

PLANO CITY COUNCIL
April 11, 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
Paige Mims, Deputy City Attorney
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, April 11, 2011, at 7:09 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 Janet Collinsworth of St. Andrew United Methodist Church. Mayor Dyer led those in attendance in the Pledge of Allegiance.

PROCLAMATIONS & SPECIAL RECOGNITION

Mayor Dyer received a presentation of Volunteer Dollar Value Recognition and read a proclamation for National Volunteer Week. City Manager Glasscock recognized Chief Gregory Rushin for 25 Years of service.

COMMENTS OF PUBLIC INTEREST

O.B. Barsh, of Bullwinkle's Bistro and Pub requested favorable consideration of a request for a Specific Use Permit for a Private Club citing other areas in the City that receive an exception from the distance requirement to churches. Citizen of the City Jim Kubota spoke to requiring a permit for those who perform neighborhood lawn maintenance as is required for holding a garage sale. Residents Carolyn Roberts and Virginia Ziegler spoke to issues related to their participation in the Community Services Program and City Manager Glasscock advised that he would work with Staff for resolution of the program. No one else appeared to speak.

CONSENT AGENDA

Upon the request of Mayor Pro Tem Dunlap, Consent Agenda Item “B” was removed for individual consideration due to a possible conflict of interest.

Council Member Harris spoke to one correction to the Regular Minutes of March 28 amending a speaker’s name.

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

Approval of Minutes (Consent Agenda Item “A”)
March 28, 2011 (Approved with revision)

Approval of Expenditures

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

Purchase from an Existing Contract

To approve the purchase of audio equipment and a replacement PA system and speakers for the Carpenter Park Recreation Center renovation in the amount of \$74,593 from Schoolhouse Audio Visual through an existing contract with The Cooperative Purchasing Network (TCPN) and authorizing the City Manager to execute all necessary documents. (TCPN Contract R4706). (Consent Agenda “C”)

Approval of Change Order

To ARK Contracting, LLC, increasing the contract by \$73,400 for the Park System Pond Restoration, Project No. 5895, Change Order No. 1. Original Bid No. 2011-24-B. (Consent Agenda “D”)

Approval of Expenditure

To approve the purchase of an upgrade to the pneumatic controls for the thermostats and controllers and an upgrade to a total of 79 terminal boxes at Robinson Justice Center in the amount of \$146,587 from Johnson Controls, Inc. through an existing contract with Choice Facilities Partners and authorizing the City Manager to execute all necessary documents. (Choice Facility Partners Contract Number 09/003JC-01) (Consent Agenda “E”)

Adoption of Resolutions

Resolution No. 2011-4-1(R): To approve the assignment of a Tax Abatement Agreement from KanAm Grund Kapitalanlagegesellschaft mbH, a German limited liability company to FSP Legacy Tennyson Circle LLC, a Delaware limited liability company and approving an amendment to the agreement reflecting same and removing the Lessee, Denbury Onshore LLC, a Delaware limited liability company from the Agreement; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda “F”)

Resolution No. 2011-4-2(R): To approve the terms and conditions of an Amended Restated Agreement by and between the City of Plano, Texas, a home rule municipal corporation, the County of Collin, Texas, Capital One, National Association, a national banking association, and Capital One Auto Finance, Inc., a Texas Corporation; and providing for consolidation of the abatements for the separate phases of the Capital One Project in Reinvestment Zone 111 into one Agreement; and authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda “G”)

Adoption of Ordinances

Ordinance No. 2011-4-3: To amend Chapter 12 (Traffic Code), Article IV (Speed), Section 12-73(d) of the City of Plano Code of Ordinances, to enact a school zone on the section of North Star Road from a point 1,500 feet south of Plano Parkway south to the south City limits; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda “H”)

Ordinance No. 2011-4-4: To repeal Appendix B—Cable Television Franchise of the Code of Ordinances of the City of Plano, Texas to repeal Ordinance No. 83-7-8 granting a franchise to Telecable of Plano, Inc., its successors or assigns, to own and operate and maintain a cable communications system in the City of Plano, Texas; setting forth conditions accompanying the grant of franchise; providing for the regulation and use of said system; and providing an effective date. (Consent Agenda “I”)

Ordinance No. 2011-4-5: To amend the Transportation Element of the Comprehensive Plan along with the Future Land Use Plan map and Thoroughfare Plan map as originally adopted by Resolution No. 86-11-22(R) providing procedures approving the utilization of said chapter as revised and amended by the appropriate personnel and departments of the City of Plano for the purpose of guiding future development within the City of Plano, Texas; and providing an effective date. Applicant: City of Plano (Approved by City Council 3/28/11) (Consent Agenda “J”)

END OF CONSENT

Mayor Pro Tem Dunlap stepped down from the bench at 7:35 p.m. and did not return.

Bid No. 2011-83-B for the Spring Creek Parkway Railroad Track Removal, Project No. 6092, to Jim Bowman Construction Company, L.P. in the amount of \$75,330 and authorizing the City Manager to execute all necessary documents.

Upon a motion made by Council Member Callison and seconded by Council Member LaRosiliere, the Council voted 7-0 to approve Bid No. 2011-83-B for the Spring Creek Parkway Railroad Track Removal to Jim Bowman Construction Company, L.P. in the amount of \$75,330.

Nothing further was discussed and Mayor Dyer adjourned the meeting at 7:36 p.m.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary