

CITY COUNCIL

1520 AVENUE K



DATE: 9/13/2010

CALL TO ORDER: 7:00 p.m.

INVOCATION:

PLEDGE OF ALLEGIANCE:

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<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: 31st Annual Plano Balloon Festival Special Recognition: Plano Police Department Receipt of Federal and State Awards</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><u>Approval of Minutes</u> August 14, 2010 August 23, 2010 August 26, 2010</p>	<p>Presented</p> <p>Presented</p> <p>Approved</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
	<u>Approval of Expenditures</u>	
	Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)	
(b)	Bid No. 2010-203-B, for Courtyard Theater Exterior Renovation to Hagler Construction Co., Inc., in the amount of \$120,266 and authorizing the City Manager to execute all necessary documents.	Approved
(c)	Bid No. 2010-177-B for Best Value Bid for two (2) Communications Shelters to Sabre Communications in the annual amount of \$349,488.	Approved
(d)	CSP No. 2010-198-B for Southeast Industrial Water Tank Repaint project to J. R. Stelzer Co. in the amount of \$841,060 and authorizing the City Manager to execute all necessary documents.	Approved
	<u>Adoption of Resolutions</u>	
(e)	Resolution No. 2010-9-1(R): To approve the terms and conditions of Agreements between the City of Plano and various community organizations, providing for the expenditure of Buffington Community Services funds in the amount of \$263,800 for the provisions of various community services and developments; authorizing its execution by the City Manager; and providing the effective date.	Adopted
(f)	Resolution No. 2010-9-2(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the City of Murphy, Texas to allow the employees of the City of Murphy to take classes offered by City of Plano Professional Development Center, authorizing its execution by the City Manager; and providing and effective date.	Adopted
(g)	Resolution No. 2010-9-3(R): To approve the terms and conditions of a Memorandum of Understanding between the State of Texas and the City of Plano for the adoption of the Texas Department of Transportation's federally-approved Disadvantaged Business Enterprise Program; authorizing its execution by the City Manager; and providing an effective date.	Adopted

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(h)	<p><u>Adoption of Ordinances</u></p> <p>Ordinance No. 2010-9-4: To approve a negotiated resolution between the Atmos Cities Steering Committee (“ACSC” or “Steering Committee”) and Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”) regarding the Company’s third rate review mechanism (“RRM”) filing 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 Atmos Mid-Tex’s proof of revenues; extending the RRM process for two cycles and adopting a new RRM tariff; ratifying the settlement agreement, including cost recovery for a steel service line replacement program; 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.</p>	Adopted
(i)	<p>Ordinance No. 2010-9-5: To amend specific sections of Ordinance No. 2009-9-9 codified as Section 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano to increase the water rate schedules for residential and non-residential customers by six percent (6%) effective November 1, 2010, and providing a repealer clause, a severability clause, a savings clause, and an effective date.</p>	Adopted
(j)	<p>Ordinance No. 2010-9-6: To amend Article IX, Railroads, of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas by amending Section 12-258, Subsections (a) and (c)(i), Quiet Zones, to add a definition of spur track and DART, and to designate additional rail crossings as Quiet Zones, and providing a penalty clause, a severability clause, a publication clause, and providing an effective date.</p>	Adopted
(k)	<p>Ordinance No. 2010-9-7: To adopt and enact Supplement Number 91 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>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></p>	

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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)	Ordinance No. 2010-9-8: To approve and adopt the budget and setting the appropriations for the fiscal year beginning October 1, 2010, and terminating September 30, 2011; and providing an effective date.	Adopted
(2)	Ordinance No. 2010-9-9: To approve and adopt the Community Investment Program and setting the appropriations for 2010-11; and providing an effective date.	Adopted
(3)	Ordinance No. 2010-9-10: To approve and adopt the tax rate for the fiscal year beginning October 1, 2010 and terminating September 30, 2011 and providing an effective date.	Adopted
(4)	Resolution No. 2010-9-11(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Network Engines, Inc., a Delaware corporation; authorizing its execution by the City Manager and providing an effective date.	Adopted
(5)	Consideration of an Ordinance to repeal Ordinance No. 2000-8-4 in order to terminate the existing Private Franchise Agreement by and between the City of Plano, Texas, and Allied Waste Systems, Inc. d/b/a Allied Waste Services of Plano and approving a new Private Franchise Agreement by and between the City of Plano, Texas, and Allied Waste Systems, Inc. d/b/a Allied Waste Services of Plano, providing terms and conditions upon which Allied Waste Systems, Inc. shall be granted an exclusive Private Franchise for collection and disposal of solid waste for commercial customers located within the City of Plano in accordance with Article 10-A of the City Charter and a non-exclusive Private Franchise for collection of recyclable materials from commercial customers located in the City of Plano; and authorizing its execution by the City Manager; providing a repealer clause, a severability clause, a savings clause, a penalty clause, providing for publication and an effective date. (First Reading)	First Reading Approved
(6)	Public Hearing and adoption of Ordinance No. 2010-9-12 as requested in Zoning Case 2010-10 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend Planned Development-65-Central Business-1 on 168.1± acres out of the Maria C. Vela Survey, Abstract No. 183, located generally at the northeast and southeast corners of Dallas North Tollway and Legacy Drive, in the City of Plano, Collin County, Texas, to establish regulations to allow for off-premise signage; 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, a publication clause, and an effective date. Applicant: Shops at Legacy	Conducted and Adopted

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(7)	<p>Public Hearing and adoption of Ordinance No. 2010-9-13 as requested in Zoning Case 2010-13 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 605 so as to allow the additional use of Print Shop (Major) on 11.4± acres of land out of the J. B. Roundtree Survey, Abstract No. 759, located on the south side of Plano Parkway, 850± feet west of Shiloh Road, in the City of Plano, Collin County, Texas, presently zoned Research/Technology Center; 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, a publication clause, and an effective date. Applicant: William O'Neil & Company, Inc.</p>	<p>Conducted and Adopted</p>
(8)	<p>Public Hearing and consideration of a Resolution to amend the 2009-10 Action Plan to include the additional activity of land purchase in the amount of \$700,000 to support homeless transitional housing and services by The Samaritan Inn; and providing an effective date. Tabled at the August 9, 2010 City Council meeting.</p>	<p>Withdrawn</p>
(9)	<p>Consideration of a Resolution to authorize the filing of an application in an amount not to exceed \$700,000 under the U.S. Department of Housing and Urban Development Section 108 Loan Guarantee Program; approving its execution by the City Manager; and providing an effective date. Tabled at the August 9, 2010 City Council meeting.</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>Withdrawn</p>