

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
December 7, 2010**

COUNCIL MEMBERS

Phil Dyer, Mayor
Lee Dunlap, Mayor Pro Tem
Pat Miner, Deputy Mayor Pro Tem
Ben Harris
André Davidson
Lissa Smith
Harry LaRosiliere
Jean Callison

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Deputy City Manager
Bruce Glasscock, Deputy City Manager
LaShon Ross, Deputy City Manager
Mark Israelson, Assistant City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Dyer called the meeting to order at 5:09 p.m., Tuesday, December 7, 2010, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Council Member Callison arrived at 5:11 p.m. Mayor Dyer then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice, Section 551.071; and to receive information regarding Economic Development, Section 551.087 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Dyer reconvened the meeting back into the Preliminary Open Meeting at 5:55 p.m.

Consideration and Action Resulting From Executive Session

No items were brought forward.

DART Report

DART Board Member Ellerbe spoke to plans for paid parking at the Parker Road Station, advised that 65% of the design of the Northwest Park and Ride is complete with plans to open by spring of 2012 and spoke to shuttle service from the Legacy area. Ms. Ellerbe spoke to cost savings and reworking of DART's budget resulting in funds to complete the last section of the orange line in 2014, but advised that they do not expect to have funds for a second alignment. She advised regarding the opening of the green line ahead of schedule and below cost and connection to the Denton County Transit Authority.

Ms. Ellerbe advised that the DART Board approved a \$10 regional fare between the Denton County system and DART and stated her opposition to the proposal as there was no discussion or agreement regarding cost recovery or an access fee. Mayor Dyer requested information regarding the impact of regional fares on revenues. Ms. Ellerbe spoke regarding possible changes to paratransit services utilizing different types of vehicles.

Discussion/Direction re 2011 Plano MLK Celebration One Time Funding Support Request in the amount of \$9,550

Spokesperson for the 2011 MLK Celebration Steering Committee Earnest Burke requested approval of a funding request, spoke to the 25-year history of the event, its inclusiveness, diversity, participation by the school district and clubs and the legacy of Dr. King. City Manager Muehlenbeck spoke to the number of police officers required for this event and costs. He spoke to recovering costs for the use of the Municipal Center and Plano Centre which had been absorbed in the past. Mr. Muehlenbeck advised that due to timing, this is a one-time contribution and that future requests will come through the Cultural Affairs Commission for consideration. He responded to Council Member Smith, advising that the City has not contacted the Plano Independent School District regarding participation costs.

Mayor Dyer and Council Member LaRosiliere spoke to approving the request and consideration of future funding by the Cultural Affairs Commission. Council Members Davidson and Smith stated concern regarding providing funding for one group. Deputy City Manager Glasscock advised traffic on streets must be regulated by sworn officers rather than volunteers. Council Member LaRosiliere spoke to providing funding during transition as was done for others and Council Member Callison agreed. The Council stated a consensus to approve the one time funding support request.

Discussion/Direction re 2011 G.O. Bond Issuance – CIP Projects

Budget and Research Director Rhodes-Whitley spoke to Council direction to provide additional information regarding the operation/maintenance costs related to the requested projects advising that for 2011-12 costs would be \$51,149 (\$46,149 at Fire Station #13 and \$5,000 for trail connections) with costs of \$1.9 million in 2012-13. She advised that there will be \$892,000 of principle and interest falling off the debt payment.

Director of Parks and Recreation Fortenberry advised regarding voter approval of bond items including the renovation of the Aquatic Center (\$1.5 million) where no additional operation/maintenance monies would be incurred and Parks Projects with \$7 million contractually obligated to the Pecan Hollow Golf Course and \$1 million to the land acquisition of the Hall Tract. She spoke to the remaining \$2.75 million including further land acquisition, athletic field renovations, and trail connections. Ms. Fortenberry spoke to the Preston Ridge Trail south connection along Ohio Drive to the City of Dallas and the Bluebonnet Trail connection to the City of Allen. She spoke to possible delay of the Arbor Hills parking lot design and to delaying Chase Oaks Trail Connection funding (\$450,000 in design costs) until the City of Allen moves forward with golf course renovations. Council Member Harris thanked Staff for providing clarification.

Ms. Fortenberry advised that if bonds were issued for the Chase Oaks Trail Connection, the City would be in a position to move forward simultaneously with the City of Allen when renovations occur and responded to Council that there may be some savings in joining with Allen's contract. Council Member LaRosiliere spoke to approval of this bond issuance resulting in a .46 increase to the debt side of the tax rate.

Deputy City Engineer and Director of Public Works Cosgrove spoke to citizen opposition to the widening of Windhaven Parkway from the City Limits to Spring Creek Parkway and advised that based on projections, four lanes should be sufficient for 20 years. City Manager Muehlenbeck advised that if TxDOT funding is removed with delay of the project, Staff will bring the item back for Council consideration.

Upon a motion made Council Member Davidson and seconded by Council Member LaRosiliere, the Council voted 8-0 to approve the 2011 G.O. Bond Issuance as recommended by Staff and to issue debt for the design/building of the Chase Oaks Golf Course trail connection, but delay the project until the City of Allen's course renovation. Citizen of the City Warren Casteel thanked the Council for their consideration.

Departmental Briefing - Budget

Budget and Research Director Rhodes-Whitley spoke to the department's mission statement, "The Budget & Research Department develops, coordinates, and monitors the City's spending plans including the annual operating budget and the Community Investment Program." She spoke to performing program evaluations to determine the effectiveness and efficiencies of departmental service levels and preparation of regular analyses of the City's revenues and expenditures, as well as special studies addressing financial management issues. Ms. Rhodes-Whitley spoke to the core functions: Develop, prepare and monitor \$400 million operating budget and \$77 million Community Investment Program, Three-year Financial Forecast and Core Business Matrix; handle property tax functions including effective and rollback tax rate calculation; maintain J.D. Edwards budget module; develop revenue models including sales tax and water/sewer rates; monitor the Performance Measurement Process; and oversee bond referendums. She spoke to additional functions: monitoring the non-departmental budget; providing projections for all salary and benefits; providing administration for grant funding; providing projections and budget for the Health Insurance Fund; overseeing the carry forward process; maintaining the capital reserve funding matrix; monitoring the Budget Contingency Plan and Budget Reduction Plan; providing legislative analysis for budget items including all revenues, property tax and sales tax; overseeing the Citizen Survey process; completing any special projects as directed by management and City Council; compiling operational analysis studies; and conducting public and citizen relations for budget, CIP and bond referendums.

Ms. Rhodes-Whitley spoke to current projects: finalizing the budget and Community Investment Program documents; developing a prioritization system for the Core Business Matrix process; preparing models for the Three-year Financial Forecast process; preparing the Budget Preparation Manual for FY 2011-12; starting the ICMA Performance Management Process; and developing a charge back system for the Plano Television Network. She spoke to Staff education, memberships in national, state and regional associations and certificates/awards received.

Personnel Appointment - Multi-Cultural Outreach Roundtable

Upon a motion made by Council Member Davidson and seconded by Council Member LaRosiliere the Council voted 8-0 to appoint Sally Magnuson as member and Chair.

Reconsideration of March 2011 City Council Meeting Date

The Council stated a consensus to move the first meeting of the month to Wednesday, March 9, 2011.

Council items for discussion/action on future agendas

No items were discussed.

Consent and Regular Agendas

No items were discussed.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 6:57 p.m.

Phil Dyer, Mayor

ATTEST:

Diane Zucco, City Secretary

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Mayor Dyer convened the Council into the Regular Session on Tuesday, December 7, 2010, at 7:01 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Reverend Bryan Stamper of Grace Presbyterian Church and the Pledge of Allegiance was led by The Men of Note Chorus who sang several holiday songs.

Consent Agenda

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

Approval of Minutes (Consent Agenda Item "A")

November 18, 2010

November 22, 2010

Approval of Expenditures

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

Bid No. 2011-2-G for Plano Senior Center Air Cooled Chiller Replacement to Gulf Energy Systems, Inc., in the amount of \$92,935 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

Bid No. 2010-251-G for Haggard Library Air Cooled Chiller Replacement to EEC Enviro Service Co. LLC, in the amount of \$138,221 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

CSP No. 2010-141-C for a three (3) year contract for Enterprise Video Solutions to Johnson Controls in the amount of \$398,000 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

CSP No. 2010-252-C for a one (1) year contract with three (3) optional one year renewals for Wireless Voice and Data Services to AT&T Mobility in the amount of \$494,362 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Purchase from an Existing Contract

To approve a contract for the purchase and installation of infield conditioner for baseball/softball fields at Enfield Park, Carpenter Park and the Youth Ball Park for the Parks and Recreation Department in the amount of \$83,982 from MasterTurf Products and Service, Inc. through an existing contract or agreement with BuyBoard, and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract 292-08). (Consent Agenda Item “F”)

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

To approve an Engineering Services Agreement by and between the City of Plano and BW2 Engineers, Inc. in the amount of \$57,275 for the design of the Bluebonnet Trail connection under U.S. 75 at Rowlett Creek and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

Adoption of Resolutions

Resolution No. 2010-12-1(R): To adopt a 2011 State Legislative Program for the City of Plano, Texas; directing the City Manager to act with regard to the City’s Legislative Program; and providing an effective date. (Consent Agenda Item “H”)

Resolution No. 2010-12-2(R): To authorize the Cities Aggregation Power Project, Inc. (CAPP) to negotiate an extension to the current electric supply and necessary related services agreement with Next Era for a fixed price per kWh that is lower than contract rates for 2011-2013, said extension to continue until December 31, 2018; authorizing CAPP to act as an agent on behalf of the City to enter into a contract for electricity; authorizing the Chairman of CAPP to execute an extension to the current electric supply agreement for deliveries of electricity effective January 1, 2011, or as soon after finalization of a contract as possible; committing to budget for energy purchases and to honor the City’s commitments to purchase power through CAPP for its electrical needs through December 31, 2018; and providing an effective date. (Consent Agenda Item “I”)

Resolution No. 2010-12-3(R): To approve the terms and conditions of a fourth amendment to the development agreement between the City of Plano, Texas, and Pinnacle AMS Development Company, LLC (now Southern/Pinnacle AMS Development Company, LLC), for development of Eastside Station – Plano; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “J”)

Adoption of Ordinances

Ordinance No. 2010-12-4: To abandon all right, title and interest of the City, in and to a portion of that certain 60-foot wide Fire Lane, Access and Utility Easement recorded in Cabinet 2006, Page 148 of the Map Records of Collin County, Texas and being situated in the Henry Cook Survey, Abstract No. 183, which is located within the City limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, KDC Legacy North Investments I, L.P. to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “K”)

Ordinance No. 2010-12-5: To abandon all right, title and interest of the City, in and to a portion of that certain 60-foot wide Right-of-Way (Infinity Avenue) recorded in Cabinet 2006, Page 440 of the Map Records of Collin County, Texas and being situated in the Henry Cook Survey, Abstract No. 183, which is located within the City limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, KDC Legacy North Investments I, L.P. to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “L”)

END OF CONSENT

Public Hearing and adoption of Ordinance No. 2010-12-6 as requested in Zoning Case 2010-16 to amend Section 3.1400 (Traffic Impact Analysis) of Article 3 (Supplementary Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, pertaining to traffic impact analysis; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano (Regular Agenda Item “1”)

Planning Manager Firgens spoke to traffic impact analyses (TIAs) utilized as a planning tool to estimate the effect of a particular land use on the area roadway system. She advised that the TIA ordinance was first adopted in the late 1980s, at a time when the City’s street system was incomplete and many options for mitigation of traffic impacts were still available. Ms. Firgens advised that the street system is almost complete, mitigation options are more limited and state laws governing the vesting of development projects have limited the City’s ability to decrease the size and intensity of a proposed development so that the existing ordinance no longer adequately addresses the Plano’s present condition as a maturing first-tier suburb.

Ms. Firgens spoke to TIAs identifying the relationship between land use and transportation needs and their review by the Planning and Zoning Commission. She spoke to current traffic issues in the City including the growth of traffic congestion, costs related to adding capacity and the need to explore new options such as the median left-turn lane and single point urban interchange. She spoke to the impact of development and redevelopment of properties and mitigation efforts/opportunities including deceleration lanes for driveways, increased left-turn lane stacking length, and exit drives with both right and left turn movements.

Senior Traffic Engineer Jeff Green advised that Staff recommends removal of the TIA requirement for zoning applications since the roadway system is nearly complete, additional capacity improvements are limited to intersection improvements, and zoning applications requiring a TIA have decreased significantly. He spoke to Staff's recommendation increasing the minimum trips per day threshold generated by a development, omitting the minimum threshold based upon floor area ratio, and proposed amendments to traffic mitigation options that are more appropriate and consistent with existing roadway improvements and state law requirements. Mr. Green spoke to focusing on how internal circulation interfaces with adjacent development and turning lanes and stated that the Planning and Zoning Commission recommended approval subject to the following: (Deletions are indicated in strikethrough text; additions are indicated in underlined text):

Amend Section 3.1400 (Traffic Impact Analysis) of Article 3 (Supplementary Regulations) to read as follows.

3.1400 Traffic Impact Analysis

3.1401 Introduction

This section establishes requirements and procedures pertaining to traffic impact analysis (TIA). These requirements are intended to inform the applicant of the city's expectations, expedite the city staff's review process of TIA reports, provide standard criteria for evaluating development proposals, and establish equitable mitigation and cost sharing policies.

A TIA is intended to develop public/private partnerships to coordinate land use and transportation facility development. Both the City of Plano and the land developer share in the responsibility to consider all reasonable solutions to identified transportation problems.

~~Plano requires TIAs to be done for both zoning and~~ must be performed as part of the preliminary site plan processes. Each of these has specific purposes that are complementary of one another. Both types of TIAs do, however, share the with the goal of identifying the relationship between land use and transportation needs. The site plan process, as described in Article 5 (Site Plan Review), is a multi-step land development approval process that includes a series of three plans, a concept plan, preliminary site plan, and site plan. Below is a brief description of the purpose of each process:

1. ~~Zoning TIA~~

~~The goal of this process is to ensure balance between future land uses and the ultimate roadway system. This process uses future traffic volumes based on the city being developed (as projected in the year 2020 Tranplan computer model). It also assumes the entire roadway system to be in place (both existing and future roads). This allows a zoning proposal to be evaluated as to its effect on the ultimate roadway system and allows for determination of the roadway system's ability to accommodate the proposed use.~~

~~The TIA, done at the time of a zoning change request, is to determine the traffic loading that the proposed zoning will impose on the approved thoroughfare system in the 2020 design year and to determine that the thoroughfare system, as planned, can handle the traffic loading at Level of Service D or better in the peak hour. Conclusions drawn from the analysis, along with other land use and service factors, shall be taken into consideration by the Planning & Zoning Commission and the City Council in approval or disapproval of zoning changes.~~

Ordinance No. 2010-12-6 (cont'd)

2. Site Plan TIA

3.1402 Applicability

~~— This process is done simultaneous with the submittal of a preliminary site plan. The goal of this study is to look at a specific development of known size and use and to determine the effect of that use on the existing roadway system. It uses existing traffic volumes and assumes the existing roadway configuration to be used for analysis. This process should ensure that the roadway system is adequate to accommodate the proposed use and may recommend mitigation measures necessary to ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service).~~

1. Purpose

A TIA, at the time of site plan approval, is intended to define the immediate impacts of the proposed development and any necessary transportation improvements (public or private) required to ensure a satisfactory level of service on all affected thoroughfares. A site plan TIA is designed to mitigate traffic impacts by optimizing roadway capacity, access design, and traffic control. A TIA may not be used to deny development permitted by zoning, nor shall it be used to modify road design contrary to the ~~Transportation Element of the Comprehensive Plan~~ or to the Thoroughfare Standards Ordinance. ~~The detail of site plan TIAs is greater than TIAs prepared for zoning cases.~~ Specific improvements to the existing roadways consistent with the Thoroughfare Plan may be needed to gain approval of site plan proposals. Timing of and cost sharing agreements for the construction of offsite improvements also may be considered.

2. Goal

The goal of this study is to review a specific development of known size and use and to determine the effect of that use on the existing roadway system by analyzing existing traffic volumes and existing roadway configurations. This process ensures that the roadway system is adequate to accommodate the proposed use.

3. Requirements

The TIA process shall be required simultaneous with the site plan approval process for projects generating 8,000 trips per day or greater. A TIA is typically required with the submission of the preliminary site plan; however, the city may require the TIA to be submitted with a concept plan or site plan due to project phasing. It is the responsibility of the applicant to demonstrate that a TIA is not required. Recommendations shall be made for mitigation measures necessary to ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service) on all preliminary site plans and/or site plans. Site plan applications as defined herein, not containing TIAs will be judged incomplete and shall not be forwarded to the Planning & Zoning Commission for action.

Ordinance No. 2010-12-6 (cont'd)

3.14023 Definitions

Term	Definition
Trip Generation Rates	The city's criteria for trip generation for various categories of land use and density shall be those set forth in the latest edition of the trip generation informational report published by the Institute of Transportation Engineers (ITE) unless the proposed use does not have a corresponding rate in the Trip Generation Manual. Alternate trip generation rates shall not be accepted for individual zoning cases or site plans but shall instead be adopted for citywide use on the basis of a general study of local conditions.
Design Year	The design year is the point in time upon which assumptions pertaining to land use, population, employment, and transportation facilities are based. All zoning analysis shall be based on a design year of 2020. All site plan analysis shall use a design year based on the expected date of project occupancy.
Base Volumes	Base volumes for analyzing zoning cases shall be derived from the city's latest computer projection of traffic volumes for the year 2020. Base volumes for site plans shall be based on current traffic counts adjusted to the expected date of project occupancy. When available, all base data shall be supplied by the city's Engineering Department, Transportation Division. In all cases when ground counts are needed and are not available, the developer or his agent shall be required to collect such data.
Modeling	A TIA as required by the city for zoning cases will be accomplished by the use of the TRANPLAN analysis package. A TIA, as required, may be performed by the applicant or his agent. The city's Engineering Department, Transportation Division will supply (for a fee) TRANPLAN volume plots based on existing and proposed zoning.
Level of Service (LOS)	LOS is a measure of the level of congestion experienced on roadways. The desirable minimum LOS of the City of Plano is Level of Service D in the peak hour. LOS shall be measured of both link and intersection operations.
Thoroughfare Plan	The official City of Plano Thoroughfare Plan, including all routes designated as a Type F collector facility or higher.
Transportation Improvements Community Investment Program(TIP CIP)	A five year schedule and funding program of all approved and committed transportation improvements.

Ordinance No. 2010-12-6 (cont'd)

3.1403 Applicability

~~— A TIA will be required by the city's Planning Department for zoning requests and preliminary site plans submitted for approval. All TIAs shall be performed by a consultant qualified to perform such studies. Requirements for mitigating negative traffic impacts shall apply to all zoning cases and site plans. In certain cases, due to project phasing, a site plan TIA might be required with a concept plan submittal.~~

1. ~~Zoning~~

~~— Any zoning request for multifamily or nonresidential as defined herein under the land use classification which generates at least 5,000 trips per day requires a TIA, unless the proposed zoning results in a net trip reduction compared to existing zoning. A zoning request involving multiple zoning districts is required to have a TIA based on the total traffic generated.~~

2. ~~Preliminary Site Plan~~

~~— Any preliminary site plan or site plan generating 5,000 trips per day or which has a floor area ratio (FAR) of 0.75, or greater, requires a TIA.~~

3.1404 Methodology

~~Pre-submission application consultation with the Development Review Planning and Transportation Divisions staff is required. Zoning and site plan applications, as defined in Subsection 3.1403, not containing TIAs will be judged incomplete and shall not be forwarded to the Planning & Zoning Commission for action. It is the responsibility of the applicant to demonstrate that a TIA is not required. Details of the required analysis will be determined at this meeting. In certain instances, traffic from other approved but not built developments may have to be accounted for included in traffic assignments. Staff ~~might~~ may also require specific assumptions such as percent trucks to be altered to match local conditions. Peak hour analysis ~~might~~ may be directed to reflect the peak 15 minutes for certain types of land use. All of these types of issues will be addressed at the pre-application meeting.~~

~~The following procedures shall be followed in preparing site plan traffic impact analysis studies submitted to the City of Plano:~~

1. ~~Zoning TIA Content~~

a. ~~Study Area~~

~~— A map(s) delineating the TIA study area and all existing and planned streets contained therein. The study area shall be based on the total daily estimated trip generation. The study area shall be a one mile radius for less than 10,000 trips per day. A larger radius shall be considered for more than 10,000 trips per day.~~

b. ~~Existing Zoning~~

~~— A description of the existing zoning in the area proposed for rezoning including: existing land area (gross and net) by zoning classification and density figures expressed as FAR, square footage, number of hotel rooms, dwelling units, etc.~~

c. ~~Proposed Zoning~~

~~— A description of the proposed zoning including land area (gross and net) by zoning classification and density figures expressed by FAR, square footage, number of hotel rooms, dwelling units, etc.~~

d. ~~Thoroughfare Network~~

~~— A description of roadway development at the 2020 design year for the entire study area and base volumes of thoroughfares within the study area.~~

Ordinance No. 2010-12-6 (cont'd)

- e. ~~Impact Determination~~
 - ~~The TIA will describe the volume/capacity (V/C) ratio for all thoroughfares (Type F and higher) and delay projections for intersections in the studied area to determine if Level of Service D operation is maintained. The analysis shall contain the following minimum information:~~
 - i. ~~Proposed Trip Generation~~

~~Show in tabular form trip generation rates and the total trips generated by land use assuming full development and occupancy. Indicate trip reductions, if any, resulting from credits for mass transit, passerby, mixed use, etc. All trip reductions must conform to Planning & Zoning Commission approved generation rates. Calculate the net estimated trips.~~
 - ii. ~~Existing Trip Generation~~

~~Show in tabular form by land use trips generated based on existing zoning. All appropriate trip reductions permitted by approved generation rates must be included.~~
 - iii. ~~Net Increased Trip Generation, Distribution, and Assignment~~

~~Proposed trip generation minus existing trips generated and the assignment of new trips generated is to be calculated. The net increased trips generated by the development are to be added to the base volumes projected for the design year. Twenty-four hour and peak hour volumes must be calculated. Distribution and assignment calculations must be provided unless TRANPLAN is used.~~
 - iv. ~~Level of Service Analysis~~

~~Show in tabular form, 24 hour and peak hour levels of service for existing and proposed zoning. Calculations shall include all thoroughfare links and intersections. Calculate level of service and percentage of change (when compared to base volumes) for each link and intersection.~~
 - v. ~~Conclusions~~

~~Summarize points of conflict and congestion; identify all thoroughfare links or intersections exceeding a Level of Service D and the percentage of change produced by the proposed zoning change.~~
- f. ~~Mitigation~~

~~Traffic produced by the proposed zoning plus the assumed background traffic should not exceed Level of Service D. Locations exceeding Level of Service D, where the proposed zoning contributes five percent or more of the traffic, should be mitigated. Acceptable methods of mitigating negative traffic impacts are:~~

 - i. ~~Requirements in addition to those provided in the Thoroughfare Standards Ordinance relating to driveway median opening location and distance between drives.~~
 - ii. ~~Modified zoning and/or density reduction or relocation.~~
 - iii. ~~Amendments to the city's Thoroughfare Plan shall not be accepted as a means of mitigating negative impacts. Minor amendments to thoroughfare and intersection design (e.g., turn lanes, acceleration and deceleration lanes, and associated rights-of-way) may be accepted on a case-by-case basis.~~

Ordinance No. 2010-12-6 (cont'd)

~~2. Planning & Zoning Commission Report~~

~~The Planning & Zoning Commission shall make a report to the City Council on all TIAs it considers in conjunction with requests for rezoning. The Planning & Zoning Commission may make a recommendation for approval, modification, or denial of the zoning case based on other planning factors in addition to its review of a TIA.~~

~~Where the identified impacts of the proposed zoning cannot be adequately mitigated, the Planning & Zoning Commission shall recommend to the City Council one or more of the following actions:~~

~~a. Denial of the zoning case in total or in part.~~

~~b. Any other action deemed appropriate to mitigate negative traffic impacts.~~

~~The Planning & Zoning Commission may recommend, in addition to measures defined above, that a study of the Major Thoroughfare Plan be made to determine amendments required to ensure adequate long term capacity.~~

~~3.~~ 1. Site Plan TIA Content

a. Study Area

A map(s) shall be included delineating the TIA study area and all existing and planned streets therein. The study area shall be a minimum of a one mile radius, which may be increased depending upon the amount of traffic generated by the proposed development as determined by at the discretion of the city's Traffic Engineer Transportation Division.

b. Existing Zoning and Development

Describe existing zoning including land area (gross and net) by zoning classification, including density figures expressed as FAR, square footage, number of hotel rooms, dwelling units, etc. Also, describe any existing development onsite and how it will be affected by development proposals.

c. Thoroughfare Network

Describe existing thoroughfares, signals and signal phasing, and traffic volumes within the study area.

d. Proposed Development

Describe the proposed development including land area (gross and net) and density figures expressed by FAR, square footage, number of hotel rooms, dwelling units, etc. Also describe roadway conditions as expected by date of occupancy. Improvements shown must be funded within the Transportation Improvements Community Investment Program or proposed for development at the developer's expense to be repaid by the city in accordance with the city's cost sharing policies as funds become available as required by the city's Subdivision Ordinance. ~~Indicate Roadway and intersection capacities at study date shall be indicated.~~

e. Impact Determination

Determine the level of service for all thoroughfares and intersections in the study area. The analysis shall contain the following minimum information:

i. Proposed Trip Generation

Calculate total trip generation by use (assuming full development and occupancy) and report any reductions for passerby, mixed use, etc., as permitted by generation rates, ~~approved by the Planning & Zoning Commission.~~ Show trip generation by use in tabular form with land use trip generation rates and trips generated.

Ordinance No. 2010-12-6 (cont'd)

- ii. Trip Distribution and Assignment
Trips generated by the proposed development are to be added to the base volumes projected for the design year. Peak hour volumes must be calculated. Distribution assumptions and assignment calculations must be provided.
- iii. Level of Service Analysis

Show in tabular form 24-hour and peak-hour V/C ratios for links and intersections within the study area. Analyze all points of ingress and egress, median breaks, and turn lanes associated with the proposed site.

- iv. Conclusions
Provide a summary of points of conflict and congestion. Identify all thoroughfare links or intersections exceeding a Level of Service D and the percent increase in total traffic produced by the proposed site plan. Identify any operational problems (e.g., drives, median openings, and signalization) within 500 feet of the site.

- f. Mitigation
Traffic levels exceeding Level of Service D, where the development is contributing five percent or more of the total trips should be mitigated- if possible. Problems demonstrated by the TIA can be corrected by Mitigation measures are limited to the following:

- i. Requirements in addition to those provided in the Thoroughfare Standards Ordinance relating to driveway and median opening location design and distance between drives.
- ii. ~~Modifying density or intensity or use (e.g., reduction in square footage or percentage of commercial use).~~
- iii. ~~Phasing construction until additional roadway capacity becomes available.~~
- iv. ii. Onsite improvements including access controls and site circulation adjustments.
- v. iii. Offsite improvements including the construction of additional lanes where the surrounding thoroughfares are not fully developed or intersection improvements where the surrounding area is approaching full development. Costs for offsite improvements that are consistent with the Thoroughfare Plan shall be repaid by the city in accordance with its cost sharing policies, as funds become available- as required by the city's Subdivision Ordinance. Offsite improvements must be consistent with the Thoroughfare Plan and are subject to the availability of right-of-way and other design constraints as determined by the City Engineer.

- 4. ~~Public Meetings~~
~~The applicant or their representative shall be available to answer questions that may arise during Planning & Zoning Commission meetings or City Council meetings.~~

Ordinance No. 2010-12-6 (cont'd)

5. ~~2.~~ Planning & Zoning Commission Report

The Planning & Zoning Commission shall ~~report to the City Council their~~ make a findings on all TIA studies reviewed in conjunction with the review of site plans that based upon the TIA, the thoroughfares can accommodate anticipated traffic volumes at an acceptable level of service.

Where identified impacts cannot be adequately mitigated by the date of occupancy, the Planning & Zoning Commission shall recommend ~~to the City Council~~ one or more of the following actions:

- ~~a. Study of the major Thoroughfare Plan to determine amendments required to increase long term capacity.~~
- ~~b. a.~~ Amendment of the TFP CIP to expedite construction of needed related public improvements.
- ~~c. b.~~ Changes in intersection design, signal systems, etc. to increase capacity.
- ~~d. Temporary delay (partial or total) of the proposed project for up to two years to coordinate with planned public improvements. In no instance may a project be delayed more than two years based on negative findings of a TIA. If all planned public improvements have been constructed in the area, there shall be no cause for delay in approval of the project based upon the TIA.~~
- ~~e. Any other measures deemed appropriate to mitigate negative traffic impacts.~~

3.1405 Administration Appeals

~~The Planning & Zoning Commission shall be responsible for administering the TIA requirements of the Zoning Ordinance. The Planning & Zoning Commission shall also be responsible for:~~

- ~~1. Reviewing and proposing to the City Council amendments to all TIA requirements and procedures.~~
- ~~2. Reviewing all TIAs submitted in conjunction with zoning and site plan applications.~~
- ~~3. Reporting to the City Council their finding of traffic impacts and, if appropriate, recommended methods of mitigation.~~

~~Applicants may request City Council reconsideration of a TIA and the findings of the Planning & Zoning Commission in conjunction with an appeal of a site plan, as provided for in Section 5.800 (Appeals). Unless a majority of the City Council votes in favor of reconsidering the TIA, discussion shall be limited to the findings of the Planning & Zoning Commission.~~

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 Deputy Mayor Pro Tem Miner and seconded by Council Member Smith, the Council voted 8-0 to amend Section 3.1400 of Article 3 and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, pertaining to traffic impact analysis; as requested by Zoning Case 2010-16 and as recommended by the Planning and Zoning Commission and further to adopt Ordinance No. 2010-12-6.

Public Hearing and adoption of Ordinance No. 2010-12-7 as requested in Zoning Case 2010-19 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 606 so as to allow the additional use of an Electrical Substation on 6.3± acres of land located on the east side of Communications Parkway, 1,100± feet north of Windhaven Parkway, in the City of Plano, Collin County, Texas, presently zoned Regional Employment/Dallas North Tollway Overlay District; 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, a publication clause, and an effective date. Applicant: Acres of Sunshine (Regular Agenda Item “2”)

Director of Planning Jarrell advised that the applicant plans to connect the proposed electrical substation to an existing one to the north in order to receive electrical power from the transmission power lines. She further advised that the proposed substation is needed to serve and accommodate existing and anticipated growth in this area of the City and that there will be an eight-foot masonry screening wall and landscaping along Communications Parkway. Ms. Jarrell advised that the Planning and Zoning Commission recommended approval as submitted and that the property is subject to existing setbacks.

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 LaRosiliere and seconded by Council Member Callison, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, granting Specific Use Permit No. 606 so as to allow the additional use of an Electrical Substation on 6.3± acres of land located on the east side of Communications Parkway, 1,100± feet north of Windhaven Parkway as requested by Zoning Case 2010-16 and as recommended by the Planning and Zoning Commission; and further to adopt Ordinance No. 2010-12-7.

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

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
December 13, 2010**

COUNCIL MEMBERS

Phil Dyer, Mayor
Lee Dunlap, Mayor Pro Tem
Pat Miner, Deputy Mayor Pro Tem
Ben Harris
André Davidson
Lissa Smith
Harry LaRosiliere
Jean Callison

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Deputy City Manager
Bruce Glasscock, Deputy City Manager
LaShon Ross, Deputy City Manager
Mark Israelson, Assistant City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Dyer called the meeting to order at 5:09 p.m., Monday, December 13, 2010, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Deputy Mayor Pro Tem Miner arrived at 5:21 p.m. Mayor Dyer then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice, Section 551.071; and to receive information regarding Economic Development, Section 551.087 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Dyer reconvened the meeting back into the Preliminary Open Meeting at 6:10 p.m.

Consideration and Action Resulting From Executive Session

No items were brought forward.

Personnel Appointments – Chairs

Tax Increment Financing Reinvestment Zone No. 1 Board/Tax Increment Financing Reinvestment Zone No. 2 Board.

Upon a motion made by Mayor Pro Tem Dunlap and seconded by Council Member Davidson, the Council voted 8-0 to reappoint Council Member LaRosiliere as Chair of the TIF Zone No. 1 Board and Deputy Mayor Pro Tem Miner as Chair of the TIF Zone No. 2 Board.

Council items for discussion/action on future agendas

No items were discussed.

Consent and Regular Agendas

No items were discussed.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 6:12 p.m.

Phil Dyer, Mayor

ATTEST:

Diane Zucco, City Secretary

PLANO CITY COUNCIL
December 13, 2010

COUNCIL MEMBERS

Phil Dyer, Mayor
Lee Dunlap, Mayor Pro Tem
Pat Miner, Deputy Mayor Pro Tem
Ben Harris
André Davidson
Lissa Smith
Harry LaRosiliere
Jean Callison

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Deputy City Manager
Bruce Glasscock, Deputy City Manager
LaShon Ross, Deputy City Manager
Mark Israelson, Assistant City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, December 13, 2010, at 7:00 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Council Member LaRosiliere.

The invocation was led by Reverend Clint Kerley of Christ Church Plano and the Pledge of Allegiance was led by Jr. Girl Scout Troop 2206 of Andrews Elementary.

PROCLAMATIONS & SPECIAL RECOGNITION

The Friends of the Plano Public Library made a presentation to the Plano Public Library System.

COMMENTS OF PUBLIC INTEREST

No one appeared to speak.

CONSENT AGENDA

Upon a motion made by Council Member Callison and seconded by Mayor Pro Tem Dunlap, the Council voted 7-0 to approve and adopt all items on the Consent Agenda as recommended and as follows:

Approval of Expenditures

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

Bid No. 2011-24-B for the Park System Pond Restoration, Project No. 5895 to Ark Contracting Services, LLC in the amount of \$339,500 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “A”)

Bid No. 2011-29-B for Hoblitzelle Park Improvements – Restroom Renovation, Project No. 6021 to Cole Construction, Inc. in the amount of \$444,945 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

RFP No. 2010-209-C for a one (1) year contract with five (5) City optional renewals, for Third Party Claims Administrator to Alternative Service Concepts, LLC for the Risk Management Department in the amount of \$350,000 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Bid No. 2011-21-B for the 2009-2010 Residential Concrete Pavement Rehab Zone J5 South, bounded by Cross Bend Road on the north, Independence Parkway on the west, Parker Road on the south and Custer Road on the east, to McMahan Contracting, L.P. in the amount of \$1,567,403 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

Purchase from an Existing Contract

To approve the purchase of construction services for Gun Range Additional Parking Lot in the amount of \$55,209 from CORE Construction Services of Texas, Inc. through an existing contract with The Cooperative Purchasing Network (TCPN) and authorizing the City Manager to execute all necessary documents. (TCPN Contract Number R4955) (Consent Agenda Item “E”)

To approve the purchase of Print Services in the estimated annual amount of \$50,000 from Office Depot through an existing contract/agreement with The Cooperative Purchasing Network (TCPN) and authorizing the City Manager to execute all necessary documents. (TCPN Contract Number R5023) (Consent Agenda Item “F”)

Approval of Change Order

To Motorola USA, Inc., increasing the contract by \$202,487 for equipment and services associated with the CSP P25 Simulcast System, Change Order #3. Contract No. 2009-137-C. (Consent Agenda Item “G”)

To McMahan Contracting, L.P., increasing the contract by \$38,155 for the 14th Street – Avenue K to Ridgewood project, Change Order No. 1. Original Bid No. 2010-14-B. (Consent Agenda Item “H”)

Adoption of Resolutions

Resolution No. 2010-12-8(R): To modify the contract by and between Legal Aid of Northwest Texas and the City of Plano for the Homelessness Prevention and Rapid Re-Housing Program in Plano; approving its execution by the City Manager; and providing an effective date. (Consent Agenda Item “I”)

Resolution No. 2010-12-9(R): To modify the contract by and between Interfaith Housing Coalition and the City of Plano for the Homelessness Prevention and Rapid Re-Housing Program in Plano, reallocating funds available within the Homelessness Prevention and Rapid Re-Housing Program subject to approval of the reallocation of funds previously approved to Legal Aid of Northwest Texas; approving its execution by the City Manager; and providing an effective date. (Consent Agenda Item “J”)

Resolution No. 2010-12-10(R): To approve the terms and conditions of a Texas Traffic Safety Program Grant Agreement by and between the State of Texas and the City of Plano, Texas; authorizing the City Manager to execute the grant agreement and any other documents necessary to effectuate the action taken; and providing an effective date. (Consent Agenda Item “K”)

Resolution No. 2010-12-11(R): To approve a Contract for receipt of funds in the amount of \$122,448 from the Texas State Library and Archives Commission – Loan Star Libraries Grant Number: 442-11690 to provide funds to maintain, improve, and enhance the Plano Public Library System by providing funding for the following: 19 ITG Self Check Machines and Microsoft Office Instructors; approving its execution by the City Manager; and providing an effective date. (Consent Agenda Item “L”)

Resolution No. 2010-12-12(R): To approve the terms and conditions of an Agreement for Mutual Aid by and between the City of Plano, Texas, and other participating local governments of the State of Texas for the purpose of sharing available resources, personnel, and equipment in the event of an emergency, disaster, and/or civil disaster in accordance with the terms and conditions of the Agreement; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “M”)

Resolution No. 2010-12-13(R): To support reallocating the 700 MHz D Block to Public Safety for a nationwide interoperable public safety broadband network; authorizing the City Manager to support; and providing an effective date. (Consent Agenda Item “N”)

Resolution No. 2010-12-14(R): To approve the terms and conditions of a Mutual Release and Termination Economic Development Incentive Agreement by and between the City of Plano and FutureWei Technologies, Inc. d/b/a Huawei Technologies (USA); authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “O”)

Resolution No. 2010-12-15(R): To approve the financing by the Red River Education Finance Corporation of education facilities located within the City of Plano, Texas for John Paul II High School, Inc.; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “P”)

END OF CONSENT

Resolution No. 2010-12-16(R): To approve updates of the Rules and Regulations for the use of Buffington Community Services Grant funds; authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item “1”)

Community Services Manager Day spoke to Council’s request to have the Community Relations Commission review the rules/regulations for the use of Buffington Community Services Grant Funds. Community Relations Commission Chair Grady thanked the Commission’s subcommittee for their efforts in preparing the report and reviewed revisions including: stating within the objectives that the program supports programs delivering emergency services rather than agencies; defining the programs and services by specifically stating they will be aligned with the City’s Consolidated Plan goals; removal of the salary funding limitation to permit fulfillment of needs by doctors, nurses and other licensed professionals; allowing for some duplication of services when the clientele are different; and removing the restriction of the use of funds for loans to permit emergency services for both homeowners as well as renters. Mayor Dyer thanked the Commission for their efforts.

Upon a motion made by Deputy Mayor Pro Tem Miner and seconded by Council Member Harris, the Council voted 7-0 to approve updates of the Rules and Regulations for the use of Buffington Community Services Grant funds and further to adopt Resolution No. 2010-12-16(R).

Public Hearing and Comment: Review of the Consolidated Annual Performance Report for the use of Federal Funds 2009-10 grant year as received by the U.S. Department of Housing and Urban Development. (Regular Agenda Item “2”)

Senior Community Coordinator Brown spoke to the spending of \$1,986,451 in federal funds and \$527,600 in Buffington Community Service funds to help 7,020 individuals and 529 households in need. She spoke to the importance of partnerships with social service and non-profit agencies, assisting 38 first time homebuyers and the leveraging of \$250,000 to receive \$3 million in non-federal funding. Ms. Brown spoke to rehabilitation of 44 homes and upgrades to the Day Laborer Center. Mayor Dyer thanked Staff for their efforts.

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

Nothing further was discussed and Mayor Dyer adjourned the meeting at 7:21 p.m.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary