



CITY COUNCIL

1520 AVENUE K

DATE: November 22, 2004

CALL TO ORDER: 7:00 p.m.

INVOCATION: Reverend David Batchelder
West Plano Presbyterian Church

PLEDGE OF ALLEGIANCE: Cub Scout Pack 284
Forman 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><u>PROCLAMATIONS AND SPECIAL RECOGNITION</u></p> <p>Presentation of Award by American City and County Magazine</p> <p>Presentation of Texas Municipal League 2004 Municipal Excellence Award for Public Works</p> <p>Recognition of the Parks and Recreation Department 10-Year Agency Accreditation</p> <p>Best Practice Award – Presented by Building Officials Association of Texas (BOAT) to Building Inspections Department</p> <p>Presentation of the Texas Downtown Association Award</p> <p><u>OATHS OF OFFICE</u></p> <p><u>Keep Plano Beautiful Commission</u> Rachel McClary</p> <p><u>Plano Transition and Revitalization Commission</u> Larry May</p> <p><u>CERTIFICATE OF APPRECIATION</u></p> <p><u>Cultural Affairs Commission</u> Anthony (Tony) Veal</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>November 8, 2004</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. C192-04 to establish an annual percentage off contract for Ford Tractor Parts in the estimated annual amount of \$75,000. This will establish an annual percentage off contract with two City optional one-year renewals.</p>	Approved
(c)	<p>Bid No. C178-04 for a fixed price contract for Pool Chemicals in the estimated annual amount of \$54,172. This will establish an annual fixed price contract with two City optional one year renewals for Pool Chemicals.</p>	Approved
(d)	<p>Bid No. C091-03 to establish an annual fixed price contract for Security Control Systems Maintenance in the estimated annual amount of \$24,200 for year 1, and award of \$34,300 in renewals years 2 and 3.</p>	Approved
(e)	<p>Bid No. C174-04 for a fixed price contract for Reinforcing Steel in the estimated annual amount of \$33,240 annually. This will establish an annual fixed price contract with two City optional one year renewals.</p>	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Adoption of Resolutions</u></p>	
(f)	To support the change of the SH 190 designation which is used on the President George Bush Tollway frontage roads to State Loop 41; and providing an effective date.	Tabled until 12/13/04 meeting
(g)	Resolution No. 2004-11-19(R): To approve the terms and conditions of an interlocal cooperation agreement by and between the City of Plano and Denton County, Texas, providing terms and conditions for emergency ambulance services; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(h)	Resolution No. 2004-11-20(R): To approve the terms and conditions of an Interlocal Agreement-North Texas Virtual Reference Library CONSORTIUM including Irving Public Library System, North Richland Hills Public Library, Carrollton Public Library, Frisco Public Library, Euless Public Library, Fort Worth Public Library, Denton Public Library, and Plano Public Library System; authorizing Plano Public Library System to participate and contribute \$8,182 toward the total cost of \$58,000 for continuation of a virtual reference service; authorizing the City Manager to execute all necessary documents; and providing an effective date.	Adopted
(i)	Resolution No. 2004-11-28(R): To nullify the agreement between the cities of Allen, Frisco and Plano for funding services related to the Arts of Collin County, Inc.; declaring Resolution No. 2004-10-15(R) approving the former agreement void; approving a new agreement between the cities for the funding services; and providing an effective date.	Adopted
(j)	Resolution No. 2004-11-21(R): To approve the terms and conditions of an interlocal agreement by and between the City of Plano and Richland College for educational services authorizing its execution by the City Manager; and providing an effective date.	Adopted
(k)	Resolution No. 2004-11-22(R): To name the new community recreation center to be located at Windhaven Park the "Tom Muehlenbeck Center," and providing an effective date.	Adopted
(l)	Resolution No. 2004-11-29(R): To approve and grant a 3,641 square foot fire lane and access easement to 15 th Street Village Condominiums No. 1 LP on City property in the northwest corner of Lot 1, Block 1, Plano Justice Center Addition authorizing its execution by the City Manager, and providing an effective date.	Adopted
(m)	Resolution No. 2004-11-23(R): To approve the terms and conditions of an interlocal cooperation agreement by and between the City of Plano, Texas and Collin County, Texas providing terms and conditions for yard trimmings grinding services; authorizing its execution by the City Manager; and providing an effective date.	Adopted
	<p><u>Adoption of Ordinances</u></p>	
(n)	Ordinance No. 2004-11-24: To amend Article IV of Chapter 11, "Licenses and Business Regulations" of the Code of Ordinances of the City of Plano to correct a clerical error; providing a penalty clause, a severability clause, a repealing clause and a publication clause; and providing an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(o)	To amend Ordinance No. 2002-9-11 (Food Categories and Fees) as referenced in Section 9-107(c)(3)(a) of Chapter 9 of the Code of Ordinances to provide for updated permit and inspection fees; providing a repealer clause, a severability clause, a publication clause and an effective date.	Pulled
(p)	To amend sections of Ordinance No. 2003-3-4 codified as Chapter 9 (Food Code) of the City of Plano Code of Ordinances, specifically Article II, Sec. 9-24 (d) (6), and Article III, Section 9-31 (b) to incorporate the recent name change of state agency and Article XI, Section 9-107 of Ordinance No. 2003-3-4 to provide for permit procedures applicable to annual permits; and providing a penalty clause, repealer clause, a severability clause, a savings clause, a publication clause and an effective date.	Pulled
(q)	Ordinance No. 2004-11-25: To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to amend Planned Development-203-Office-2 to allow the additional uses of automobile storage and automobile make-ready on 6.7± acres located on the south side of Village Creek Drive, 700± feet south of Plano Parkway and located 920± feet west of Preston Road and 300± feet southeast of Village Creek Drive; 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. (Zoning Case 2004-40 – Approved by the City Council 11/08/04.) Neighborhood #54. Applicant: Ironwood Partners Limited	Adopted
(r)	Ordinance No. 2004-11-26: To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, rezoning 13.9± acres of land located on the northeast corner of Park Boulevard and Parkwood Boulevard in the City of Plano, Collin County, Texas, from Patio Home and Planned Development-423-Patio Home with Specific Use Permit No. 46 for Private School to Neighborhood Office and granting Specific Use Permit No. 554 so as to allow the additional use of Bank, Savings and Loan, or Credit Union (1.5± acres) and Planned Development-153-Single-Family Residence Attached (12.4± acres) with Specific Use Permit No. 46 for Private School; 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. (Zoning Case 2004-45 – Approved by the City Council 11/08/04) Neighborhood #41. Applicant: Dean Learning Center	Adopted
(s)	Ordinance No. 2004-11-27: To abandon all right, title and interest of the City, in and to a portion of that certain 25' sanitary sewer easement recorded in Volume 4942 at Page 3680 of the Land Records of Collin County, Texas as also reflected on the plat filed in Cabinet P, Slide 533, Map Records of Collin County, Texas and being situated in the Evergreen at Plano Parkway Addition which is located at the southeast corner of Independence Parkway and West Plano Parkway 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, Alcatel USA Sourcing, L.P., 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
(t)	<p><u>Award of Contract</u></p> <p>To approve and authorize for the selection of Hennessey Engineering, Inc., to provide Professional Engineering Services for an amount not to exceed \$29,000 in connection with the study of the Collin Creek Mall Arch Survey – 2004 and authorizing the City Manager to execute all necessary documents to effectuate this contract.</p>	Approved
(u)	<p>To approve and authorize for the selection of HNTB Corporation to provide Professional Engineering Services for an amount not to exceed \$296,320 in connection with the design of Parker Road – K Avenue to P Avenue and authorizing the City Manager to execute all necessary documents to effectuate this contract.</p>	Approved
(v)	<p>To approve and authorize for the selection of O’Brien Engineering, Inc., to provide Professional Engineering Services for an amount not to exceed \$69,820 in connection with the design of Oak Grove and miscellaneous Drainage Improvements and authorizing the City Manager to execute all necessary documents to effectuate this contract.</p>	Approved
(w)	<p><u>Approval of Agreement</u></p> <p>To approve an agreement between the City of Plano and The Shops at Legacy, L.P. whereby the City will provide funding in part for the 3rd Annual Holiday Festival of Tree Lights at the Shops of Legacy in the amount of \$39,000.</p>	Approved with revision of date to 11/20/04
(x)	<p><u>Purchase off Existing Contract</u></p> <p>To authorize the purchase of Automatic External Defibrillators (AED’s) in the amount of \$40,785 from the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program. The AED’s will be placed at all Parks and Recreation Department facilities. (Contract #DF08-03) (Interlocal #1027-05)</p>	Approved
(y)	<p><u>Approval of Change Order</u></p> <p>To Site Concrete, Inc., decreasing the contract by \$306,604 for Dallas North 15 Water Rehab & Fire Hydrants and State Highway 121 Utility Relocations; Change Order No. 1 (Bid No. B126-04).</p>	Approved
(1)	<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> <p>Public Hearing and Input on possible Charter Amendments; Council discussion and direction</p>	Conducted – additional Council Mtg to be called
(2)	<p>Public Hearing to provide the citizens and residents with the opportunity to review and provide comment on the projects for the proposed 2005 Bond Referendum.</p>	Conducted

ITEM NO.	EXPLANATION	ACTION TAKEN
(3)	Public Hearing and adoption of Ordinance No. 2004-11-30 to request to establish and designate a certain area within the City of Plano as Reinvestment Zone No. 87 for retail/wholesale tax abatement consisting of two tracts totaling 8.187 acres of land located at 3460 and 3480 Lotus Drive in the City of Plano; establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date.	Conducted and adopted
(4)	Resolution No. 2004-11-31(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 Software Spectrum, Inc., and providing for a personal property retail/wholesale tax abatement, and authorizing its execution by the City Manager; and providing an effective date.	Adopted
(5)	Public Hearing and adoption of Resolution No. 2004-11-32(R): To adopt the Consolidated Housing and Community Development Plan for 2005-2009 outlining the use of Community Development Block Grant funds and HOME Investment Partnership funds provided by the U.S. Department of Housing and Urban Development; and providing an effective date.	Conducted and adopted
(6)	Public Hearing and adoption of Ordinance No. 2004-11-33 as requested in Zoning Case 2004-43 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Heritage Resource Designation H-31 to a 0.1± acre property, situated in the City of Plano, Collin County, Texas on the north side of 15 th Street, 266± feet west of K Avenue, presently zoned Downtown/Business Government with Heritage Resource Designation-26 for the Downtown Heritage Resource District, and retaining this zoning classification; directing a change accordingly in the official zoning map of the City; and providing a repealer clause, a savings clause, a penalty clause, a severability clause and an effective date. Neighborhood #59 Applicant: Jeran Akers	Conducted and adopted
(7)	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. Public Hearing and Consideration continued from 10/26/04 and tabled at 11/08/04 Council Meetings.	Withdrawn until early 2005
(8)	Public Hearing and consideration of an appeal of the Planning and Zoning Commission's denial of Zoning Case 2004-41 – Request for Specific Use Permit for Truck/Bus Leasing on one lot on the south side of Chisholm Place, 250± feet west of U.S. 75. Zoned Corridor Commercial with Specific Use Permit #218 for Restaurant. Neighborhood #58. Applicant: Merritt Properties <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>	Conducted Appeal failed