



CITY COUNCIL

1520 AVENUE K

DATE: October 11, 2004

CALL TO ORDER: 7:00 p.m.

INVOCATION: Father Andrew Semler
Prince of Peace Catholic Community

PLEDGE OF ALLEGIANCE: Cub Scout Pack 265
Huffman 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>OATHS OF OFFICE</u></p> <p><u>Animal Shelter Advisory Committee</u> Keith Clark Jeffrey D. Cosby Dr. Karen Dubrow Eloisa Sue Muzquiz</p> <p><u>Board of Adjustment</u> George Elwell Randy Hart Nicholas Nash Michael Pirek Chris Polito Donnie Swango Jackie Westbrook</p> <p><u>Building Standards Commission</u> John E. Bellair Byron Betler John K. Houcek Thomas Izbicki Tina M. Ross</p> <p><u>Civil Service Commission</u> Howard Apple</p>	

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	<p><u>Community Relations Commission</u> Kimberly Jene Brogan Susan Lavigne Robert G. Masengill David Woolard</p> <p><u>Cultural Affairs Commission</u> Pam Haines Cathy Kuo Tony Vea Chrissy Yung</p> <p><u>Heritage Commission</u> Sharon L. Kite Justin Parker Nichols Clinton L. Osteen</p> <p><u>International Relations Advisory Commission</u> Mark A. Ball George Elking Larry Flannery Mark Langford Larry May</p> <p><u>Keep Plano Beautiful Commission</u> Sandy Fletcher Mitch L. Goldstein Holly R. Linskie Wanda Stephens Christopher Scott Young</p> <p><u>Library Advisory Board</u> Mary McGowan Hilton Kong Harmon Norton</p> <p><u>Parks and Recreation Planning Board</u> Mary F. Long Bill Neukranz Francis Ngoh Jim Norton Susan Plonka</p>	

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	<p><u>Planning and Zoning Commission</u> Joyce R. Beach Lisette Briley Lee Dunlap Carolyn Kalchthaler</p> <p><u>Plano Housing Authority</u> Paul J. Gephart Linda S. Hester</p> <p><u>Plano Transition and Revitalization Commission</u> Pat Miner Carol Moss Matt Shaheen</p> <p><u>Public Arts Committee</u> Robert B. Drotman Jacie Moore Janet Shaw</p> <p><u>Retirement Security Plan Committee</u> Mike Busch John McGrane Karen Rhodes</p> <p><u>Self Sufficiency Committee</u> Diana Lopez Axthelm Greg Huckaby</p> <p><u>Senior Citizens Advisory Board</u> Sue R. Barron Joseph Celso Dave Heinze Mary Jane Ketcham Mary Anepohl Norman, MD</p> <p><u>Tax Increment Financing Reinvestment Zone No. 1 Board</u> Michael Booth Jon Christiansen Scott Johnson Dong Shen</p>	

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	<p><u>Technology Commission</u> Michael James Becker Scott E. Copeland Stacey Dees Dana Johnson Jim Ryan Hu Shen</p> <p><u>Transportation Advisory Committee</u> Dennis Abraham Michael W. Copeland Borivoje P. Dedeitch</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.</p> <p>Speakers will be notified when speaking time has expired. 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>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> <p>(a) Approval of Minutes September 27, 2004</p> <p>(b) <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> Bid No. B079-04 for the purchase of Traffic Signal Controllers and Traffic Control System Software from Naztec, Inc. in the amount of \$884,734.</p>	<p>Approved</p> <p>Approved</p>

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(c)	Bid No. B183-04 for Oak Point Park and Nature Preserve, Phase 2 (amphitheater improvements) in the amount of \$2,044,533.	Approved
(d)	Bid No. B172-04 for Fire Station 6 Dormitory Remodel in the amount of \$31,840.	Approved
(e)	Bid No. B175-04 for the construction of the Expansions to Operations and Equipment Services Buildings in the amount of \$3,215,000.	Approved
(f)	Bid No. B181-04 for the construction of the eastern two lanes of Willow Bend Drive – Windhaven Parkway to approximately 700 feet to the south in the amount of \$292,345.	Approved
(g)	Bid No. B176-04 for construction of Briarcreek Sanitary Sewer Phase II, in the amount of \$1,582,316.	Approved
<u>Adoption of Resolutions</u>		
(h)	Resolution No. 2004-10-1(R): To approve and authorize refunds of property tax overpayments; and providing an effective date.	Adopted
(i)	Resolution No. 2004-10-2(R): To find Cary Wicker is entitled to defense representation pursuant to City Code of Ordinances in connection with the matter of Lucas Decraene v. Karen Dawn Norris, et al.; and providing an effective date.	Adopted
(j)	Resolution No. 2004-10-3(R): To approve the terms and conditions of an agreement by and between Signature Towing, Inc., and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(k)	Resolution No. 2004-10-4(R): To authorize the purchase of library materials such as books, books-on-tape, and compact disks for the Plano Public Library System (PPLS) in the amount of \$300,000 from Brodart through the Northeast Texas Library System (NETLS); authorizing the City Manager to take such action and execute such documents as necessary to effectuate the purchase approved herein and providing an effective date.	Adopted
(l)	Resolution No. 2004-10-5(R): To authorize the purchase of various library materials, including books, books-on-tape, audio cassettes, compact disks, and videocassettes for Plano Public Library System (PPLS), from Baker & Taylor under Texas State Contract 715-N1 Section IV (715-10-50), Section V (710-10-60), Section VIII (715-90-10), Section IX (715-05-10) and Section X (715-05-11); and for non-print materials only under the annual Northeast Texas Library System (NETLS) contract in the amount of \$400,000; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the purchase approved herein; and providing an effective date.	Adopted
(m)	To approve the terms and conditions of the funding agreement in a total amount not to exceed \$1,000 between the City of Plano, Texas, and The Living Opera, which renders services that are beneficial to the public and serve a valid public purpose; authorizing the City Manager to execute such agreements with this organization for provision of support of the arts; and providing an effective date.	Tabled 2 weeks

ITEM NO.	EXPLANATION	ACTION TAKEN
(n)	<p>Resolution No. 2004-10-11(R): To approve the terms and conditions of the funding agreements between the City of Plano, Texas and various arts organizations, which all render services that are beneficial to the public and serve a valid public purpose; authorizing the City Manager to execute such agreements with these organizations for provision of support of the arts; and providing an effective date.</p> <p><u>Adoption of Ordinances</u></p>	Adopted
(o)	<p>Ordinance No. 2004-10-6: To revise Section 2-242, Membership, of Article XII, Senior Citizens Advisory Board, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano to decrease the number of members from 10 to 9; and providing a repealer clause, a severability clause, and an effective date.</p>	Adopted
(p)	<p>Ordinance No. 2004-10-7: To repeal Ordinances Nos. 88-3-21, 92-6-19, 93-9-62 and 98-1-10 and amending Ordinance No. 89-5-18, Section II. (b), codified as Sections 6-1 through 6-15 of Article I, General, of Chapter 6, Buildings and Building Regulations of the Code of Ordinances of the City of Plano; adopting new Sections 6-1 through 6-15 of Article I, Chapter 6 of the Code of Ordinances; to set forth regulations, enforcement authority for regulating building standards for the City of Plano, including establishing the power and duties of the Building Standards Commission; creating penalty provisions and allowing civil relief as allowed by all applicable law; providing a repealer clause, a severability clause, a savings clause, a penalty clause, and an effective date.</p>	Adopted
(q)	<p>Ordinance No. 2004-10-8: 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 stopping, standing or parking of motor vehicles along the south side of Waskom Drive from Rockledge Lane east to Serenity Drive between the hours of 7:15 a.m. to 8:15 a.m. and 2:45 p.m. to 3:30 p.m. on school days; declaring the parking of motor vehicles in said section of Rockledge Lane within the defined time limits as unlawful and a misdemeanor; and providing a repealer clause, a severability clause, a penalty clause, a savings clause, and an effective date.</p>	Adopted
(r)	<p>Ordinance No. 2004-10-9: To abandon all right, title and interest of the City, in and to that certain temporary turn-around easement and that certain temporary 15' water easement situated in Legacy Town Center (South), an addition to the City of Plano, Texas and being located at the southwest corner of Lunsford Drive and Parkwood Boulevard in the City Limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easements to the abutting property owner, Legacy PT MFA I, L.P., to the extent of its interest; authorizing the City Manager, to execute any documents deemed necessary; and providing an effective date.</p>	Adopted
(s)	<p>Ordinance No. 2004-10-10: To approve the carrying forward of Fiscal Year 2003-2004 funds to Fiscal Year 2004-2005; and approving an effective date.</p> <p><u>Approval of Change Order</u></p>	Adopted
(t)	<p>To Ratliff Hardscape, LTD. increasing the contract by \$37,060 for the Copper Creek and River Bend Subdivisions Screening Wall Replacement and Panel Replacement Project, Change Order No. 1. (Bid No. B038-04).</p>	Approved
(u)	<p>To McMahan Contracting, L.P., increasing the contract by \$84,306 for the 2003-2004 Arterial Concrete Replacement, Change Order No. 1 (Bid No. P061-04).</p>	Approved

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(v)	To approve Change Order No. 2 for White Glove Janitorial & Floor Services for the transfer of two (2) locations from contract C197-01 (Custodial Services for New Facilities) to C118-03 (Custodial Services) to consolidate the existing split facilities to better provide standardized services from one contracted vendor in the estimated annual amount of \$26,424.	Approved
(w)	<p><u>Reimbursement of Oversize Participation</u></p> <p>To approve and authorize reimbursement to EDS Information Services, LLC for oversize participation for paving improvements associated with the construction of Corporate Drive north of Tennyson in the amount of \$35,372.</p>	Approved
	<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)	Adoption of City Council Strategic Plan for 2004-2009.	Adopted
(2)	Public Hearing and adoption of Ordinance No. 2004-10-12 as requested in Zoning Case 2004-16 – To amend Subsection 3-1106 (Parking Area Standards) of Section 3-1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, to allow gravel driveways in the Agricultural and Estate Development Zoning Districts within the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano	Conducted and adopted
(3)	Public Hearing and an ordinance as requested in Zoning Case 2004-35 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to rezone 22.6± acres located on the north side of Ridgeview Drive, 2,000± feet east of Coit Road in the City of Plano, Collin County, Texas, from Regional Employment to Planned Development-152-Patio Home; 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 #2. Applicant: Hagggar-Jezzeen Partnership & Ryland Homes	Tabled to 11/8/04
(4)	Public Hearing and adoption of Ordinance No. 2004-10-13 as requested in Zoning Case 2004-36 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Specific Use Permit No. 550 so as to allow the additional use of a Day Care Center on 7.5± acres of land located on the southeast corner of Legacy Drive and Ohio Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family-7; 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 #17. Applicant: Korean First Baptist Church.	Conducted and adopted

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(5)	<p>Public Hearing and adoption of Ordinance No. 2004-10-14 as requested in Zoning Case 2004-37 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Specific Use Permit No. 551 so as to allow the additional use of a private club within a restaurant on 0.1± acre of land located on the west side of Bishop Road, 340± feet south of Legacy Drive in the City of Plano, Collin County, Texas, presently zoned Planned Development-65-Central Business-1; 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 #16. Applicant: The Shops at Legacy, LP.</p>	<p>Conducted and adopted</p>
(6)	<p>Resolution No. 2004-10-15(R): To approve the terms and conditions of a funding agreement by and between the City of Allen, Texas, the City of Frisco, Texas, and the City of Plano, Texas to set forth the terms and conditions for providing initial funding for services related to the Arts of Collin County, Inc; authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>
(7)	<p>Resolution No. 2004-10-16(R): To appropriate funds for services related to the Arts of Collin County, Inc., and authorizing the expenditures of funds thereof; 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 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>	<p>Adopted</p>