



CITY COUNCIL

1520 AVENUE K

DATE: September 22, 2003

CALL TO ORDER: 7:00 p.m.

INVOCATION: Sr. Pastor Bruce Grentz
First Christian Church of Plano

PLEDGE OF ALLEGIANCE: Brownie Troop 355
Jackson Elementary

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><u>SIGNING OF AGREEMENT</u></p> <p>Signing of Agreement Between City of Plano and Sister City Hsinchu Taiwan</p> <p><u>PROCLAMATIONS AND SPECIAL RECOGNITION</u></p> <p>“Child Support Awareness Day”</p> <p>Food Safety Awards</p> <p>“Mental Illness Awareness Week”</p> <p>“National Customer Service Week”</p> <p>“Special Olympics Summer Games” Medalists – Myles Barman and Steve Comen</p> <p><u>OATHS OF OFFICE</u></p> <p><u>Animal Shelter Advisory Committee</u> John Carver, DVM Dennis Abraham, PE Roger Bolin Jeffrey Cosby Eloisa Sue Muzquiz</p> <p><u>Board of Adjustment</u> Michael Broderick Christopher Caso Kevin Patrick Finch George Elwell</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Building Standards Commission</u> Byron Betler Nathan LaFate Brinkley Jeff Bulla Jim Degnan Kenneth Gill</p> <p><u>Civil Service Commission</u> Daniel Zadorozny</p> <p><u>Community Relations Commission</u> Christy Tomlinson Doering John Darren Harris Victoria Hoyos Arango Jane Stephenson</p> <p><u>Cultural Affairs Commission</u> Alex Johnson Patricia Madigan Beth O’Neal</p> <p><u>Heritage Commission</u> W. Neely Plumb Pat Warren Larry Keen Melissa O’Neal</p> <p><u>Keep Plano Beautiful Commission</u> C. Edwin Nalley Bob Mitchell David James Gillespie</p> <p><u>Library Advisory Board</u> Joe Holmes Betty Monday Mahan Kimberly Nelon Hilton Kong Sue Yeh</p> <p><u>Parks and Recreation Planning Board</u> Karen Bellessa R. Guy Wormald</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Planning and Zoning Commission</u> Joy M. Flick Jerry Kezhaya Harry LaRosiliere Laura Williamson</p> <p><u>Plano Housing Authority</u> Myrtle Hightower Leticia Perez Karen Sparks</p> <p><u>Plano Transition and Revitalization Commission</u> Chris Henry Jim Hiegel Russell Kissick Clyde McKinney</p> <p><u>Public Arts Committee</u> Michael Coleman Robert Drotman Peggy Jernigan David Wille</p> <p><u>Retirement Security Plan Committee</u> Kien Liew Ronald Timmons</p> <p><u>Self Sufficiency Committee</u> Earnest Burke Joe Wolens Milkes Walter T. Norris Carl Pribanic Evelyn Sandberg</p> <p><u>Senior Citizens Advisory Board</u> Tiffany Duncan Carol Rothschild Naomi Selinger Sanit Jerry Wells</p> <p><u>Tax Increment Financing Reinvestment Zone No. 2 Board</u> G. Lynn Carr Russell Coolik Michael Wayne Tucker Chris Hatcher Alan Johnson Chuck O'Reilly James Schell Dollie Thomas</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Technology Commission</u> Jeff Gardner David Edwards Patrick Ng</p> <p><u>Transportation Advisory Committee</u> Jess Fox Michael Hutchison Elizabeth Metting Raj Minocha</p> <p><u>Youth Advisory Commission</u> Plano East Senior High School Evelina Flores Lindsey Boyle Tom Ju Christopher Willis Caitlyn Hannah Eric Moore</p> <p>Plano Senior High School Katy Weekley Meghan Ryan Brett Snider Amanda Holloway</p> <p>Plano West Senior High School Samantha Sumurdy Caroline Gorman Chris Nicholas Sarah Hughes</p> <p>Clark High School Hanna Sedlet Jeff Nanney</p> <p>William High School Christine Sidhu</p> <p>Vines High School Gizem Engur Santiago Vega Stephanie Chung</p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>Shepton High School Mohsena Wahed Ambika Khanna Andrew Suen</p> <p>Jasper High School Melanie Avshman Merinda Brooks Brett Grant</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>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. The Mayor may direct other time restraints depending on other prevailing factors.</p> <p>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p>CONSENT AGENDA</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) Approval of Minutes September 8, 2003</p> <p><u>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:</u></p> <p>(b) Bid No. B115-03 for the Park Erosion Control Structures – 2003-04 in the amount of \$495,000. Work will be performed at Arbor Hills Nature Preserve, Big Lake Park (on Chisholm Trail), Carpenter Park and Coyote Creek Park.</p> <p>(c) Bid No. B121-03 for the Dublin Road Asphalt Overlay Project, within the City of Plano in the amount of \$48,048.</p> <p>(d) Bid No. B116-03 for construction of the intersection improvements – Westside Project in the amount of \$494,217. This project consists of constructing left and right turn improvements at the following locations: Plano Parkway/Ohio Drive, Legacy Drive/Chase Oaks Boulevard, Legacy Drive/Alma Road, and Spring Creek Parkway/US 75.</p>	<p>Held</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(e)	<p>Bid No. B103-03 for needs assessment/evaluation report of Collin County's public safety resources ability to respond to a chemical, biological, radiological, or nuclear event in the amount of \$42,685.</p>	Approved
<p><u>Adoption of Resolutions</u></p>		
(f)	<p>Resolution No. 2003-9-30(R): To approve the terms and conditions of a depository services contract with BANK ONE TEXAS, NA and authorizing the City Manager to execute the contract and all other documents necessary to effectuate the action herein approved; and providing an effective date.</p>	Adopted
(g)	<p>Resolution No. 2003-9-31(R): To establish a schedule of ball field lighting fees, tennis fees, and room rental fees for the use of Parks and Recreation Facilities; and providing a repealer clause and an effective date.</p>	Adopted
(h)	<p>Resolution No. 2003-9-32(R): To approve the 2003 Tax Roll for Fiscal Year 2003-2004; and providing an effective date.</p>	Adopted
(i)	<p>Resolution No. 2003-9-33(R): To approve and authorize refunds of property tax overpayments; and providing an effective date.</p>	Adopted
(j)	<p>Resolution No. 2003-9-34(R): To find Marco Banuelas is entitled to defense representation under the City of Plano Code of Ordinances in the matter of Janet L. Leavitt v. Laura Holland Wakefield, Marco Banuelas and the City of Plano; and providing an effective date.</p>	Adopted
(k)	<p>Resolution No. 2003-9-35(R): To approve the terms and conditions of an interlocal agreement by and between the City of Plano, Texas and the Frisco Independent School District for school crossing guards; providing for the reimbursement of costs to the City of Plano for providing school crossing guards; authorizing execution of the agreement by the City Manager; and providing an effective date.</p>	Adopted
(l)	<p>Resolution No. 2003-9-36(R): To approve the terms and conditions of an interlocal cooperation agreement by and between the City of Plano and North Texas Municipal Water District providing terms and conditions for a Regional Composting Program; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(m)	<p>Resolution No. 2003-9-37(R): To approve the terms and conditions of agreements between the City of Plano and various community organizations, providing for the expenditure of HOME Grant funds in the amount of \$307,450 for the provision of housing services; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(n)	<p>Resolution No. 2003-9-46(R): To approve the terms and conditions of agreements between the City of Plano and various community organizations, providing for the expenditure of community services funds in the amount of \$245,925 for the provision of various community services; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Adoption of Ordinances</u></p>	
(o)	<p>Ordinance No. 2003-9-47: To amend Article XIX, Sections 2-336 “Members,” 2-338 “Officers,” 2-339 “Meetings: Quorum,” of Chapter 2 “Administration,” of the Code of Ordinances of the City of Plano, Texas, to define with greater specificity the membership of the Animal Shelter Advisory Committee; to change the schedule of the meetings; to designate the Animal Services Manager as the Secretary of the Animal Shelter Advisory Committee; and providing a repealing and severability clauses, and an effective date.</p>	Adopted
(p)	<p>Ordinance No. 2003-9-38: To adopt and enact Supplement No. 62 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
(q)	<p>Ordinance No. 2003-9-48: To repeal a portion of Section I of Ordinance No. 2000-8-32 and the entirety of Section I and II of Ordinance No. 2002-9-35, currently codified under Chapter 15, Parks and Recreation, Article I, Sections 15-1 and 15-4(a), Subsection 13 of the City of Plano Code of Ordinances, and providing new language that clarifies certain definitions under the chapter and that restricts and regulates the use of motor vehicles and motorized devices, including motor assisted scooters, on park property; and providing a repealer clause, a severability clause, a penalty clause, a savings clause, and an effective date.</p>	Adopted with amendments
(r)	<p>Ordinance No. 2003-9-39: To amend Ordinance Nos. 2002-1-24 and 2002-6-9, currently codified as Section 14-7 under Chapter 14 of the City of Plano Code of Ordinances, to include motorized devices as one of the devices prohibited within certain areas; and providing a repealer clause, a severability clause, a penalty clause, and an effective date.</p>	Adopted
(s)	<p>Ordinance No. 2003-9-40: To amend the Plano Code of Ordinances, Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing, and Parking, Section 12-102(e) to include the prohibition of motor vehicle parking along the north side of Georgetown Drive from the intersection of Prescott Drive west to the intersection of Vienna Drive between the hours of 7:30 a.m. to 3:30 P.M. on school days, and providing a severability clause, a penalty clause, and an effective date.</p>	Adopted
(t)	<p>Ordinance No. 2003-9-41: To amend the Plano Code of Ordinances, Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing, and Parking, Section 12-102(e) to include the prohibition of motor vehicle parking along the east and west sides of Robinson Road from Crystal Creek Drive north to Risinghill Drive between the hours of 7:15 a.m. to 8:15 a.m. and 2:30 p.m. to 3:15 p.m. on school days; declaring the parking of motor vehicles in said section of Robinson Road within the defined time limits as unlawful and a misdemeanor, and providing a severability clause, a penalty clause, and an effective date.</p>	Adopted
(u)	<p>Ordinance No. 2003-9-42: To repeal City of Plano Ordinance No. 2001-12-3, codified as Sections 21-135, 21-136, and 21-147, of Article V, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano providing for an amended fee schedule for water and sewer services; and providing a repealer clause, a severability clause, and an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(v)	Ordinance No. 2003-9-43: To repeal Ordinance No. 96-12-8 in its entirety, codified as Article I of Chapter 18, Solid Waste, of the Code of Ordinances of the City of Plano; providing revised definitions, regulations and policies for the collection and transportation of Solid Waste, Landscape Waste, Household Hazardous Waste and Recyclable Materials; creating a Bulky Waste Collection Program, an Organic Waste Recycling Program and a Construction and Demolition Debris Recycling Program; changing the name of the Solid Waste Division to the Environmental Waste Services Division; providing a repealer clause, severability clause, savings clause, penalty clause and an effective date.	Adopted
(w)	Ordinance No. 2003-9-44: To repeal Ordinance No. 99-10-23 codified as Sections 18-32, 18-33, and 18-34 of Article II, Collection Charges, of Chapter 18 of the Code of Ordinances of the City of Plano; establishing a revised schedule of rates and charges for solid waste collection and disposal applicable to residential and commercial accounts; and providing a repealer clause, a severability clause, and an effective date.	Adopted
(x)	Ordinance No. 2003-9-45: To repeal Ordinance No. 2003-7-9; establishing the number of certain classifications within the Police and Fire Departments for Fiscal Year 2003-2004; establishing the authorized number and effective dates of such positions for each classification effective October 1, 2003 and October 6, 2003, respectively; establishing a new salary plan for the Police and Fire Departments effective October 6, 2003; and providing a repealer clause, a severability clause and an effective date.	Adopted
	<u>Approval of Contracts:</u>	
(y)	To award a delinquent tax collection contract to the law firm of Gay, McCall, Isaacks, Gordon & Roberts.	Approved
(z)	To approve and authorize a contract with Kimley-Horn & Associates, Inc. to provide Landscape Architectural Services in conjunction with improvements to Oak Point Park and Nature Preserve, in an amount not to exceed \$71,668; and authorizing the City Manager to execute any and all documents necessary to effectuate the contract.	Approved
(aa)	To approve and authorize for the selection of Winkelmann & Associates, Inc. to provide Professional Engineering Services for an amount not to exceed \$184,400 in connection with the design of the Janwood Street – Alma to Westwood Project Improvements and authorizing the City Manager to execute all necessary documents to effectuate this contract.	Approved
(bb)	To approve and authorize for the selection of Mactec Engineering and Consulting, Inc. to provide Material Testing Services for an amount not to exceed \$34,855 in connection with the material testing for the Independence Square Water Renovation and Fire Hydrants Project and authorizing the City Manager to execute all necessary documents.	Approved
	<u>Approval of Agreement</u>	
(cc)	To approve a contract by and between the City of Plano and Plano Economic Development Board in the amount of \$613,633 to initiate, promote, monitor and perform activities related to economic development.	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
(dd)	<p><u>Approval of an Expenditure</u></p> <p>To approve an expenditure of \$50,300 to Southwestern Bell Telephone Company (“SBC”) in payment of the City of Plano’s portion of the Texas 9-1-1 Agencies’ Joint Settlement that modifies the Public Utility Commission’s proposed tariff rates to provide enhanced Wireless 9-1-1 Phase I and Phase II service, which includes a call back number and location information for cellular callers, for a period of five (5) years beginning November 1, 2003 and ending October 31, 2008.</p> <p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p><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></p> <p><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></p>	Approved
(1)	<p>Resolution No. 2003-9-49(R) adopting the Dallas North Estates Neighborhood Action Plan as proposed by the Dallas North Estates Neighborhood Planning Team; approving its use by appropriate personnel and departments of the City of Plano for the purpose of guiding future development and provision of City services within the Dallas North Estates Neighborhood, and providing an effective date.</p>	Adopted
(2)	<p>Consideration and approval of an option and sales contract for the disposition of approximately 1 acre of land located at the southwest corner of 15th Street and Avenue H.</p>	Approved
(3)	<p>Public Hearing and adoption of Ordinance No. 2003-9-50 as requested in Zoning Case 2003-43 – to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 508 so as to allow the additional use of a Private Club on 0.1± acre of land located 175± feet north of State Highway 190 and 760± feet east of Coit 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 #72 Applicant: Jack Wertheimer</p>	Conducted and adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(4)	<p>Public Hearing and consideration of an Appeal of the Planning & Zoning Commission's Denial of Zoning Case 2003-22 - A request for a Specific Use Permit (SUP) for a Used Car Dealer on one lot on 0.2+ acre on the west side of K Avenue and 60+ feet north of 20th Street. Zoned Light Commercial with Specific Use Permit #223 for Limited Assembly and Manufacturing Uses. Neighborhood #60. Applicant: David Howard Tabled 09-08-03</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>	Tabled to 10-14-03