



# CITY COUNCIL

1520 AVENUE K

DATE: February 22, 2005

CALL TO ORDER: 7:00 p.m.

INVOCATION:

PLEDGE OF ALLEGIANCE: Cadet Girl Scout Troop 2232

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><b><u>PROCLAMATIONS AND SPECIAL RECOGNITION</u></b></p> <p>Special Recognition – Co-Families of the Year: The Chip and Jacque Johnston Family and the Carven and Debbie Holcombe Family</p> <p><b><u>PRESENTATION</u></b></p> <p>Presentation: Certification by the National Weather Service as a StormReady Community</p> <p><b><u>GENERAL DISCUSSION</u></b></p> <p><b>In accordance with the Open Meeting Act, the City Council will hear comments of public interest, but any discussion shall be limited to placing the item on a future agenda for further consideration.</b></p> <p><b>Remarks are limited to five (5) minutes per speaker, with a maximum of 30 total minutes of testimony. Other time restraints may be directed by the Mayor.</b></p> <p><b>Specific factual information or an explanation of current policy may be made in response to an inquiry; but any discussion or decision must be limited to a proposal to place the item on a future agenda.</b></p> <p><b>Speakers will be notified when speaking time has expired. The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</b></p>	<p>Conducted</p>

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	<p><b>CONSENT AGENDA</b></p> <p><b><u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial.</u></b></p> <p><b><u>Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. The Council will then take action on the remainder of the Consent Agenda items. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></b></p>	
(a)	<p><b>Approval of Minutes</b></p> <p>February 10, 2005 February 14, 2005</p>	Approved
	<p><b><u>Award, Rejection of Bids/Proposals, Conditional Acceptance of Lowest Responsible Bid/Proposal and Designation of Alternate Lowest Responsible Bid/Proposal when applicable on the following:</u></b></p>	
(b)	<p><b>Bid No. C057-05</b> to establish an annual fixed price contract with two optional one-year renewals for Nitrile Emergency Medical Gloves in the estimated annual amount of \$31,329.</p>	Approved
(c)	<p><b>Bid No. B069-05</b> for construction of Legacy Business District Water Line along the Dallas North Tollway Service Road and Headquarters Drive in the amount of \$538,337.</p>	Approved
(d)	<p><b>Bid No. B063-05</b> for the installation of underground infrastructure for the Street Light Project 2004 within the City of Plano in the amount of \$168,508. This project involves the installation of underground infrastructure including conduit and street light bases on Shiloh Road from 14<sup>th</sup> Street to Renner Road, Plano Parkway from Shiloh Road to Los Rios Boulevard, Alma Road from Highway 190 to 15<sup>th</sup> Street and on Ohio Drive from Highway 190 to Plano Parkway.</p>	Approved
	<p><b><u>Adoption of Resolutions</u></b></p>	
(e)	<p><b>Resolution No. 2005-2-15(R):</b> To approve and authorize refunds of property tax overpayments; and providing an effective date.</p>	Adopted
(f)	<p><b>Resolution No. 2005-2-16(R):</b> To appoint James P. Reid and William J. Roberts to serve for two year terms as investigators as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date.</p>	Adopted
(g)	<p><b>Resolution No. 2005-2-17(R):</b> To authorize the purchase of an annual maintenance agreement for the meter reading system and Firefly maintenance services in an amount not to exceed \$88,158 from Datamatic, Ltd., as the sole source of the equipment required by reason of product compatibility. Authorizing the City Manager to take such action and execute such documents as necessary to effectuate the purchase approved herein and providing an effective date.</p>	Adopted

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(h)	<p><b>Resolution No. 2005-2-18(R):</b> To authorize the purchase of meter reading equipment and services such as transponders, receivers and supporting equipment and in an amount not to exceed \$630,093 from Datamatic, Ltd., a Catalogue Information Systems vendor (CISV). Authorizing the City Manager to take such action and execute such documents as necessary to effectuate the purchase approved herein and providing an effective date.</p>	Adopted
<p><b><u>Adoption of Ordinances</u></b></p>		
(i)	<p><b>Ordinance No. 2005-2-23:</b> To repeal Ordinance No. 96-3-20, currently codified under Chapter 12, Motor Vehicles and Traffic, Article IV, Speed, Section 12-74(b), Subsection “Jupiter Road” of the City of Plano Code of Ordinances, and adopting a new subsection entitled “Jupiter Road” that establishes the prima facie speed limit for motor vehicles operating along Jupiter Road within the corporate limits of the City of Plano; authorizing and directing the Traffic Engineer to cause placement of traffic control devices indicating the speed limit; and providing a repealer clause, a severability clause, a savings clause, a penalty clause and an effective date.</p>	Adopted
(j)	<p><b>Ordinance No. 2005-2-19:</b> To amend Section 12-98.1, No Parking on Thoroughfares, of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, by adding an exemption to Section 12-98.1(b) to allow parking on Quincy Lane between Ohio Drive and Family Farm Lane; providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>	Adopted
(k)	<p><b>Ordinance No. 2005-2-20:</b> To abandon all right, title and interest of the City, in and to a portion of that certain sanitary sewer easement recorded in Volume 3070 at Page 214 of the Collin County Deed Records and being situated in the Collin County School Land Survey, Abstract No. 151, and the John Martin Survey, Abstract No. 603, located approximately 630 feet south of Parker Road and 300 feet east of Midway Road, 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, Midway/Parker Medical Center, 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
(l)	<p><b>Ordinance No. 2005-2-21:</b> To abandon all right, title and interest of the City, in and to a portion of that certain sanitary sewer easement recorded in Volume 2610 at Page 787 of the Collin County Deed Records and being situated in the Collin County School Land Survey, Abstract No. 151, and the John Martin Survey, Abstract No. 603, located approximately 875 feet south of Parker Road and east of Midway Road 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, Midway/Parker Medical Center, 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

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(m)	<p><b>Ordinance No. 2005-2-22:</b> To abandon all right, title and interest of the City, in and to that certain water line easement and a portion of that certain fire lane, access and utility easement shown on Lots 1 and 2, Block A of Hunters Glen V Addition, as recorded in Cabinet I, Page 595 and Cabinet J, Page 864 of the Land Records of Collin County, Texas and being located in the northwest corner of Custer Road and Spring Creek Parkway in the City limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easements to the abutting property owners, Custer Texaco Partners and Elahi's, Inc., to the extent of their interests; authorizing the City Manager, to execute any documents deemed necessary; and providing an effective date.</p> <p><b><u>Approval of Agreement</u></b></p>	Adopted
(n)	<p>To approve a first amendment of professional consultant services agreement in the amount of \$10,500 with Tony Picchioni to provide additional professional consulting services during the second year of a three (3) year agreement with the option to extend the term for two (2) additional two (2) year periods.</p> <p><b><u>Purchase off Existing Contract</u></b></p>	Approved
(o)	<p>To authorize the purchase of twenty-nine (29) Ford Crown Victoria Police Pursuit Vehicles in the total amount of \$617,015 from Philpott Ford, pursuant to the City's participation in the Tarrant County Joint Venture/Purchasing Cooperative Bid No. I008-02 authorizing the City Manager to execute any and all documents necessary to effectuate this purchase.</p> <p><b><u>Reimbursement of Oversize Participation</u></b></p>	Approved
(p)	<p>To approve and authorize reimbursement to Pasquinelli Portrait Homes, L.P. for oversize participation for paving improvements for Ridgeview Drive and drainage improvements associated with the construction of Pasquinelli's Westbrook Phase III in the amount of \$62,562.</p> <p><b><u>Approval of Expenditure</u></b></p>	Approved
(q)	<p>To approve an expenditure in the amount of \$476,220 to Paradigm Traffic Systems, Inc. for Digital Vehicle Detection Equipment from an existing contract C104-04, and authorizing the City Manager to execute all documents necessary to effectuate the purchase.</p>	Approved
(r)	<p>To approve an expenditure in the amount of \$90,703 to Consolidated Traffic Controls, Inc. for L.E.D. Signal Lamps from an existing contract C042-03, and authorizing the City Manager to execute all documents necessary to effectuate the purchase.</p>	Approved

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(s)	<p>To approve an additional expenditure for the purchase of two (2) additional Mobile Surveillance Towers in the amount of \$89,726 (Bid 162-04) for the 2004 UASI Grant.</p> <p><b><u>Approval of Change Order</u></b></p>	Approved
(t)	<p>To approve Change Order No. 3 for the Cassidy Drive Drainage Improvements and Landershire Lane Water Rehabilitation Project, increasing the contract by \$69,848 for water line replacement in Santiago Drive due to leaks discovered on the old cast iron main necessary to complete the project. (Bid No. B057-04)</p> <p><b><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></b></p> <p><b><u>The purpose of a Public Hearing is to receive input and information with the clarification that the focus of the City Council is on the singularly presented position, and not on repetition. To more effectively consider all presentations, applicants will limit their presentations to 15 minutes with a five (5) minute rebuttal time, if needed. All other speakers will be limited to a maximum of 30 total minutes of testimony, and three minutes per individual on any single issue. Other time restraints may be imposed at the discretion of the Mayor.</u></b></p>	Approved
(1)	<p><b>Public Hearing and adoption of Ordinance No. 2005-2-24</b> to establish and designate a certain area within the City of Plano as Reinvestment Zone No. 85 for a tax abatement consisting of a 2.3840 acre tract of land located at 1500 Precision Drive in the City of Plano; establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date.</p>	Conducted and adopted
(2)	<p><b>Resolution No. 2005-2-25(R):</b> To approve the terms and conditions of an agreement by and between the City of Plano, Texas, the County of Collin, Texas, the Collin County Community College District, Tenth Street Investments, LP, a Texas Limited Partnership and Data Flow Media Systems, L.P., a Texas Limited Partnership and providing for a business personal property and real property tax abatement, and authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(3)	<p><b>Public Hearing and adoption of Ordinance No. 2005-2-26 as requested in Zoning Case 2004-57</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to rezone a portion of Planned Development-350-Retail/General Office (1.8± acres) and a portion of Planned Development-402-Retail/General Office (7.6± acres) located on the south side of Plano Parkway, west of Ohio Drive, east of Allied Drive, and north and south of Alliance Boulevard in the City of Plano, Collin County, Texas, so as to expand Planned Development-138-Retail/General Office from 21.1± acres to 30.5± acres; 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. Neighborhood #55. Applicant: Healthcare Realty Trust, Inc.</p>	Conducted and adopted with amendments

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(4)	<p><b>Public Hearing and adoption of Ordinance No. 2005-2-27 as requested in Zoning Case 2004-58</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to rezone 33.0± acres located on the north side of Windhaven Parkway, 2,900± feet east of Dallas North Tollway and 3,300± feet west of Spring Creek Parkway in the City of Plano, Collin County, Texas, from Multifamily Residence-3 (17.7± acres), Planned Development-242-Multifamily Residence-2 (13.1± acres) and Planned Development-243-Retail/General Office (2.2± acres) to Planned Development-Single-Family Residence-6; 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. Neighborhood #27. Applicant: Acres of Sunshine, Ltd.</p>	Conducted and adopted
(5)	<p><b>Public Hearing and adoption of Ordinance No. 2005-2-28 as requested in Zoning Case 2004-59</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Specific Use Permit No. 558 so as to allow the additional use of Private Club on 0.1± acre of land located 130± feet south of West Park Boulevard and 45± feet west of Preston 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. Neighborhood #55. Applicant: Regency Centers</p>	Conducted and adopted
(6)	<p><b>Public Hearing and an ordinance as requested in Zoning Case 2004-54</b> – To amend Section 1.600 (Definitions) of Article 1 (General Regulations), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), Subsection 3.113 (Superstores) of Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses), and Section 3.1500 (Residential Adjacency Standards) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance regarding superstore use. Applicant: City of Plano Tabled 01-24-05</p>	Conducted and tabled until 3/16/05
(7)	<p><b>Public Hearing and consideration of an appeal of the Planning and Zoning Commission's denial of Zoning Case 2004-52</b> – Request for a Specific Use Permit (SUP) for an Arcade on 0.1± acre located 400± feet south of Parker Road and 963± feet west of Independence Parkway. Zoned Retail. Neighborhood #44.</p>	Conducted and denied
(8)	<p><b>Council Discussion and direction</b> regarding order of propositions for the May election.</p>	Council provided direction
(9)	<p><b>Council Discussion and Action</b> to adopt an ordinance calling a Special Election to be held on May 7, 2005 for the purpose of placing a proposition on the ballot allowing the expenditure of bond funds for a cultural and performing arts facility to be located outside of the City of Plano.</p> <p><b><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 is 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></b></p>	No action taken

<b>ITEM NO.</b>	<b>EXPLANATION</b>	<b>ACTION TAKEN</b>