - Den 8
Bethany Elementary

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>Arbor Day – November 6, 2004</p> <p><u>CERTIFICATES OF APPRECIATION</u></p> <p><u>Animal Shelter Advisory Committee</u> Craig Gussow DeAnne L. Rogers</p> <p><u>Board of Adjustment</u> Kevin Cain Stephen Karl Harvey Arthur E. Stone</p> <p><u>Building Standards Commission</u> Randy Hart</p> <p><u>Civil Service Commission</u> Kenneth B. Jarvis</p> <p><u>Community Relations Commission</u> Shaheen Salam Matt Shaheen Stella Mercedes Vea</p> <p><u>Cultural Affairs Commission</u> C. Larry Tucker</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Keep Plano Beautiful Commission</u> Johnye P. Cochran Sandy Fletcher Karen E. Minato</p> <p><u>Parks and Recreation Planning Board</u> Charles N. Bell</p> <p><u>Planning and Zoning Commission</u> Bill Neukranz</p> <p><u>Plano Transition and Revitalization Commission</u> Elta Chandler Loretta Ellerbe Larry May Clyde McKinney Stella Mercedes Veal</p> <p><u>Public Arts Committee</u> Kathryn McGill</p> <p><u>Self Sufficiency Committee</u> Clint Brady</p> <p><u>Senior Citizens Advisory Board</u> Grace Fuller Lillian Hammer Cynthia Aynne Hooper Jerry C. Luttrell, Sr. Kay McGowan Jerry A. Wells</p> <p><u>Tax Increment Financing Reinvestment Zone No. 1 Board</u> Shep Stahel</p> <p><u>Technology Commission</u> Karen L. Chambers David W. Edwards Jeff Gardner Judith Pafford</p> <p><u>Transportation Advisory Committee</u> L. Dean McGowan Elizabeth Metting</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>GENERAL DISCUSSION</u></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>Remarks are limited to five (5) minutes per speaker, with a maximum of 30 total minutes of testimony. Other time restraints may be directed by the Mayor.</p> <p>Specific factual information or an explanation of current policy may be made in response to an inquiry; but any discussion or decision must be limited to a proposal to place the item on a future agenda.</p> <p>Speakers will be notified when speaking time has expired. The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p>CONSENT AGENDA</p> <p><u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial.</u></p> <p><u>Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. The Council will then take action on the remainder of the Consent Agenda items. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></p>	
(a)	<p>Approval of Minutes</p> <p>October 11, 2004</p>	<p>Approved</p>
(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. B193-04 for construction of Dallas North 12 Alley Reconstruction in the amount of \$320,607. The project consists of re-construction of four existing alleys (north of Arborcove Drive between Valley Creek Drive/Glencliff Drive, south of Biscayne Drive between Independence Parkway/Mill Valley Drive, south of Overglan Drive between R Avenue/Jupiter Road, and north of Westlake Drive between Custer Road/Northcrest Drive) and construction of one new alley (north of 14th Street between Rigsbee Drive/Sherrye Drive.)</p>	<p>Approved</p>
(c)	<p>Bid No. C169-04 for conditional acceptance of annual contract for Radio System and Mobile Data System Maintenance in the amount of \$261,957. This will establish a three-year annual contract with two optional renewals.</p>	<p>Approved</p>
(d)	<p>Bid No. C157-04 for an annual fixed price contract for Work-Out Shorts for Fire Department in the estimated annual amount of \$25,000 with two City optional renewals.</p>	<p>Approved</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
<u>Adoption of Resolutions</u>		
(e)	Resolution No. 2004-10-17(R): To seek approval to renew a maintenance agreement with SunGard HTE Inc., a sole source vendor, for the maintenance and support of H.T.E. software applications; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(f)	Resolution No. 2004-10-18(R): To approve the terms and conditions of a License Agreement by and between AIDS Services of North Texas and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(g)	Resolution No. 2004-10-19(R): To approve and authorize refunds of property tax overpayments; and providing an effective date.	Adopted
(h)	Resolution No. 2004-10-20(R): To ratify the terms and conditions of an agreement by and between the City of Murphy and the City of Plano for assistance in Building Plans Examination and Building Inspection; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(i)	Resolution No. 2004-10-21(R): To approve the terms and conditions of a Subdivision Improvement Agreement by and between the City of Plano, Texas and Daltex Mapleshade, Inc., providing terms and conditions for oversize participation for Mapleshade Drive, west of Coit Road; authorizing its execution by the City Manager and providing an effective date.	Adopted
<u>Adoption of Ordinances</u>		
(j)	Ordinance No. 2004-10-22: To abandon all right, title and interest of the City, in and to a portion of that certain variable width right-of-way called Horizon North Parkway at its intersection with Plano Parkway, being situated in the Mary Ann Taylor Survey, Abstract Number 897, which is located within the City Limits of Plano, Collin County, Texas; also being a portion of the property set forth in a right-of-way deed to the City of Plano, as recorded in Volume 3175, Page 955 of the Land Records of Collin County, Texas; quitclaiming all right, title and interest of the City in a portion of such right-of-way to the abutting property owner, Greenway 190 Parkway, L.P., to the extent of its interest; authorizing the City Manager, to execute any documents deemed necessary; and providing an effective date.	Adopted
(k)	Ordinance No. 2004-10-23: To abandon all right, title and interest of the City, in and to that certain drainage easement recorded in Volume 2762, Page 108 of the Land Records of Collin County, Texas, as also reflected on the plat filed in Cabinet G, Page 447, Map Records, Collin County, Texas, and being situated in the Village at Legacy Addition which is located at the northeast corner of Legacy Drive and Custer Road in 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, Velasco Development Company, Inc., to the extent of its interest; authorizing the City Manager, to execute any documents deemed necessary; and providing an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(l)	<p>Ordinance No. 2004-10-24: To amend the Plano Code of Ordinances, Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing, and Parking, Section 12-102(e) to include the prohibition of Stopping, Standing or Parking of Motor Vehicles along the south side of Coldwater Creek Lane from Oxbow Creek Lane east to Rockwood Drive between the hours of 7:15 a.m. to 8:15 a.m. and 2:30 p.m. to 3:15 p.m. on school days; declaring the parking of motor vehicles in said section of Coldwater Creek Lane within the defined time limits as unlawful and a misdemeanor; and providing a repealer clause, a severability clause, a penalty clause, a savings clause, and an effective date.</p>	Adopted
(m)	<p>Ordinance No. 2004-10-26: To amend Ordinance No. 2003-9-47, codified as Section 2-336, Members, of Article XIX, Animal Shelter Advisory Committee, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas, changing the number of members appointed by the City Council; providing a repealer clause, a severability clause and an effective date.</p>	Adopted
(n)	<p>Ordinance No. 2004-10-25: To amend Section 21-154 of Article IV, Service Charges Generally, Chapter 21, Utilities, of the Code of Ordinances of the City of Plano; correcting a clerical error and providing a repealer clause, a savings clause, a severability clause, a penalty clause and an effective date.</p>	Adopted
(o)	<p><u>Purchase off Existing Contract</u></p> <p>To authorize the purchase of three (3) General/Rosenbauer Spartan 4-Door Tilt-Cab, Single Axle, Rear Pumper Style Fire Pumpers, in the amount of \$1,116,929 from Emergency Vehicles of Texas through the Houston-Galveston Area Council of Governments (HGAC) Cooperative Purchasing Program, Contract "HDCACAA" and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase.</p>	Approved
(p)	<p><u>Award of Contract</u></p> <p>To approve expenditures for the rental of a color copier from 12/1/04 through 8/31/07 in the total amount of \$60,443 to Imagistics, a vendor listed on the State Purchasing and General Services Commission Vendors list; and authorizing the City Manager to execute all documents necessary to effectuate the rental.</p>	Approved
(q)	<p><u>Approval of Change Order</u></p> <p>To S.J. Louis Construction of Texas, Ltd., increasing the contract by \$28,023 for McDermott-Razor Waterline, Change Order No. 3 (Bid No. B008-04).</p>	Approved
(r)	<p><u>Amendment to Contract</u></p> <p>To amend a contract with Brinkley Sargent Architects, Inc., for Professional Architectural Services in the amount of \$28,000 in connection with design of the Plano Community Recreation Center; and authorizing the City Manager to execute all necessary documents.</p>	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p><u>The purpose of a Public Hearing is to receive input and information with the clarification that the focus of the City Council is on the singularly presented position, and not on repetition. To more effectively consider all presentations, 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.</u></p>	
(1)	<p>Resolution No. 2004-10-27(R): To approve the terms and conditions of the funding agreement in a total amount not to exceed \$1,000 between the City of Plano, Texas, and The Living Opera, which renders services that are beneficial to the public and serve a valid public purpose; authorizing the City Manager to execute such agreements with this organization for provision of support of the arts; and providing an effective date. Tabled 10-11-04</p>	Adopted
(2)	<p>Public Hearing and adoption of Ordinance No. 2004-10-28 to designate a certain area within the City of Plano as Reinvestment Zone No. 84 for a tax abatement consisting of a 6.471 acre tract of land located at 3901 Plano Parkway in the City of Plano; establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date.</p>	Conducted and adopted
(3)	<p>Resolution No. 2004-10-29(R): To approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, Texas, the Collin County Community College District, IPA Plano Properties, L.P. and Plano Data, a Record Management Company L.P. and providing for a business personal property and real property tax abatement, and authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(4)	<p>Public Hearing and adoption of Ordinance No. 2004-10-30 as requested in Zoning Case 2004-34 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Specific Use Permit No. 549 so as to allow the additional use of Single-Family Residence Attached on 8.0± acres of land located on the south side of Hedgcoxe Road, 300± feet west of Custer Road, and on the west side of Custer Road, 292± feet south of Hedgcoxe Road in the City of Plano, Collin County, Texas, presently zoned Retail with Specific Use Permit No. 453 for a 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. Neighborhood #11. Applicant: Alliance Bank No action was taken at 09/27/04 Council Meeting.</p>	Conducted and adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(5)	<p>Public Hearing and adoption of Ordinance No. 2004-10-31 as requested in Zoning Case 2004-38 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Specific Use Permit No. 552 so as to allow the additional use of a Private Club within a Restaurant on 0.1± acre of land located 750± feet south of Mapleshade Lane and 965± feet east of Coit Road in the City of Plano, Collin County, Texas, presently zoned Corridor 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 #72. Applicant: Plano Coit and 190 Associates.</p>	Conducted and adopted
(6)	<p>Public Hearing and adoption of Ordinance No. 2004-10-32 as requested in Zoning Case 2004-39 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to amend Planned Development-46-Multifamily-2 located on the northeast corner of Coit Road and Ridgeview Drive in the City of Plano, Collin County, Texas, from Planned Development-46-Multifamily-2 to permit Single-Family-Attached Residential uses on 7.5± acres out of the southeast portion of the district and to reduce the width of the required landscape edge to 10 feet for the Single-Family-Attached portion of the district; 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 #2 Applicant: UDR Texas Properties L.P.</p>	Conducted and adopted with amendments
(7)	<p>Public Hearing and adoption of Ordinance No. 2004-10-33 as requested in Zoning Case 2004-42 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, to amend Specific Use Permit No. 485 for a Private Club to expand the private club to include patio dining on 0.3± acre of land located on the northwest corner of Bishop Road and Brockman Court in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1 with Specific Use Permit No. 485 for a Private Club; 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, L.P.</p>	Conducted and adopted
(8)	<p>Public Hearing and Consideration of Disannexation Case D2004-01 – Request to disannex 13.0± acres located on the west side of Cottonwood Creek, at the end of Chaparral Road, 1,400± feet east of Cloverhaven Drive, in the R. C. Whisenant Survey, Abstract No. 1012, Collin County. Applicant: City of Plano</p>	Public Hearing continued to 11/08/04
(9)	<p>Ordinance No. 2004-10-34: To provide for the issuance and sale of City of Plano, Texas, General Obligation Refunding Bonds, Series 2004; levying a tax in payment thereof; prescribing the form of said bonds; approving execution and delivery of an escrow agreement and a bond purchase agreement; approving the official statement; and enacting other provisions relating thereto.</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>	Adopted