

CITY COUNCIL

1520 AVENUE K



DATE: 10/14/2013
CALL TO ORDER: 7:00 p.m.
INVOCATION: Pastor Brian McClane
Northpointe Church
PLEDGE OF ALLEGIANCE: Jr. Girl Scout Troop 3461

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>OUR MISSION - THE CITY OF PLANO IS A REGIONAL AND NATIONAL LEADER, PROVIDING OUTSTANDING SERVICES AND FACILITIES THROUGH COOPERATIVE EFFORTS THAT ENGAGE OUR CITIZENS AND 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>OATHS OF OFFICE</u></p> <p><u>Animal Shelter Advisory Committee</u> Bryan Baldwin, Kevin Kimbrell, Sunny Ruth</p> <p><u>Board of Adjustment</u> Carolyn Kalchthaler, Robert Miller</p> <p><u>Building Standards Commission</u> Marsha Griggs, Richard Kelley, Arthur Stone</p> <p><u>Civil Service Commission</u> Robert Hill</p> <p><u>Community Relations Commission</u> Judy Drotman, Cynthia Moore, Cynthia Thomas, Michael Thomas, Mandy Tschoepe</p>	

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	<p><u>Cultural Affairs Commission</u></p> <p>Marion Brockette, Jr., Vicki Cravens, Ron Taylor, Janelle Twyford-Silvis, Sandy Yeh</p> <p><u>Heritage Commission</u></p> <p>Edward Coyle, Gary Graley, Ronald Morris, Douglas Shockey</p> <p><u>Library Advisory Board</u></p> <p>Richard Barnett, Kimberley Malouf, Tammy McSwain, John Pillow</p> <p><u>Parks and Recreation Planning Board</u></p> <p>Dustin Kolb, Pamela Weaver, Beth Webb</p> <p><u>Photographic Traffic Signal Advisory Committee</u></p> <p>Natalie Crawford, Robert Drotman, Peter Pennesi</p> <p><u>Planning and Zoning Commission</u></p> <p>M. Nathan Barbera, Doug Bender, Richard Grady, Thomas Juhn, Kayci Prince</p> <p><u>Plano Housing Authority</u></p> <p>Earnest Burke, Linda Prindiville, Wanda Russell</p> <p><u>Retirement Security Plan Committee</u></p> <p>Casey Srader, Sean Sullivan</p> <p><u>Self Sufficiency Committee</u></p> <p>Erin Abood, Scott Goebel, Charles Ho, Emmanuel Umoh</p> <p><u>Senior Citizens Advisory Board</u></p> <p>Karen Bellessa, Paul Gerber, Nancy Jensen, Ralph Steckel</p> <p><u>Tax Increment Financing Reinvestment Zone No. 2 Board</u></p> <p>Thomas Buning, Russell Coolik, Chris Hatcher, Alan Johnson, Hilton Kong, Pat Miner, Shirley Ogden, Corey Reinaker, James F. Schell</p>	

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	<p><u>COMMENTS OF PUBLIC INTEREST</u> <u>This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.</u></p> <p><u>CONSENT AGENDA</u> <u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></p>	
(a)	<p><u>Approval of Minutes</u> September 23, 2013</p>	Approved
	<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. 2013-328-B for the purchase of Rowlinson Natatorium Structural Roof Framing Repair Project to Reconstruction Experts, Inc., in the amount of \$135,503 and authorizing the City Manager to execute all necessary documents.</p>	Approved
(c)	<p>Bid No. 2013-222-C for a one (1) year contract with three (3) City optional renewals to purchase supply of water meters for Public Works, Customer & Utility Billing, and Inventory Control and Asset Disposal (ICAD) to HD Supply Waterworks, Ltd. in the estimated annual amount of \$348,666 and authorizing the City Manager to execute all necessary documents.</p>	Approved
(d)	<p>Bid No. 2013-367-B for Early Morn Drive & Rosehill Lane Drainage Improvements to Jim Bowman Construction Co., L.P. in the amount of \$385,006 and authorizing the City Manager to execute all necessary documents.</p>	Approved
(e)	<p>Bid No. 2013-351-B for Alley Reconstruction – Dallas North Estates to Jim Bowman Construction Company, L.P. in the amount of \$611,392 and authorizing the City Manager to execute all necessary documents.</p>	Approved
(f)	<p>Bid No. 2013-363-B for the purchase of two (2) Ford F350 Platform Trucks from Caldwell Country Automotive in the amount of \$61,782 for Fleet Services, to be utilized by Public Works, and authorizing the City Manager to execute all necessary documents.</p>	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
(g)	<p>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</p> <p>To approve a Professional Services Agreement by and between the City of Plano and Halff Associates, Inc., in the amount of \$404,700 for Brown Branch 18-inch and 15-inch Sanitary Sewer Interceptor Capacity Improvements project; and authorizing the City Manager to execute all necessary documents.</p>	Approved
(h)	<p>To approve of a Landscape Architecture Services Agreement by and between the City of Plano and La Terra Studio, Inc. in the amount of \$97,740 for design services for a Skate Park Facility and authorizing the City Manager to execute all necessary documents.</p>	Approved
(i)	<p>To approve of a Landscape Architecture Services Agreement by and between the City of Plano and David C. Baldwin, Inc. in the amount of \$129,195 for design services for McCall Plaza and Parking Lot Renovation and authorizing the City Manager to execute all necessary documents.</p>	Approved
(j)	<p>Approval of Change Order</p> <p>To Parkscape Construction, Inc., increasing the contract by \$139,252 for the Oak Point Park & Nature Preserve, North Trail Extension, Change Order No. 1, Bid No. 2013-26-B.</p>	Approved
(k)	<p>Approval of Expenditure</p> <p>To approve the purchase of replacement parts for Neptune Technology Group, Inc. brand water meters in the estimated annual amount of \$177,846 from HD Supply Waterworks, Ltd., a sole source provider; through the use of the general exemption as allowed by Local Government Code, Chapter 252, Subchapter B, Section 252.022(a)(7)(A) and authorizing the City Manager to execute all necessary documents.</p>	Approved
(l)	<p>Adoption of Resolutions</p> <p>Resolution No. 2013-10-1(R): To approve the terms and conditions of an Economic Development Agreement by and between West Plano Village, Ltd. and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(m)	<p>Resolution No. 2013-10-2(R): To approve and authorize the execution of a Special Escrow Agreement for the deposit of funds in an amount sufficient to defease and pay certain outstanding "City of Plano, Texas, General Obligation Refunding and Improvement Bonds, Series 2005"; providing for the redemption of certain outstanding bonds of such series and resolving other matters incident and related thereto; and authorizing its execution by the City Manager and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(n)	<p><u>Adoption of Ordinances</u></p> <p>Ordinance No. 2013-10-3: To abandon all right, title and interest of the City, in and to a portion of that certain 20-foot Sanitary Sewer Easement within the Villas of Pecan Creek, recorded in Volume 1004, Page 410, of the Deed Records of Collin County, Texas and being situated in the J. M. Salmons Survey, Abstract No. 815, 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, Jen Texas I, LLC., to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date.</p>	Adopted
(o)	<p>Ordinance No. 2013-10-4: To approve a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2013 Annual Rate Review Mechanism filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; requiring the Company to reimburse Cities' reasonable ratemaking expenses; repealing conflicting resolutions or ordinances; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; providing a most favored nations clause; and requiring delivery of this ordinance to the Company and the Steering Committee's legal counsel.</p>	Adopted
(p)	<p>Ordinance No. 2013-10-5: To approve the carrying-forward of certain fiscal year 2012-13 funds to fiscal year 2013-14; and providing an effective date.</p>	Adopted
(q)	<p>Ordinance No. 2013-10-6: To amend Section 2-1(e) of the City Code of Ordinances of the City of Plano, Texas to authorize use of the City logos and/or brand by licensees of the Plano Centre for the duration of their City license agreement and by partners or sponsors of the City of Plano Convention and Visitors Bureau in conjunction with events promoting, marketing and publicizing the City upon written approval of the City Manager; providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>	Adopted
<p><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></p>		
<p><u>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</u></p>		

ITEM NO.	EXPLANATION	ACTION TAKEN
(1)	<p><u>Non-Public Hearing Items: The Presiding Officer may permit limited public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.</u></p> <p>Public Hearing and consideration of Ordinances requested in Zoning Cases 2013-16 through 2013-20 all of which are limited to the repeal of certain Specific Use Permits for Private Clubs. The following ordinances are proposed to be repealed which, if approved, will result in the rescission of the Specific Use Permit for an additional use of a Private Club and the applicant is the City of Plano.</p> <p>(a) Ordinance No. 2013-10-7: Zoning Case 2013-16 - To rescind Specific Use Permit #506 for Private Club on 0.1± acre located on the west side of Bishop Road, 70± feet north of Kincaid Road. Zoned Planned Development-65-Central Business-1/Dallas North Tollway Overlay District with Specific Use Permit #506 for Private Club.</p> <p>(b) Ordinance No. 2013-10-8: Zoning Case 2013-17 - To rescind Specific Use Permit #502 for Private Club on 0.6± acre located on the west side of Bishop Road, 345± feet south of Legacy Drive. Zoned Planned Development-65-Central Business-1/Dallas North Tollway Overlay District with Specific Use Permit #502 for Private Club.</p> <p>(c) Ordinance No. 2013-10-9: Zoning Case 2013-18 - To rescind Specific Use Permit #509 for Private Club on 1.1± acres located on the west side of H Avenue, 250± feet north of 15th Street. Zoned Downtown Business/Government with Heritage Resource #24 Designation and Specific Use Permit #509 for Private Club.</p> <p>(d) Ordinance No. 2013-10-10: Zoning Case 2013-19 - To rescind Specific Use Permit #450 for Private Club on 0.1± acre located on the east side of the DART railroad tracks, 25± feet north of 15th Place. Zoned Downtown Business/Government with Specific Use Permit #450 for Private Club.</p> <p>(e) Ordinance No. 2013-10-11: Zoning Case 2013-20 - To rescind Specific Use Permit #533 for Private Club on 0.3± acre located at the northwest corner of K Avenue and 16th Street. Zoned Downtown Business/Government with Specific Use Permit #533 for Private Club.</p> <p>All locations are located within the City of Plano, Collin County, Texas, and the repeal of each ordinance will amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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, a publication clause, and an effective date. Applicant: City of Plano</p>	<p>Conducted and Adopted</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(2)	Public Hearing and adoption of Ordinance 2013-10-12 as requested in Zoning Case 2013-15, repealing in its entirety Ordinance No. 91-11-19; thereby rescinding Specific Use Permit No. 188 for the additional use of a Private Club on 1.0± acre of land out of the J.A. Salmons Survey, Abstract No. 814, located on the west side of U.S. Highway 75, 130± feet south of Chisholm Place in the City of Plano, Collin County, Texas, currently zoned Corridor Commercial with Specific Use Permit No. 187 for Restaurant and Specific Use Permit No. 188 for Private Club, and amending the Comprehensive Zoning Ordinance of the city, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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, a publication clause, and an effective date. Applicant: City of Plano	Conducted and Adopted
(3)	Ordinance No. 2013-10-13: To repeal Chapter 17.5, Sexually Oriented Businesses, of the City of Plano Code of Ordinances and adopting a new Chapter 17.5, Sexually Oriented Businesses of the City of Plano Code of Ordinances; providing definitions, licensing and regulations for Sexually Oriented Businesses, providing a penalty clause, a severability clause, a repealer clause, a savings clause, a publication clause, and an effective date.	Adopted
(4)	Resolution No. 2013-10-14(R): To authorize the establishment of fees for application and licensing of Sexually Oriented Businesses pursuant to Chapter 17.5, Sexually Oriented Businesses, of the City Code of Ordinances for the City of Plano, Texas; and providing an effective date.	Adopted
(5)	Ordinance No. 2013-10-15: To amend Section 6-487, Prohibited signs, and Section 6-491, Political signs/noncommercial purpose signs, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, and adding Article XII, Prohibited Signs on Public Property, to Chapter 14, Offenses – Miscellaneous, of the Code of Ordinances of the City of Plano, to provide sign regulations on public property; and providing repealer, severability, savings, penalty, and publication clauses and setting an effective date.	Adopted
(6)	<p>Resolution No. 2013-10-16(R): To nominate an individual for election to the Collin County Central Appraisal District Board of Directors; 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/L Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Senator Florence Shapiro Council Chambers is accessible by elevator to the lower level. 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 - Michael Pirek Nominated