



# CITY COUNCIL

1520 AVENUE K

DATE: December 8, 2008

CALL TO ORDER: 7:00 p.m.

INVOCATION: Associate Pastor Pete Kralyevich  
Four Corners Church

PLEDGE OF ALLEGIANCE: Tiger Cub Scout Pack 283, Den 2  
Brinker Elementary School  
\*Men of Note\*

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><b><u>PROCLAMATIONS &amp; SPECIAL RECOGNITION</u></b></p> <p>Presentation: Alan Upchurch, City Engineer – 25 Year Service Award</p> <p><b><u>OATHS OF OFFICE</u></b></p> <p><b><u>Cultural Affairs Commission</u></b> Stephanie Ward</p> <p><b><u>Library Advisory Board</u></b> Robert R. Marquardt</p> <p><b><u>Public Arts Committee</u></b> Richard E. Allison</p> <p><b><u>Senior Citizens Advisory Board</u></b> Marilyn R. Pauly</p> <p><b><u>COMMENTS OF PUBLIC INTEREST</u></b></p> <p><b><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></b></p> <p><b><u>CONSENT AGENDA</u></b></p> <p><b><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></b></p>	<p>Presented</p> <p>Administered</p> <p>No comments received</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><b><u>Approval of Minutes</u></b></p> <p>November 20, 2008 November 24, 2008 (Budget Retreat) November 24, 2008</p> <p><b><u>Approval of Expenditures</u></b></p> <p><b>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</b></p>	<b>Approved</b>
(b)	<p><b>Bid No. 2009-7-B</b> for Communications Parkway – Parker Road to Spring Creek Parkway to Glenn Thurman, Inc., in the amount of \$2,412,005. The project consists of the widening of Communications Parkway from a four lane to a six lane divided thoroughfare from Parker Road to Windhaven Parkway and widening from a two lane to a six lane divided thoroughfare from Windhaven Parkway to Spring Creek Parkway. This project also includes storm drainage, landscaping, irrigation, street lighting and traffic signal construction.</p>	<b>Approved</b>
(c)	<p><b>Bid No. 2009-5-B</b> for Median Tree Replacement at multiple locations to Wall Enterprises in the amount of \$120,925.</p> <p><b>Purchase from an Existing Contract</b></p>	<b>Approved</b>
(d)	<p>To approve the purchase of eighteen Chevrolet Police PPV Tahoes in the amount of \$467,550 from Caldwell Country through an existing contract/agreement with Tarrant County Interlocal Contract and authorizing the City Manager to execute all necessary documents. These will be scheduled replacements in the FY 08-09 ERF for replacement to be determined for Department 532/Police. (#2005-180)</p> <p><b>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</b></p>	<b>Approved</b>
(e)	<p>To approve of a Surveying Contract by and between the City of Plano and Gorrondona &amp; Associates in the amount of \$64,795 for Project No. 5843 – Geodetic Monumentation and authorizing the City Manager to execute all necessary documents. (2008-34-B)</p>	<b>Approved</b>
(f)	<p>To approve an Engineering Contract by and between the City of Plano and C &amp; P Engineering, LTD., in the amount of \$261,200 for Meadows Addition, and authorizing the City Manager to execute all necessary documents.</p> <p><b>Approval of Change Order</b></p>	<b>Approved</b>
(g)	<p>To Jim Bowman Construction Company, L.P., increasing the contract by \$74,060 for the 2007–2008 Arterial Concrete Pavement Rehabilitation Project, Park Boulevard – Alma Road to Shiloh Road, Project No. 5915, Change Order No. 1, Bid No. 2008-180-B.</p>	<b>Approved</b>
(h)	<p>To Hencie International, Inc., increasing the contract by \$93,293 for the 2007-2008 Residential Concrete Pavement Rehabilitation Project, Zone I8, Project No. 5890, Change Order No. 1, Bid No. 2008-95-B.</p>	<b>Approved</b>

ITEM NO.	EXPLANATION	ACTION TAKEN
(i)	<p><b><u>Adoption of Resolutions</u></b></p> <p><b>Resolution 2008-12-1(R):</b> 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 its execution by the City Manager; and providing an effective date.</p>	<b>Adopted</b>
(j)	<p><b>Resolution 2008-12-2(R):</b> To approve the terms and conditions of a Real Estate Contract by and between Bank of Texas, N.A. and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.</p>	<b>Adopted</b>
(k)	<p><b><u>Adoption of Ordinances</u></b></p> <p><b>Ordinance 2008-12-3:</b> To amend Article III, Property Maintenance Code, Division 3, Registration and Inspection of Multi-Family Dwelling Complexes of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano by amending Sections 6-61, 6-63(a) and 6-70(a) to revise the definition and lower the age requirement of a Multi-Family Dwelling/Building/Residence for registration purposes; providing a penalty clause; a savings clause; a severability clause; a repealing clause; a publication clause; and an effective date.</p>	<b>Adopted</b>
(l)	<p><b>Ordinance 2008-12-4:</b> To amend Chapter Six, Building and Building Regulations, with the addition of Article XIII, Irrigation Systems, to establish the minimum standards for installation of irrigation systems within the City limits of the City; and providing a repealer clause, a severability clause, a penalty clause and an effective date.</p>	<b>Adopted</b>
	<p><b><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></b></p> <p><b><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></b></p> <p><b><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></b></p>	
(1)	<p><b>Public Hearing and adoption of Ordinance No. 2008-12-5 as requested in Zoning Case 2008-72</b> to amend Section 6.200 (Board of Adjustments) of Article 6 (Procedures and Administration) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to amend the duties and administrative procedures of the Board of Adjustment; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano</p>	<b>Conducted and adopted</b>

ITEM NO.	EXPLANATION	ACTION TAKEN
(2)	<b>Ordinance No. 2008-12-6</b> to add Article V, Board of Adjustment, to Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano to relocate the provisions related to the Board of Adjustment for appointing and removing members from the City of Plano Comprehensive Zoning Ordinance to the City of Plano Code of Ordinances, and providing a repealer clause, a severability clause, a savings clause, and an effective date.	<b>Adopted</b>
(3)	<b>Public Hearing and adoption of Ordinance No. 2008-12-7 as requested in Zoning Case 2008-80</b> to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 6.1± acres located at the northwest corner of Bourbon Street and Cousteau Court in the City of Plano, Denton County, Texas, from Single-Family Residence Attached and Patio Home with Specific Use Permit #594 for Private Street Development to Single-Family Residence-9 with Specific Use Permit #594 for Private Street 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: HW Spring Creek Partners, L.P.	<b>Conducted and adopted</b>
(4)	<b>Public Hearing and adoption of Ordinance No. 2008-12-8 as requested in Zoning Case 2008-81</b> to amend Section 1.600 (Definitions) of Article 1 (General Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to modify the definition for Automobile Repair – Minor /Service Station; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano	<b>Conducted and adopted</b>
(5)	<b>Public Hearing and consideration of Ordinances as requested in Zoning Cases 2008-75 – 2008-79</b> all of which are limited to the repeal of certain Specific Use Permits for Private Clubs. The following ordinances are proposed to be repealed which, if approved, will result in the rescission of the Specific Use Permit for an additional use of a Private Club and the applicant is the City of Plano.	<b>Conducted</b>
(5a)	<b>Ordinance No. 2008-12-9 as requested in Zoning Case 2008-75</b> – Request to rescind Specific Use Permit #259 for Private Club on 0.1± acre located at the southwest corner of U.S. Highway 75 and Enterprise Drive. Zoned Corridor Commercial.	<b>Adopted</b>
(5b)	<b>Ordinance No. 2008-12-10 as requested in Zoning Case 2008-76</b> – Request to rescind Specific Use Permit #278 for Private Club on 0.1± acre located 180± feet north of Park Boulevard and 550± feet west of Ohio Drive. Zoned Retail.	<b>Adopted</b>
(5c)	<b>Ordinance No. 2008-12-11 as requested in Zoning Case 2008-77</b> – Request to rescind Specific Use Permit #279 for Private Club on 0.1± acre located 130± feet east of Independence Parkway and 485± feet north of Parker Road. Zoned Retail.	<b>Adopted</b>

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(5d)	<p><b>Ordinance No. 2008-12-12 as requested in Zoning Case 2008-78</b> – Request to rescind Specific Use Permit #282 for Private Club on 0.1± acre located 90± feet west of Preston Road and 370± feet north of Plano Parkway. Zoned Planned Development-457-Retail/General Office.</p>	<p><b>Adopted</b></p>
(5e)	<p><b>Ordinance No. 2008-12-13 as requested in Zoning Case 2008-79</b> – Request to rescind Specific Use Permit #360 for Private Club on 3.8± acres located on the east side of Dallas North Tollway, 470± feet north of Democracy Drive. Zoned Commercial Employment.</p> <p>All of the above locations are located within the City of Plano, Collin County, Texas, and the repeal of each ordinance will amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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.</p> <p><u><b>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.</b></u></p>	<p><b>Adopted</b></p>