



CITY COUNCIL

1520 AVENUE K

DATE: November 10, 2008

CALL TO ORDER: 7:00 p.m.

INVOCATION: Reverend Shannon Grubbs
First Christian Church Plano

PLEDGE OF ALLEGIANCE: American Legion Honor Guard Post 321-Plano

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>Proclamation: Veterans Day</p> <p>Proclamation: Workplace Cares and City of Plano Kick Off of The Salvation Army Red Kettle Campaign</p> <p><u>OATHS OF OFFICE</u></p> <p><u>Community Relations Commission</u> Robert G. Masengill Sharon Marsh-Wyly</p> <p><u>Cultural Affairs Commission</u> Barbara Buehler Marilyn Mahoney A. Basit Siddiqui</p> <p><u>Heritage Commission</u> Anne Quaintance-Howard</p> <p><u>Parks and Recreation Planning Board</u> David L. Downs</p> <p><u>Plano Housing Authority</u> Stella Mercedes Vea</p> <p><u>Public Arts Committee</u> Robert B. Drotman Jacie Moore Margaret Robinette</p>	<p>Presented</p> <p>Administered</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><u>Self Sufficiency Committee</u> Louis J. Heck Greg R. Huckaby Shelby Howard Williams III</p> <p><u>Senior Citizens Advisory Board</u> Rose Baker Tracey S. Dry William E. Gibson Gerald Gotcher Dolvin Mack</p> <p><u>CERTIFICATES OF APPRECIATION</u></p> <p><u>Community Relations Commission</u> Kimberly Jene Brogan</p> <p><u>Cultural Affairs Commission</u> Logan Sankaran</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><u>Approval of Minutes</u> October 27, 2008</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> <p>(b) Bid No. 2009-1-C for Tire Re-Capping Service to Southern Tire Mart in the estimated annual amount of \$76,745. This will establish an annual fixed-price contract with three optional renewals.</p> <p>(c) Bid No. 2008-215-C for Janitorial and Laundry Supplies to Eagle Brush and Chemical, Inc.; Empire Paper Co.; Complete Supply, Inc.; Pyramid School Products and Eco-Worx, Inc. in the total estimated annual amount of \$57,782. This will establish an annual fixed-price contract with three optional renewals.</p>	<p>Recipients were not in attendance</p> <p>Received</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(d)	Bid No. 2008-207-C for RFP for Stop Loss Insurance to United HealthCare in the estimated annual amount of \$950,450. The term of this policy is for one year with five City optional one-year renewals.	Approved
(e)	Bid No. 2008-226-B for 2008-2009 Arterial Concrete Pavement Rehabilitation Project – Parker Road – Preston Road to Dallas North Toll Road to Santos Construction, Inc. in the amount of \$437,665. This project involves the replacement of arterial street paving, curb and gutter, sidewalk repair and barrier free ramp construction on Parker Road between Preston Road and Dallas North Toll Road.	Approved
(f)	Bid No. 2008-227-B for 2008-2009 Arterial Concrete Pavement Rehabilitation Project – Legacy Drive – Preston Road to SH 121 to Smith Contracting, Inc. in the amount of \$293,485. This project involves the repair of arterial street paving, and curb/gutter on Legacy Drive between Preston Road and SH 121.	Approved
(g)	Bid No. 2008-233-B for Screening Wall Replacement Cloisters to Tracon Ventures, LTD in the amount of \$768,335 for the base bid. The project consists of the removal and replacement of screening walls at four locations: 15 th Street (south side) – Highedge Drive to Wilson Drive; 15 th Street (north side) – Mill Valley Drive to Stratford Drive; Coit Road (west side) – 150' north of Whistler Drive to 450' north of Whistler Drive; and West Park Boulevard (north side) – Willowbrook Way to 1100' west.	Approved
(h)	Purchase from an Existing Contract To authorize the purchase of a Gemtrac™ Storage System to store 30,000 rolls of microforms for Genealogy, Local History, Texana, and Archives located at Haggard Library, utilizing a TXMAS contract (TXMAS-6-36010) through a local representative, Southwest Solutions Group, to cover the cost for this system amounting to \$84,604 and authorizing the City Manager to execute all necessary documents.	Approved
(i)	To approve the purchase of a Premier Support Service Contract in the amount of \$65,010 from Microsoft Corporation through a State of Texas Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-821) Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)	Approved
(j)	To approve the terms and conditions of an Engineering Services Contract by and between the City of Plano and Hayden Consultants, Inc., in the amount of \$129,836 for the 17 th Street and R Avenue Reconstruction project and authorizing the City Manager to execute all necessary documents.	Approved
(k)	Approval of Change Order To Tiseo Paving Company, increasing the contract by \$80,229 for the Parkwood Boulevard Widening - Park Boulevard to Spring Creek Parkway, Change Order No. 1. This includes the construction of two right turn lanes on Spring Creek Parkway and other items necessary to construct the project. (Original Bid No. 2007-208-B)	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
(l)	To Birkhoff, Hendricks and Conway, LLP, increasing the professional services contract by \$114,600 for the Mapleshade Lift Station and Sewer Line Project. (First Modification – Project No. 5814)	Approved
	<u>Adoption of Resolutions</u>	
(m)	Resolution No. 2008-11-1(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and Collin County, Texas, providing for the widening of Alma Drive from Spicewood Drive to Rowlett Creek; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(n)	Resolution No. 2008-11-2(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and Collin County, Texas, providing for Intersection Improvements at Plano Parkway and Jupiter Road; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(o)	Resolution No. 2008-11-3(R): To approve the terms and conditions of a Second Amendment to the Development Agreement with Lexington Park LP for Plano-Rice Field Redevelopment project; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(p)	Resolution No. 2008-11-4(R): To find Steve Copling is entitled to defense representation pursuant to City Code of Ordinances in connection with the matter of Charles Kenneth Skees, Sr. and Charles Kenneth Skees, Jr., vs. Christopher John Carker; Tommy Walters; Ralph Colberg; Steve Copling; Kim Lee and Ken Mackenzie; and providing an effective date.	Adopted
(q)	Resolution No. 2008-11-5(R): To approve the use of Best Management Practices to provide alternative industrial user wastewater discharge permit requirements to control and reduce pollutants that may violate local, state or federal pretreatment standards and requirements; and providing an effective date.	Adopted
(r)	Resolution No. 2008-11-6(R): To approve the purchase of On-Site CBRNE (Chemical, Biological, Radiological, Nuclear, and Explosives) Detection Equipment in the amount of \$120,500 from Smiths Detection, the sole source vendor of such equipment and services; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the purchase; and providing an effective date.	Adopted
(s)	Resolution No. 2008-11-7(R): To approve the terms and conditions of a Communications Facilities License Agreement by and between the City of Plano, Texas and Sprint Wireless Broadband Company, LLC, a Delaware limited liability company to locate, place, attach, install, and operate, telecommunications equipment in certain specific portions of the public rights-of-way in the City of Plano near the Coit Road water tower site located at 3617 Sandy Trail Lane; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(t)	Resolution No. 2008-11-8(R): To designate certain municipal vehicles as authorized emergency vehicles; and providing an effective date.	Adopted
(u)	Resolution No. 2008-11-9(R): To support the Raise Your Hand Texas program; and providing an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(v)	<p>Resolution No. 2008-11-10(R): To repeal Resolution No. 2008-9-37(R) in its entirety and approve the terms and conditions of a new Agreement by and between the City of Plano, Texas, the County of Collin, Texas, Connecticut General Life Insurance Company, a Connecticut corporation, and CMC-Plano Pkwy Equity Investors, L.P., a Texas limited partnership; providing for a real and business personal property tax abatement, authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(w)	<p>Resolution No. 2008-11-11(R): To repeal Resolution No. 2008-9-38(R) in its entirety and approve the terms and conditions of a new Economic Development Incentive Agreement by and between the City of Plano, Texas and Connecticut General Life Insurance Company, a Connecticut corporation; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
<p><u>Adoption of Ordinances</u></p>		
(x)	<p>Ordinance No. 2008-11-12: To amend Section VI of Ordinance No. 2008-9-36 so as to provide for new threshold amounts for tax abatement real property and business personalty investments within Reinvestment Zone No. 116 located on a 13.030 acre tract of land at the northeast corner of Plano Parkway and Dallas North Tollway, in the City of Plano, Texas; ordaining other matters relating thereto; and providing an effective date.</p>	Adopted
(y)	<p>Ordinance No. 2008-11-13: To abandon all right, title and interest of the City, in and to a portion of that certain Drainage Easement recorded in Volume 2276, Page 167 of the Land Records of Collin County, Texas, being situated in the William Miller Survey, Abstract No. 568, 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, CMC-Plano Pkwy, L.P., to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.</p>	Adopted
(z)	<p>Ordinance No. 2008-11-14: To amend Ordinance No. 92-7-15 codified as Chapter 21, Article VII, Industrial Wastewater Pretreatment, Plano Code of Ordinances by amending Section 21-301 Definitions by deleting the definition “TWC. Texas Water Commission” and adding definitions for “ TCEQ. Texas Commission on Environmental Quality” and “BMP. Best Management Practices”; by amending Sections 21-303(a)(2) and 21-317(c) by replacing “TWC” with “TCEQ”; by amending Section 21-323(a) by replacing “Texas Water Commission” with “TCEQ”; by amending Section 21-307(c) Industrial User Wastewater Discharge Permit Requirements by deleting the phrase “Including Liquid Waste Haulers”; and by adding Section 21-307.1 “Alternative Industrial User Wastewater Discharge Permit Requirements”; providing a savings clause, a severability clause and a effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(aa)	<p>Ordinance No. 2008-11-15: To repeal Ordinance No. 2004-12-15, entitled “Food Categories and Fees”, and replace it with this Ordinance, to be entitled “Health Department Fees” to provide for updated permit and inspection fees; amending Article X, Division 2, Section 6-454(a), Issuance of an operating health permit, of Chapter 6 of the Code of Ordinances by deleting references to specific fee amounts and adding language referring to this fee ordinance; amending Article VIII, Section 21-362(a), Fee and display of permit, of Chapter 21 of the Code of Ordinances by deleting references to specific fee amounts and adding language referring to this fee ordinance; providing a repealer clause, a severability clause, a publication clause and an effective date.</p>	Adopted
(bb)	<p>Ordinance No. 2008-11-16: To repeal Ordinance Nos. 99-9-1, 99-9-5, 2002-9-11, 2003-3-4, 2004-12-15 and 2004-12-16 codified as Chapter 9, Food Code of the Code of Ordinances of the City of Plano and replace them with a new Chapter 9, Food Code; and providing a penalty clause; a repealer clause; a severability clause; a savings clause; a publication clause and an effective date.</p> <p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p><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></p> <p><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></p>	Adopted
(1)	<p>Ordinance No. 2008-11-17 to amend Section 19-1(a) of Chapter 19, Streets and Sidewalks, of the Code of Ordinances of the City of Plano, providing an exception to the prohibition of the obstruction of streets, alleys, sidewalks, parkway areas, or public grounds; providing a repealer clause, a savings clause, a severability clause, and an effective date.</p>	Adopted
(2)	<p>Ordinance No. 2008-11-18 to amend Article 1, Chapter 19 of the Code of Ordinances of the City of Plano, Texas entitled “Streets and Sidewalks”, adopting and establishing Section 19-2 entitled “Valet Parking” to provide for licensing and regulation of valet parking operations; providing a severability clause, a repealer clause, a savings clause, and an effective date.</p>	Adopted
(3)	<p>Public Hearing and adoption of Ordinance No. 2008-11-19 to amend the Project and Finance Plan for Tax Increment Financing Reinvestment Zone Number Two to include additional property within the zone; fund the purchase and improvement of property within the zone; ordain other matters relating thereto; and provide a severability clause, a savings clause, and an effective date.</p>	Conducted and adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(4)	<p>Resolution No. 2008-11-20(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Odyssey Information Services, Inc., a Texas corporation; authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>
(5)	<p>Public Hearing and adoption of Ordinance No. 2008-11-21 as requested in Zoning Case 2008-67 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 597 so as to allow the additional use of Day Care Center on 0.4± acre of land located on the south side of Legacy Drive, 270± feet west of Coit Road in the City of Plano, Collin County, Texas, presently zoned Retail; 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. Applicant: QD Recreation Academy</p>	<p>Conducted and adopted</p>
(6)	<p>Public Hearing and adoption of Ordinance No. 2008-11-22 as requested in Zoning Case 2008-69 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 598 so as to allow the additional use of Day Care Center on 1.9± acres of land located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive in the City of Plano, Collin County, Texas; presently zoned Planned Development-320-Estate Development; 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. Applicant: John W. Jolly</p>	<p>Conducted and adopted</p>
(7)	<p>Public Hearing and consideration of an Ordinance as requested in Zoning Case 2008-71 to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Section 3.1000 (Screening, Fence, and Wall Regulations) 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 golf nets; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano</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>Conducted and motion to approve failed</p>