



# CITY COUNCIL

1520 AVENUE K

DATE: November 12, 2007

CALL TO ORDER: 7:00 p.m.

INVOCATION: Dr. Leon Aduddell  
First Baptist Church of Plano

PLEDGE OF ALLEGIANCE: Plano American Legion Honor Guard

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p><b><u>PROCLAMATIONS AND SPECIAL RECOGNITION</u></b></p> <p>Proclamation: Veterans Day            Proclamation: National Adoption Month- 2007            Presentation: \$49,000 Grant to the City of Plano by The Plano Arts and Cultural Endowment            Special Recognition: Sharon Wright – 20 Years of Service to the City of Plano</p> <p><b><u>CERTIFICATES OF APPRECIATION</u></b></p> <p>Civil Service Commission - R. James Akers            Cultural Affairs Commission - Beth Weingarden            Library Advisory Board - R. James Akers</p> <p><b><u>OATHS OF OFFICE</u></b></p> <p>Planning &amp; Zoning Commission - Beth Weingarden            Transportation Advisory Committee - Arnold Picon, P.E.</p> <p><b><u>THE CITY SECRETARY RECEIVES SPEAKER CARDS AT THE BEGINNING OF THE MEETING</u></b></p> <p><b><u>COMMENTS OF PUBLIC INTEREST</u></b></p> <p><b><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></b></p>	

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	<p><b><u>CONSENT AGENDA</u></b></p> <p><b><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></b></p> <p><b><u>Approval of Minutes</u></b></p> <p>(a) October 22, 2007 October 29, 2007 November 1, 2007</p> <p><b><u>Approval of Expenditures</u></b></p> <p><b>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</b></p> <p>(b) To reject Bid No. 2007-224-B for Parkwood Boulevard Median Tree Planting and Irrigation and 2004-05 Median Landscaping, Project Nos. 5744 and 5578 to C. Green Scaping, L.P., in the amount of \$269,226.</p> <p><b>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</b></p> <p>(c) To approve a Engineering Services Agreement contract by and between the City of Plano and Arredondo, Zepeda &amp; Brunz, L.L.C., in the amount of \$128,357, for Engineering Design Services for Plano Parkway, from Midway Road to West City Limits; and authorizing the City Manager to execute all necessary documents.</p> <p><b>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).</b></p> <p>(d) To approve the purchase of (1) 6-Post Mobile Lifting System (90,000 lb. capacity); (8) Mobile Support Stands (Tall/15,000 lb. capacity); (4) Pairs of Reduction Sleeves (for smaller tire diameter 13" rim); (1) Heavy Duty Air/Hydraulic Transmission Jack; (1) 4-Post Mobile Lifting System (60,000 lb. capacity); (2) 2-Step Air/Hydraulic, 6.7" Head (33,000/66 lb. capacity); (2) 2" Extension for 2-Step; (2) 4" Extension for 2-Step; (2) 14" Extension for 2-Step in the amount of \$101,905 from Automotive Resources, Inc. through an existing contract/agreement with Texas Association of School Board Purchasing Program contract and authorizing the City Manager to execute all necessary documents. (239-05)</p> <p>(e) To authorize the renewal of the Maintenance Agreement for CommVault Backup Software, in the amount of \$61,096 from Dell, through a Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-192).</p>	<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>

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(f)	To approve the purchase of servers for the Event Log Management Implementation and blade enclosure, in the amount of \$65,565 from Hewlett Packard Company through an existing contract/agreement with Department of Information Resources (DIR), and authorizing the City Manager to execute all necessary documents (DIR Contract No. DIR-SDD-233).	Approved
(g)	To approve of a contract/agreement to obtain Security Consulting Services from Internetwork Experts (INX), in the amount of \$64,299 through a Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-239)	Approved
(h)	To approve purchase from an existing contract/agreement to authorize the purchase of Gartner Membership Seats in the amount of \$51,510 from Gartner through a Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-204)	Approved
<b>Approval of Change Order</b>		
(i)	To Dal-Tech Engineering, Inc., increasing the Professional Services Contract by \$22,700 for the Alma Drive Widening project from Spicewood Drive to Hedgcoxe Road, Contract Modification No. 2.	Approved
(j)	To Ed Bell Construction Company, increasing the contract by \$33,260 for Parker Road – K Avenue to Raton Lane, Change Order No. 1 (Bid No. 2007-109-B). This change order provides for additional driveway, sidewalk, street light, and water line work not set up in the original contract but determined to be a necessary part of the project.	Approved
<b>Public Improvement Agreement</b>		
(k)	To approve the terms and conditions of a Public Improvement Agreement by and between the City of Plano, Texas, and Wolverine Equities Company 2000 Highway 190 L.P in the amount of \$100,000 for participation in the Mapleshade Lift Station located south of Mapleshade Lane between Ohio Drive and Coit Road.	Approved
<b><u>Adoption of Resolutions</u></b>		
(l)	<b>Resolution No. 2007-11-1(R):</b> To approve the terms and conditions of agreements between the City of Plano, Texas, and various Heritage Preservation Organizations which render services that are beneficial to the public and serve a valid public purpose in the total amount of \$677,710; authorizing the City Manager to execute such agreements with these organizations for the provision of support of heritage preservation; and providing an effective date.	Adopted
(m)	<b>Resolution No. 2007-11-2(R):</b> To approve the terms and conditions of a cost reimbursement agreement by and between the City of Plano and the Office of the Attorney General of Texas for participation in the Project Safe Neighborhoods Grant; authorizing it execution by the City Manager; and providing an effective date.	Adopted
(n)	<b>Resolution No. 2007-11-3(R):</b> To approve the terms and conditions of a First Amendment to Option Contract by and between RH 15th Condos One, LTD. and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.	Adopted

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(o)	<b>Resolution No. 2007-11-4(R):</b> To find Ron Kress, Michael Nunns, Scott Copeland and Jon Britton are entitled to defense representation pursuant to City Code of Ordinances in connection with the matter of Tray Boswell v. Ron Kress, Michael Nunns, Scott Copeland and Jon Britton; and providing an effective date.	Adopted
(p)	<b>Resolution No. 2007-11-5(R):</b> To approve the conveyance of a portion of land by the Arts of Collin County Commission, Inc. to the City of Allen, Collin County, Texas to construct and maintain Exchange Parkway and Ridgeview Drive and related Public Utilities; providing a severability clause; and providing an effective date.	Adopted
(q)	<b>Resolution No. 2007-11-6(R):</b> To approve the terms and conditions of a Local Transportation Project Advance Funding Agreement between the State of Texas and the City of Plano for reconstruction of the US 75 and Parker Road interchange; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(r)	<b>Resolution No. 2007-11-7(R):</b> To exempt certain municipal-owned vehicles from requirements of Section 721.004 of the Texas Transportation Code; providing a repealer clause and an effective date.	Adopted
(s)	<b>Resolution No. 2007-11-8(R):</b> To approve the terms and conditions of an agreement by and between Mid-Continental Restoration Company, Inc. and the City of Plano in the amount of \$65,000 for repairs needed to waterproof the lower floor of the Cox Building in accordance with the plans and specifications as prepared by the City's architects and engineers; approving its execution by the City Manager; and providing an effective date.	Adopted
<b><u>Adoption of Ordinances</u></b>		
(t)	<b>Ordinance No. 2007-11-9:</b> To amend Section II of Ordinance No. 2004-8-11, currently codified as Chapter 6, Article VIII, Plumbing Code, Division 2, Section 6-239, Subsection "Tables 605.4 and 605.5" of the City of Plano Code of Ordinances, by identifying certain materials for "Water-Service-Pipe" and "Water Distribution Pipe" tables in the International Plumbing Code to add, amend and delete the use of certain materials under concrete slabs; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, and an effective date.	Adopted
(u)	<b>Ordinance No. 2007-11-10:</b> To add Section I of Ordinance No. 2004-8-9, currently codified as Chapter 6, Article XX, Residential Code, Division 2, Section 6-710, Subsection "Table P2904.4.1" of the City of Plano Code of Ordinances by identifying certain materials for "Water Service, Supply and Distribution Piping" Section 2904.5.1 of the International Residential Code to add, amend, and delete the use of certain materials under concrete slabs; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, and an effective date.	Adopted

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(v)	<p><b>Ordinance No. 2007-11-11:</b> To repeal Division 3, Sections 12-226, 12-227, 12-228, 12-229, 12-230, 12-231, and 12-232 of Chapter 12, “Motor Vehicles and Traffic,” of the City of Plano Code of Ordinances, and replacing with revised and renumbered regulations, which include amended provisions changing the definition of “Junked Vehicle” and “Antique Auto” to conform to State law, allowing a person receiving notice regarding a junked vehicle to request a hearing within 10 days of the date on the notification, and establishing notification procedures for a Public Hearing on towing a Junked Vehicle should the person not respond to the initial notice; and providing a repealer clause, a penalty clause, a severability clause, and an effective date</p> <p><b><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></b></p> <p><b><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></b></p> <p><b><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></b></p>	Adopted
(1)	<p><b>A Change Order</b> to Motorola, Inc. through an existing contract/agreement with Houston Galveston Area Council (HGAC), increasing the original contract by \$194,854 for a 300-foot tower with fence to extend the Wireless Mesh Network City Wide Build-Out Phase I. (HGAC Contract No. RA01-06). Change Order No. 1.</p>	Approved
(2)	<p><b>A Public Hearing</b> pursuant to House Bill 621, Goods-in-Transit as defined by Texas Tax Code 11.253(a)(2), to take effect on January 1, 2008 which allows the governing body of a taxing unit, after a public hearing, to provide for the continued taxation of such goods-in-transit.</p>	Conducted
(3)	<p><b>A Public Hearing</b> by the City Council of the City of Plano, Texas, pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to the use or taking of a portion of a City of Plano park and known as the Preston Meadow park site for a Communications Facilities License Agreement for cellular equipment attached to and at the base of the existing TXU Electric transmission tower.</p>	Conducted
(4)	<p><b>Ordinance No. 2007-11-12:</b> To approve a project, requiring the use or taking of a portion of City of Plano public park land, known as the Preston Meadow park site; 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>	Adopted

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(5)	<p><b>Resolution No. 2007-11-13(R):</b> To approve the terms and conditions of a Communications Facilities License Agreement by and between the City of Plano, Texas, and T-Mobile Texas, L.P. by T-Mobile West Corporation, a Delaware corporation, to locate, place, attach, install, and operate, Telecommunications Ground Equipment in certain specific portions of City of Plano public park land, known as the Preston Meadow park site, authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(6)	<p><b>Public Hearing and adoption of Ordinance No. 2007-11-14 as requested in Zoning Case 2007-39</b> – To repeal in its entirety Ordinance No. 91-4-31; thereby rescinding Specific Use Permit No. 110 for the additional use of Private Club on one lot on 0.1± acre of land, located on the east side of Coit Road, 475± feet north of Park Boulevard in the City of Plano, Collin County, Texas, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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. Applicant: City of Plano.</p>	Conducted and adopted
(7)	<p><b>Public Hearing and adoption of Ordinance No. 2007-11-15 as requested in Zoning Case 2007-40</b> – To repeal in its entirety Ordinance No. 88-12-23; thereby rescinding Specific Use Permit No. 111 for the additional use of Private Club on one lot on 0.1± acre of land, located on the north side of Plano Parkway, 1,100± feet east of Alma Drive in the City of Plano, Collin County, Texas, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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. Applicant: City of Plano.</p>	Conducted and adopted
(8)	<p><b>Public Hearing and adoption of Ordinance No. 2007-11-16 as requested in Zoning Case 2007-41</b> – To repeal in its entirety Ordinance No. 86-8-11; thereby rescinding Specific Use Permit No. 115 for the additional use of Private Club on one lot on 0.1± acre of land, located on the north side of Park Boulevard, 755± feet west of Ohio Drive in the City of Plano, Collin County, Texas, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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. Applicant: City of Plano.</p>	Conducted and adopted
(9)	<p><b>Public Hearing and adoption of Ordinance No. 2007-11-17 as requested in Zoning Case 2007-42</b> – To further amend Ordinance No. 86-11-32; thereby rescinding Specific Use Permit No. 123 for Private Club but retaining Specific Use Permit No. 126 for Arcade and Specific Use No. 127 for Day Care Center on one lot on 4.2± acres of land, located on the west side of K Avenue, 603± feet north of Park Boulevard in the City of Plano, Collin County, Texas, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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. Applicant: City of Plano.</p>	Conducted and adopted

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(10)	<b>Public Hearing and adoption of Ordinance No. 2007-11-18 as requested in Zoning Case 2007-43</b> – To repeal in its entirety Ordinance No. 93-11-22; thereby rescinding Specific Use Permit No. 125 for the additional use of Private Club on one lot on 0.1± acre of land, located on the west side of U.S. Highway 75, 768± feet south of Ruisseau Drive in the City of Plano, Collin County, Texas, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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. Applicant: City of Plano.	Conducted and adopted
(11)	<b>Public Hearing and adoption of Ordinance No. 2007-11-19 as requested in Zoning Case 2007-44</b> – To repeal in its entirety Ordinance No. 94-8-12; thereby rescinding Specific Use Permit No. 136 for the additional use of Private Club on one lot on 0.1± acre of land, located at the southwest corner of Preston Road and Park Boulevard in the City of Plano, Collin County, Texas, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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. Applicant: City of Plano.	Conducted and adopted
(12)	<b>Public Hearing and adoption of Ordinance No. 2007-11-20 as requested in Zoning Case 2007-45</b> – To repeal in its entirety Ordinance No. 88-5-29; thereby rescinding Specific Use Permit No. 153 for the additional use of Private Club on one lot on 3.7± acres of land, located on the north side of Plano Parkway, 251± feet east of Preston Road in the City of Plano, Collin County, Texas, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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. Applicant: City of Plano.	Conducted and adopted
(13)	<b>Public Hearing and adoption of Ordinance No. 2007-11-21 as requested in Zoning Case 2007-46</b> – To repeal in its entirety Ordinance No. 89-1-15; thereby rescinding Specific Use Permit No. 154 for the additional use of Private Club on one lot on 0.1± acre of land, located on the east side of U.S. Highway 75, 794± feet north of Plano Parkway in the City of Plano, Collin County, Texas, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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. Applicant: City of Plano.	Conducted and adopted
(14)	<b>Resolution No. 2007-11-22(R)</b> of the City Council of the City of Plano, Texas, to cast its ballot for the election of members to the Collin County Central Appraisal District Board of Directors under the provision of the Property Tax Code; authorizing the Mayor to execute the ballot for and on behalf of the City of Plano; and providing an effective date.	Adopted – votes cast for Roy Wilshire

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(15)	<p><b>Resolution No. 2007-11-23(R)</b> of the City Council of the City of Plano, Texas, to cast its ballot for the election of members to the Denton Central Appraisal District Board of Directors under the provision of the Property Tax Code; authorizing the Mayor to execute the ballot for and on behalf of the City of Plano; and providing an effective date.</p> <p><b><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></b></p>	<p>Adopted – votes cast for Pearl Ford</p>