



CITY COUNCIL

1520 AVENUE K

DATE: November 28, 2005

CALL TO ORDER: 7:00 p.m.

INVOCATION: Rabbi Stefan Weinberg
Congregation Anshai Torah

PLEDGE OF ALLEGIANCE: Boy Scout Troop 285
St. Mark's Catholic Church

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: National Adoption Month - 2005</p> <p>Special Recognition: Plano Police Department School Crime Stoppers Program</p> <p>Special Recognition: Purchasing Division – Achievement of Excellence in Procurement Award</p> <p>Special Recognition: Diane Palmer – President, National Purchasing Institute</p> <p>Presentation: To the City Council from Sci-Tech Discovery Center</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>Held</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>BOARD/COMMISSION REPORTS</u></p> <p>Tax Increment Financing Reinvestment Zone No. 1 Board – John McGrane Tax Increment Financing Reinvestment Zone No. 2 Board – John McGrane</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) <u>Approval of Minutes</u></p> <p>November 10, 2005 November 14, 2005 November 16, 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>(b) Bid No. 2006-18-C Repair Clamps and Couplings to Municipal Water Works for bid line items 1, 2 and 20 for a value of \$28,780 and Ferguson Water Works for bid line items 3 through 19 and 21 through 32 for a value of \$17,569 in the estimated annual amount of \$46,348. This will establish a one-year contract with two optional one-year renewals.</p> <p>(c) Bid No. 2006-14-C for an annual contract for Purchase and Delivery of Bulk Fuel to Martin Eagle Oil Company Inc. in the estimated annual amount of \$168,000. This will establish a one-year contract with four optional one-year renewals.</p> <p>(d) Bid No. 2005-269-C for Environmental Waste Truck Parts to Heil of Texas, Western Refuse & Recycling Equipment, Inc. and SWS in the estimated annual amount of \$258,462. This will establish an annual fixed-price contract with two optional one-year renewals.</p> <p>(e) Bid No. 2006-13-B for Dump Trucks from Southwest International Trucks Inc. in the amount of \$197,860.</p> <p>(f) Bid No. 2006-12-B for one (1) Heavy Duty Skid Steer Loader with Rubber Tracks from Bobcat of McKinney for Municipal Drainage Operations in the amount of \$35,247.</p>	<p>Presented</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
	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).	
(g)	To authorize the purchase of twelve (12) Chevrolet _ ton Extended Cab Hybrid Pickups to be utilized in various City Departments in the amount of \$248,617 from Caldwell Country Chevrolet through the Texas Building and Procurement Commission contract and authorizing the City Manager to execute all necessary documents (TBPC #070-A1)	Approved
(h)	To approve the terms and conditions of an engineering services contract by and between the City and Huitt-Zollars, Inc. in the amount of \$212,500 for Wyatt North Addition Paving and Water Project and authorizing the City Manager or his designee to execute all necessary documents.	Approved
(i)	To authorize the purchase of a service contract for network infrastructure switches in the amount of \$140,532 from Internetwork Experts through a Department of Information Resources (DIR) Contract, and authorizing the City Manager to execute all necessary documents. (DIR-BUSOP-012).	Approved
	Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws.	
(j)	To approve an Agreement for Professional Services by and between the City of Plano, Texas and the Bellsnyder Group for Legislative Services in the amount of \$30,000.	Approved
	Change Order: (Change to current City of Plano contract allowable under State law)	
(k)	To JRJ Paving, L.P., increasing the contract by \$96,767 for Hedgcoxe Widening and Improvements, Change Order No. 3. (Original Bid #B104-05)	Approved
	<u>Adoption of Resolutions</u>	
(l)	Resolution No. 2005-11-17(R): To state the City of Plano's intent to apply for designation of the City as a "Preserve America" Community and to commit to protecting and celebrating heritage assets.	Adopted
(m)	Resolution No. 2005-11-18(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and Collin County, Texas, providing terms and conditions concerning the collection of property taxes, authorizing its execution by the City Manager; and providing an effective date.	Adopted
(n)	Resolution No. 2005-11-19(R): To approve the purchase of SmartNet 800 MHz mobile, portable, and consolette radios from Motorola Communications and Electronics, Incorporated, a sole-source provider; authorizing the City Manager to take such action as necessary to effectuate the purchase; and providing an effective date.	Adopted
(o)	Resolution No. 2005-11-20(R): To approve the terms and conditions of an Agreement by and between CommVault Systems, Inc. and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.	Adopted

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(p)	Resolution No. 2005-11-21(R): To find Michael Rapplean, Gary Kirkwood and Tim Love are entitled to defense representation pursuant to City Code of Ordinances in connection with the matter of Percy Bennett v. City of Plano, Michael J. Rapplean, Gary Kirkwood and Tim Love; and providing an effective date.	Adopted
(q)	Resolution No. 2005-11-22(R): To approve and authorize refunds of property tax overpayments; and providing an effective date.	Adopted
(r)	Resolution No. 2005-11-23(R): To approve an Access and Parking Easement Agreement between the City of Plano and the Plano Independent School District providing for parking and access drives on Renner Middle School property, for use associated with the Tom Muehlenbeck Center, authorizing execution of the Access and Parking Easement Agreement by the City Manager; and providing an effective date.	Adopted
(s)	Resolution No. 2005-11-24(R): To approve the terms and conditions of a Service Agreement between the City of Plano and Physio-Control Corporation for inspection and maintenance services of the Fire Department's Physio-Control Corporation manufactured biomedical equipment; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(t)	Resolution No. 2005-11-28(R): To approve the terms and conditions of a development agreement for Plano-Rice Field Redevelopment Project by and between Lexington Luxury Builders, LLC and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(u)	Adoption of Ordinances Ordinance No. 2005-11-25: To amend Article III, Property Maintenance Code, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano by adding Division 3, Registration and Inspection of Multi-Family Dwelling Complexes, to provide for procedures allowing registration and inspection of multi-family dwelling complexes; providing a penalty clause; a severability clause; a repealing clause; a publication clause and an effective date.	Adopted
(v)	Ordinance No. 2005-11-26: To adopt and enact Supplement Number 72 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
(w)	Ordinance No. 2005-11-27: To amend Ordinance No. 2005-9-23 to correct Exhibit "A" which listed the incorrect number of Fire Captain positions and incorrect Assistant Fire Chief compensation in the original ordinance; and providing a repealer clause, a severability clause, and an effective date.	Adopted
	<u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u> <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>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(1)	Public Hearing 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 Jack Carter Park for a Communications Facilities License Agreement for cellular technology incorporated within the existing TXU Electric transmission tower.	Conducted
(2)	Resolution No. 2005-11-29(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., a Texas Limited Partnership, d/b/a Verizon Wireless, to locate, place, attach, install and operate telecommunications ground equipment in certain specific portions of the public rights-of-way in the City of Plano near Jack Carter Park identified as the Preston Meadow site; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(3)	Public Hearing 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 Preston Meadow Park – Wellington Site for a Communications Facilities License Agreement for cellular technology incorporated within the existing TXU Electric transmission tower.	Conducted
(4)	Resolution No. 2005-11-30(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., a Texas Limited Partnership, d/b/a Verizon Wireless, to locate, place, attach, install and operate telecommunications ground equipment in certain specific portions of the public rights-of-way in the City of Plano near Preston Meadow Drive identified as the Wellington site; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(5)	Purchase from Existing Contract/Agreement: To approve the terms and conditions of an engineering services contract by and between the City and Jacobs Civil, Inc. in the amount of \$1,289,300.00 for the Parker Road and U.S. 75 Interchange Design and authorizing the City Manager or his designee to execute all necessary documents.	Approved
(6)	Public Hearing and adoption of Ordinance No. 2005-11-31 as requested in Zoning Case 2005-26 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to amend Planned Development-65-Central Business-1, containing 75.03± acres of land located at the northeast and southeast corners of Dallas North Tollway and Legacy Drive in the City of Plano, Collin County, Texas, regarding signage and townhouse regulations and ground floor retail uses; 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
(7)	Public Hearing and adoption of Ordinance No. 2005-11-32 as requested in Zoning Case 2005-39 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to rezone 4.2± acres located at the southeast corner of Legacy Drive and Preston Meadow Drive in the City of Plano, Collin County, Texas, from Single-Family Residence-7 to Neighborhood Office; 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: DMC Mazal, Ltd.	Conducted and adopted

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(8)	<p>Public Hearing and adoption of Ordinance No. 2005-11-33 as requested in Zoning Case 2005-40 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Specific Use Permit No. 570 so as to allow the additional use of Automobile Leasing/Renting on 0.1± acre of land located within the Shops of Willow Bend Mall, 547± feet east of Plano Parkway and 733± feet south of Chapel Hill Boulevard in the City of Plano, Collin County, Texas, presently zoned Regional 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. Applicant: Brian Haigwood</p>	Conducted and adopted
(9)	<p>Public Hearing and adoption of Ordinance No. 2005-11-34 as requested in Zoning Case 2005-41 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Specific Use Permit No. 514 so as to allow the additional use of Day Care on 35.0± acres of land located at the northeast corner of Plano Parkway and Coit Road in the City of Plano, Collin County, Texas, presently zoned Planned Development-128-Light Industrial-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. Applicant: Montessori New Beginnings Academy</p>	Conducted and adopted
(10)	<p>Public Hearing and adoption of Ordinance No. 2005-11-35 as requested in Zoning Case 2005-42 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to rezone 18.4± acres located at the northeast corner of Headquarters Drive and Dallas North Tollway in the City of Plano, Collin County, Texas, from Central Business-1 to 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. Applicant: EDS Information Services, LLC.</p>	Conducted and adopted
(11)	<p>Public Hearing and adoption of Ordinance No. 2005-11-36 as requested in Zoning Case 2005-44 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to eliminate Stipulation 2. Sub-Area B (Town Center) m. Phasing of Planned Development-20-Mixed Use and to rezone 9.5± acres located on the east side of Preston Road, 490± feet south of McDermott Road in the City of Plano, Collin County, Texas, from Planned Development-163-Mixed Use with Specific Use Permit No. 553 for Private Club to Planned Development-20-Mixed Use with Specific Use Permit No. 553 for Private Club; 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> <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>	Conducted and adopted