

PLANO CITY COUNCIL
November 28, 2011

COUNCIL MEMBERS

Phil Dyer, Mayor
Pat Miner, Mayor Pro Tem
Lissa Smith, Deputy Mayor Pro Tem
Ben Harris
André Davidson
James Duggan
Patrick Gallagher
Lee Dunlap

STAFF

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, November 28, 2011, at 7:03 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Council Members Harris and Duggan.

Father John Szatkowski of St. Elizabeth Ann Seton Catholic Church led the invocation and the Pledge of Allegiance was led by The Men of Note Chorus who sang several holiday songs.

Mayor Dyer recognized the Plano Animal Services Department who recently received an award from the Texas Animal Control Association.

COMMENTS OF PUBLIC INTEREST

Citizen Jerry West stated concern regarding the recent decision to change trash collection in his area to the front of homes citing the appearance of containers left out and the potential for damage to vehicles. City Manager Glasscock advised that the revision is based on concerns expressed by route drivers that narrow alleyways have the potential to result in damage to equipment or property and advised that Staff will consider citizen feedback during implementation.

CONSENT AGENDA

Upon a motion made by Mayor Pro Tem Miner and seconded by Deputy Mayor Pro Tem Smith, the Council voted 6-0 to approve and adopt all items on the Consent Agenda as recommended and as follows:

Approval of Minutes (Consent Agenda Item "A")
November 14, 2011
November 16, 2011

Approval of Expenditures

Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)

Bid No. 2011-283-C for a one (1) year contract with three (3), one (1) year City optional renewals to DFW Printing Co., Inc. for Printing Services for the Leisure Catalog to be utilized by the Parks and Recreation Department in the estimated annual amount of \$73,700 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

RFP No. 2011-260-C for a one (1) year contract with four (4) City optional renewals for Risk Loss Control Services to Arthur J. Gallagher Risk Management Services, Inc. in the amount of \$127,400 to be utilized by Risk Management, establish an annual contract with renewals and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)

To approve a Professional Services Agreement by and between the City of Plano and Jerry Parche Consulting Engineers, in the amount of \$82,800 for the Alley Reconstruction Prairie Creek and Cloisters project; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

Approval of Change Order

To Austin Filter Systems, Inc., decreasing the contract by \$126,175 for Erosion Control Pittman Creek Rehabilitation and DART R.O.W. Retaining Wall, Change Order No. 5. Original Bid No. 2010-117-B. (Consent Agenda Item “E”)

Adoption of Resolutions

Resolution No. 2011-11-20(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas, and Mustang Technology Group, L.P., a Texas Limited Partnership, authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “F”)

Resolution No. 2011-11-21(R): To approve the terms and conditions of a Second Amendment to a Development Agreement by and between RH 15th Condos One, Ltd. and the City of Plano for the development of 15th Street Village; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “G”)

END OF CONSENT

Resolution No. 2011-11-22(R): To approve the terms and conditions of a Restated and Amended Development Agreement between the City of Plano and Southern Land Company, LLC for development of Eastside Station – Plano; authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item “1”)

Resolution No. 2011-11-22(R)

Deputy City Manager Turner spoke to the 1999 vision for Downtown Plano to become a compact urban center and transit village offering a mixed use of housing, retail, and restaurants along with areas for civic/arts groups and open space. He requested Council approval of an amended agreement to allow for 340,000 square feet of development at the southwest corner of the Dart rail line and 15th Street, advising that the project will result in more than \$27 million in private investment and include 280 dwelling units and more than 10,000 square feet of non-residential use on 15th Street. Mr. Turner advised that the project has been delayed for three years due to issues in the financial markets, but is ready to proceed based on improvement in the multi-family marketplace. He stated that the City will provide 1.5 acres to the project in return for 92 secured police parking spaces and spoke to the new pedestrian “Douglass Walk” which will receive tax increment financing, funding credits from the North Central Texas Council of Governments and provide general public improvements dedicated to the City. Tim Downey, CEO of Southern Land Company, LLC spoke to the background of his company and thanked the Council for their patience and consideration.

Upon a motion by Mayor Pro Tem Miner and seconded by Council Member Gallagher, the Council voted 6-0 to approve the terms and conditions of a Restated and Amended Development Agreement between the City of Plano and Southern Land Company, LLC for development of Eastside Station – Plano; and further to adopt Resolution No. 2011-11-22(R).

Public Hearing and adoption of Ordinance No. 2011-11-23 as requested in Zoning Case 2011-31 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 0.9± acre located on the west side of Parkwood Boulevard, 827± feet south of State Highway 121 in the City of Plano, Collin County, Texas, from Commercial Employment to Central Business-1; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: Tollway/121 Partners, LTD. (Regular Agenda Item “2”)

Director of Planning Jarrell stated that the applicant is proposing the rezoning in order to have the same classification as properties to the south and west. She further advised that the Planning and Zoning Commission recommended approval as submitted.

Mayor Dyer opened the Public Hearing. No one appeared to speak for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Dunlap and seconded by Council Member Davidson, the Council voted 6-0 to rezone 0.9± acre located on the west side of Parkwood Boulevard, 827± feet south of State Highway 121 in the City of Plano, from Commercial Employment to Central Business-1; as requested in Zoning Case 2011-31 and as recommended by the Planning and Zoning Commission; and further to adopt Ordinance No. 2011-11-23.

Resolution No. 2011-11-24(R) for the City of Plano 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. (Regular Agenda Item “3”)

Upon a motion made by Mayor Dyer and seconded by Council Member Dunlap, the Council voted 6-0 to cast nine votes for John Mahalik and nine votes for Tom Washington for election as members to the Denton Central Appraisal District Board of Directors; and further to adopt Resolution No. 2011-11-24(R).

Nothing further was discussed and Mayor Dyer adjourned the meeting at 7:33 p.m.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary