

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
February 28, 2011**

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

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 called the meeting to order at 5:08 p.m., Monday, February 28, 2011, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Council Member LaRosiliere. 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; information regarding Economic Development, Section 551.087; and Personnel, Section 551.074 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 6:22 p.m.

Consideration and Action Resulting From Executive Session

No items were considered.

DART Report

DART Board Member Faye Wilkins spoke to progress along the Cottonbelt Corridor, consideration of a 12th Street station, possible stations at the George Bush Turnpike and/or Shiloh Road and DFW Airport access. She provided information regarding the development of a "Regionalism Business Plan" to address DART's role in the area.

Update on Ice Storm Response

Director of Emergency Management Stovall reviewed early February weather events including sleet, freezing rain, snow and freezing temperatures. He advised that the storms resulted in an estimated \$223,769 of costs for labor, materials and equipment. Deputy Director of Public Works and Engineering Cosgrove spoke to the current policy of sanding signalized intersections, bridges, overpasses and box culverts as well as "hot spots." He advised that sanding does not include residential streets and reviewed similar policies in neighboring communities. Mr. Cosgrove advised that, with current resources (8 trucks), one pass across the City requires 11 hours and spoke to the resources necessary to cover all major thoroughfares (12 hours with 61 trucks). He recommended establishing another stockpile of sanding material (\$60,000), enlarging current stockpiles (\$25,000), and purchasing 12 spreaders to equip available trucks, thus reducing the time for one pass to 6 hours (\$124,000). City Manager Glasscock spoke to possible use of emergency or red-light funding. Police Chief Rushin spoke to the increase in traffic accidents during the storm and police response and Mr. Stovall advised that costs provided are estimated figures. The Council concurred in directing Staff to move forward with recommendations.

Comprehensive Monthly Financial Report

Finance Director Tacke advised that for the month of January 2011, General Fund, Water/Sewer, Civic Center and Golf Course revenues were up as a percentage of budget when compared to last year. She advised that actual figures indicate General Fund revenues were down due to decreases in ad valorem taxes and a decrease in court fine revenues and stated that expenditures were down slightly as a percentage of budget. Ms. Tacke advised that actual expenditures were down \$2 million due to the timing of the September 2010 payroll and a reduction in the annual contribution to the 115 Trust. Ms. Tacke advised that the unemployment rate is down slightly to 6.7% and sales tax collections for January are up by 2.4%. She spoke to increases in actual water/sewer revenue due to the lack of rain and rate increases and expenditures down \$971,000. Ms. Tacke spoke to increases in municipal drainage revenues and a decline in expenses based on contract costs for street cleaning services.

Discussion and Direction regarding scheduling additional meetings for departmental budget reviews

Council Member Smith spoke to scheduling a worksession to accommodate further discussion of the budget. Council Member Harris spoke to expanding the session to include additional topics. The Council concurred in directing Staff to schedule a worksession.

Personnel Appointments - Civil Service Commission

Upon a motion made by Council Member Harris and seconded by Mayor Pro Tem Dunlap, the Council voted 7-0 to approve the recommendation of City Manager Glasscock and appoint Robert Hill as a member of the Civil Service Commission.

Council items for discussion/action on future agendas

No items were discussed.

Consent and Regular Agenda

Mayor Dyer requested that Consent Agenda Item "F," to approve of a 90-day contract extension with LegacyTexas Bank for the City's Treasury Department, for the limited purpose of depository services for Utility Billing funds that are currently direct deposited into LegacyTexas Bank and will be transitioned to direct deposit with Frost Bank be removed for individual consideration due to a possible conflict of interest.

Council Member Smith requested that Consent Agenda Item "G," a resolution to authorize the purchase of additional XpressCheck™ patron self-checkout stations in an amount not to exceed \$124,589 from Integrated Technology Group be removed for individual consideration.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 6:53 p.m.

Phil Dyer, Mayor

ATTEST:

Diane Zucco, City Secretary

PLANO CITY COUNCIL
February 28, 2011

COUNCIL MEMBERS

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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, February 28, 2011, at 7:01 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 Sr. Pastor Gene Wilkes of Legacy Church and Mayor Dyer led the Pledge of Allegiance.

Mayor Dyer administered an oath of office to NiCole Williams, incoming member of the Civil Service Commission and presented a Certificate of Appreciation to outgoing member Patrick Gallagher.

COMMENTS OF PUBLIC INTEREST

No one appeared to speak.

CONSENT AGENDA

Upon the request of Mayor Dyer, Consent Agenda Item "F" was removed for individual consideration due to a possible conflict of interest.

Upon the request of Council Member Smith, Consent Agenda Item "G" was removed for individual consideration.

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

Approval of Minutes (Consent Agenda Item "A")

February 10, 2011

February 14, 2011

February 17, 2011

Approval of Expenditures

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

Bid No. 2011-57-B for Tree Planting and Irrigation Project - Park Boulevard and Brand Road for the Parks Department to Whitmore and Sons, Inc. in the amount of \$65,329 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

Purchase from an Existing Contract

To approve the purchase of Replacement of Cat Cages at the Animal Shelter in the amount of \$85,059 from Kellogg Brown & Root Services, Inc., through an existing contract/agreement with The Cooperative Purchasing Network (TCPN) and authorizing the City Manager to execute all necessary documents. (TCPN Contract Number R4958) (Consent Agenda Item "C")

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 \$68,650 for the design of the Chisholm Trail south connection to the City of Richardson and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "D")

Approval of Change Order

To J. R. Stelzer Co., increasing the contract by \$28,560 for Southeast Industrial Water Tank Repaint, Change Order No. 1. Original Bid No. 2010- 198-B. (Consent Agenda Item "E")

Adoption of Ordinances

Ordinance No. 2011-2-7: To amend Sections 15-3, 15-56, 15-57, 15-59, 15-60, 15-61, and 15-65, Chapter 15, Parks and Recreation of the Code of Ordinances of the City of Plano, Texas to replace with provisions containing new language regarding prohibited activities, sports seasons, allocations, tournaments/meets/camps/clinics/tryouts, practice sessions, user fees and insurance; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date. (Consent Agenda Item "H")

Ordinance No. 2011-2-8: To repeal Ordinance No. 2006-11-27 designating a certain area within the City of Plano as Reinvestment Zone No. 103 for a tax abatement consisting of a 2.8383 acre tract of land located at the southwest intersection of Bishop Road and Infinity Avenue in the City of Plano, Texas; and providing an effective date. (Consent Agenda Item "I")

Ordinance No. 2011-2-9: To amend Section 2-25. Attendance at council meetings, etc., of Article II. City Manager, of Chapter 2. Administration of the Code of Ordinances of the City of Plano, Texas to allow the City Manager to assign a designee to attend council meetings on his behalf; and providing a repealer clause, a severability clause, and an effective date. (Consent Agenda Item "J")

END OF CONSENT

Due to a possible conflict of interest, Mayor Dyer stepped down from the bench on the following item:

To approve of a 90-day contract extension with LegacyTexas Bank for the City's Treasury Department, for the limited purpose of depository services for Utility Billing funds that are currently direct deposited into LegacyTexas Bank and will be transitioned to direct deposit with Frost Bank, and authorizing the City Manager to execute the contract extension and all other necessary documents for Bid No. 2009-217-C; and providing an effective date. (Consent Agenda Item "F")

Upon a motion made by Deputy Mayor Pro Tem Miner and seconded by Council Member Callison, the Council voted 6-0 to approve a 90-day contract extension with LegacyTexas Bank for the City's Treasury Department, for the limited purpose of depository services for Utility Billing funds that are currently direct deposited into LegacyTexas Bank and will be transitioned to direct deposit with Frost Bank.

Mayor Dyer resumed his seat at the bench.

Resolution No. 2011-2-10(R): To authorize the purchase of twenty (20) additional XpressCheck™ patron self-checkout stations in an amount not to exceed \$124,589 from Integrated Technology Group, the sole source provider of such equipment for the City of Plano - Plano Public Library System; and authorizing the City Manager to execute all necessary documents; and providing an effective date. (Consent Agenda Item "G")

Director of Libraries Ziegler advised that additional equipment would contribute to the self-service model of business and that funding comes from a grant and private donation. She responded to the Council regarding decreases in state funding and Council Member Harris spoke to future discussion regarding offering materials free of charge to non-residents as the practice is tied to grant programs.

Resolution No. 2011-2-10(R) (cont'd)

Upon a motion made by Deputy Mayor Pro Tem Miner and seconded by Council Member Smith, the Council voted 7-0 to authorize the purchase of twenty (20) additional XpressCheck™ patron self-checkout stations in an amount not to exceed \$124,589 from Integrated Technology Group; and further to adopt Resolution No. 2011-2-10(R).

Consideration of Bid No. 2011-68-B for Screening Wall – Parker & Independence project to Quality Excavation, Ltd. in the amount of \$350,157 and authorizing the City Manager to execute all necessary documents. (Regular Agenda Item “1”)

Deputy Director of Public Works and Engineering Cosgrove spoke to an incomplete summary sheet received from Quality Excavation, Ltd., but advised that necessary information was provided elsewhere in documentation resulting in a minor defect in their bid and to similar consideration given to others. Bryan Robertson of Ratliff Hardscape, Ltd. spoke to the need for bidders to follow policy and stated opposition to acceptance of incomplete bids. City Attorney Wetherbee advised that the bid from Quality Excavation, Ltd. should not be disqualified since it contained all necessary information. Mr. Cosgrove responded to the Council regarding issues related to bids for environmentally safe products and to funding for this project included in the budget.

Upon a motion made by Mayor Pro Tem Dunlap and seconded by Council Member Callison, the Council voted 7-0 to award Bid No. 2011-68-B for Screening Wall – Parker & Independence project to Quality Excavation, Ltd. in the amount of \$350,157.

Resolution No. 2011-2-11(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between Applied Concepts, Inc. and the City of Plano; authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item “2”)

Director of Finance Tacke advised that the agreement in the amount of \$250,000 provides for occupancy of not less than 31,400 of existing commercial space; retention, transfer or creation of up to 104 full-time jobs by February 28, 2011, with a possible additional 36 by December 31, 2014; business personal property in the amount of no less than \$200,000; real property in the amount of \$500,000 and expires on September 30, 2017.

Upon a motion made by Council Member Harris and seconded by Council Member Smith, the Council voted 7-0 to approve an Economic Development Incentive Agreement with Applied Concepts, Inc. and further to adopt Resolution No. 2011-2-11(R).

Resolution No. 2011-2-12(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between Keste, LLC and the City of Plano; authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item “3”)

Director of Finance Tacke advised that the agreement in the amount of \$150,000 provides for occupancy of not less than 32,000 of existing office space; retention, transfer or creation of up to 90 full-time jobs by June 30, 2011, with a possible additional 60 by June 30, 2012; business personal property in the amount of no less than \$500,000; real property in the amount of \$858,000 and expires on April 30, 2018.

Upon a motion made by Council Member Davidson and seconded by Deputy Mayor Pro Tem Miner, the Council voted 7-0 to approve an Economic Development Incentive Agreement with Keste, LLC and further to adopt Resolution No. 2011-2-12(R).

Resolution No. 2011-2-13(R): To establish the area defined herein as the “Plano Eruv District,” for the purpose of accommodating Orthodox Jewish citizens to “carry” and transport within said “Plano Eruv District” on the Sabbath and other Jewish Holy Days in accordance with Jewish religious law; and providing an effective date. (Regular Agenda Item “4”)

David McCall, citizen of the City, spoke to establishment of eruv districts for religious purposes and other currently designated locations. He responded to the Council, advising that placement of markers will be done through an agreement between the temples and owners of utility poles and that the boundaries are created to benefit particular parishioners.

Upon a motion made by Council Member Smith and seconded by Deputy Mayor Pro Tem Miner, the Council voted 7-0 to establish the area defined herein as the “Plano Eruv District,” and further to adopt Resolution No. 2011-2-13(R):

Public Hearing and adoption of Ordinance No. 2011-2-14 as requested in Zoning Case 2011-02 to amend Subsections 2.824 (RC - Regional Commercial), 2.825 (RE - Regional Employment), 2.827 (LI-1 - Light Industrial-1), and 2.828 (LI-2 - Light Industrial-2) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and Subsection 3.302 (Nonresidential Uses), of Section 3.300 (Exterior Wall Construction Standards for Structures) of Article 3 (Supplementary Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, regarding the use of metal as an exterior wall construction material in nonresidential zoning districts; 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 “5”)

Planning Manager Firgens spoke to the use of metal as an exterior material currently allowed in the Light-Industrial-1 and 2 districts only with approval of the façade plan by the Planning and Zoning Commission and a proposed amendment to allow use in all non-residential zoning. She reviewed the types of metal utilized and features and provided Council with examples. Ms. Firgens advised that the Commission recommended approval as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

Ordinance No. 2011-2-14 (cont'd)

1. Amend Subsection 3.302 (Nonresidential Uses) of Section 3.300 (Exterior Wall Construction Standards for Structures) of Article 3 (Supplementary Regulations) to read as follows:

1. Except as otherwise regulated by this ordinance, exterior wall construction in districts permitting nonresidential uses shall be of such material that conforms to the International Building Code unless an alternative has been approved by the Building Official. ~~However, metal and membrane exterior walls are prohibited in all zoning districts with the following exception:~~

~~Metal and membrane exterior wall construction is permitted in the Light Industrial 1 and Light Industrial 2 districts with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:~~

- ~~a. The metal or membrane exterior wall construction is not visible from a public thoroughfare or residential zoning district.~~
- ~~b. The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.~~

2. Metal exterior wall construction within nonresidential zoning districts shall be permitted provided that a maximum of 25% of any exposed exterior wall may consist of metal. This percentage may be exceeded in accordance with the following:

- a. For high-rise buildings only, a maximum of 50% of any exposed exterior wall may consist of metal. High-rise buildings shall be defined by the International Building Code, and as amended by the city.

- b. Within the LI-1 and LI-2 districts only, up to 100% of any exposed exterior wall may consist of metal with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:

i.a. The metal exterior wall is not visible from a public thoroughfare or residential zoning district.

ii.b. The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.

3. Membrane exterior wall construction is permitted within the LI-1 And LI-2 districts only, with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:

- a. The membrane exterior wall is not visible from a public thoroughfare or residential zoning district.

Ordinance No. 2011-2-14 (cont'd)

- b. The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.

4.2. Special Requirements for Parking Structures

Except in BG and CB-1 zoning districts, all exterior walls of parking structures shall be architecturally designed to be integrated with the primary building on the site, including consistent architectural design elements and building materials between structures.

2. Amend Subsection 2.827 (LI-1 - Light Industrial-1) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), such portion of Subsection to read as follows:

6. Special District Requirements

- a. ~~Metal exterior buildings are prohibited in the LI-1 district, except that such buildings may be permitted by approval of a site plan. See Subsection 3.302 (Nonresidential Uses) for provisions regarding metal and membrane exterior building materials.~~

3. Amend Subsection 2.828 (LI-2 - Light Industrial-2) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), such portion of Subsection to read as follows:

6. Special District Requirements

- a. ~~Metal exterior buildings are prohibited in the LI-1 district, except that such buildings may be permitted by approval of a site plan. See Subsection 3.302 (Nonresidential Uses) for provisions regarding metal and membrane exterior building materials.~~

4. Amend Subsection 2.824 (RC - Regional Commercial) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), such portion of Subsection to read as follows:

6. Special District Requirements

- b. Seventy-five percent of any exposed exterior wall of main buildings, parking structures, and accessory buildings shall consist of glass, native stone, clay-fired brick or tile, or a combination of these materials. All exterior building materials made of glass shall have a maximum exterior visible reflectance of 20%. Other finishes and materials may be used at the sole discretion of the Planning & Zoning Commission if adopted as part of the site plan approval and if permitted by building and fire codes. Any finish and material permitted by building and fire codes may be used on the remaining 25% of any exposed exterior wall, except that for high-rise buildings only this percentage may be increased to 50% for use of metal only.

Ordinance No. 2011-2-14 (cont'd)

The Planning & Zoning Commission may allow, at its sole discretion, the use of concrete, concrete block, and tile, as described in the City of Plano Building Code on exterior walls that are not visible from public thoroughfares. These finishes must be consistent in color with the remainder of the building. These would include the walls of service courts and other facilities that are secluded from view by the specific design of a building or group of buildings.

5. Amend Subsection 2.825 (RE - Regional Employment) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), such portion of Subsection to read as follows:

6. Special District Requirements

- ii. Seventy-five percent of any exposed exterior wall of main buildings, parking structures, and accessory buildings shall consist of glass, native stone, clay-fired brick or tile, or a combination of these materials. All exterior building materials made of glass shall have a maximum exterior visible reflectance of 20%. Other finishes and materials may be used at the sole discretion of the Planning & Zoning Commission if adopted as part of the site plan approval and if permitted by building and fire codes. Any finish and material permitted by building and fire codes may be used on the remaining 25% of any exposed exterior wall, except that for high-rise buildings only this percentage may be increased to 50% for use of metal only. The Planning & Zoning Commission may allow, at its sole discretion, the use of concrete, concrete block, and tile, as described in the City of Plano Building Code on exterior walls that are not visible from public thoroughfares. These finishes must be consistent in color with the remainder of the building. These would include the walls of service courts and other facilities that are secluded from view by the specific design of a building or group of buildings.

Mayor Pro Tem Dunlap stated concern regarding issues of colors, reflectivity, integrated finishes and the use of corrugated or galvanized metals. Ms. Firgens spoke regarding the Commission's approach to regulation by limiting the percentage of metal used on exterior surfaces rather than evaluating characteristics. She spoke to requests for metal surfaces in the LI-1, LI-2, Regional Commercial and Regional Employment districts that are currently forwarded to the Commission and advised that the recommendation does not propose changes to membrane structures. Ms. Firgens advised that there are no proposed regulations for color or building material. The Council discussed possible revisions to the percentages proposed and attracting businesses interested in new materials.

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

Council Member Harris spoke in support of permitting a lower percentage of metal surface for non-high rise structures than the 25% recommended with the exception of those in the LI-1 and LI-2 districts in order to more gradually integrate the change.

Ordinance No. 2011-2-14 (cont'd)

A motion was made by Council Member Davidson and seconded by Deputy Mayor Pro Tem Miner to amend sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, related to the use of metal as an exterior wall construction material in nonresidential zoning districts as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2011-02; and further to adopt Ordinance No. 2011-2-14. The Council voted 6-1 with Council Member Harris voting in opposition. The motion carried.

Nothing further was discussed and Mayor Dyer adjourned the meeting at 8:14 p.m.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
March 9, 2011**

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

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

Mayor Dyer called the meeting to order at 5:09 p.m., Wednesday, March 9, 2011, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Council Member Callison arrived at 5:16 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; information regarding Economic Development, Section 551.087; and Real Estate, Section 552.072 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 6:29 p.m.

Consideration and Action Resulting From Executive Session

No items were considered.

Discussion and Direction re Planning and Zoning Commission's recommendations for the Research/Technology Center District

Senior Planner Perry reviewed the background of the district, its intent to create a low-density employment center consisting of offices, research and development facilities and limited assembly operations and the recent revisions including planned development designations to allow for commercial/retail uses and the rezoning of 70 acres to residential. She spoke to analysis by Planning and Zoning Commission to consider the boundaries, determine the core of the district and review whether or not existing policies meet the City-stated goals for the area.

Ms. Perry spoke to public input received and advised that the Commission felt the area west of Bradshaw Drive represents the core of the district and should remain intact; the area east of Plano Parkway and south of 14th Street should retain its Planned District zoning; and the area east of Bradshaw Drive, north of the railroad tracks, west of Plano Parkway and south of 14th Street would be an area available for residential zoning. Ms. Perry spoke to the Commission's general recommendations to maintain the character of the district by prohibiting open storage and delivery vehicles, limiting the number of dock doors and the gross floor area for office showroom/warehouse. She spoke to removing the unique provisions for landscaping in the district, replacing them with standards from the Zoning Ordinance; removal of the unique parking requirements; and modification of regulations regarding restaurants to remove the requirement that a freestanding restaurant must be part of a larger development. The Council stated consensus in directing the Commission and Staff to proceed with recommended amendments to the district.

Discussion and Direction re Soccer Support Center at Russell Creek Park

Chip Kruger, representing the Plano Youth Soccer Association spoke to a feasibility study and identifying community need for a support center to serve participants, coaches and referees. He spoke to development of an 11,000 square foot building through cooperative efforts containing a training conference center, restrooms, concession area, and administration area a park support center with multiple equipment bays and administrative area. Mr. Kruger spoke to co-development of the park support center by City of Plano and the soccer support center by Plano Youth Soccer Association. Park Services Manager Fox advised that, with Council approval, Staff would proceed with a request for proposal, gather public input and prepare a lease agreement. He responded to the Council that the anticipated City expenditure would be approximately \$200,000-\$320,000 and that operations/maintenance costs would be reduced to approximately \$25,000 through efficiencies gained by sharing. Mr. Fox advised that with their contribution of \$1 million, PYSA would have use through a land lease. The Council concurred in directing Staff to proceed.

Discussion and Direction re Board and Commission Review Committee

Deputy Mayor Pro Tem Miner spoke to the Committee's determination that no review of boards and commissions was needed at this time and to extending the designated timeframe between reviews. He further spoke to receiving input from Council liaisons. The Council concurred with the revisions and requested Staff bring back amendments for adoption.

Council items for discussion/action on future agendas

No items were discussed.

Consent and Regular Agenda

No items were discussed.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 6:51 p.m.

Phil Dyer, Mayor

ATTEST:

Diane Zucco, City Secretary

PLANO CITY COUNCIL
March 9, 2011

COUNCIL MEMBERS

Phil Dyer, Mayor
Lee Dunlap, Mayor Pro Tem
Pat Miner, Deputy Mayor Pro Tem
Ben Harris
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STAFF

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Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Diane C. Wetherbee, City Attorney
Victoria Huynh, Deputy City Attorney
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Wednesday, March 9, 2011, 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 Dr. Scott Fenton of Meadows Baptist Church and Mayor Dyer led the Pledge of Allegiance.

City Manager Bruce Glasscock received presentation of a State House Resolution.

COMMENTS OF PUBLIC INTEREST

No one appeared to speak.

CONSENT AGENDA

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

Approval of Expenditures

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

To approve a contract made and entered into by and between the City of Plano, the Board of Trustees of the Plano Independent School District and Sharon Rowe, the Elections Administrator of Collin County, Texas, pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, regarding the coordination, supervision, and running of the City's May 14, 2011 Joint General Election in the estimated amount of \$27,408. (Consent Agenda Item "A")

Approval of Change Order

To Tiseo Paving Company, increasing the contract by \$35,997 for McDermott Road from Ohio Drive to Coit Road, Change Order No. 4. Original Bid No. 2009-143-B. (Consent Agenda Item "B")

Adoption of Resolutions

Resolution No. 2011-3-1(R): To authorize the purchase of the Interactive Voice Response (IVR) System Upgrade from Selectron Technologies, Inc., a sole source provider for such upgrade, in the amount of \$51,000; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "C")

Resolution No. 2011-3-2(R): To approve the hiring of an Assistant City Attorney by the City Attorney; and providing an effective date. (Consent Agenda Item "D")

Adoption of Ordinances

Ordinance No. 2011-3-3: To amend City of Plano Ordinance No. 2011-1-7 codified as Article II, Building Code, of Chapter 6 of the Code of Ordinances; adding amendments for Chapter 9 of the 2009 International Building Code, Fire Protection Systems, to mirror the amendments adopted with the 2009 International Fire Code; and providing, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item "E")

Ordinance No. 2011-3-4: To transfer the sum of \$42,000 from the General Fund unappropriated fund balance to the General Fund operating appropriation for fiscal year 2010-11 for the purpose of providing funds for auditing of additional major programs outside the scope of the audit engagement with Grant Thornton; amending the budget of the City and Ordinance 2010-9-8; declaring this action to be a case of public necessity; and providing an effective date. (Consent Agenda Item "F")

END OF CONSENT

Ordinance No. 2011-3-5: To approve the terms and conditions of a Boundary Adjustment Agreement between the City of Plano, Texas and the City of Allen, Texas; authorizing the City Manager to execute the agreement on behalf of the City of Plano; and providing an effective date. (Regular Agenda Item "1")

Ordinance No. 2011-3-5 (cont'd)

Director of Planning Jarrell advised that the City of Plano partnered with the City of Allen to complete construction of Chaparral Road and that the new alignment necessitates a boundary agreement between the cities to give Allen control of right-of-way maintenance and traffic enforcement while two residential properties to the north will remain in Plano via a connecting strip of property. She further advised that tests will be conducted to ensure Plano's public safety response. Lyndon Neffernan, citizen of Plano, spoke to concerns brought to the City of Allen's attention during construction and the need for a left-turn lane for driveway access. Deputy Director of Public Works and Engineering Cosgrove spoke to safety concerns and advised that a left-turn lane will be added. He further advised that the City of Allen managed the construction which was planned by their city, the City of Plano and the North Texas Municipal Water District. Mayor Dyer advised that Plano Staff will assist in addressing further concerns of citizens.

Upon a motion made by Mayor Pro Tem Dunlap and seconded by Council Member LaRosiliere, the Council voted 8-0 to approve the terms and conditions of a Boundary Adjustment Agreement between the City of Plano, Texas and the City of Allen, Texas; and further to adopt Ordinance No. 2011-3-5.

Resolution No. 2011-3-6(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between GGNSC Holdings, LLC and the City of Plano; authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item "2")

Plano Economic Development Board Executive Director Bane advised that the agreement provides for occupancy of not less than 25,000 of existing commercial space; the transfer or creation of up to 50 full-time jobs by August 1, 2012, with a possible additional 50 on or before August 1, 2013 and the option of adding 100 positions on or before August 1, 2015; business personal property in the amount of no less than \$5 million; real property in the amount of \$2.5 million and the term is for 20 years expiring on July 31, 2021.

Upon a motion made by Council Member LaRosiliere and seconded by Deputy Mayor Pro Tem Miner, the Council voted 8-0 to approve an Economic Development Incentive Agreement with GGNSC Holdings, LLC; and further to adopt Resolution No. 2011-3-6(R).

Nothing further was discussed and Mayor Dyer adjourned the meeting at 7:27 p.m.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary