



CITY COUNCIL

1520 AVENUE K

DATE: April 25, 2005

CALL TO ORDER: 7:00 p.m.

INVOCATION: Pastor Barry Gin
Plano Chinese Alliance Church

PLEDGE OF ALLEGIANCE: Cub Scout Pack 252
Faith Lutheran School 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>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>Special Recognition: Jasper High School Students – Academic WorldQuest Participants</p> <p>Proclamation: Asian Heritage Week – 2005</p> <p>Proclamation: National Wildflower Week</p> <p>Proclamation: Motorcycle Safety and Awareness Month – May, 2005</p> <p><u>OATHS OF OFFICE</u></p> <p><u>North Texas Municipal Water District Board</u> Jerry E. Yancey</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>Held</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
	<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> <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> <p>(a) <u>Approval of Minutes</u> April 11, 2005</p> <p><u>Approval of Expenditures</u></p> <p><u>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).</u></p> <p>(b) To authorize the purchase of rental/lease of a DM 1000 digital mail system and ascent shipping system from 06/01/05 to 05/31/09 in the amount of \$56,364 from Pitney Bowes through a State of Texas contract, and authorizing the City Manager to execute all necessary documents. (State Contract 985-A4 and 985-A2)</p> <p>(c) To authorize the purchase of planning and design services in the amount of \$40,000 from Microsoft Consulting Services through the Department of Information Resources (DIR) Contract, and authorizing the City Manager to execute all necessary documents. (DIR#: DIR-BUSOP-180)</p> <p>(d) To authorize the purchase of network infrastructure equipment in the amount of \$48,039 from Internetwork Experts through the Department of Information Resources (DIR) Contract, and authorizing the City Manager to execute all necessary documents. (DIR#: DIR-BUSOP-012)</p> <p>(e) To authorize purchase from existing contract of material testing services for Plano Parkway Extension (Los Rios Boulevard to 14th Street) in the amount of \$49,904 from Terracon Consultants, Inc. dba HBC/Terracon through a City of Plano contract, and authorizing the City Manager to execute all necessary documents. (Contract No. D021-05).</p> <p>(f) To authorize the purchase of Live Scan System in the amount of \$32,010 through a Collin County Purchasing Department contract, and authorizing the City Manager to execute all necessary documents (08117-04).</p>	<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(g)	<p>To authorize purchase from existing contract to authorize the purchase of cabling and equipment for the W.O. Haggard Library Expansion in the amount of \$39,249 from Henkels & McCoy through a City of Plano contract, and authorizing the City Manager to execute all necessary documents (Contract No. C114-04)</p> <p><u>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</u></p>	Approved
(h)	<p>To approve the terms and conditions of an engineering services contract by and between the City and Doyle Engineering Group, PLLC in the amount of \$106,370 for Erosion Control – Briarwood and authorizing the City Manager to execute all necessary documents. This agreement is for engineering design for the installation of erosion control measures in creek areas behind the following addresses: Woodpark Townhomes (2932 Tisinger Place), 3200 Rockbrook Drive, 3500 Rockbrook Drive, 1913 Briarcreek Lane, 2201 East 18th Street, Sewer Erosion Control – 2920 Newport Circle/1528 Idyllwild Drive.</p>	Approved
(i)	<p>To approve the terms and conditions of an engineering services contract by and between the City and Parsons Transportation Group, Inc. in the amount of \$60,857 for Preston at Legacy Intersection Improvements (TxDOT) and authorizing the City Manager to execute all necessary documents (B113-04).</p> <p><u>Change Order: (Change to current City of Plano contract allowable under State law)</u></p>	Approved
(j)	<p>To Medical Center of Plano, increasing the contract by \$25,840 for the City of Plano Wellness Program, Change Order #1 (C006-03).</p> <p><u>Adoption of Resolutions</u></p>	Approved
(k)	<p>Resolution No. 2005-4-19(R): To approve and authorize refunds of property tax overpayments; and providing an effective date.</p>	Adopted
(l)	<p>Resolution No. 2005-4-20(R): To approve the terms and conditions of an agreement by and between the City of Plano and Kansas City Southern Railway Company for grade crossing signal rehabilitation at Ohio Drive in the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(m)	<p>Resolution No. 2005-4-21(R): To approve the terms and conditions of a Real Estate Contract by and between the City of Plano, Texas, and Huffines Plano Properties, L.P., for the sale of 1.913 acres of land located at the northwest corner of Plano Parkway and Coit Road in the City of Plano, Collin County, Texas; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Adoption of Ordinances</u></p>	
(n)	<p>Ordinance No. 2005-4-22: To amend Chapter 12, Motor Vehicles and Traffic, Article IV, Speed, Section 12-74(b) of the City of Plano Code of Ordinances to add a new Subsection “Premier Drive” that establishes the prima facie speed limit for motor vehicles operating along a portion of Premier Drive 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; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a severability clause, a savings clause, a penalty clause and an effective date.</p>	Adopted
(o)	<p>Ordinance No. 2005-4-23: To amend Chapter 12, Motor Vehicles and Traffic, Article IV, Speed, Section 12-74(b), Subsection “Chase Oaks Boulevard” of the City of Plano Code of Ordinances, that establishes the prima facie speed limit for motor vehicles operating along Chase Oaks Boulevard 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; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a severability clause, a savings clause, a penalty clause and an effective date.</p>	Adopted
(p)	<p>Ordinance No. 2005-4-29: To abandon all right, title and interest of the City, in and to a portion of that certain variable width right-of-way called Spring Creek Parkway from Preston Road west approximately 1,476 feet, being situated in the Robert Benefield Survey, Abstract No. 99, which is located in the City Limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the city in a portion of such right-of-way to the abutting property owner, LSM Land Partners, 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
(q)	<p>Ordinance No. 2005-4-24: To revise Section 16-107(c), Ex Officio Members, of Article VI, Heritage Resource Preservation, of Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano, Texas to revise reference to ex officio members and providing a repealer clause, a severability clause, and an effective date.</p>	Adopted
(r)	<p>Ordinance No. 2005-4-25: To revise Section 2-337, Terms; Vacancies, of Article XIX, Animal Shelter Advisory Committee, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas to remove reference to the number of terms that may expire in any one year; and providing a repealer clause, a severability clause, and an effective date.</p>	Adopted
(s)	<p>Ordinance No. 2005-4-26: To revise Section 2-302, Terms of Office; Meetings; Compensation, of Article XVI, Self Sufficiency Committee, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas to remove reference to the number of terms that may expire in any one year and to change the expiration date for terms of office from June 30 to October 31 of each year; and providing a repealer clause, a severability clause, and an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(t)	Ordinance No. 2005-4-27: To revise Section 2-157, Terms of Office; Compensation, of Article VII, Community Relations Commission, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas to remove reference to the number of terms that may expire in any one year and providing a repealer clause, a severability clause, and an effective date.	Adopted
(u)	Ordinance No. 2005-4-28: To revise Section 15-26, Terms of Office of Members of Article II, Parks and Recreation Planning Board, of Chapter 15 of the Code of Ordinances of the City of Plano, Texas to change the expiration date for terms of office from September 30 to October 31 of each year; and providing a repealer clause, a severability 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>	
(1)	Public hearing and approval of disbursement of grant funds in the total amount of \$103,828 awarded through the Byrne Justice Assistance Grant Project for the purpose of purchasing equipment resources, pursuant to the amendments made by Section 201 of H.R. 3036 of the 108 th Congress, as passed by the House of Representatives on March 30, 2004. Under this Grant, the City of Plano will be the fiscal agent and will disburse funds to the City of McKinney and the Collin County Sheriff's Office as agreed upon in the Memorandum of Understanding signed by the three entities.	Conducted and approved
(2)	Public Hearing and adoption of Resolution No. 2005-4-30(R) to adopt the 2005-2006 Action Plan, including the final statement of Community Development Block Grant and HOME Program Objectives and proposed use of funds for Program Year 2005-2006; and declaring an effective date.	Conducted and adopted
(3)	Resolution No. 2005-4-31(R) to authorize the filing of applications for federal funds in an amount not to exceed \$1,938,431 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.	Adopted
(4)	Resolution No. 2005-4-32(R) 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 \$540,727 and HOME Funds in the amount of \$261,254 for the provision of various community services; authorizing its execution by the City Manager; and providing an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(5)	Public Hearing and adoption of Ordinance No. 2005-4-33 to establish and designate a certain area within the City of Plano as Reinvestment Zone No. 86 for a tax abatement consisting of an 8.833 acre tract of land located at 1001 Klein Road in the City of Plano, Texas, establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date.	Conducted and adopted
(6)	Resolution No. 2005-4-34(R) 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, Argent Plano Realty LP, a Texas Limited Partnership and Creation Technologies Texas LP, a Texas Limited Partnership, and providing for a business personal property and real property tax abatement, located at 1001 Klein Road, Plano, Texas, and authorizing its execution by the City Manager; and providing an effective date.	Adopted
(7)	Public Hearing by the City Council of the City of Plano, Texas, pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to the use or taking of a portion of City of Plano Park and known as Shawnee Park for an access easement to Plano Independent School District (PISD) and a drainage easement.	Conducted
(8)	Ordinance No. 2005-4-35 to approve the use or taking of a portion of City of Plano Public Park Land, known as Shawnee Park for an access easement to PISD and a drainage easement; 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 resulting from the use; and providing an effective date.	Adopted
(9)	Resolution No. 2005-4-36(R) to grant the use or taking of a portion of Shawnee Park for an access easement to PISD and a drainage easement being in the Daniel Rowlett Survey, Abstract No. 738 City of Plano, Collin County and authorizing the approval by the City Manager; and providing an effective date.	Adopted
(10)	Public Hearing and adoption of Ordinance No. 2005-4-37 to vacate Ordinance No. 2005-2-27, thereby rescinding the zoning designation of Planned Development-Single-Family Residence-6 granted therein, and adopting this ordinance to correct a clerical error; amending 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-154-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. Zoning Case 2004-58	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(11)	<p>Public Hearing and consideration of an appeal of the Planning and Zoning Commission’s denial of Zoning Case 2005-05 – Request to rezone 22.5± acres located on the southeast corner of Parker Road and Preston Road from Agricultural (A) to Planned Development-Neighborhood Office (O-1) to allow for Retail and Bank, Savings and Loan, or Credit Union uses. Zoned Agricultural. Neighborhood. #43.</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 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></p>	<p>Tabled for two weeks</p>