

# CITY COUNCIL

1520 AVENUE K

DATE: July 22, 2002

CALL TO ORDER: 7:00 p.m.

INVOCATION: Assistant English Minister Eugene Hung  
Plano Chinese Alliance Church

PLEDGE OF ALLEGIANCE: Junior Girl Scout Troop 1378

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><b><u>PROCLAMATIONS AND SPECIAL RECOGNITION</u></b></p> <p>Presentation of \$10,000 Check to Council for Air Quality Awareness by North Texas Commission</p> <p>Presentation to Council regarding John A. Sasso Award to Neighborhood Services Division</p> <p><b><u>OATHS OF OFFICE</u></b></p> <p><u>DART Board of Directors</u> Faye Moses Wilkins</p> <p><b><u>CERTIFICATES OF RECOGNITION</u></b></p> <p><u>Keep Plano Beautiful Commission</u> Corey Todres</p> <p><u>Self Sufficiency Committee</u> Kimberly S. Daly</p> <p><b>GENERAL DISCUSSION</b></p> <p><b>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.</b></p> <p><b>Persons wishing to speak before the City Council should limit remarks to a total speaking time of five (5) minutes per speaker, with a maximum of 30 total minutes of testimony. At the discretion of the Mayor other time restraints may be directed depending on prevailing factors.</b></p> <p><b>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</b></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><b>CONSENT AGENDA</b></p> <p><u>Any citizen may remove an item from the Consent Agenda for individual discussion, limited to a maximum of two (2) items and discussion time of three (3) minutes each.</u></p> <p>(a) <b>Approval of Minutes:</b></p> <p>June 19, 2002 June 24, 2002</p> <p><u><b>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:</b></u></p> <p>(b) <b>Bid No. B103-02</b> for Research Technology District Streetscape (Project No. 5078) in the amount of \$149,672. This project is for the construction of monuments, flagpoles, landscaping, and irrigation at four locations in street medians in the Research Technology District.</p> <p>(c) <b>Bid No. B102-02</b> for Custer/Russell Creek Park Improvements in the amount of \$392,550.</p> <p>(d) <b>Bid No. C9911-0333</b> for purchase of Playground Equipment for Custer/Russell Creek Park Site in the amount of \$45,932.</p> <p>(e) <b>Bid No. B104-02</b> for construction of Los Rios Boulevard from Kite Landing Lane to Plano East Senior High School in the amount of \$480,692.</p> <p>(f) <b>Bid No. B098-02</b> for construction of Eastside No. 2 Sanitary Sewer Rehabilitation Project in the amount of \$555,095 for four locations in the City.</p> <p>(g) <b>Bid No. B093-02</b> for the Monthly Rental/Annual Lease of one (1) John Deere 4.0 Cubic Yard Articulating Loader for use by the Solid Waste Department in the total amount of \$31,527.</p> <p>(h) <b>Bid No. C105-02</b> for a fixed-price contract for Breakaway Sign Post &amp; Accessories in the estimated annual amount of \$31,600 for the Signs &amp; Markings/Sign Shop Departments for an annual contract with renewals.</p> <p>(i) <b>Bid No. B073-02</b> for Cab, Chassis &amp; Vans for various departments in the amount of \$446,839.</p> <p><u><b>Adoption of Resolutions</b></u></p> <p>(j) To ratify the terms and conditions of a grant agreement by and between United States Environmental Protection Agency (“EPA”) and the City of Plano, Texas in the total amount of \$115,000 for vulnerability assessments and related security improvements at large drinking water utilities; and providing an effective date.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(k)	To approve and authorize refunds of property tax overpayments in the amount of \$3,346; and providing an effective date.	
(l)	To approve and authorize refunds of property tax overpayments in the amount of \$4,217; and providing an effective date.	
(m)	To approve the terms and conditions of an interlocal agreement by and between the City of Plano, Texas and the City of Dallas a home-rule corporation, Dallas County, Texas; providing the terms and conditions for the operation of a Police/School Liaison Officer to work within the corporate limits of the City of Dallas, Texas; authorizing its execution by the City Manager; and providing an effective date.	
(n)	To approve the terms and conditions of a real estate contract by and between the City of Plano, Texas and Collin Intervention to Youth, Inc., a Texas non-profit corporation for the purchase of a 5,227 square foot tract of land located in the Joseph Klepper Survey, Abstract No. 213, Collin County, Texas and for Right of First Refusal Regarding a 1.07 acre tract of land located in the Joseph Klepper Survey, Abstract No. 213, Collin County, Texas, for an addition to Haggard Park; authorizing its execution by the City Manager; and providing an effective date.	
<b><u>Adoption of Ordinances</u></b>		
(o)	To amend Ordinance No. 99-9-29 codified as Section 12-73 of Article IV (Speed) of Chapter 12 (Motor Vehicles and Traffic) of the City of Plano Code of Ordinances by deleting the school zone on Carmel Drive at Custer Road from Section 12-73(b); amending Section 12-73(e) to include a previously omitted school zone on Carmel Drive at Custer Road; providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause and an effective date.	
(p)	To amend Ordinance No. 99-9-29 codified as Section 12-73 of Article IV (Speed) of Chapter 12 (Motor Vehicles and Traffic) of the City of Plano Code of Ordinances by deleting one of the two references for the school zone on Winding Hollow Lane at Channel Isle Drive from Section 12-73(b); amending section 12-73(b) to include a previously omitted school zone on Winding Hollow Lane at Southern Knolls Lane; providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause and an effective date.	
(q)	To amend Ordinance No. 99-9-29 codified as Section 12-73 Subsection (b), of Article IV (Speed) of Chapter 12 (Motor Vehicles and Traffic) of the City of Plano Code of Ordinances by including a previously omitted school zone on Parker Road at P Avenue; providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause and an effective date.	

ITEM NO.	EXPLANATION	ACTION TAKEN
(r)	<p>To amend Ordinance No. 99-9-29 codified as Section 12-102 (a) of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to prohibit parking of motor vehicles at specified areas on Bettye Haun Drive, Blue Ridge Trail, Crossbend Road, Devonshire Drive, Highhedge Drive, Mission Ridge Road, Mollimar Drive, Montana Trail, Mount Vernon Way, Parkhaven Drive, Rainier Road, Red River Drive, Roundrock Trail, and Russell Creek Drive within the City limits of the City of Plano on school days; declaring it unlawful and a misdemeanor to park motor vehicles upon certain sections of such roadways; providing a fine for criminal penalties not to exceed \$200 for each offense; and providing a repealer clause, a severability clause, a savings clause, and an effective date.</p>	
(s)	<p>To amend Ordinance No. 2000-9-20 codified as Section 12-102(c), Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to prohibit parking, stopping or standing of motor vehicles along the east side of Wilson Drive from the intersection of Glencliff Drive south to the intersection of Grandview Drive within the City limits of the City of Plano on school days between the hours of 7:15 a.m. to 8:15 a.m., and 2:30 p.m. to 3:15 p.m.; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; providing a fine for criminal penalties not to exceed \$200 for each offense; and providing a repealer clause, a severability clause, a savings clause, and an effective date.</p>	
(t)	<p>To establish Section 12-102(e) Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to prohibit parking of motor vehicles along specified sections of 17th Street, P Avenue, R Avenue, Blue Ridge Trail, Country Place Drive, John Clark Parkway, Mollimar Drive, Nevada Drive, Old Orchard Drive, Preston Meadow Drive, San Gabriel Drive, Scenic Drive, and Wilson Drive within the City limits of the City of Plano during specified times during school days; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; providing a fine for criminal penalties not to exceed \$200 for each offense; and providing a repealer clause, a severability clause, a savings clause, and an effective date.</p>	
(u)	<p>To amend a specific section of Ordinance No. 99-9-29 codified as Section 12-73, Subsection (g), of Article IV (Speed) of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to reflect new school zone hours; providing a fine for criminal penalties not to exceed \$200 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>	
(v)	<p>To amend a subsection of Ordinance No. 2001-9-13, codified as Article XX, Residential Code, Division 2, Section 6-710, Subsection R302 of Chapter 6 of the City of Plano Code of Ordinances by adding a provision on encroachments and providing a repealer clause, a severability clause, a savings clause, a penalty clause and an effective date.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(w)	To amend Article IV of Chapter 11, "Licenses and Business Regulations" of the Code of Ordinances of the City of Plano to provide definitions, restrictions and regulations for solicitation within the City of Plano, repealing Ordinance No. 2001-8-19; providing penalty, severability, repealing and publication clauses, and an effective date.	
(x)	To abandon all right, title and interest of the City, in and to those certain water line easements granted to Jupiter Water Systems, Inc. as recorded in Volume 900 at Page 433, Volume 900 at Page 436, Volume 900 at Page 439, and Volume 900 at Page 445 and assigned by assignment of right-of-way easements recorded in Volume 2985, Page 493, in the land records of Collin County, Texas and being situated in the R.C. Ingraham Survey, Abstract 462 and the William McCreary Survey, Abstract Number 601, which are located south of Chaparral Road approximately 2500 feet east of Jupiter Road within 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, to the extent of its interests; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.  <b><u>Purchase of Existing Bid</u></b>	
(y)	To award a bid for the purchase of one (1) medium-duty cab and chassis and a light air utility conversion unit in the amount of \$321,570 through an interlocal agreement with the City of Bedford. (Bids No. 02-0509A and 02-0509B)  <b><u>Approval of Contract</u></b>	
(z)	To approve the terms and conditions of the agreement between the City of Plano and Whitehead & Mueller, a local environmental consulting firm in the amount of \$133,900 for lead remediation services at the Tri-City Academy Gun Range.	
(aa)	To approve and authorize for the selection of Wier and Associates to provide Professional Engineering Services for an amount not to exceed \$134,000 in connection with the design of Premier Drive – Ruisseau Drive to Heritage Drive and authorizing the City Manager to execute all necessary documents to effectuate this contract.	
(bb)	To approve and authorize a professional services contract with TEAM Consultants, Inc. to provide construction materials testing services for an amount not to exceed \$48,106 in connection with construction of Spring Creek Parkway from Dallas N. Tollway to White Rock Creek and authorizing the City Manager to execute all necessary documents.  <b><u>Approval of Change Order</u></b>	
(cc)	To Philpot Motor Company, increasing the contract for \$41,422 for the purchase of two Crown Victoria cars with Police package through the Tarrant County Joint Venture/Cooperative Purchasing Program (Bid No. 2001-125) and authorizing the City Manager to execute all documents necessary to effectuate this purchase.	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><b><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></b></p> <p><b><u>The purpose of a Public Hearing is to receive input and information. The City Council is always open to public comment, but wishes to clarify that their focus is on the singularly presented position, and not on the assemblage. Eliminating the repetition of statements enables the City Council to more effectively consider all presentations.</u></b></p> <p><b><u>In order to be fair to all persons who have items on the agenda or interest in one or more of the items, the Council must impose time limitations on speakers in the Public Hearings. The 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 depending on other prevailing factors. Speakers will be notified by the City Secretary when speaking time has expired.</u></b></p> <p>(1) <b>Consideration of an ordinance</b> to extend until February 5, 2006 the franchise granted to TCI of Plano, Inc. to own, operate, and maintain a cable communications system in the City of Plano which is set to expire on or about February 5, 2003; and providing a repealer clause, a severability clause and an effective date. (Second reading) (First Reading held 06/10/02)</p> <p>(2) <b>Consideration and action</b> on an ordinance to provide for the issuance and sale of City of Plano, Texas, General Obligation Bonds Refunding and Improvement Bonds, Series 2002, in the aggregate principal amount of \$56,130,000; levying a tax in payment thereof; and enacting other provisions relating thereto.</p> <p>(3) <b>Public Hearing and consideration of an ordinance</b> to request to establish and designate a certain area as Reinvestment Zone No. 70 for commercial/industrial tax abatement consisting of a 15.587-acre tract of land located at 5000 Headquarters Drive, 75024 in the City of Plano, Texas, establishing the boundaries of such zone, ordaining other matters relating thereto and providing an effective date.</p> <p>(4) <b>Consideration of a resolution</b> 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 Networks Associates, Inc. dba Network Associates, Inc., and providing for a commercial/industrial tax abatement for Networks Associates, Inc., dba Network Associates, Inc., and authorizing its execution by the City Manager; and providing an effective date.</p> <p>(5) <b>Public Hearing</b> pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to use or taking of a portion of City of Plano Park, known as Jack Carter Park, for sanitary sewer and temporary construction easement facilities.</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(6)	<p><b>Consideration of an ordinance</b> to approve a project for a Sanitary Sewer Easement and a Temporary Construction Easement to the City of Plano, requiring the use or taking of a portion of City of Plano public park land, known as Jack Carter Park; providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the park land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park and recreation area resulting from the use; and providing an effective date.</p>	
(7)	<p><b>Consideration of a resolution</b> to approve the granting of a sanitary sewer easement and a temporary construction easement being in the William Miller Survey, Abstract No. 615, City of Plano, Collin County, Texas across a portion of City of Plano park known as Jack Carter Park and authorizing the execution of the easements by the City Manager; and providing an effective date.</p>	
(8)	<p><b>Consideration of a resolution</b> to approve an expenditure of funds not to exceed sixty nine thousand five hundred thirty nine and no/100 dollars (\$69,539) to Tiseo Paving Company for realignment of a 15-inch sanitary sewer main along San Simeon Way east of Independence Parkway; authorizing the execution of all documents in connection therewith by the City Manager; and providing an effective date.</p>	
(9)	<p><b>Public Hearing and consideration of an ordinance as requested in Zoning Case 2002-21</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, so as to rezone 25.8+ acres located on the southwest corner of Chaparral Road and Jupiter Road in the City of Plano, Collin County, Texas, from Planned Development-19-Multi-Family-2 (PD-19-MF-2) to Planned Development-19-Multi-Family-2/Patio Home (PD-19-MF-2/PH); 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 #22. Applicant: Douglas Properties, Ltd.</p>	
(10)	<p><b>Public Hearing and consideration of an ordinance as requested in Zoning Case 2002-23</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 472 so as to allow the additional use of a Private Club in conjunction with a proposed restaurant on one lot on 1.1+ acres of land located on the east side of U.S. Highway 75, 1,300+ feet north of Parker 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 #37. Applicant: Fairview Farm Land Company, Ltd.</p>	
(11)	<p><b>Public Hearing and consideration of an ordinance as requested in Zoning Case 2002-26</b> - To amend Subsection 3-1004 (Placement of All Dumpsters) of Section 3-1000 (Screening, Fence, and Wall Regulations) of Article 3 (Supplementary Regulations for Principle Permitted Uses and Specific Uses) and related sections of the Zoning Ordinance regarding the placement and screening of refuse and recycling containers of the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(12)	<p><b>Consideration and action resulting from executive session discussion:</b> Personnel (Reappointments) Board of Adjustment, Building Standards Commission, Planning &amp; Zoning Commission</p>	Council
(13)	<p><b>Personnel (Reappointments)</b>                      Animal Shelter Advisory Committee                      Civil Service Commission                      Community Relations Commission                      Cultural Affairs Commission                      Heritage Commission                      Keep Plano Beautiful Commission                      Library Advisory Board                      Parks and Recreation Planning Board                      Plano Housing Authority                      Plano Transition and Revitalization Commission                      Public Arts Committee                      Retirement Security Plano Committee                      Self Sufficiency Committee                      Senior Citizens Advisory Board                      Tax Increment Financing Reinvestment Zone No. 1 Board                      Technology Commission                      Transportation Advisory Committee</p>	Council
(14)	<p><b>Discussion and direction</b> to request the Planning and Zoning Commission to study and recommend appearance standards for elevated parking facilities</p>	Johnson/ Stovall
(15)	<p><b>Discussion and Direction</b> regarding Alley Speed Bump Policy</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>	Stovall/ Magnuson