



# CITY COUNCIL

1520 AVENUE K

DATE: March 16, 2005

CALL TO ORDER: 7:00 p.m.

INVOCATION:

PLEDGE OF ALLEGIANCE: Cub Scout Pack 297,  
Chartered by Free Will Baptist  
Church of 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><b><u>OATHS OF OFFICE</u></b></p> <p><u>Public Arts Committee</u> Mary Jo Forbes</p> <p><b><u>PROCLAMATIONS AND SPECIAL RECOGNITION</u></b></p> <p>Special Recognition: Scott Neumeyer, 2004 Code Enforcement Officer of the Year</p> <p>Presentation: To City of Plano by City Center Association</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>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<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 22, 2005 February 25, 2005 March 2, 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. B061-05</b> for construction of Parker Road Estates Sanitary Sewer in the amount of \$500,523. The project consists of reconstruction of 2,600 feet of sanitary sewer by pipe bursting, 1,200 feet of sanitary sewer by open cut, and the reconstruction of the alley in the rear of Ports O'Call Drive from Las Palmas Lane to Brisbane Lane in the Ports O'Call Subdivision.</p>	Approved
(c)	<p><b>Bid No. B079-05</b> for Environmental Discovery Garden Kiosk (Project No. 5439) in the amount of \$27,600.</p>	Approved
(d)	<p><b>Bid No. B055-05</b> for the Oak Point Park and Nature Preserve Phase 2 Amphitheater Entertainment Roof System in the amount of \$312,403.</p>	Approved
(e)	<p><b>Bid No. B080-05</b> for the 2004-2005 Arterial Concrete Replacement Project, Coit Road from 15<sup>th</sup> Street to McDermott Drive, Project No. 5581, within the City of Plano in the amount of \$925,500.</p>	Approved
(f)	<p><b>Bid No. GI076-05</b> for purchase of Chemical/Biological Protective Clothing for Pre-2004 SHSP Grant and 2004 SHSP Grant in a total amount not to exceed \$102,025.</p>	Approved
(g)	<p><b>Bid No. C073-05</b> to establish an annual fixed price contract for Traffic Signal Pre-emption Equipment in the estimated annual amount of \$101,200 for an annual contract with two optional one-year renewals.</p>	Approved
(h)	<p><b>Bid No. B049-05</b> for Municipal Center – Bldg #71 – from The Whitlock Group to furnish audio visual equipment in Training Room A and Building Inspections Training Room in the amount of \$44,000.</p>	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><b><u>Adoption of Resolutions</u></b></p>	
(i)	<p><b>Resolution No. 2005-3-1(R):</b> To approve receipt of two gifts in equal amounts of \$26,000 each from Friends of the Plano Public Library and Plano Public Library Foundation (for a total gift amount of \$52,000) for the creation of a children’s mural for the general benefit and enhancement of L.E.R. Schimelpfenig Library; and authorizing the City Manager to execute all necessary documents to receive these gifts; and providing an effective date.</p>	Adopted
(j)	<p><b>Resolution No. 2005-3-2(R):</b> To approve a contract in the amount of \$52,000 between the City of Plano – Plano Public Library System and Gary Riggs Interiors for the creation of a children’s mural for the general benefit and enhancement of L.E.R. Schimelpfenig Library; and authorizing the City Manager to execute all necessary documents to effectuate the purchase approved herein; and providing an effective date.</p>	Adopted
(k)	<p><b>Resolution No. 2005-3-3(R):</b> To approve a Special Warranty Deed from the City of Plano to the City of Plano, comprised of one (1) parcel of land totaling 1.424 acres for dedication as public right-of-way for Plano Parkway, said parcel situated in the M.R. Foster Survey, Abstract No. 332 of the Land Records of Collin County, Texas, authorizing its execution by the City Manager, and providing an effective date.</p>	Adopted
(l)	<p><b>Resolution No. 2005-3-4(R):</b> To approve a Special Warranty Deed from the City of Plano to the City of Plano, comprised of one (1) parcel of land totaling 0.041 acre for dedication as public right-of-way for Mortonvale Road, said parcel situated in the A.M. Hatfield Survey, Abstract No. 432, and the Eli Smyler Survey, Abstract No. 857 of the land records of Collin County, Texas, authorizing its execution by the City Manager, and providing an effective date.</p>	Adopted
(m)	<p><b>Resolution No. 2005-3-5(R):</b> To approve a Special Warranty Deed from the City of Plano to the City of Plano, comprising eleven (11) parcels of land totaling 23.937 acres for dedication as public right-of-way for Los Rios Boulevard, said parcels situated in the Jeremiah Muncy Survey, Abstract No. 621, the WM. McCreary Survey, Abstract No. 601, the W.J. Jackson Survey, Abstract No. 485, the A.M. Hatfield Survey, Abstract No. 432, and the Eli Smyler Survey, Abstract No. 857 of the land records of Collin County, Texas, authorizing its execution by the City Manager, and providing an effective date.</p>	Adopted
(n)	<p><b>Resolution No. 2005-3-6(R):</b> To approve and authorize refunds of property tax overpayments; and providing an effective date.</p>	Adopted
(o)	<p><b>Resolution No. 2005-3-7(R):</b> To approve the purchase of SmartNet 800 MHz mobile and portable radios from Motorola Communications and Electronics, Incorporated, a sole-source provider; authorizing the City Manager to take such action as necessary to effectuate the purchase; and providing an effective date.</p>	Adopted
(p)	<p><b>Resolution No. 2005-3-8(R):</b> To approve the purchase of the “Simulator for VisiCAD,” from Brimac Systems, Inc.; a sole-source provider, authorizing the City Manager to take such action as is necessary to effectuate the purchase; and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(q)	<b>Resolution No. 2005-3-9(R):</b> To approve the terms and conditions of a Local Transportation Project Advance Funding Agreement between the State of Texas and the City of Plano for intersection improvements on Spring Creek Parkway at Coit Road; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(r)	<b>Resolution No. 2005-3-10(R):</b> To approve the terms and conditions of a Local Transportation Project Advance Funding Agreement between the State of Texas and the City of Plano for the development and construction of Los Rios Boulevard from Jupiter Road to Parker Road; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(s)	<b>Resolution No. 2005-3-11(R):</b> To approve the terms and conditions of a Local Transportation Project Advance Funding Agreement between the State of Texas and the City of Plano for intersection improvements on SH 289/Preston Road at Legacy Drive; authorizing its execution by the City Manager; and providing an effective date.	Adopted
<b><u>Adoption of Ordinances</u></b>		
(t)	<b>Ordinance No. 2005-3-12:</b> To provide for partial exemption of certain Heritage Resources located in the City of Plano, Texas from the current year ad valorem taxation in the amount of \$31,333; providing a severability clause and an effective date.	Adopted
(u)	<b>Ordinance No. 2005-3-13:</b> To abandon all right, title and interest of the City, in and to a portion of that certain 80' temporary drainage easement recorded in Volume 2843, Page 740 of the Collin County Deed Records and being situated in the Daniel Rowlett Survey, Abstract Number 738 and located approximately 1600 feet north of Ruisseau Drive and between Premier Drive and US Highway No. 75 in 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, Moore Plaza Partners Limited Partnership, to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.	Adopted
(v)	<b>Ordinance No. 2005-3-14:</b> To amend the Plano Code of Ordinances, Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing, and Parking, Section 12-102(e) to include the prohibition of stopping, standing or parking of motor vehicles along the east side of Floyd Drive from Gull Lake Drive south to Elsinore Drive between the hours of 7:15 a.m. to 8:15 a.m. and 2:45 p.m. to 3:45 p.m. on school days; declaring the parking of motor vehicles in said section of Floyd Drive within the defined time limits as unlawful and a misdemeanor; and providing a repealer clause, a severability clause, a penalty clause, a savings clause, and an effective date.	Adopted
<b><u>Approval of Purchase off Existing Contract</u></b>		
(w)	To authorize the purchase of one (1) GMC Truck, Model TT7F042, regular tilt cab with dump body in the amount of \$61,056 through the Texas Association of School Board Cooperative Purchasing Buyboard Program Contract #208-04 awarded to Rush Truck Centers of Texas, LP and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase.	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
(x)	To authorize the purchase of one (1) 2005 Mack CV713 "Granite" Cab & Chassis Tractor, in the amount of \$89,960 from Dallas Mack Sales, LP, and one (1) Red River Tandem Axle Live Bottom (48-foot) Trailer, in the amount of \$64,282 from B & C Body Company both through the Texas Association of School Board Cooperative Purchasing Program (Buyboard), Contract No. 208-04 and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase.	Approved
(y)	To authorize the purchase of nine (9) Mid-Size Police Package Vehicles (Chevrolet Impala 9C3) in the total amount of \$155,619 from Caldwell Country Chevrolet, pursuant to the City's participation in the Tarrant County Joint Venture/Purchasing Cooperative Bid No. 2005-001, authorizing the City Manager to execute any and all documents necessary to effectuate this purchase.	Approved
(z)	To authorize the purchase of one (1) Rosenbauer-General Safety Extruded Aluminum Rescue CAFS Unit on a Ford F-550 Chassis in the amount of \$149,717 per H-GAC Contract No. AAAACA, awarded to Emergency Vehicles of Texas, Inc. and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase.	Approved
(aa)	To authorize the purchase of four (4) full-size Chevrolet Tahoes with Police Package for Dept-532/Police in the amount of \$102,393 from Classic Chevrolet in Grapevine, Texas, through Tarrant County Contract No. 2005-030 and authorizing the City Manager to execute any and all documents necessary to effectuate this purchase.	Approved
	<b><u>Approval of an Expenditure</u></b>	
(bb)	To approve an expenditure in the amount of \$38,613 to GME Consulting Services, Inc. for construction materials testing services in conjunction with the construction of Janwood Drive – Alma Drive to Westwood Drive from an existing contract (DO21-05), and authorizing the City Manager to execute all necessary documents.	Approved
	<b><u>Award of Contract</u></b>	
(cc)	To approve and authorize for the selection of TranSystems Corporation Consultants to provide Professional Engineering Services for an amount not to exceed \$112,945 in connection with the design of Intersection Improvements – Jupiter Road and Plano Parkway (TxDOT) and authorizing the City Manager to execute all necessary documents to effectuate this contract.	Approved
(dd)	To approve and authorize for the selection of USA Professional Services Group, Inc. to provide Professional Engineering Services for an amount not to exceed \$26,450 in connection with the design of Alley Reconstruction – Los Rios Boulevard and authorizing the City Manager to execute all necessary documents to effectuate this contract.	Approved
(ee)	To approve a contract made and entered into by and between the City of Plano and Sharon Rowe, the Elections Administrator of Collin County, Texas, pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, regarding the coordination, supervision, and running of the City's May 7, 2005 General and Special Elections in the estimated amount of \$65,479. (D094-05)	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
(ff)	<p><b><u>Award of State Contract</u></b></p> <p>To approve an expenditure in an amount of \$60,379 for the purchase of annual license renewal, new licenses, and upgrade protection and support for Altiris Client Management Software from SHI Government Solutions through the Department of Information Resources (DIR); and authorizing the City Manager to execute all necessary documents to effectuate the purchase. (DIR#313-001A).</p>	Approved
(gg)	<p><b><u>Cancellation of Existing Purchase Orders</u></b></p> <p>The Fire Department recommends canceling Purchase Order Number 102633 (Wheeled Coach Industries) in the amount of \$353,890 and Purchase Order Number 102634 (Texas Association of School Board Purchasing Cooperative) in the amount of \$800 and authorizing the City Manager to execute any and all documents necessary to effectuate the cancellation.</p>	Approved
(hh)	<p><b><u>Reimbursement of Oversize Participation</u></b></p> <p>To approve and authorize reimbursement to Tollway and Parker NWC, Ltd. for oversize participation for paving improvements in Communications Parkway associated with construction of Windhaven Plaza, Lot 1, Block A in the amount of \$26,584.</p>	Approved
(ii)	<p><b><u>Approval of Change Order</u></b></p> <p>To Rebcon, Inc., increasing the contract by \$55,675 for McDermott Road – Phase I (Ohio Drive to Robinson Road). Change Order No. 5 (Bid No. B070-04)</p>	Approved
	<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>	
(1)	<p><b>Transmittal</b> of Fiscal Year 2003-2004 Affirmative Action Report</p>	Presented
(2)	<p><b>Public Hearing and a resolution</b> to approve and adopt the Plan to End Chronic Homelessness in Collin County; and providing an effective date. Tabled 12/21/04</p>	Conducted and tabled until 4/11/05
(3)	<p><b>Resolution No. 2005-3-15(R):</b> To authorize the City of Plano to partner with the Metro Dallas Homeless Alliance to jointly apply for the Continuum of Care Grant Program; and declaring an effective date.</p>	Adopted with amended verbiage

ITEM NO.	EXPLANATION	ACTION TAKEN
(4)	<p><b>Public Hearing and an ordinance as requested in Zoning Case 2005-01</b> – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, granting Specific Use Permit No. 560 so as to allow the additional use of Contract Construction on 1.0± acre of land located on the northeast corner of K Avenue and Pecan Lane in the City of Plano, Collin County, Texas, presently zoned Light Commercial; 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 #22. Applicant: Fix Air Services</p>	<p>Conducted and tabled for 90 days</p>
(5)	<p><b>Public Hearing and consideration of 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 and 02-22-05</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>	<p>Conducted – directed Staff to bring back ordinance for consideration 3/28/05. Exhibit to show SUP areas.</p>