

CITY COUNCIL

1520 AVENUE K



DATE: 5/23/2011
 CALL TO ORDER: 7:00 p.m.
 INVOCATION: Pastor Jack Schneider
 St. Paul Lutheran Church
 PLEDGE OF ALLEGIANCE:

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> PROCLAMATION: National Historic Preservation Month PROCLAMATION: Taiwanese-American Heritage Week</p> <p><u>OATHS OF OFFICE</u> <u>Senior Citizens Advisory Board</u> Karen E. Mitchell</p> <p><u>COMMENTS OF PUBLIC INTEREST</u> <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><u>CONSENT AGENDA</u> <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>Presented</p> <p>Presented</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><u>Approval of Minutes</u> May 4, 2011 May 9, 2011</p>	Approved
(b)	<p><u>Approval of Expenditures</u> Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</p>	Approved
(c)	<p>Bid No. 2011-52-C for a one (1) year contract with three (3) City optional renewals for the Median and Right-of-Way Landscape Maintenance for the Parks and Recreation Department to Good Earth Corporation in the amount of \$84,740 and authorizing the City Manager to execute all necessary documents.</p>	Approved
(c)	<p>Bid No. 2011-99-C for a one (1) year contract with three (3) City optional renewals to purchase preformed thermoplastic pavement marking and sealer for Public Works from Flint Trading, Inc. in an estimated amount of \$93,566 and authorizing the City Manager to execute all necessary documents.</p>	Approved
(d)	<p><u>Purchase from an Existing Contract</u> To approve a contract for the purchase of support and maintenance for a one (1) year contract with two (2), one (1) year City optional renewals for J. D. Edwards Software Applications, in the amount of \$125,280 from Oracle America, Inc., through a Department of Information Resources (DIR) Contract, and authorizing the City Manager to execute all necessary documents. (DIR-VPC-03-018)</p>	Approved
(e)	<p><u>Approval of Contract Modification</u> To approve the First Addendum of the Technical Service Support Agreement by and between the City of Plano (Fire Department) and Physio-Control, Inc., to add an existing inventory of Lifepak 12 and Lifepak 500 AED units for maintenance and consumables, for the remainder of the five (5) year term (7/24/10 - 7/23/15) in the additional amount of \$93,924 payable in annual installments.</p>	Approved
(f)	<p><u>Adoption of Resolutions</u> Resolution No. 2011-5-11(R): To repeal prior Council action approving the contract with AT&T Mobility for Wireless Voice and Data Services on December 7, 2010; approving a new contract for Wireless Voice & Data Services from AT&T Mobility National Accounts L.L.C. d/b/a AT&T Mobility in an amount not to exceed \$525,000; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(g)	<p>Resolution No. 2011-5-12(R): To approve the terms and conditions of a First Amendment to Development Agreement by and between the City of Plano, Texas, and Tenth Street Plano, L.P.; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted

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(h)	Resolution No. 2011-5-13(R): To approve the settlement agreement between the City of Plano and the United States of America, acting through the United States Department of Justice regarding a dispute concerning ambulance billing for Medicare/Medicaid reimbursement; authorizing its execution by the City Manager; and providing an effective date.	Adopted
<u>Adoption of Ordinances</u>		
(i)	Ordinance No. 2011-5-14: To amend Section 12-73.1 of Chapter 12 Motor Vehicles and Traffic of the City of Plano Code of Ordinances; to enact school zones for summer school sessions; 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, a publication clause, and an effective date.	Adopted
(j)	Ordinance No. 2011-5-15: To approve a negotiated resolution between the Steering Committee of Cities Served by Oncor ("Steering Committee") and Oncor Electric Delivery Company LLC ("Oncor" or "Company") regarding the Company's application to increase electric rates in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; requiring the Company to reimburse cities' reasonable ratemaking expenses; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; approving Oncor's proof of revenues; adopting a savings clause; determining that this Ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; and requiring delivery of this Ordinance to the Company and the Steering Committee's legal counsel.	Adopted
(k)	Ordinance No. 2011-5-17: To transfer the sum of \$433,263 from the General Fund unappropriated fund balance to the General Fund operating appropriation for fiscal year 2010-11 for the purpose of providing funds for a settlement agreement between the City of Plano and the United States of America acting through the United States Department of Justice regarding a dispute concerning ambulance billing for Medicare/Medicaid reimbursement; amending the budget of the City and Ordinance 2010-9-8; declaring this action to be a case of public necessity; and providing an effective date.	Adopted with revisions
(l)	Ordinance No. 2011-5-16: To repeal Ordinance No. 84-9-26 codified as Article II, Heliports; Helistops, to Chapter 5, Aviation, of the City of Plano Code of Ordinances and providing an effective date.	Adopted
<u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u>		
<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>		

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	<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>	
(1)	<p>Public Hearing and consideration of an Appeal of the Planning & Zoning Commission's Denial of Zoning Case 2011-04 - Request to rezone 20.3± acres located at the southwest corner of State Highway 121 and Parkwood Boulevard from Commercial Employment and Central Business-1 to Planned Development-Commercial Employment. Zoned Commercial Employment and Central Business-1/State Highway 121 Overlay District. Tabled 04/25/11. Applicant: USL Frisco II, LLC</p>	<p>Council accepted applicant's request to withdraw</p>
(2)	<p>Consideration of an Appeal of the Planning & Zoning Commission's Denial of the Concept Plan for Parkwood Village, Block A, Lots 1 & 2 - Retail, restaurants and 400 multifamily units on two lots on 20.3± acres located at the southwest corner of Parkwood Boulevard and State Highway 121. Zoned Commercial Employment and Central Business-1/State Highway 121 Overlay District. Tabled 04/25/11 Applicant: USL Frisco II, LLC</p>	<p>Council accepted applicant's request to withdraw</p>
(3)	<p>Public Hearing and adoption of Ordinance No. 2011-5-18 as requested in Zoning Case 2011-08 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 8.8± acres located on the south side of 14th Street, 174± feet east of Star Court in the City of Plano, Collin County, Texas, from Planned Development-202-Research/Technology Center to Planned Development-218-Single-Family Residence-6; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: Sammy Jibrin</p>	<p>Conducted and adopted</p>
(4)	<p>Public Hearing and adoption of Ordinance No 2011-5-19 as requested in Zoning Case 2011-09 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 1.1± acres located on the north side of 11th Street, east and west of E Avenue in the City of Plano, Collin County, Texas, from Corridor Commercial to Planned Development-219-General Residential; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: Habitat for Humanity of Southern Collin County</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>