



CITY COUNCIL

1520 AVENUE K

DATE: November 14, 2005

CALL TO ORDER: 7:00 p.m.

INVOCATION: Abdul Hadi Khan
Islamic Association of Collin County

PLEDGE OF ALLEGIANCE: Color Guard w/American Legion Post

ITEM NO.	EXPLANATION	ACTION TAKEN
	<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 AND SPECIAL RECOGNITION</u></p> <p>Proclamation: Veterans' Day</p> <p>Proclamation: American Cancer Society – Great American Smokeout Day</p> <p>Proclamation: Animal Shelter Appreciation Week</p> <p>Special Recognition: Frank Turner – President, Greater Dallas Planning Council</p> <p>Special Recognition: Jason Van Sickel, Winner of the Lone Star Emmy for Plano Television Network</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. Speakers will be notified when speaking time has expired.</p>	<p>Conducted</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>BOARD/COMMISSION REPORTS</u></p> <p>Retirement Security Plan Committee – Karen Rhodes</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>Presented</p>
(a)	<p><u>Approval of Minutes</u></p> <p>October 24, 2005</p> <p><u>Approval of Expenditures</u></p> <p>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</p>	<p>Approved</p>
(b)	<p>Bid No. 2005-270-B for the Preston Ridge Trail Extension at Carpenter Park to Jim Bowman Construction Company, L.P. in the amount of \$222,440.</p>	<p>Approved</p>
(c)	<p>CSP No. 2005-228-C for Wireless Voice and Data Services to Cingular Wireless in the estimated annual amount of \$450,000.</p> <p>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).</p>	<p>Approved</p>
(d)	<p>To authorize the purchase of maintenance and support of HP printers and servers in the amount of \$56,440 from Hewlett-Packard Company through a Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-BUSOP-178)</p>	<p>Approved</p>
(e)	<p>To authorize the purchase of sports field lighting equipment for Phase II Lighting Improvements at Schell Park, fields 1 and 2, including installation, poles, wiring, switch gear, and controls in the amount of \$141,100 from Techline Sports Lighting, L.P., through the Texas Association of School Board Purchasing Cooperative Program, Contract #204-04, and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase.</p>	<p>Approved</p>
(f)	<p>To authorize the purchase of fiber and copper connectivity for City of Plano offices in the Cox Building in the estimated amount of \$25,873 from Henkels & McCoy, Inc., through a City of Plano contract, and authorizing the City Manager to execute all necessary documents. (Contract #C114-04).</p>	<p>Approved</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(g)	To authorize the purchase of two (2) Dodge Charger Police Vehicles in the amount of \$52,360 from Columbus Country Dodge, through Texas Association of School Board Purchasing Buyboard Contract and authorizing the City Manager to execute all necessary documents (208-04).	Approved
(h)	To authorize the purchase of eleven (11) Chevy Impala (9C3) Unmarked Police Sedans in the amount of \$190,058 from Caldwell Country Chevrolet, through Tarrant County Joint Venture Cooperative Purchase Program and authorizing the City Manager to execute all necessary documents. (2005-001)	Approved
	Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)	
(i)	To approve the terms and conditions of an engineering services contract by and between the City of Plano and Dannenbaum Engineering Company – Dallas, L.L.C. in the amount of \$189,816 for design of Communications Parkway – Spring Creek Parkway to Tennyson Parkway and authorizing the City Manager to execute all necessary documents.	Approved
	Miscellaneous Purchase Authorization:	
(j)	To approve a contract modification to contract C100-02 Telecommunications Equipment authorizing expenditure for two years maintenance and support in the amount of \$104,728 for the VESTA, MAGIC and ORION systems utilized by PSC.	Approved
(k)	To approve an agreement between the City of Plano and The Shops at Legacy, L.P. whereby the City will provide funding in part for the 4 th Annual Holiday Festival of Tree Lights at The Shops of Legacy in the amount of \$39,000.	Approved
	<u>Adoption of Resolutions</u>	
(l)	Resolution No. 2005-11-1(R): To authorize the purchase of a service agreement from 3M Library Systems, suppliers of maintenance for 3M equipment in the amount of \$41,449 for the Plano Public Library System; 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)	Resolution No. 2005-11-2(R): To approve the terms and conditions of a Communications Facilities License Agreement by and between the City of Plano, Texas and Dallas MTA L.P., d/b/a/ Verizon Wireless, a Texas Limited Partnership, to locate, place, attach, install, operate, and maintain a communications system on certain specific portions of the Tennyson Water Tower in the City of Plano; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(n)	Resolution No. 2005-11-3(R): To order Atmos Energy, Mid-Tex Division to show cause regarding the reasonableness of its existing natural gas distribution rates within the City; requiring Atmos Energy, Mid-Tex Division to submit a rate package based on a rate year ending June 30, 2005; directing that such filing shall be made by December 31, 2005; requiring reimbursement of reasonable legal and consultant expenses; requiring delivery of this resolution to the company and legal counsel; and providing an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(o)	Resolution No. 2005-11-4(R): To approve the terms and conditions of a Public Right-of-Way Use Agreement by and between the City of Plano, Texas and Tollway-121 Partners, Ltd, a Texas Limited Partnership, to locate, place, attach, install, operate, and maintain a communications system in certain specific portions of the public rights-of-way in the City of Plano; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(p)	Resolution No. 2005-11-12(R): To approve the terms and conditions of a lease agreement by and between the City of Plano and Plano Sports Authority, Inc., a duly authorized Texas nonprofit corporation and the City of Plano, Texas for the use of a portion of Enfield Park for the construction of a multi-use indoor sports facility; authorizing its execution by the City Manager; and providing an effective date.	Adopted with amendment
(q)	Resolution No. 2005-11-5(R): To approve the assignment of the cable franchise agreement from Comcast Cable of Plano, Inc. to C-Native Exchange III, L.P.; providing for the transfer of control over C-Native Exchange III, L.P. from Comcast Cable of Plano, Inc. to Time Warner Cable Inc.; providing for amendment to the cable franchise agreement; providing a severability clause; and providing an effective date.	Adopted with amendments for non-substantive change
(r)	Resolution No. 2005-11-13(R): To approve a funding agreement among the cities of Allen, Frisco and Plano for additional funding in the amount of \$705,698 each for design services for a proposed project pertaining to the Arts of Collin County Commission, Inc., authorizing the City Manager to execute the agreement; and providing an effective date.	Adopted
(s)	Resolution No. 2005-11-6(R): To support the corridors and continued evaluation of financing alternatives to fund a regional rail authority; authorizing its support by the Mayor, and providing an effective date.	Adopted
(t)	Resolution No. 2005-11-7(R): To approve the dedication of a 0.360 acre tract of land and a 1.126 acre tract of land, each owned by the City of Plano, Texas, for dedication as public right of way for Chaparral Road, said parcels situated in the Jeremiah Muncy Survey, Abstract No. 621, in the City of Plano, Collin County, Texas and providing an effective date. (This item will provide additional right of way for Chaparral Road from State Highway 5 (K Avenue) to Emerald Coast Drive.)	Adopted
(u)	Resolution No. 2005-11-8(R): To approve the terms and conditions of an interlocal cooperation agreement between the City of Plano, Texas, the City of McKinney, Texas, and the County of Collin, Texas for the disbursement of the 2005 Byrne Justice Assistance Grant Funds; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(v)	<u>Adoption of Ordinances</u> Ordinance No. 2005-11-9: To deny the request of Atmos Energy Corp., Mid-Tex Division, for an annual gas reliability infrastructure program (GRIP) rate increase in this municipality, as a part of the company’s statewide gas utility distribution system; approving cooperation with other cities within the Atmos Energy Corp., Mid-Tex Division distribution system as part of the Atmos Cities Steering Committee (ACSC); authorizing ACSC to hire legal and consulting services and to negotiate with the company and direct any necessary litigation; authorizing intervention as part of ACSC in any appeal of the City’s action to the Railroad Commission; providing a requirement for a prompt reimbursement of costs incurred by the City; finding that the meeting at which this ordinance is passed is open to the public as required by law; providing for notice of this ordinance to Atmos Energy Corp., Mid-Tex Division; and providing an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(w)	<p>Ordinance No. 2005-11-10: To vacate Ordinance No. 2005-10-43 and adopting this ordinance to correct a clerical error; amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to rezone 7.0± acres located at the southwest corner of 18th Street and G Avenue in the City of Plano, Collin County, Texas, from Corridor Commercial with Heritage Resource Designation No. 20 to Planned Development-179-Downtown Business/Government with Heritage Resource Designation No. 20; 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. Zoning Case 2005-31</p>	Adopted
(x)	<p>Ordinance No. 2005-11-11: To amend Chapter 12, Motor Vehicles and Traffic, Article IV, Speed, Section 12-74(b), Maximum Limits on Specific Streets, of the City of Plano Code of Ordinances to establish the prima facie speed limit for motor vehicles operating along the portion of Parkwood Boulevard between Spring Creek Parkway and State Highway 121 within the corporate limits of the City of Plano; authorizing and directing the Traffic Engineer to cause placement of traffic control devices indicating the speed limit; 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 penalty clause and an effective date.</p> <p><u>Approval of Agreement</u></p>	Adopted
(y)	<p>To approve an Administrative Services Agreement with ICMA Retirement Corporation (“ICMA-RC”) in the amount of \$36,000 for the initial year and \$24,000 for the remaining term of the agreement. This agreement covers ICMA-RC’s management services of the City’s OBRA Plan for retirement accounts of Part-Time, Seasonal and Temporary Employees. The term of this Agreement shall be for a period of five (5) years with the option to renew by five (5) additional one-year terms by the City.</p> <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>	Approved
(1)	<p>Council discussion and direction on the regulation of temporary signs, including garage sale signs, and whether temporary sign regulations should remain in the Zoning Ordinance or the General Code of Ordinances; Council action to call a Public Hearing for the Planning and Zoning Commission to repeal the temporary sign regulations from the Zoning Ordinance and to correct the fine discrepancy in Section 3.1604(8)(b)(i).</p>	Call for a Public Hearing
(2)	<p>Ordinance No. 2005-11-14 to amend Chapter 6, Buildings and Building Regulations of the City of Plano Code of Ordinances, by adding Article XII, Temporary Signs, providing temporary signs regulations and definitions; providing a penalty clause; a severability clause; a repealing clause; a publication clause; and an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(3)	<p>Public Hearing and adoption of Ordinance No. 2005-11-15 as requested in Zoning Case 2005-36 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to rezone 56.5± acres (Tract I - 17.3± acres and Tract II – 39.2± acres) located on the north side of McDermott Road, 270± feet east of Ohio Drive, and west of the future extension of Rasor Parkway in the City of Plano, Collin County, Texas, from Regional Commercial and Neighborhood Office to Planned Development-177-Single-Family Residence Attached (Tract I - 17.3± acres) and Planned Development-178-Single-Family Residence-6 (Tract II – 39.20± acres); 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: Cay Trust No. 2 and Preston/121 J.V. Tabled 10-24-05</p>	<p>Conducted and adopted</p>
(4)	<p>Resolution No. 2005-11-16(R) 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.</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>Adopted – Roy Wilshire</p>