

**PLANO CITY COUNCIL**  
**September 12, 2005**

**COUNCIL MEMBERS**

Pat Evans, Mayor  
Ken Lambert, Mayor Pro Tem  
Scott Johnson, Deputy Mayor Pro Tem  
Shep Stahel  
Sally Magnuson  
Jean Callison  
Loretta L. Ellerbe  
Harry LaRosiliere

**STAFF**

Thomas H. Muehlenbeck, City Manager  
Frank Turner, Executive Director  
Bruce Glasscock, Executive Director  
Rod Hogan, Executive Director  
Diane C. Wetherbee, City Attorney  
Elaine Bealke, City Secretary

Mayor Evans convened the Preliminary Open Meeting directly into the Regular Session on Monday, September 12, 2005, at 7:05 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Sr. Pastor John McCracken with Trinity Presbyterian Church.

The Pledge of Allegiance was led by Jr. Girl Scout Troop 1722.

Mayor Evans presented a proclamation recognizing National Food Safety Awareness Month – September, 2005.

**GENERAL DISCUSSION**

No one appeared to speak.

**BOARD/COMMISSION REPORTS**

**Keep Plano Beautiful Commission**

Chair Nalley spoke to the increase in volunteers and the reduction in litter collected during major events and the objective being to educate the public. He advised that the Great American Cleanup involved 2,803 volunteers, spoke to programs provided through the schools and efforts to expand Adopt-a-Highway participation.

Mr. Nalley spoke regarding the Homeowners Association Beautification Grants and Neighborhood Dumpster Program, the Great American Cleanup and t-shirt design contest. He spoke to efforts toward reducing cigarette litter, business "in-kind" donations and local sponsorship of programs and events. He spoke to the organization's booth at the upcoming Plano Balloon Festival and advised that those interested in any of the programs may find information on the City's web site.

#### Plano Transition and Revitalization Commission

Chair May spoke to the Commission's review of the Urban Design Element of the Comprehensive Plan, the annual review of the implementation matrix set up for the *Plano at Maturity Report* and work completed on developing the Apartment Rental Licensing and Inspection Pilot Program. He spoke to the study of urban centers and consideration of guidelines that would be used to help evaluate potential locations and the identification of possible sites.

The Council resumed discussion of the Preliminary Open Meeting.

#### **Discussion and Direction Regarding the Cities Aggregation Power Project (CAPP) Report Regarding Additional Electric Cost Savings**

Assistant to the City Manager Israelson spoke to the City of Plano being a member in the Cities Aggregation Power Project (CAPP) since the deregulation of electricity.

Geoffrey M. Gay of Lloyd Gosslink spoke to the entire electric market being based on the price of natural gas on the New York Mercantile Exchange (NYMEX). He advised regarding the generation of electricity in the state and spoke to a combination of power sources which would lower the actual cost below the price of natural gas. Mr. Gay advised regarding an opportunity to become involved in a ten-year fixed coal price that would break the cycle so that the cost of electricity to the City in the future will have a much lower correlation with natural gas prices.

Mr. Gay spoke to the purpose of CAPP being to provide leverage in electric power negotiations in a deregulated market, stated that it is a non-profit political subdivision corporation which Plano joined in 2001 and that CAPP members are political subdivisions and cities with the board of directors being composed of city employees. He stated that the benefits include the savings realized off the "price to beat," regular evaluations of market conditions, representation of member interests before the legislature and Public Utility Commission, a business relationship with energy suppliers and the active pursuit of long-term energy options to ensure lower, more stable electric prices. Mr. Gay spoke to the purpose of the proposed resolution being to endorse CAPP efforts to secure an agreement for electric capacity from a coal plant for ten years commencing late 2007 and provide a good faith assurance that CAPP members support efforts to stabilize electric prices with a long-term contract.

Mr. Gay spoke to the objectives of pursuing a ten-year coal contract arrangement including achieving a lower cost for power, increasing stability in year-to-year costs and improving budgeting, minimizing risk, maximizing participation and ensuring all members benefit. He spoke to eliminating or limiting the impact on member debt ratings and debt capacity and preventing any increased future administrative burdens on members. Mr. Gay spoke to the conclusions of CAPP including a five percent discount when utilizing aggregation, an exception that allows political subdivision aggregators to shop on the wholesale market, incumbent utilities retaining market power which influences price, and all retail electric providers basing bids primarily on the NYMEX with bids typically being good for only 24 hours. He spoke to the limited number of coal entities, the supply and retail customer markets being deregulated but not competitive and stated that despite savings measured against the price to beat, market prices have increased. Mr. Gay spoke to CAPP efforts to address price volatility and the non-competitive nature of the market.

Mr. Gay spoke to CAPP contracting for all member base load needs for ten years with the owner of a coal plant, issuing bonds to prepay the capacity portion of the contract, the structure having been approved by the attorney general, debt leading to savings rather than additional cost and contracting to meet all residual power needs of each member city with monthly invoices including the debt service component. He spoke to analysis indicating the proposal is economically beneficial to every member so long as the price of natural gas does not fall too low. Mr. Gay spoke to the capacity and stated that efforts will be made to acquire tax-exempt debt.

Mr. Gay responded to Deputy Mayor Pro Tem Johnson regarding restrictions on the selection of coal facilities and the issuance of bonds for the contract. Mr. Johnson stated concern regarding the upfront cost and spoke to being in an ownership position and Mr. Gay advised that this would not be an option. Mr. Gay responded to City Manager Muehlenbeck regarding the existing CAPP demand and discussions being held with the cities of Dallas and Fort Worth. Council Member Stahel spoke to moving ahead to the next step and requested information be provided addressing alternatives should the power plant enter bankruptcy.

### **Voting Delegate and Alternate – National League of Cities**

After discussion, the Council concurred that Mayor Evans would be the voting delegate and Council Member Magnuson the alternate at the National League of Cities Conference.

### **Discussion and Direction Regarding City Ordinance 12-114c.2.b. (Parking in Restricted Areas and Times)**

Council Member Callison spoke to recreation vehicles being parked in a retail parking lot being prohibited by City code and advised that while notices are being given to vehicles, the Property Standards Department is waiting twelve days to cite the retailer. City Attorney Wetherbee advised that Legal Department Staff will look into the issue. Cara Mendelsohn, citizen of the City, spoke to twelve days as being excessive and responded to the Council that she would like to address overnight parking as well as those who stay for several days.

## **Personnel Appointments**

Mayor Evans spoke to the City's relief efforts related to Hurricane Katrina impacting the amount of time available to address appointments and advised that some may not be made this evening.

### Animal Shelter Advisory Committee

Mayor Pro Tem Lambert spoke to deferring appointment of a municipality official until a qualifying application is received. Upon a motion made by Mayor Pro Tem Lambert and seconded by Council Member LaRosiliere, the Council voted 8-0 to reappoint Roger K. Bolin as chair.

### Community Relations Commission

Upon a motion made by Council Member LaRosiliere and seconded by Council Member Stahel, the Council voted 8-0 to appoint T. J. Johnson and Richard Shlakman as members and to appoint Carol A. Moss as chair.

### Cultural Affairs Commission

Upon a motion made by Council Member Magnuson and seconded by Deputy Mayor Pro Tem Johnson, the Council voted 8-0 to reappoint Patricia Madigan as chair.

### Downtown Taskforce

Mayor Evans advised that consideration of appointments would be held until after receipt of a consultant's report scheduled for October 4, 2005.

### Heritage Commission

Council Member Callison requested these appointments be deferred at this time.

### International Relations Advisory Commission

Council Member Magnuson requested the appointment of a member be deferred at this time. Upon a motion made by Council Member Magnuson and seconded by Council Member Callison, the Council voted 8-0 to appoint James N. Falk as chair.

### Keep Plano Beautiful Commission

Upon a motion made by Council Member Callison and seconded by Council Member Stahel, the Council voted 8-0 to appoint John R. Caldwell to a full term and Paul Pathrose and Kenlie Payne to interim terms as members and reappoint C. Edwin Nalley as chair.

Library Advisory Board

Upon a motion made by Council Member Magnuson and seconded by Council Member Stahel, the Council voted 8-0 to appoint R. James Akers, Gregory J. Myer and Mary Lou Smith as members and reappoint Harmon Norton as chair.

Parks and Recreation Planning Board

Upon a motion made by Deputy Mayor Pro Tem Johnson and seconded by Council Member Magnuson, the Council voted 8-0 to appoint M. Nathan Barbera and Alan Vuckovich as members and Karen Bellessa as chair.

Plano Housing Authority

Mayor Evans requested this appointment be deferred at this time.

Plano Transition and Revitalization Commission

Upon a motion made by Council Member Ellerbe and seconded by Council Member Callison, the Council voted 8-0 to appoint Stan Adler as a member and Russell Charles Kissick as chair.

Public Arts Committee

Upon a motion made by Council Member Callison and seconded by Council Member Ellerbe, the Council voted 8-0 to appoint Maury Hal Marcus as a member and reappoint Michael Coleman as chair.

Retirement Security Plan Committee

City Manager Muehlenbeck requested appointment of a chair be deferred at this time.

Self Sufficiency Committee

Upon a motion made by Council Member Stahel and seconded by Council Member Callison, the Council voted 8-0 to appoint Dollie V. Thomas and Nelum Walpola as members and Brenda McDonald as chair.

Senior Citizens Advisory Board

Upon a motion made by Council Member Stahel and seconded by Council Member Callison, the Council voted 8-0 to appoint Sonja Hammar as a member and reappoint Joseph Celso as chair.

### Tax Increment Financing Reinvestment Zone No. 2 Board

Upon a motion made by Council Member LaRosiliere and seconded by Council Member Callison, the Council voted 8-0 to appoint Lana G. Douglas and Stefani Williams Overton as members. Mr. LaRosiliere requested a third appointment be deferred at this time.

### Technology Commission

Upon a motion made by Council Member Stahel and seconded by Council Member LaRosiliere, the Council voted 8-0 to appoint Charles N. Bell and Paul Jasina as members and reappoint Dana Johnson as chair.

### Transportation Advisory Committee

Upon a motion made by Council Member Magnuson and seconded by Council Member Ellerbe, the Council voted 8-0 to appoint May K. Li and Regina M. Richardson as members and to defer appointment of a chair at this time.

### **Council Items for Discussion/Action on Future Agendas**

No items were discussed.

### **Consent and Regular Agenda**

Council Member Stahel advised that he would be stepping down on Consent Agenda Item "B," approval of a bid for an Animal Services Software System due to a possible conflict of interest.

Council Member Magnuson requested that Consent Agenda Item "I," approval of a funding agreement between the City of Plano and Plano Sister Cities, Inc. be pulled and held for further review.

### **Council Reports**

Council Member Ellerbe spoke to discussions with Public Arts Committee Chair Michael Coleman who indicated that after art is provided to the Central Fire Station and Memorial Park there should be funds remaining for libraries.

### **CONSENT AGENDA**

Upon a motion made by Council Member Magnuson and seconded by Deputy Mayor Pro Tem Johnson, the Council voted 8-0 to approve and adopt the remaining items on the Consent Agenda as recommended and as follows:

**Approval of Minutes** [Consent Agenda Item (A)]

August 18, 2005

August 22, 2005

August 29, 2005

August 31, 2005

**Approval of Expenditures**

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

To approve Bid No. 2005-236-B for Heavy Duty Equipment Trailers to Big Tex Trailer in the amount of \$34,283. [Consent Agenda Item (C)] (See Exhibit "A")

To approve Bid No. 2005-242-B for 11,000 GVWR Extended Cab and Chassis with Utility Body in the amount of \$25,362. [Consent Agenda Item (D)] (See Exhibit "B")

To approve Bid No. 2005-230-B for Cab and Chassis with Bodies to Westway Ford and Baby Jack II Automotive LTD (Columbus Country Ford) in the amount of \$313,613. [Consent Agenda Item (E)] (See Exhibit "C")

**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).**

To authorize the purchase of one (1) Rear Loader Packer Body in the amount of \$49,639 from Heil of Texas, through H-GAC Cooperative Purchasing Program contract and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase. (RC08-04). [Consent Agenda Item (F)]

To authorize the purchase of four (4) Crane Carrier Cab and Chassis in the amount of \$426,840 from Bond Equipment Company, Inc., through the Texas Association of School Buyboard Purchasing Program and four (4) Heil 16 YD Rapid Rail Bodies in the amount of \$317,903 from Heil of Texas through H-GAC Cooperative Purchasing Program contract and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase. (208-04; RC08-04) [Consent Agenda Item (G)]

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

To approve the terms and conditions of a professional services contract between the City of Plano and Family Services of Plano wherein Family Services of Plano will provide services to the Police Department to combat juvenile delinquency and authorizing execution of such agreement by the City Manager and providing an effective date. [Consent Agenda Item (H)]

To approve the terms and conditions of a funding agreement between the City of Plano and Plano Sister Cities, Inc. wherein Plano Sister Cities, Inc. will promote and establish friendly relations and mutual understanding between people of the City of Plano and communities of friendly nations outside the United States of America, authorizing execution of such agreement by the City Manager, and providing an effective date. [Consent Agenda Item (I)] (Item was pulled and held)

To approve the terms and conditions of an engineering services contract by and between the City and Jones & Carter, Inc. in the amount of \$62,113 for Intersection Improvements – Spring Creek Parkway at K Avenue and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (J)]

**Change Order: (Change to current City of Plano contract allowable under State law)**

To GSWW, Inc., increasing the professional services contract by \$7,000 for Briarcreek Sanitary Sewer Capacity, Phase II, Contract Modification No. 2. [Consent Agenda Item (K)]

To Phillips Swager Associates, increasing the professional architectural services contract by \$14,000 for the W.O. Haggard Library Expansion, Contract Modification #3 [Consent Agenda Item (L)]

**Miscellaneous Purchase Authorization:**

To approve and authorize reimbursement to Beazer Homes Texas, L.P. for oversize participation for paving improvements associated with construction of McDermott Road and Preston Meadow in the amount of \$54,257. [Consent Agenda Item (M)]

To approve and authorize reimbursement to The Village at Prestonwood, L.P. for oversize participation for paving improvements in Marsh Lane associated with construction of the Village at Prestonwood Addition, in the amount of \$131,527. [Consent Agenda Item (N)]

To cancel a previous award and recommend award to next lowest responsive, responsible bid for an annual fixed price contract for AR-15 Semi-Automatic .223 Caliber Carbine Weapon Systems to be utilized by the Police Department (2005-216-C). The estimated annual amount is \$42,100. This will establish an annual fixed price contract with two City optional one-year renewals. [Consent Agenda Item (O)]

**Adoption of Resolutions**

Resolution No. 2005-9-1(R): To ratify the terms and conditions of a contract modification by and between Huitt-Zollars, Inc. and the City of Plano in the amount of \$5,000 for additional Railroad Quiet Zone Improvements at Park Vista Road; approving its execution by the City Manager and providing an effective date. [Consent Agenda Item (P)]

Resolution No. 2005-9-2(R): To ratify and approve the terms and conditions of an agreement by and between Nedderman & Associates and the City of Plano in the amount of \$561,000 for the construction of the Rowlinson Natatorium Gluelam Beam Restoration Project 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. [Consent Agenda Item (Q)]

Resolution No. 2005-9-3(R): To ratify the terms and conditions of an agreement by and between the Conley Group, Inc. and the City of Plano in the amount of \$35,100 for the preparation of construction plans, specifications, and other related architectural services related to the failed gluelam beams and repair of the roof structure at the Rowlinson Natatorium; approving its execution by the City Manager; and providing an effective date. [Consent Agenda Item (R)]

Resolution No. 2005-9-4(R): To designate the Director of Environmental Health as the Local Rabies Control Authority in accordance with Section 826.017 of the Texas Health and Safety Code; and providing an effective date. [Consent Agenda Item (S)]

Resolution No. 2005-9-5(R): To repeal Resolution No. 2004-9-2(R) and designate a certain area within the City of Plano as Neighborhood Empowerment Zone No. 1; establishing the boundaries of such zone; providing for waiving of certain fees; and providing an effective date. [Consent Agenda Item (T)]

Resolution No. 2005-9-6(R): To approve the terms and conditions of an Economic Development Program Agreement by and between the City of Plano, Texas and Legacy-Hammonds Materials, L.P., a Texas Limited Partnership, to promote state and local economic development and to stimulate business and commercial activity in the City and county; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (U)]

### **Adoption of Ordinances**

Ordinance No. 2005-9-7: To amend Section 12-101 (Prohibited On Certain Streets At All Times) of Article V (Stopping, Standing, and Parking), of Chapter 12 (Motor Vehicles and Traffic) of the City of Plano Code of Ordinances to prohibit stopping, standing, or parking of motor vehicles along both sides of Country Place Drive between Custer Road and a point two-hundred (200) feet east of Custer Road within the City limits of the City of Plano; declaring it unlawful and a Class C misdemeanor to stop, stand, or park motor vehicles in said sections of Country Place Drive within the limits herein defined; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a severability clause, a savings clause, and an effective date. [Consent Agenda Item (V)]

### **END OF CONSENT**

Due to a possible conflict of interest, Council Member Stahel stepped down from the bench on the following item.

**To approve Bid No. CSP C147-05** Animal Services Software System to HLP, Inc. in the amount of \$37,140. [Consent Agenda Item (B)] (See Exhibit “D”)

Upon a motion made by Council Member Magnuson and seconded by Council Member LaRosiliere, the Council voted 7-0 to approve Bid No. CSP C147-05 Animal Services Software System to HLP, Inc. in the amount of \$37,140.

Council Member Stahel resumed his place at the bench.

The Council considered Regular Agenda Item No. 8 at this time.

**Status report and direction** regarding Hurricane Katrina sheltering in Plano. [Regular Agenda Item (8)]

Chief Peterson spoke to the evacuation of 250,000 people from Louisiana and the creation of the Emergency Operation Center on September 2, 2005 in response to information that evacuees were coming to Collin County. He spoke to establishment of a strategic alliance with faith-based organizations who offered services, volunteers and facilities for housing. Chief Peterson spoke to the current goal being to move people into transitional housing, identifying and providing transportation to those wishing to be relocated, receipt of community donations, provision of medical assistance, coordination of workforce needs, and the challenge of maintaining a comprehensive data base of those in the City. He advised that there are 68 individuals left in two operating shelters and 1,530 in hotels, spoke to ensuring that individuals are registered with the City, the American Red Cross and FEMA. Chief Peterson spoke to efforts to organize and adapt to problems and “writing the book” for this disaster with little or no experience. He spoke to people coming to Plano that were not receiving attention elsewhere.

Chief Peterson responded to the Council regarding efforts to identify individuals staying in private homes, surveys of those in hotels to monitor the count, work with DART to establish two routes to provide transportation between hotels, the Joint-Use Facility, First Baptist Church and medical facilities and to efforts to distribute manpower through the City to address needs. He spoke to the challenge of identifying an adequate supply of housing in the City, those registered with the City who are not living within its jurisdiction and to making sure evacuees are registered with the American Red Cross and FEMA so they receive financial assistance. Chief Peterson spoke to the first priority being to get those currently in church-operated shelters into housing and then addressing those in hotels/motels. He stated that many want to become integrated into the community, spoke to trying not to displace those in hotels, efforts to provide information on employment, and to support provided to City employees who have participated in the efforts. Chief Peterson spoke to trying to get a better count of those in private homes and to developing a system for continuity after individuals are registered and transportation provided to students by the Plano Independent School District. The Council spoke to the community coming together and complimented Staff on the work done.

**Status report and direction regarding Hurricane Katrina sheltering in Plano (cont'd)**

FEMA Official Ferris Boardman complimented the City on its emergency center, the welcome provided and efforts to register and serve evacuees. Chief Peterson thanked the Council for the support provided over the years to have the infrastructure in place to implement plans on quick notice. He reviewed the process for evacuees including registration, completion of FEMA and Red Cross forms, medical referrals and housing. The Council requested information at a later time on those who have gone "above and beyond" in providing assistance so that they might be recognized.

**Ordinance No. 2005-9-8** to approve and adopt the budget and setting the appropriations for the fiscal year beginning October 1, 2005, and terminating September 30, 2006; and providing an effective date. [Regular Agenda Item (1)]

Upon a motion made by Mayor Pro Tem Lambert and seconded by Council Member Ellerbe, the Council voted 8-0 to approve and adopt the budget and setting the appropriations for the fiscal year beginning October 1, 2005, and terminating September 30, 2006; and providing an effective date; and further to adopt Ordinance No. 2005-9-8.

**Ordinance No. 2005-9-9** to approve and adopt the Community Investment Program and setting the appropriations for 2005-2006; and providing an effective date. [Regular Agenda Item (2)]

Upon a motion made by Council Member Magnuson and seconded by Deputy Mayor Pro Tem Johnson, the Council voted 8-0 to approve and adopt the Community Investment Program and setting the appropriations for 2005-2006; and providing an effective date; and further to adopt Ordinance No. 2005-9-9.

**Ordinance No. 2005-9-10** to approve and adopt the tax rate for the fiscal year beginning October 1, 2005, and terminating September 30, 2006, and providing an effective date. [Regular Agenda Item (3)]

Director of Budget and Research Rhodes advised regarding required wording for adoption of the tax rate and spoke to the difference between the proposed rate and the effective rate. She spoke regarding the stability of the City's tax rate over the years.

Mayor Evans made a motion that property taxes be increased by the adoption of a tax rate of 45.35 cents per \$100 of assessed property value and Mayor Pro Tem Lambert seconded. The Council voted 8-0 with Mayor Evans, Mayor Pro Tem Lambert, Deputy Mayor Pro Tem Johnson and Council Members Stahel, Ellerbe, Magnuson, LaRosiliere and Callison voting in favor and no one in opposition.

City Manager Muehlenbeck advised the Council that an agenda item would be coming forward to appropriate monies as a result of Hurricane Katrina and that Staff has been advised that monies would be reimbursed.

**Public Hearing and consideration of Ordinance No. 2005-9-11** to establish and designate a certain area within the City of Plano as Reinvestment Zone No. 89 for a tax abatement consisting of a 2.0493 acre tract of land located at the northeast corner of 10<sup>th</sup> Street and Placid Avenue in the City of Plano; establishing the boundaries of such zone, ordaining other matters relating thereto and providing an effective date. [Regular Agenda Item (4)]

Director of Finance McGrane advised that the agreement would be with Nationwide Rigging & Crating, Inc. who anticipate business personal property valued at \$200,000, real property of \$1,500,000 and that they will employ 30. He advised that the abatement will be for ten years at fifty percent of both real and business personal property.

Mayor Evans opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Ellerbe and seconded by Council Member LaRosiliere, the Council voted 8-0 to establish and designate a certain area within the City of Plano as Reinvestment Zone No. 89 for a tax abatement consisting of a 2.0493 acre tract of land located at the northeast corner of 10<sup>th</sup> Street and Placid Avenue in the City of Plano; establishing the boundaries of such zone, ordaining other matters relating thereto and providing an effective date; and further to adopt Ordinance No. 2005-9-11.

**Resolution No. 2005-9-12(R)** to approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, Texas, the Collin County Community College District, Loyd Real Properties, LLC, a Texas Limited Liability Company, and Nationwide Rigging & Crating, Inc., a Texas Corporation, and providing for a business personal property and real property tax abatement, and authorizing its execution by the City Manager; and providing an effective date. [Regular Agenda Item (5)]

Upon a motion made by Council Member Magnuson and seconded by Deputy Mayor Pro Tem Johnson, the Council voted 8-0 to approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, Texas, the Collin County Community College District, Loyd Real Properties, LLC, a Texas Limited Liability Company, and Nationwide Rigging & Crating, Inc., a Texas Corporation, and providing for a business personal property and real property tax abatement, and authorizing its execution by the City Manager; and providing an effective date; and further to adopt Resolution No. 2005-9-12(R).

**Public Hearing and consideration of Zoning Case 2005-29** – A request to rezone 18.8± acres located at the northwest corner of Windhaven Parkway and Red Wolf Lane in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-6. Applicant: Crow-Billingsley Windhaven, Ltd. [Regular Agenda Item (6)]

Director of Planning Jarrell advised the Council that the applicant has agreed to accept the Planning and Zoning Commissions recommendation of Single-Family Residence-6 for the entire property.

**Zoning Case 2005-29 (cont'd)**

Mayor Evans opened the Public Hearing. Ray Rinker, citizen of the City, spoke to the effect the development would have on three area neighborhoods and to their preference for Single-Family Residence-6 (SF-6) zoning. He spoke to possible consideration by the City's Parks and Recreation Department in acquiring a small triangle of land north of the utility easement. City Attorney Wetherbee spoke to the current agenda item only addressing zoning. Mary Poss, representing Billingsley Company, spoke to consideration of neighborhood input, the Planning and Zoning Commission's recommendation of SF-6 zoning and the applicant's agreement. She stated that the applicant would be willing to speak to Staff about other options regarding park land. David Griffin, citizen of the City, spoke to the flexibility of the applicant and requested direction on how to move forward regarding park land. City Manager Muehlenbeck advised that Staff will explore the options and provide information to the Council at a future time. No one else spoke either for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member LaRosiliere and seconded by Council Member Magnuson, the Council voted 8-0 to approve Zoning Case 2005-29 – A request to rezone 18.8± acres located at the northwest corner of Windhaven Parkway and Red Wolf Lane in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-6 as recommended by the Planning and Zoning Commission and further requested an ordinance be brought back for Council consideration.

**Resolution No. 2005-9-13(R)** nominating a candidate for election to the Collin County Central Appraisal District Board of Directors; and providing an effective date. [Regular Agenda Item (7)]

Upon a motion made by Deputy Mayor Pro Tem Johnson and seconded by Mayor Pro Tem Lambert, the Council voted 8-0 to nominate Roy Wilshire as a candidate for election to the Collin County Central Appraisal District Board of Directors; and providing an effective date; and further to adopt Resolution No. 2005-9-13(R).

There being no further discussion, Mayor Evans adjourned the meeting at 9:42 p.m.

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**Pat Evans, MAYOR**

ATTEST:

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**Elaine Bealke, City Secretary**