



CITY COUNCIL

1520 AVENUE K

DATE: June 12, 2006

CALL TO ORDER: 7:00 p.m.

INVOCATION: Dr. Scott Fenton
Meadows Baptist Church

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>OATHS OF OFFICE</u></p> <p>Betty Monday Mahan, Community Relations Commission</p> <p><u>CERTIFICATE OF APPRECIATION</u></p> <p>Daniel M. Zadorozny, Civil Service Commission</p> <p><u>PROCLAMATIONS AND SPECIAL RECOGNITION</u></p> <p>Presentation: Bob Acker, Acting Fire Chief – 30 Years of Service to the City of Plano</p> <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. Speakers will be notified when speaking time has expired.</p> <p><u>BOARD/COMMISSION REPORTS</u></p> <p>Board of Adjustment – Chair Chris Caso</p>	<p>Held</p> <p>Presented</p>

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	<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><u>Approval of Minutes</u></p> <p>May 22, 2006 May 25, 2006</p>	Approved
	<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>	
(b)	<p>Bid No. 2006-84-C for Fire Station Uniforms to GST Public Safety Supply and Lion Apparel in the estimated annual amount of \$178,254. This will establish an annual fixed price contract with four optional one-year renewals.</p>	Approved
(c)	<p>Bid No. 2006-144-B for the 2005-2006 Alley Approach Reconstruction and Sidewalk Construction Project, Project No. 5718 to Jim Bowman Construction Company, L.P. in the amount of \$203,175. This project involves the replacement of alley approaches and adjacent sidewalk at various locations in the City to bring them into compliance with the TDL&R regulations. New sidewalk will also be constructed at various locations in the City.</p>	Approved
(d)	<p>Bid No. 2006-150-B for Midway Road Widening – Parker Road to Spring Creek Parkway to McMahan Contracting, L.P. in the amount of \$1,443,426. The project consists of widening Midway Road from four lanes to six lanes from Parker Road to Spring Creek Parkway and providing right turn lane improvements at the intersections of Midway Road with Windhaven Parkway and Spring Creek Parkway. The project also includes various left turn lane improvements along Midway Road from Plano Parkway to Parker Road.</p>	Approved
(e)	<p>Bid No. 2006-141-C for an annual fixed price contract for Brick Screening Wall Repair and Maintenance Contract to Ratliff Hardscape, LLC in the estimated annual amount of \$54,400. This will establish a one (1) year contract with two (2) City optional one (1) year renewals.</p>	Approved
	<p>Change Order: (Change to current City of Plano contract allowable under State law)</p>	
(f)	<p>To Piazza Construction , Ltd. increasing the contract by \$178,618 to install Access Control and Site Security to the expansion areas of the Operations and Equipment Services Buildings. Project No. 5249, Change Order No. 9, Bid No. 2004-175-B</p>	Approved
(g)	<p>To L.H. Lacy Company, LTD. decreasing the contract by \$74,086, Change Order #12. Original Bid #B064-04. This change order is for revising the scope of work to eliminate turf grass preparation, planting and establishment at Preston Meadow Park from the contract with L.H. Lacy Company, LTD.</p>	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>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).</p>	
(h)	<p>To authorize the purchase of Preston Meadow Park turf grass preparation, planting, and establishment in an amount not to exceed \$74,086 from Dyna-Mist Construction Company, Inc. through a Plano Independent School District (PISD) contract, and authorizing the City Manager to execute all necessary documents. CSP 3614</p>	Approved
(i)	<p>To authorize the purchase of one (1) Vermeer Tub Grinder (53A) for the Compost Operations Department in the amount of \$478,784 from Vermeer of Texas through the H-GAC Cooperative Purchasing Program contract and authorizing the City Manager to execute all necessary documents (GR01-06).</p>	Approved
	<p>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</p>	
(j)	<p>To approve the terms and conditions of an Engineering Services Contract by and between the City and Jerry Parché Consulting Engineers in the amount of \$122,900 for design of 15th Street and Miscellaneous Drainage Improvements and authorizing the City Manager to execute all necessary documents. This agreement will provide for drainage improvements on 15th Street from Columbia Place to the system outfall into Spring Creek. Also included will be the installation of additional storm drain inlets on Alma Drive from Parker Road to Revere Circle and on Ohio Drive from Quincy Lane to Old Pond Drive.</p>	Approved
(k)	<p>To approve and authorize a contract with La Terra Studio, Inc. to provide Landscape Architect Services in conjunction with improvements to Enfield Park in an amount not to exceed \$164,750, and authorizing the City Manager to execute any and all documents necessary to effectuate the contract.</p>	Approved
	<p><u>Adoption of Resolutions</u></p>	
(l)	<p>Resolution No. 2006-6-1(R): To approve the sole source purchase of twelve (12) AutoPulse Systems from Zoll Medical Corporation in the amount of \$122,128; authorizing the City Manager to take such action as necessary to effectuate the purchase; and providing an effective date.</p>	Adopted
(m)	<p>Resolution No. 2006-6-2(R): To approve the sole source purchase of twenty-four (24) radios from Motorola Corporation in the amount of \$66,642; authorizing the City Manager to take such action as necessary to effectuate the purchase; and providing an effective date.</p>	Adopted
(n)	<p>Resolution No. 2006-6-3(R): To approve the hiring of an Assistant City Attorney by the City Attorney; and providing an effective date.</p>	Adopted
(o)	<p>Resolution No. 2006-6-4(R): To interpret Section 4.07 of the City Charter regarding the number of boards and commissions an official may be appointed to; and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(p)	Resolution No. 2006-6-5(R): To approve the terms and conditions of a <i>Notice of Restriction</i> for 7.642 acres of land in Collin County Land Survey No. 7, Abstract 153, City of Plano, Collin County, located east of Razor Road and South of McDermott Drive, authorizing its execution by the City Manager, and providing an effective date.	Adopted
(q)	Resolution No. 2006-6-6(R): To deny Atmos Energy Corp., Mid-Tex Division's Statement of Intent to increase the gas utility rates in this municipality; supporting the reduction of existing natural gas distribution rates currently charged by Atmos Mid-Tex within the City; ordering Atmos Mid-Tex to reimburse the City for its reasonable costs incurred in ratemaking proceedings or appeals of said proceedings; authorizing the Atmos Cities Steering Committee to act on behalf of City and intervene in any proceedings before administrative or judicial bodies; requiring delivery of this resolution to the company and legal counsel; and finding that the meeting at which this resolution is adopted is open to the public as required by law; and providing an effective date.	Adopted
(r)	Resolution No. 2006-6-7(R): To approve and authorize the refunds of property tax overpayments; and providing an effective date.	Adopted
(s)	Resolution No. 2006-6-14(R): To approve the purchase of Vesta-View telecommunications software from Affiliated Communications Inc. in the amount of \$49,375; 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
<u>Adoption of Ordinances</u>		
(t)	Ordinance No. 2006-6-8: To rescind Ordinance No. 2003-8-4 relating to the City of Plano Retirement Security Plan as restated January 1, 2002, and adopting a new City of Plano Retirement Security Plan, as restated January 1, 2006 to comply with regulations set forth in the Internal Revenue Code; authorizing its execution by the City Manager; providing a repealer clause, a severability clause, a savings clause, and an effective date.	Adopted
(u)	Ordinance No. 2006-6-9: To deny the request of Atmos Energy Corp., Mid-Tex Division, for an annual gas reliability infrastructure program (GRIP) rate increase in this municipality, as a part of the company's statewide gas utility distribution system; approving cooperation with other cities within the Atmos Energy Corp., Mid-Tex Division distribution system as part of the Atmos Cities Steering Committee (ACSC); authorizing ACSC to hire legal and consulting services and to negotiate with the company and direct any necessary litigation; authorizing intervention as part of ACSC in any appeal of the City's action to the Railroad Commission; providing a requirement for a prompt reimbursement of costs incurred by the City; finding that the meeting at which this ordinance is passed is open to the public as required by law; and providing for notice of this ordinance to Atmos Energy Corp., Mid-Tex Division; and providing an effective date	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(v)	<p>Ordinance No. 2006-6-10: To provide for the merger of the City of Plano Part-Time, Seasonal, and Temporary Employees Plan #2 into the Texas Municipal Retirement System; providing an effective date of the merger; and establishing a Plan #3 for the accounts of certain employees who do not elect to be part of the merger and designating an administrator for such plan; approving the terms and conditions of the merger agreement necessary to effectuate the changes; authorizing the City Manager to execute the Merger Agreement; and providing an effective date.</p>	Adopted
(w)	<p>To amend Ordinance No. 2005-11-14, codified as Article XII, Temporary Signs, of Chapter 6, Buildings and Building Regulations, of the City of Plano Code of Ordinances by amending Section 6-492, Real Estate Signs, to provide additional rules for off-site real estate signs; providing penalty, severability, repealing, review and publication clauses; and an effective date.</p>	Tabled until 06-26-06 meeting
(x)	<p>Ordinance No. 2006-6-11: To amend Sections 12-114, Parking of Trucks, Tractors, etc. in Residential Districts and 12-115, Parking of Certain Equipment in Certain Zoning Districts, of Chapter 12, Motor Vehicles and Traffic, of the City of Plano Code of Ordinances; and providing a penalty clause, a severability clause, a repealing clause, a savings clause, and an effective date.</p>	Adopted
(y)	<p>Ordinance No. 2006-6-12: To amend Article IX, Railroads, of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas, by adding a new Section 12-258, Quiet Zones, to designate the Kansas City Southern Railroad Crossings at Ohio Drive and Coit Road as quiet zones, providing a penalty clause, a severability clause, a publication clause and providing an effective date.</p>	Adopted
(z)	<p>Ordinance No. 2006-6-13: To adopt and enact Supplement Number 74 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date.</p>	Adopted
<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>Public Hearing and adoption of Ordinance No. 2006-6-15 – Comprehensive Plan Revision – Request to amend the Parks and Recreation Element of the Comprehensive Plan - An ordinance of the City of Plano, Texas, adopting the updated Parks and Recreation Element of the Comprehensive Plan, amendments to the text as originally adopted by Resolution No. 87-2-21 (R) and amendments to the Master Plan as originally adopted by Resolution No. 88-6-12 (R); 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>	Conducted and adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(2)	<p>Public Hearing and adoption of Ordinance No. 2006-6-16 – Comprehensive Plan Revision – Request to amend the Public Services and Facilities Element of the Comprehensive Plan - An ordinance of the City of Plano, Texas, adopting the updated Public Services and Facilities element of the Comprehensive Plan, amendments to the text as originally adopted by Resolution No. 87-2-21 (R); 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>	Conducted and adopted
(3)	<p>Resolution No. 2006-6-17(R): To approve the Amended and Restated Articles of Incorporation of Arts of Collin County Commission, Inc.; providing a repealer clause; and providing an effective date.</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>	Adopted