



CITY COUNCIL

1520 AVENUE K

DATE: April 24, 2006

CALL TO ORDER: 7:00 p.m.

INVOCATION: Reverend Clint Kerley
Christ Church Episcopal

PLEDGE OF ALLEGIANCE: Plano Police Explorer Post 911

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 AND SPECIAL RECOGNITION</u></p> <p>Introduction of Michael Willis, President of International City Management Association. Mr. Willis is General Manager, Blue Mountains City Council, New South Wales, Australia</p> <p>Proclamation: National Volunteer Week</p> <p>Proclamation: Plano, Texas – Relay for Life Community</p> <p>Proclamation: Wildflower Week – 2006</p> <p>Special Recognition: Plano Law Enforcement Explorer Program</p> <p><u>OATHS OF OFFICE</u></p> <p><u>North Texas Municipal Water District Board of Directors</u> Alex R. Schell, III</p> <p><u>GENERAL DISCUSSION</u></p> <p>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.</p> <p>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.</p> <p>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. Speakers will be notified when speaking time has expired.</p>	

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*	<p><u>BOARD/COMMISSION REPORTS</u></p> <p>Community Relations Commission, Carol Moss, Chair</p> <p>CONSENT AGENDA</p> <p><u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial.</u></p> <p><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></p>	Presented
(a)	<p><u>Approval of Minutes</u></p>	Approved
	<p>April 10, 2006</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>	
(b)	<p>Bid No. 2006-112-B for Alma Road Whitetopping Street Resurfacing, to Duit Construction Co., Inc. in the amount of \$1,730,643. The project consists of the resurfacing and the construction of a storm sewer main in the 15th Street intersection and south along Alma Road.</p>	Approved
(c)	<p>Bid No. 2006-111-B for McDermott Road Widening from Custer Road to Coit Road to McMahan Contracting, L.P., in the amount of \$1,759,394.</p>	Approved
(d)	<p>Bid No. 2006-118-P for an annual fixed price contract for Installation of Ceramic and Acrylic Pavement Marking Buttons in the estimated annual amount of \$134,100 to A&M Maintenance Services, Inc. This will establish an annual fixed price contract for one year with two City optional one-year renewals.</p>	Approved
(e)	<p>Bid No. 2006-117-P for an annual fixed price contract for Supply and Installation of Thermoplastic Pavement Markings Materials in the estimated annual amount of \$90,224. This will establish an annual fixed price contract for one year with two City optional one-year renewals.</p>	Approved
	<p>Purchase from Existing Contract/Agreement: (Purchase of products/services through Cooperative Purchasing Interlocal Contract with another governmental/quasi-governmental agency or an additional purchase from current City of Plano annual purchase agreement).</p>	
(f)	<p>To authorize purchase from an Interlocal Contract for Fire Hose in the amount of \$62,363 from Metro Fire Apparatus Specialists and authorizing the City Manager to execute any necessary documents. (HGAC Interlocal Contract, Bid #FS12-05).</p>	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</p>	
(g)	<p>To approve and authorize a contract with Walter P. Moore, Inc. to provide Engineering Services in conjunction with improvements for Park Erosion Control Projects 2006 in an amount not to exceed \$52,128, and authorizing the City Manager to execute any and all documents necessary to effectuate the contract.</p>	Approved
(h)	<p>To approve the terms and conditions of an Engineering Services Contract by and between the City of Plano and APM Associates, Inc. in the amount of \$37,500 for Alley Reconstruction - Prairie Creek and authorizing the City Manager to execute all necessary documents.</p>	Approved
	<p>Contract Modification</p>	
(i)	<p>To approve Contract Modification #1 to Verizon Southwest, Inc., increasing the contract by \$69,454 for High Speed Voice & Data Network (B021-03).</p>	Approved
	<p><u>Adoption of Resolutions</u></p>	
(j)	<p>Resolution No. 2006-4-7(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano and the Dallas County Community College District for Educational Services at a fee not to exceed thirty thousand dollars (\$30,000); authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(k)	<p>Resolution No. 2006-4-8(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano and The Collin County Community College District for Educational Services at a fee not to exceed thirty thousand dollars (\$30,000); authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(l)	<p>Resolution No. 2006-4-16(R): To approve the terms and conditions of a Support and Maintenance Agreement with TriTech Software Systems, Inc., a sole source vendor for the maintenance and support of the VisiCAD System; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(m)	<p>Resolution No. 2006-4-9(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and the Frisco Independent School District for School Crossing Guards; providing for the reimbursement of costs to the City of Plano for providing school crossing guards; authorizing execution of the agreement by the City Manager; and providing an effective date.</p>	Adopted
(n)	<p>Resolution No. 2006-4-10(R): To suspend the May 30, 2006, effective date of the proposal by Atmos Energy Corp., Mid-Tex Division to implement interim GRIP rate adjustments for gas utility investment in 2005; authorizing participation with the Gas Standing Steering Committee in a review and inquiry into the sufficiency of the filing and the basis and reasonableness of the proposed rate adjustments; authorizing intervention in administrative and court proceedings involving the proposed GRIP rate adjustments; requiring reimbursement of reasonable legal and consultant expenses; and requiring delivery of this resolution to the company and legal counsel.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(o)	Resolution No. 2006-4-11(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and Collin County, Texas, providing terms and conditions for the improvement and widening of McDermott Road from Coit Road to Custer Road; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(p)	Resolution No. 2006-4-12(R): To approve the submission of a grant application to the Texas Department of Transportation for 15 th Street Mobility Enhancement Project funding assistance through the Statewide Transportation Enhancement Program; certifying that the City is eligible to receive financial assistance under the program; certifying that the City’s matching share is readily available; designating the City Engineer as being responsible for acting for, and on behalf of the City of Plano in dealing with the Texas Department of Transportation for the purpose of participating in the Statewide Transportation Enhancement Program, and providing an effective date.	Adopted
(q)	Resolution No. 2006-4-13(R): To approve the submission of a grant application to the Texas Department of Transportation for Park Boulevard Project funding assistance through the Statewide Transportation Enhancement Program; certifying that the City is eligible to receive financial assistance under the program; certifying that the City’s matching share is readily available; designating the City Engineer as being responsible for acting for, and on behalf of the City of Plano in dealing with the Texas Department of Transportation for the purpose of participating in the Statewide Transportation Enhancement Program, and providing an effective date.	Adopted
(r)	Adoption of Ordinances Ordinance No. 2006-4-14: To temporarily close a section of Robinson Road from a point beginning at its intersection with White Rock Creek, north to its intersection with State Highway 121, in the City limits of Plano, Collin County, Texas, and authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.	Adopted
(s)	Ordinance No. 2006-4-15: To amend Section 21-135, Sewer Charges – Residential, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano; revising the winter quarter averaging method for calculating residential sanitary sewer charges beginning with the May 1, 2006 billing period; and providing a repealer clause, a severability clause, a savings clause, and an effective date.	Adopted
	<p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p> <p><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></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
(1)	Public Hearing and a resolution to adopt the 2006-07 Action Plan , including the Final Statement of Community Development Block Grant and HOME Program Objectives and Proposed Use of Funds for Program Year 2006-2007; and declaring an effective date.	Conducted and tabled
(2)	A resolution to authorize the filing of applications for federal funds in an amount not to exceed \$1,756,176 under the Housing and Community Development Act, the Home Investment Partnership Act, and the American Dream Downpayment Act; designating Thomas H. Muehlenbeck as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date.	Tabled
(3)	A resolution to approve the terms and conditions of agreements between the City of Plano and various community organizations, providing for the expenditure of Community Development Block Grant funds in the amount of \$713,454 and HOME funds in the amount of \$130,531 for the provision of various community services; authorizing its execution by the City Manager; and providing an effective date.	Tabled
(4)	Public Hearing pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to the use or taking of a portion of a City of Plano park and known as Jack Carter Park for a Communications Facilities License Agreement for cellular equipment attached to and at the base of the existing TXU Electric transmission tower.	Conducted
(5)	Ordinance No. 2006-4-17: To approve a Communications Facilities License Agreement to MetroPCS Texas, LLC, requiring the use or taking of a portion of City of Plano public park land, known as Jack Carter Park; providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the park land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park and recreation area resulting from the use; and providing an effective date.	Adopted
(6)	Resolution No. 2006-4-18(R): To approve the terms and conditions of a Communications Facilities License Agreement by and between the City of Plano, Texas, and MetroPCS Texas, LLC, a Delaware Limited Liability Company, to locate, place, attach, install, and operate, telecommunications ground equipment in certain specific portions of Jack Carter Park identified as the reclamation communications site; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(7)	Public Hearing pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to the use or taking of a portion of a City of Plano park and known as Preston Ridge Trail Park at Coit & Parker for a Communications Facilities License Agreement for cellular equipment attached to and at the base of the existing TXU Electric transmission tower.	Conducted

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(8)	Ordinance No. 2006-4-19: To approve a Communications Facilities License Agreement to MetroPCS Texas, LLC, requiring the use or taking of a portion of City of Plano public park land, known as Preston Ridge Trail Park (Coit and Parker); providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the park land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park and recreation area resulting from the use; and providing an effective date.	Adopted
(9)	Resolution No. 2006-4-20(R): To approve the terms and conditions of a Communications Facilities License Agreement by and between the City of Plano, Texas, and MetroPCS Texas, LLC, a Delaware Limited Liability Company, to locate, place, attach, install, and operate, telecommunications ground equipment in certain specific portions of Preston Ridge Trail Park identified as the Coit & Parker Communications site; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(10)	Public Hearing pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to the use or taking of a portion of a City of Plano park and known as Preston Ridge Trail Park at Coit & McDermott for a Communications Facilities License Agreement for cellular equipment attached to and at the base of the existing TXU Electric transmission tower.	Conducted
(11)	Ordinance No. 2006-4-21: To approve a Communications Facilities License Agreement to MetroPCS Texas, LLC, requiring the use or taking of a portion of City of Plano public park land, known as Preston Ridge Trail Park (Coit and McDermott); providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the park land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park and recreation area resulting from the use; and providing an effective date.	Adopted
(12)	Resolution No. 2006-4-22(R): To approve the terms and conditions of a Communications Facilities License Agreement by and between the City of Plano, Texas, and MetroPCS Texas, LLC, a Delaware Limited Liability Company, to locate, place, attach, install, and operate, telecommunications ground equipment in certain specific portions of Preston Ridge Trail Park identified as the Coit & McDermott Communications site; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(13)	Public Hearing and adoption of Ordinance No. 2006-4-23 as requested in Zoning Case 2005-54 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2004-9-37, as heretofore amended, so as to rezone 16.2± acres located on the east side of Los Rios Boulevard, 120± feet south of Trail Walker Drive in the City of Plano, Collin County, Texas, from Agricultural and Estate Development to Single-Family Residence-7; 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: Abby Bahreini	Conducted and adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(14)	<p>Public Hearing and adoption of Ordinance No. 2006-4-24 as requested in Zoning Case 2006-02 – To repeal in its entirety Ordinance No. 2004-9-37, thereby rescinding the Comprehensive Zoning Ordinance in its current form, together with all amendments thereto; and adopting an updated version of the Comprehensive Zoning Ordinance, including regulations and administrative procedures regarding storm water infrastructure improvements intended to reduce the quantity of and to improve the quality of storm water runoff; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano</p>	Conducted and adopted
(15)	<p>Public Hearing adoption of Ordinance No. 2006-4-25 of Subdivision Ordinance Amendment - To repeal in its entirety Ordinance No. 98-9-5, thereby rescinding the Subdivision Ordinance in its current form, together with all amendments thereto; and adopting an updated version of the Subdivision Ordinance in order to amend various sections of the Subdivision Ordinance, including regulations and administrative procedures regarding storm water infrastructure improvements intended to improve storm water quantity and quality; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano</p>	Conducted and adopted
(16)	<p>Ordinance No. 2006-4-26: To amend Section 21-2(f) of Article I, Municipal Drainage Utility System of Chapter 21, Utilities of the Code of Ordinances of the City of Plano; providing a repealer clause, a savings clause; a severability clause; a penalty clause; and providing an effective date.</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>	Adopted