

CITY COUNCIL

1520 AVENUE K

DATE: November 25, 2002

CALL TO ORDER: 7:00 p.m.
INVOCATION: Pastor Millard Harvey
Restoration Center Church of God & Christ
PLEDGE OF ALLEGIANCE: Junior Girl Scout Troop 269
Shepard 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>GENERAL DISCUSSION</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. At the discretion of the Mayor other time restraints may be directed depending on 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>	Held
*	<p>Receive City Manager's response to comments of public interest made at a previous Council meeting. Council may discuss and provide direction on the following item(s):</p> <p>A: Dog Park and Animal Services Issues</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>	Response received
(a)	<p>Approval of Minutes:</p> <p>November 11, 2002 November 14, 2002</p>	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
	<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>	
(b)	<p>Bid No. B147-02 for construction of Buffalo Bend Drive Drainage Improvements in the amount of \$468,299.</p>	Approved
(c)	<p>Bid No. B008-03 for a fixed-price contract for (4) Automated Refuse Trucks and (2) Solid Waste Collection Vehicles with Rear Load Bodies in the amount of \$928,354.</p>	Approved
(d)	<p>Bid No. B135-02 for a fixed-price contract for a Digital Video Projector for Council Chambers in the amount of \$45,384.</p>	Approved
(e)	<p>Bid No. B121-02 for Best Value Bid – High Density Mobile Shelving in the amount of \$39,407 for the Police Department Property Area.</p>	Approved
(f)	<p>Bid No. B003-03 for Uninterrupted Power Supply – Plano Municipal Center in the amount of \$159,261.</p>	Approved
(g)	<p>Bid No. B148-02 for the Shawnee Park Improvements Project in the amount of \$1,046,370.</p>	Approved
(h)	<p>Bid No. C9911-0333 for the purchase of Playground Equipment for Shawnee Park in the amount of \$55,033.</p>	Approved
(i)	<p>Bid No. B145-02 for the Russell Creek Greenbelt Extension in the amount of \$295,000.</p>	Approved
(j)	<p>Bid No. B014-03 for median tree planting and irrigation, Project 5291 (Ohio Drive from Legacy Drive to Quincy Lane, Cloverhaven Way from Gardenbrook Way to Bright Star Way, Ventura Drive from Park Boulevard to first median north of Highland Drive, Los Rios Boulevard from 14th Street to Country Club Drive, and Shiloh Road from Park Boulevard to Royal Oaks Drive) in the amount of \$112,574.</p>	Approved
(k)	<p>Bid No. B005-03 for the Carpenter Park Ballfield Lighting Renovations, Phase II, in the amount of \$293,000</p>	Approved
	<p><u>Adoption of Resolutions</u></p>	
(l)	<p>Resolution No. 2002-11-18(R): To authorize and approve the termination of a contract between the City of Plano and Jim Bowman Construction Company, L.P. (Bid No. B189-00) for the Target Berkeley Square Connector; authorizing the City Manager to execute any and all documents necessary to effectuate this action; and providing an effective date.</p>	Adopted
(m)	<p>Resolution No. 2002-11-19(R): To approve the terms and conditions of a real estate contract by and between the City of Plano, Texas, and Shahid Rasul and Afshan Rasul for the purchase of 1.225 acres of land, located on the east side of Jupiter Road, north of Morton Vale Road, in the City of Plano, Collin County, Texas; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(n)	Resolution No. 2002-11-20(R): To provide for the extension of the current impact fee program effective date until the 2002 update of the land use assumptions, capital improvements plan and impact fees for water and wastewater facilities is completed and adopted in accordance with Chapter 395 of the Texas Local Government Code; and providing an effective date.	Adopted
(o)	Resolution No. 2002-11-21(R): To support an economic development cooperation compact with other municipalities within the Dallas/Ft. Worth Metropolitan Area; and providing an effective date.	Adopted
(p)	Resolution No. 2002-11-22(R): To support an economic development cooperation compact with other municipalities within Collin County; and providing an effective date.	Adopted
(q)	Resolution No. 2002-11-23(R): To approve the terms and conditions of an interlocal cooperation agreement by and between the City of Plano, Texas, and the North Central Texas Council of Governments providing terms and conditions for funding of the litter awareness and education campaign; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(r)	Resolution No. 2002-11-24(R): To approve the terms and conditions of an interlocal agreement by and between the City of Plano, Texas, and the Plano Independent School District for the operation of the Police/School Liaison Program at Frankford Middle School, 7706 Osage Plaza Parkway, Dallas, Texas; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(s)	Resolution No. 2002-11-25(R): To approve the terms and conditions of an interlocal agreement by and between the City of Plano, Texas and the Plano Independent School District; for the operation of the Police/School Liaison Program; authorizing its execution by the City Manager; and providing an effective date.	Adopted
<u>Adoption of Ordinances</u>		
(t)	Ordinance No. 2002-11-26: To amend Section II of Ordinance No. 2001-9-12, currently codified as Chapter 6, Article VIII, <i>Plumbing Code</i> , 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 deletion from the “Water-service-pipe” and “Water-distribution-pipe” tables in the International Plumbing Code; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, and an effective date.	Adopted
(u)	Ordinance No. 2002-11-27: To amend Section I of Ordinance No. 2001-9-13, currently codified as Chapter 6, Article XX, <i>Residential Code</i> , Division 2, Section 6-710, Subsection “Table P2904.4.1” of the City of Plano Code of Ordinances by identifying certain materials for deletion from the “Water Service, Supply and Distribution Piping” table in the International Residential Code and by adding language to modify Section 2904.5.1 of the International Residential Code to prohibit 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
(v)	Ordinance No. 2002-11-28: To adopt and enact Supplement Number 59 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the code; and providing an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(w)	Ordinance No. 2002-11-29: To amend Section 12-102.5 of the Code of Ordinances of the City of Plano to prohibit parking along certain portions of J Avenue North of 16 th Street; along both sides of Vontress Drive, between K Avenue and 14 th Street; along both sides of 22 nd Street for a distance of 150 feet east and 150 feet west of the rail line; providing a repealer clause, severability clause; a savings clause, a penalty clause, and an effective date.	Adopted
(x)	Ordinance No. 2002-11-30: To amend Section 12-112.5 of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to allow a maximum of 4 hour curbside loading zone for the north side of Vontress Drive, starting 10 feet west of the development garage wall, and extending 40 feet west; to allow bus-only curbside loading for both sides of J Avenue, just north of 16 th Street adjacent to the DART station, providing a fine for criminal penalties not to exceed \$200 for each offense, and providing a repealer clause, severability clause, a savings clause, and an effective date.	Adopted
(y)	Ordinance No. 2002-11-31: To amend Section 12-104 of the Code of Ordinances of the City of Plano to limit the duration of parking for K Avenue between Vontress Drive and 14 th Street and 14 th Street between Municipal Street and K Avenue, to four (4) hours maximum at any time; providing a repealer clause, severability clause, a savings clause, a penalty clause, and an effective date.	Adopted
(z)	Ordinance No. 2002-11-32: To determine the public use, need and necessity for the acquisition of fee simple title to a 6.048 acre (263,452 square feet) tract of land located on the east side of Morton Vale Road approximately 400 feet south of the intersection of Cloverhaven Way and Morton Vale Road, in the City of Plano, Collin County, Texas; for park purposes and for the purpose of constructing, reconstructing and maintaining street and highway facilities and related public improvements in the City of Plano, Collin County, Texas; authorizing the City Attorney, to file proceedings in eminent domain to acquire the needed real property; and providing an effective date.	Adopted
(aa)	<u>Approval of Change Order</u> To Tiseo Paving Company, increasing the contract by \$35,519 for Los Rios Boulevard – 14 th Street to Country Club Drive, Change Order No. 9 (Bid No. B9911-025).	Approved
(bb)	<u>Purchase off of Existing Contract</u> To authorize City participation in the Houston-Galveston Area Council of Governments Inter-Local Contract Agreement (Contract No. AM02-04) for the purchase of one ambulance in the amount of \$118,048 and authorizing the City Manager to execute all documents necessary to effectuate this purchase.	Approved
(cc)	<u>Approval of Reimbursement of Oversize Participation</u> To approve and authorize reimbursement to JMBF United, Inc. for oversize participation for paving and utility improvements associated with the construction of Timber Brook Farms in the amount of \$259,882.	Approved
	<u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u> <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>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<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>	
(1)	<p>Public Hearing and adoption of Ordinance No. 2002-11-33 to request to establish and designate a certain area within the City of Plano as Reinvestment Zone No. 73 for commercial/industrial tax abatement consisting of a 7.073-acre tract of land located at 2609 Technology Drive #140, in the City of Plano; establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date.</p>	<p>Conducted and adopted</p>
(2)	<p>Resolution No. 2002-11-34(R): To approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, the Collin County Community College District, and Applied Concepts, Inc., and providing for a commercial/industrial tax abatement for Applied Concepts, Inc., and authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>
(3)	<p>Public Hearing and adoption of Ordinance No. 2002-11-35 to find, after reasonable notice and hearing, that TXU Gas Distribution’s rates and charges within the City should be changed; determining just and reasonable rates; adopting general service rates including rate adjustment provisions and miscellaneous service charges to be charged for sales and transportation of natural gas to residential, commercial and industrial customers; providing for recovery of rate case expenses; preserving regulatory rights of the City; providing for repeal of conflicting ordinances; and providing an effective date.</p>	<p>Conducted and adopted</p>
(4)	<p>Public Hearing and adoption of Ordinance No. 2002-11-36 as requested in Zoning Case 2002-40 - To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit (SUP) No. 480 so as to allow the additional use of a Private Club in conjunction with an existing restaurant on 0.1± acre, 245± feet east of Alma Road, 235± feet south of Parker Road in the City of Plano, Collin County, Texas, presently zoned Planned Development-69-Retail; 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 #47. Applicant: PM Realty Group</p>	<p>Conducted and adopted</p>
(5)	<p>Public Hearing and adoption of Ordinance No. 2002-11-37 as requested in Zoning Case 2002-45 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit No. 481 so as to allow the additional use of a Private Club in conjunction with a proposed restaurant on 0.2± acre, on the west side of U.S. Highway 75, 2,200± feet south of Heritage Drive 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 #36. Applicant: Central TLC, Ltd.</p>	<p>Conducted and adopted</p>

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(6)	<p>Public Hearing and adoption of Ordinance No. 2002-11-38 as requested in Zoning Case 2002-53 - To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit (SUP) No. 482 so as to allow the additional use of an Arcade on one lot on 2.4± acres on the south side of 14th Street, 500± feet east of Jupiter Road in the City of Plano, Collin County, Texas; presently zoned Retail and Planned Development-24-Light 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 #68. Applicant: Plano Lanes, Inc./All Star Skate</p>	<p>Conducted and adopted</p>
(7)	<p>Public Hearing and adoption of Ordinance No. 2002-11-39 as requested in Zoning Case 2002-54 - To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, granting Specific Use Permit (SUP) No. 483 so as to allow the additional use of a New Car Dealer on one lot on 9.3± acres on the west side of the Dallas North Tollway, 1,360± feet north of Plano Parkway in the City of Plano, Collin County, Texas, presently zoned Planned Development-220-Regional Commercial (PD-220-RC); 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 #52. Applicant: Sewell Village Cadillac</p>	<p>Conducted and adopted</p>
(8)	<p>Public Hearing and adoption of Ordinance No. 2002-11-40 as requested in Zoning Case 2002-55 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 86-3-14, as heretofore amended, so as to rezone 23.0± acres north of Ridgeview Drive, 1,100± feet west of Independence Parkway in the City of Plano, Collin County, Texas from Planned Development-479-Office-2 (PD-479-O-2) to Planned Development-479-Office-2/Single-Family-Attached (PD-479-O-2/SF-A); 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: Tom Clark</p>	<p>Conducted and adopted</p>
(9)	<p>Public Hearing - Zoning Case 2002-37 - Request to amend the Zoning Ordinance, Subsection 2-502 (Schedule of Permitted Uses) of Section 2-500 (Permitted Uses) and Subsection 2-818 (Downtown/Business Government District) of Section 2-800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Zoning Ordinance pertaining to allowable uses and development standards within the Downtown Business/Government (BG) district. Applicant: City of Plano</p> <p>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.</p>	<p>Tabled to 12/09/02</p>