



CITY COUNCIL

1520 AVENUE K

DATE: October 26, 2009
 CALL TO ORDER: 7:00 p.m.
 INVOCATION: Imam Yaseen Shaikh
 Islamic Association of Collin County
 PLEDGE OF ALLEGIANCE: Jr. Girl Scout Troop 1904
 Davis, Dooley & Mendenhall Elementary
 and Armstrong & Bowman Middle Schools

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>THE MISSION OF THE CITY OF PLANO IS TO PROVIDE OUTSTANDING SERVICES AND FACILITIES, THROUGH COOPERATIVE EFFORTS WITH OUR CITIZENS THAT CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.</p> <p>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p><u>PROCLAMATIONS & SPECIAL RECOGNITION</u></p> <p>Special Recognition: Bradley Robertson – Winner of the SWANA National Truck Road-E-O, First Place in Automated</p> <p>Proclamation: Animal Shelter Appreciation Week</p> <p><u>OATHS OF OFFICE</u></p> <p><u>Planning and Zoning Commission</u> David L. Downs Doug Hazelbaker</p> <p><u>CERTIFICATES OF APPRECIATION</u></p> <p><u>Board of Adjustment</u> Salvator J. La Mastra IV</p> <p><u>Building Standards Commission</u> Doug A. Bender James M. Degnan</p> <p><u>Community Relation Commission</u> Richard Shlakman Pamela S. Harvey</p> <p><u>Cultural Affairs Commission</u> Christopher Griffith</p>	<p>Presented</p> <p>Administered</p> <p>Presented</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Heritage Commission</u> Douglas B. Cargo Janice Cline</p> <p><u>Library Advisory Board</u> Ellen J. Peralta</p> <p><u>Parks and Recreation Planning Board</u> M. Nathan Barbera David L. Downs</p> <p><u>Planning and Zoning Commission</u> Maggie Armstrong Jeff D. Bulla III</p> <p><u>Plano Housing Authority</u> Myrtle Hightower</p> <p><u>Public Arts Committee</u> Vincent Bush</p> <p><u>Retirement Security Plan Committee</u> Ron Timmons</p> <p><u>Self Sufficiency Committee</u> Melissa Pittana</p> <p><u>Senior Citizens Advisory Board</u> Rose Baker Sonja Hammar Dee Taylor Kevin A.J. Yarrow</p> <p><u>Tax Increment Financing Reinvestment Zone No. 2 Board</u> Lana G. Douglas Chuck O'Reilly Stefani Overton</p> <p><u>COMMENTS OF PUBLIC INTEREST</u></p> <p><u>This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.</u></p> <p><u>CONSENT AGENDA</u></p> <p><u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></p>	<p>Received</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><u>Approval of Minutes</u></p> <p>October 12, 2009</p> <p><u>Approval of Expenditures</u></p> <p>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</p>	Approved
(b)	<p>CSP No. 2009-84-C for IP Video Security for Communication Towers, in the amount of \$61,652 to 911 Security Cameras Inc., and authorizing the City Manager to execute all necessary documents.</p> <p>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</p>	Approved
(c)	<p>To approve an Engineering Contract by and between the City of Plano and Freese and Nichols, Incorporated, in the amount of \$153,570 for Erosion Control-London Creekside, Shady Creek & 2 Sanitary Sewer Creek Crossings, and authorizing the City Manager to execute all necessary documents.</p> <p>Agreement</p>	Approved
(d)	<p>To approve a Landscape Architecture Professional Services Agreement by and between the City of Plano and La Terra Studio, Inc. in the amount of \$54,750 for Athletic Facility Improvements – 2009 Hoblitzelle Park and Enfield Park and authorizing the City Manager to execute all necessary documents.</p> <p>Approval of Change Order</p>	Approved
(e)	<p>To Weir Bros., Inc., increasing the contract by \$54,795 for Rasor Road from Ohio Drive to SH 121, Change Order No. 1. Original Bid No. 2009-81-B.</p> <p><u>Adoption of Resolutions</u></p>	Approved
(f)	<p>Resolution No. 2009-10-11(R): To approve the terms and conditions of an Interlocal Agreement for Library Services by and between the City of Plano and Collin County, Texas providing the terms and conditions for receipt of funding in the amount of \$79,675 from Collin County; authorizing the City Manager to execute all necessary documents; and providing an effective date.</p>	Adopted
(g)	<p>Resolution No. 2009-10-12(R): To approve the terms and conditions of a Funding Agreement between the City of Plano, Texas, and The Shops at Legacy (North), L.L.C. whereby the City will provide funding in part for the 2009 Lights of Legacy Tree Lighting Festival event; authorizing the City Manager to execute such agreement; and providing an effective date.</p>	Adopted
(h)	<p>Resolution No. 2009-10-13(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the North Central Texas Council of Governments providing terms and conditions for the funding of a Second Chance Swap and Reuse Event; authorizing its execution by the City Manager and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(i)	Resolution No. 2009-10-14(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the North Central Texas Council of Governments providing terms and conditions for the funding of a Disaster Debris Management Plan; authorizing its execution by the City Manager and providing an effective date.	Adopted
(j)	Resolution No. 2009-10-15(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the North Central Texas Council of Governments providing terms and conditions for the funding of Biomass Pelletizer Feasibility Study; authorizing its execution by the City Manager and providing an effective date.	Adopted
(k)	Resolution No. 2009-10-16(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the North Central Texas Council of Governments providing terms and conditions for the funding of a Plastic Bag Reduction Campaign; authorizing its execution by the City Manager and providing an effective date.	Adopted
<u>Adoption of Ordinances</u>		
(l)	Ordinance No. 2009-10-17: To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 601 so as to allow the additional use of Public Storage/Mini-Warehouse on 3.1± acres of land located on the west side of Preston Park Boulevard, 550± feet south of Park Boulevard, in the City of Plano, Collin County, Texas, presently zoned Planned Development-189-Retail/General Office; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. (Zoning Case 2009-15) Public Hearing held and approved by City Council on 10/12/09. Applicant: Regency Centers L.P.	Adopted
(m)	Ordinance No. 2009-10-18: To repeal Ordinance No. 2006-11-18 in its entirety, which was codified as Chapter 21, Article II, Division 4, Drought Contingency Plan, of the Code of Ordinances of the City of Plano; adopting a new Drought Contingency Plan to be codified as Chapter 21, Article II, Division 4 of the Code of Ordinances of the City of Plano; establishing procedures and criteria for declaring a water emergency and implementing and terminating drought response stages; establishing restrictions on certain water uses during drought response stages; establishing administrative remedies and criminal penalties for violating the restrictions and provisions for enforcement of these restrictions; and providing a repealer clause, a severability clause, a savings clause; an effective date; and providing for publication of the caption hereof.	Adopted
(n)	Ordinance No. 2009-10-19: To repeal Division 5, Graffiti, Sections 11-95 through 11-100, of Article II, Signs, of Chapter 11, Licenses and Business Regulations, of the City of Plano, Code of Ordinances and replacing with Sections 11-95 through 11-100.3 to update definitions, clarify procedures, and notice for graffiti removal that conform to State law; and providing a penalty clause, a severability clause, a repealer clause, a savings clause, a publication clause, and an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(o)	Ordinance No. 2009-10-20: To approve the carrying forward of Fiscal Year 2008-2009 funds to Fiscal Year 2009-10; and providing an effective date.	Adopted
(p)	Ordinance No. 2009-10-21: To amend Section 12-74(b) of Chapter 12 (Traffic Code) of the Code of Ordinances to establish prima facie maximum speed limits for motor vehicles operating upon Windhaven Parkway between Spring Creek Parkway and Dallas Parkway, and amend the prima facie maximum speed limits for motor vehicles operating upon Premier Drive between Parker Road and Spring Creek Parkway within the corporate limits of the City of Plano; providing a fine for criminal penalties not to exceed \$200 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.	Adopted
(q)	Ordinance No. 2009-10-22: To abandon all right, title and interest of the City, in and to a portion of that certain 15' Sanitary Sewer Easement recorded in Volume 578, Page 437 of the Deed Records of Collin County, Texas, being situated in the James G. Vance Survey, Abstract No. 938, which is located within the city limits of Richardson, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, W. W. Caruth Jr. Foundation, to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.	Adopted
(r)	Ordinance No. 2009-10-23: To abandon all right, title and interest of the City, in and to that certain 20' Sanitary Sewer Easement recorded in Judgement No. 71-134-199 in the 199 th Judicial District Court of Collin County, Texas, being situated in the James G. Vance Survey, Abstract No. 938, which is located within the city limits of Richardson, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, W. W. Caruth Jr. Foundation, to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.	Adopted
<u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u>		
<u>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</u>		
<u>Non-Public Hearing Items: The Presiding Officer may permit limited public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.</u>		
(1)	Resolution No. 2009-10-24(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Crumb Corps, LLC., a Delaware limited liability company; authorizing its execution by the City Manager; and providing an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(2)	<p>A Public Hearing by the City Council of the City of Plano, Texas, pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to the use or taking of a portion of a City of Plano park and known as the Bluebonnet site for a Communications Facilities License Agreement for cellular equipment attached to and at the base of the existing Oncor Electric transmission tower.</p>	<p>No action taken – Item will be republished</p>
(3)	<p>A Public Hearing by the City Council of the City of Plano, Texas, pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to the use or taking of a portion of a City of Plano park and known as the Jack Carter site for a Communications Facilities License Agreement for cellular equipment attached to and at the base of the existing Oncor Electric transmission tower.</p>	<p>Conducted</p>
(4)	<p>Ordinance No. 2009-10-25: To approve the use and taking by Dallas MTA, L.P., d/b/a Verizon Wireless, a Delaware limited partnership, of a portion of City of Plano park land known as Jack Carter Park (Pleasant Valley Drive and Roundrock Trail); finding and determining that there is no feasible and prudent alternative to the proposed use or taking of the park land and that the proposed project includes all reasonable planning to minimize harm to the land, the park and the recreation area; and providing an effective date.</p>	<p>Adopted</p>
(5)	<p>Resolution No. 2009-10-26(R): To amend a Communication Facilities License Agreement by and between the City of Plano, Texas, and Dallas MTA, L.P., d/b/a Verizon Wireless, a Delaware limited partnership, to install, and operate telecommunications ground equipment in certain specific portions of City of Plano public parkland, known as the Jack Carter site; authorizing its execution by the City Manager, and providing an effective date.</p>	<p>Adopted</p>
(6)	<p>A Public Hearing by the City Council of the City of Plano, Texas, pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to the use or taking of a portion of a City of Plano park and known as the Preston Ridge site for a Communications Facilities License Agreement for cellular equipment attached to and at the base of the existing Oncor Electric transmission tower.</p>	<p>Adopted</p>
(7)	<p>Ordinance No. 2009-10-27: To approve the use and taking by T-Mobile West Corporation, a Delaware corporation, of a portion of City of Plano public park land known as Preston Ridge Trail Park (Tulane and Downington Drive); finding and determining that there is no feasible and prudent alternative to the proposed use or taking of the park land and that the proposed project includes all reasonable planning to minimize harm to the land, the park and the recreation area; and providing an effective date.</p>	<p>Adopted</p>
(8)	<p>Resolution No. 2009-10-28(R): to approve the terms and conditions of a Communications Facilities License Agreement by and between the City of Plano, Texas, and T-Mobile West Corporation, a Delaware corporation, to locate, place, attach, install, and operate telecommunications ground equipment in certain specific portions of City of Plan public park land known as the Preston Ridge site; authorizing its execution by the City Manager; and providing an effective date.</p> <p><u>Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. Training Room A/Building Inspections Training Room are located on the first floor. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.</u></p>	<p>Adopted</p>