



CITY COUNCIL

1520 AVENUE K

DATE: March 25, 2008

CALL TO ORDER: 7:00 p.m.

INVOCATION: Rev. Alice Coder
First United Methodist Church - Plano

PLEDGE OF ALLEGIANCE: Cub Scout Pack 1256
Wells 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>Special Recognition: Accreditation of City of Plano Purchasing Division by the National Institute of Governmental Purchasing.</p> <p>Proclamation: Keep Plano Beautiful – Great American Cleanup</p> <p><u>BOARD AND COMMISSION REPORT</u></p> <p>Cultural Affairs Commission – Christopher Griffith, 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><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>	<p>Presented</p> <p>Received</p> <p>No one appeared to speak</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><u>Approval of Minutes</u></p> <p>March 4, 2008</p>	Approved
(b)	<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>Bid No. 2008-74-B for construction of Street Lighting Legacy Park – Phase 1 and Street Lighting Willow Bend Drive to Utilitex Construction, LLP, in the amount of \$329,684. The project consists of construction and installation of street lighting foundations and conduit in preparation for street lights to be installed by Oncor Electric Delivery in median areas on the following streets: Tennyson Parkway (Spring Creek Parkway to Preston Road); Parkwood Boulevard (Spring Creek Parkway to S.H. 121); Hedgcoxe Road (Legacy Drive to Preston Road); and Willow Bend Drive (Linmore Lane to Woodspring Drive).</p>	Approved
(c)	<p>Bid No. 2008-96-B for 2007-08 Arterial Concrete Pavement Rehabilitation Project on Legacy Drive between K Avenue and Custer Road to Jerusalem Corporation in the amount of \$572,876. This project involves the repair of arterial street paving, curb and gutter, and sidewalk repair on Legacy Drive between K Avenue and Custer Road.</p>	Approved
(d)	<p>Bid No. 2008-95-B for 2007-08 Residential Concrete Pavement Rehabilitation Project, Zone I8 to Hencie International in the amount of \$626,237. This project involves the repair of residential street and alley pavement in the area bounded by Legacy Drive on the south, Coit Road on the west, Hedgcoxe Road on the north and Independence Parkway on the east.</p>	Approved
(e)	<p>Bid No. 2008-56-B for the Parkwood Boulevard Median Tree Planting and Irrigation and 2004-05 Median Landscaping project to C. Green Scaping in the amount of \$252,752. This project includes planting trees, landscaping and irrigation renovation on the Plano Parkway median (Accent Drive to N Avenue); tree planting and irrigation in the Emerald Coast Drive median (Chaparral Road to Flamingo Lane); tree planting and irrigation in the Parkwood Boulevard median (Plano Parkway to Park Boulevard).</p>	Approved
(f)	<p>Bid No. 2008-88-C to establish an annual contract for Traffic Signal Pre-Emption Equipment to BINKO, Inc. in the estimated annual amount of \$120,200. This will establish an annual contract with three City optional renewal periods.</p>	Approved
(g)	<p>Bid No. 2008-17-C for an annual fixed price contract for Athletic Field Bulk Fertilizer for Parks and Recreation to Helena Chemical Co. in the estimated annual amount of \$116,070. This will establish a one-year contract with three City optional one-year renewals.</p>	Approved
(h)	<p>Bid No. 2008-52-C for an annual fixed price contract for Bulk Fertilizer for Parks and Recreation to Greensmiths in the estimated annual amount of \$57,668. This will establish a one-year contract with three City optional one-year renewals.</p>	Approved

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(i)	CSP No. 2008-69-B for a contract for Tree Replacement to Fannin Tree Farm in the amount of \$160,000.	Approved
(j)	Bid No. 2008-4-C for purchase of an Automated Bill Payment Kiosk to AdComp Systems, Inc., in the amount of \$63,000. 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).	Approved
(k)	To authorize the purchase of the replacement of 19 Split System Air-Conditioning and Heating Units at Parkway Operations in the amount of \$213,378 from Trane U.S., Inc. through the Cooperative Purchasing Network (TCPN) contract, and authorizing the City Manager to execute all necessary documents (TCPN Contract No. R4669)	Approved
(l)	To approve an expenditure not to exceed \$347,681 to Affiliated Telephone Inc. to replace the current Nortel Meridian 2000 Series Telephones with M3900 Series telephones, through the Department of Information Resources (DIR) Contract and authorizing the City Manager to execute all necessary documents (DIR-SDD-289).	Approved
(m)	To approve the purchase of one Rapid Rail 22 Yard Automated Side Loader in the amount of \$96,742 from Heil of Texas through an existing contract/agreement with Texas Association School Buyboard Purchase Program, and authorizing the City Manager to execute all necessary documents. (#280-07)	Approved
(n)	To approve the purchase of one Crane Carrier Chassis in the amount of \$128,576 from Bond Equipment Company through an existing contract/agreement with Texas Association School Buyboard Purchase Program, and authorizing the City Manager to execute all necessary documents. (#281-07) <u>Renewal of Requirements Contract</u>	Approved
(o)	To renew Contract No. 2007-29-P for the Sanitary Sewer Rehabilitation Requirements Contract 2006, Project No. 5766 to Miller Pipeline Company in the amount of \$1,992,370. This project involves the lining of sewer mains and replacement of service laterals to eliminate infiltration and inflow of ground water into the City's sanitary sewer system. <u>Approval of Contract</u>	Approved
(p)	To approve and authorize a contract with la terra studio, inc. to provide Landscape Architectural Services for Athletic Facility Improvements 2008 at Carpenter Park (south) and Russell Creek Park (south), in the amount of \$185,002 and authorizing the City Manager to execute any and all documents necessary to effectuate the contract.	Approved
(q)	To award a contract for Bid No. 2007-223-B for the purchase of a Fixed Network Automated Water Meter Reading System to HD Supply Waterworks, Ltd. in the amount of \$18,722,476. This will establish an annual contract with seven optional one-year renewals with the costs spread over the eight year period.	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
(r)	<p><u>Approval of Change Order</u></p> <p>To Tiseo Paving Company, increasing the contract by \$37,165 for Plano Parkway – Tollroad to Park Boulevard and West Plano Quiet Zone Improvements, Change Order No. 1 (2006-234-B). This change order is for adding final pay items for additional fencing, grading and pavement related items necessary to complete the work.</p>	Approved
(s)	<p><u>Adoption of Resolutions</u></p> <p>Resolution No. 2008-3-4(R): To approve the terms and conditions of an Emergency Subscriber List Information License Agreement by and between Verizon and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(t)	<p>Resolution No. 2008-3-5(R): To approve the terms and conditions of an Agreement between the City of Plano, Texas, and The Camozzi Art Studio, a qualified professional art studio, for the fabrication, delivery, and installation of five art works for each library in the Plano Public Library System in the amount of \$147,000; and authorizing the City Manager to execute such Agreement with The Camozzi Art Studio; and providing an effective date.</p>	Adopted
(u)	<p>To authorize 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 (NO_x) 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>	Pulled and held
(v)	<p>Resolution No. 2008-3-6(R): To approve the City of Plano Hazard Mitigation Action Plan and providing an effective date.</p>	Adopted
(w)	<p>Resolution No. 2008-3-7(R): To approve the terms and conditions of a Real Estate Contract by and between the City of Plano, Texas, and Darla C. Brodsky Irrevocable Marital Deduction Trust, Michael Backer, Robert J. Ziff Associates, Ziff Investment Partners and Pacific West for the purchase of 16,052 square feet of land located on the east side of Communications Parkway south of Spring Creek Parkway in the Henry B. Miller Survey, Abstract No. 614, in the City of Plano, Collin County, Texas; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(x)	<p><u>Adoption of Ordinances</u></p> <p>Ordinance No. 2008-3-8: To amend Ordinance No. 2006-6-29, currently codified under Chapter 12 (Motor Vehicles and Traffic), Article IV (Speed), Section 12-73(d) of the City of Plano Code of Ordinances, to revise the designated times of operation of the school zone located on Alma Drive beginning at a point two hundred fifty (250) feet north of 15th Street (FM 544) and continuing in a southerly direction to a point four hundred (400) feet south of Janwood Drive; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(y)	<p>Ordinance No. 2008-3-9: To amend the City of Plano Code of Ordinances, Chapter 12 (Motor Vehicles and Traffic), Article V (Stopping, Standing, and Parking), Section 12-101 (Prohibited on Certain Streets at all Times), to prohibit stopping, standing, or parking of motor vehicles on both sides of Fulgham Road from its intersection with Plano Parkway to a point one hundred and twenty (120) feet south of Plano Parkway within the city limits of the City of Plano; declaring it unlawful and a misdemeanor to stop, stand, or park motor vehicles upon such sections of such roadway within the limits herein defined; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a severability clause, a savings clause, and an effective date.</p>	Adopted
(z)	<p>Ordinance No. 2008-3-10: To amend Sections 15-54, 15-56, 15-59, 15-60, 15-63, 15-65 and 15-66 of Article III. Athletic Activities of Chapter 15. Parks and Recreation of the Code of Ordinances of the City of Plano providing for new reporting requirements; revised allocation of athletic facilities; changed procedures relative to tournaments and meets; revised allocation of practice sessions; new restrictions on casual scheduling; revised insurance requirements; and use of lighting at athletic facilities; providing a repealer clause, a savings clause; a severability clause; and providing an effective date.</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>	Adopted
(1)	<p>First Reading of an ordinance 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.</p>	Approved
(2)	<p>Ordinance No. 2008-3-11: To provide certain heritage resources located in the City of Plano, Texas, partial exemption from the current year ad valorem taxation in the amount of \$33,151, providing a severability clause and an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(3)	<p>Public Hearing and adoption of Ordinance No. 2008-3-12 to amend the “Transportation Element” of the Comprehensive Plan along with the Thoroughfare Plan Map as originally adopted by Resolution No. 86-11-22(R) providing procedures approving the utilization of said chapter 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>	Conducted and adopted
(4)	<p>Public Hearing and consideration of an ordinance as requested in Zoning Case 2007-16 - To amend Section 1.600 (Definitions) of Article 1 (General Regulations) and Section 3.1000 (Screening, Fence, and Wall Regulations) of Article 3 (Supplementary Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to regulate golf nets; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano.</p>	Conducted and denied. Council provided direction to Staff
(5)	<p>Public Hearing and adoption of Ordinance No. 2008-3-13 as requested in Zoning Case 2008-09 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 5.9± acres located on the north side of Tradition Trail, 470± feet east of Ohio Drive in the City of Plano, Collin County, Texas, from Planned Development-131-Light Industrial-1 and Planned Development-426-Retail/General Office to Planned Development-426-Retail/General Office; 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 Planned Development-131-Light Industrial-1 and Planned Development-426-Retail/General Office with Specific Use Permit #384 for New and Used Car Dealer. Applicant: H.H.P.L. Limited</p>	Conducted and adopted
(6)	<p>Public Hearing and adoption of Ordinance No. 2008-3-14 as requested in Zoning Case 2008-17 –To amend Ordinance No. 2001-2-33; thereby rescinding the Private Club portion of Specific Use Permit #436 and retaining the additional use of an arcade on one lot on 6.1± acres located on the west side of U.S. Highway 75, 3,050± feet south of Spring Creek Parkway in the City of Plano, Collin County, Texas, and amending 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. Zoned Corridor Commercial. Applicant: City of Plano</p>	Conducted and adopted
(7)	<p>Public Hearing and consideration of Zoning Case 2008-08 – A request to rescind Specific Use Permit #408 for a Private Club on one lot on 0.2± acre located 50± feet west of Preston Road, 50± feet north of Lorimar Drive. Zoned Planned Development-447-Retail/Multifamily Residence-2. Applicant: City of Plano</p>	No action taken

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(8)	Public Hearing and consideration of ordinances as requested in Zoning Cases 2008-01 through 2008-07; 2008-10 through 2008-12; 2008-14 through 2008-16; and Zoning Case 2007-61 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
(8a)	Ordinance No. 2008-3-15 as requested in Zoning Case 2008-01 – To rescind Specific Use Permit #367 for a Private Club on one lot on 0.9± acre located on the north side of 18 th Street, 200± feet west of K Avenue. Zoned Downtown Business/Government	Adopted
(8b)	Ordinance No. 2008-3-16 as requested in Zoning Case 2008-02 – To rescind Specific Use Permit #372 for a Private Club on one lot on 2.3± acres located on the east side of U.S. Highway 75, 1,660± feet north of Parker Road. Zoned Corridor Commercial.	Adopted
(8c)	Ordinance No. 2008-3-17 as requested in Zoning Case 2008-03 – To rescind Specific Use Permit #373 for a Private Club on one lot on 0.1± acre located on the north side of Spring Creek Parkway, 625± feet west of Coit Road. Zoned Retail.	Adopted
(8d)	Ordinance No. 2008-3-18 as requested in Zoning Case 2008-04 – To rescind Specific Use Permit #392 for a Private Club on one lot on 0.7± acre located at the northwest corner of Park Boulevard and Ohio Drive. Zoned Retail	Adopted
(8e)	Ordinance No. 2008-3-19 as requested in Zoning Case 2008-05 - To rescind Specific Use Permit #397 for a Private Club on one lot on 0.2± acre located on the west side of Dallas North Tollway, 1,340± feet north of Parker Road. Zoned Regional Commercial.	Adopted
(8f)	Ordinance No. 2008-3-20 as requested in Zoning Case 2008-06 – To rescind Specific Use Permit #401 for a Private Club on one lot on 1.5± acres located on the west side of Dallas North Tollway, 1,200± feet north of Parker Road. Zoned Regional Commercial.	Adopted
(8g)	Ordinance No. 2008-3-21 as requested in Zoning Case 2008-07 – To rescind Specific Use Permit #405 for a Private Club on one lot on 0.1± acre located 380± feet west of Coit Road, 750± feet north of Spring Creek Parkway. Zoned Retail.	Adopted
(8h)	Ordinance No. 2008-3-22 as requested in Zoning Case 2008-10 – To rescind Specific Use Permit #409 for a Private Club on one lot on 2.9± acres located at the northwest corner of Bishop Road and Daniel Road. Zoned Planned Development-65-Central Business-1.	Adopted
(8i)	Ordinance No. 2008-3-23 as requested in Zoning Case 2008-11 – To rescind Specific Use Permit #413 for a Private Club on one lot on 0.1± acre located 95± feet west of Preston Road and 470± feet north of Lorimar Drive. Zoned Planned Development-447-Retail/Multifamily Residence-2.	Adopted

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(8j)	<p>Ordinance No. 2008-3-24 as requested in Zoning Case 2008-12 – To rescind Specific Use Permit #414 for a Private Club on one lot on 1.8± acres located on the east side of Dallas North Tollway, 450± feet south of State Highway 121. Zoned Central Business-1.</p>	Adopted
(8k)	<p>Ordinance No. 2008-3-25 as requested in Zoning Case 2008-14 – To rescind Specific Use Permit #418 for a Private Club on one lot on 1.8± acres located on the west side of U.S. Highway 75, 850± feet south of Chase Oaks Drive. Zoned Corridor Commercial.</p>	Adopted
(8l)	<p>Ordinance No. 2008-3-26 as requested in Zoning Case 2008-15 – To rescind Specific Use Permit #419 for a Private Club on one lot on 0.2± acre located 160± feet west of Preston Road and 50± feet north of Lorimar Drive. Zoned Planned Development-447-Retail/Multifamily Residence-2.</p>	Adopted
(8m)	<p>Ordinance No. 2008-3-27 as requested in Zoning Case 2008-16 – To rescind Specific Use Permit #435 for a Private Club on one lot on 1.6± acres located on the west side of U.S. Highway 75, 2,875± feet south of Spring Creek Parkway. Zoned Corridor Commercial.</p>	Adopted
(8n)	<p>Ordinance No. 2008-3-28 as requested in Zoning Case 2007-61 – To rescind Specific Use Permit #207 for a Private Club on one lot on 1.0± acre located on the east side of Preston Road, 1,370± feet north of Park Boulevard. Zoned Retail.</p>	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>		