

PLANO CITY COUNCIL

August 9, 2010

COUNCIL MEMBERS

Phil Dyer, Mayor
Lee Dunlap, Mayor Pro Tem
Pat Miner, Deputy Mayor Pro Tem
Ben Harris
André Davidson
Lissa Smith
Harry LaRosiliere
Jean Callison

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Deputy City Manager
Bruce Glasscock, Deputy City Manager
LaShon Ross, Deputy City Manager
Mark Israelson, Assistant City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, August 9, 2010, at 7:01 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Deacon Louis Munoz of Prince of Peace Catholic Community and the Pledge of Allegiance was led by Brownies from Hughston Elementary.

Mayor Dyer accepted a presentation recognizing the City of Plano for Medical Transportation Service Re-accreditation.

Comments of Public Interest

Plano residents Lee Stark, Reena Schwartz and Edward Mathalan requested Council reconsider elimination of the Senior Rides Program and spoke to it providing transportation for office visits and shopping, allowing seniors to live independently.

Consent Agenda

Staff requested that Consent Agenda Item "D" be removed for individual consideration.

Upon a motion made by Council Member LaRosiliere and seconded by Council Member Callison, the Council voted 8-0 to approve and adopt all remaining items on the Consent Agenda as recommended and as follows:

Approval of Minutes (Consent Agenda Item "A")

July 26, 2010
July 28, 2010

Approval of Expenditures

Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)

Bid No. 2010-166-C for a one (1) year contract with three (3) optional one year renewals for the purchase of Outdoor Litter and Restroom Service for the Parks and Recreation Department to Northstar Facility Services in the amount of \$95,336 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

Purchase from an Existing Contract

To approve the purchase and installation of replacement fitness room equipment for Oak Point Center and the Tom Muehlenbeck Center in the amount of \$113,683 from Fitness Center Outfitters through an existing contract and authorizing the City Manager to execute all necessary documents (Buyboard Contract #336-10). (Consent Agenda Item "C")

Approval of Contract Modification

First Modification to an Interlocal Agreement by and between the City of Plano, Texas and the Dallas County Community College for Richland College in the amount of \$25,000 through an existing agreement 2009-210-I with Dallas County Community College District for Richland College for Business Productivity courses; authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "E")

Adoption of Resolutions

Resolution No. 2010-8-1(R): To accept the Certified Appraisal Rolls for Fiscal Year 2010-11 for Collin County and Denton County, and providing an effective date. (Consent Agenda Item "F")

Resolution No. 2010-8-2(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano and the University of Texas at Dallas, providing terms and conditions for educational services as a part of the City's Professional Development Program, authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "G")

Resolution No. 2010-8-3(R): To approve the Investment Portfolio Summary for the Quarter Ending June 30, 2010 and providing an effective date. (Consent Agenda Item "H")

Resolution No. 2010-8-4(R): To review and approve the City's written Public Funds Investment Policy; and providing an effective date. (Consent Agenda Item "I")

Resolution No. 2010-8-5(R): To approve the settlement of the lawsuit styled Linda Sanders-Burns, Individually and as heir of the Estate of Anthony Demille Sanders, Deceased v. City of Plano and Police Officer Joseph Cabezuela, Civil Action No. 2:06-CV-439, United States District Court, Eastern District of Texas, Marshall Division in the amount of \$150,000; authorizing the City Manager to execute any and all documents necessary to settle such lawsuit; and providing an effective date. (Consent Agenda Item "J")

Adoption of Ordinances

Ordinance No. 2010-8-6: To amend Chapter 12 (Traffic Code), Article IV (Speed), Section 12-73(d) of the City of Plano Code of Ordinances, to delete school zones on Alma Drive from north of Plano Parkway to south of Plano Parkway, and on Ventura Drive from north of Plano Parkway south to Plano Parkway; to revise the endpoints of school zones on the section of Alma Drive from north of 15th Street to south of Janwood Drive, and on Carmel Drive from Westwood Drive to Custer Road; to revise the designated times of operation for the school zone on Village Creek Drive; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item “K”)

END OF CONSENT

Approval of Contract: To approve an Engineering Services Contract by and between the City of Plano and Pacheco Koch Consulting Engineers, Inc. in the amount of \$298,942 for the Park Boulevard Corridor Intersection Improvements project and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

Director of Public Works/Engineering Upchurch spoke to existing conditions and upgrades planned at the intersections of Park Boulevard and Coit Road, Custer Road, Alma Drive, K Avenue and Jupiter Road. Council Member Smith requested information on upgrades be included at the upcoming neighborhood roundtable.

Upon a motion made by Council Member Harris and seconded by Council Member LaRosiliere, the Council voted 8-0 to approve an Engineering Services Contract between the City and Pacheco Koch Consulting, Engineers, Inc. in the amount of \$298,942 for Park Boulevard Corridor Intersection improvements.

Bid No. 2010-169-B for Pecan Hollow Golf Course Renovation to TDI International dba TDI Golf in the amount of \$7,514,491 and authorizing the City Manager to execute all necessary documents. (Regular Agenda Item “1”)

Director of Parks and Recreation Fortenberry spoke to the repairs planned, approval by voters in the 2005 and 2009 bond programs and monies available from the Drainage Fund for erosion control and the Parks Fund for trail connections.

Upon a motion made by Deputy Mayor Pro Tem Miner and seconded by Council Member LaRosiliere, the Council voted 8-0 to approve Bid No. 2010-169-B for Pecan Hollow Golf Course Renovation to TDI International dba TDI Golf in the amount of \$7,514,491.

Discussion of the FY 2010-11 Proposed Community Investment Program (Regular Agenda Item “2”)

Director of Parks and Recreation Fortenberry spoke to funding provided by the Park Improvements/Recreation Centers Bond Programs, Park Fee Program and Parks Capital Reserve Fund. She reviewed the recreation center project – Aquatic Center renovation (\$1.5 million); park improvement projects – Arbor Hills (\$50,000), athletic field renovations (\$600,000), land acquisitions (\$1.2 million), Oak Point Park (\$100,000) and park improvements (\$350,000). She spoke to park improvement projects – Pecan Hollow Golf Course (\$8 million), trail connections (\$1.5 million), White Rock Creek CP (\$100,000), bikeway system (\$243,000), and Chisholm Trail (\$1.7 million). Ms. Fortenberry reviewed the Park Fee Project – greenbelt acquisitions (\$865,000); and Capital Reserve Fund items – athletic field renovation (\$500,000), irrigation renovations (\$400,000), park shelter replacements (\$600,000), park structure and equipment (\$515,000), playground replacement (\$300,000), pool equipment (\$100,000), public building landscapes (\$125,000), recreation center equipment (\$100,000), silt removal (\$300,000), trail repairs (\$600,000) and other projects (\$170,000).

Engineering Manager Cosgrove advised that the Public Works/Engineering portion of the CIP includes the Street Improvements Program with rehabilitation projects (\$2.5 million), design projects (\$1.2 million), capacity improvements (\$1.9 million), funding continuation for previous projects (\$8.8 million) and miscellaneous (\$3.5 million). He spoke to other funding sources including counties, tax increment financing districts, Texas Department of Transportation and RTR funds. Mr. Cosgrove spoke to municipal drainage projects (\$4.3 million), water improvements (\$5.6 million), sewer improvements (\$5.1 million) and capital reserve projects (\$9.7 million). He advised that there will be review of the Legacy Drive/Preston Road intersection prior to implementation of another location for the *Michigan Left Turn* lanes.

Facilities Manager Razinha advised the Council regarding extending the life of major elements within buildings and evaluating strategies for energy reductions. He spoke to Facilities Capital Reserve (\$2 million) focusing on energy reduction, building modifications and Facilities Projects (\$7.4 million) including Fire Stations #2, #6, and #7; technology services facility; and radio system infrastructure. He spoke to items brought forward from prior years including Fire Station #13 and the expansion of Fire Station #4. Mr. Muehlenbeck spoke to a \$27 million reduction in the CIP as proposed.

Public Hearing on the FY 2010-11 Recommended Budget and the FY 2010-11 Proposed Community Investment Program (CIP). (Regular Agenda Item “3”)

City Manager Muehlenbeck spoke to the recommendation of a 1.49 cent tax increase strictly for debt service rather than a transfer from the General Fund. He spoke to cuts in positions and services from operations/maintenance and information provided to voters at bond elections advising of the maximum tax that could be levied to pay for improvements.

Kevin Anderson, of the Plano Tea Party, spoke in opposition to a tax increase and to making further cuts. Mayor Dyer advised regarding the Budget Worksession to be held on August 14.

A Vote on a Proposal to Consider an Increase in the Total Tax Revenue (Regular Agenda Item “4”)

Director of Budget and Research Rhodes-Whitley advised the Council regarding the requirement for a record vote should they wish to propose a tax rate exceeding either the effective or rollback rates. She spoke to the recommended rate of 50.35 cents per \$100 valuation as an increase of 1.49 directly for debt with no increase on operations/maintenance, the requirement to fund debt at 100% and the impact of \$14.00 per year on the average home’s tax bill. Ms. Rhodes reviewed Truth in Taxation Laws and how they apply to notification, public hearings and processing of rates higher than the effective/rollback rates. The Council concurred not to consider a rate over the effective rate of 52.03 cents.

Public Hearing and adoption of Ordinance No 2010-8-7 as requested in Zoning Case 2010-06, 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), Section 3.400 (Lot Regulations), Subsection 3.801 of Section 3.800 (Height Regulations), and Subsection 3.1107 (Schedule of Off-Street Parking) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, pertaining to church and rectory uses and other religious uses and facilities; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano (Regular Agenda Item “5”)

Planning Manager Firgens spoke to updating the Zoning Ordinance to ensure it is more aligned with state and federal laws and to address today’s wide range of religious land uses. She further stated Staff’s recommendation that housing for the homeless (as related to religious facilities) should remain classified as either as a household care facility or institution as defined in the Zoning Ordinance. Ms. Firgens advised that the Planning and Zoning Commission recommended approval as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

1. Amend Section 1.600 (Definitions) of Article 1 (General Regulations) to read as follows:

1.600 Definitions

~~Church and Rectory~~ Religious Facility – A building ~~for regular assembly for religious worship which is used primarily for such purpose~~ used primarily for religious assembly and worship and those accessory activities which are customarily associated therewith, and the place of residence for ~~ministers, priests, nuns, or rabbis~~ religious personnel on the premises.

2. Amend Section 3.400 (Lot Regulations) of Article 3 (Supplementary Regulations) to read as follows:

Ordinance No 2010-8-7 (cont'd)

3.400 Lot Regulations

3.401 Independent living facilities, assisted living facilities, long-term care facilities, continuing care facilities, community centers, hospitals, ~~churches~~, colleges, universities, trade and commercial schools, and public, private, and parochial schools located in any residential district shall have a minimum site area of two acres and ~~shall have access to a street with a minimum 36 feet of pavement width.~~

3.402 Religious facilities, independent living facilities, assisted living facilities, long-term care facilities, continuing care facilities, community centers, hospitals, colleges, universities, trade and commercial schools, and public, private, and parochial schools located in any residential district shall have access to a street with a minimum 36 feet of pavement width.

~~3.402~~ 3.403 Through lots are hereby prohibited.

~~3.403~~ 3.404 Where residential lots have frontage on streets at opposite ends of the lot, a screening wall or other permanent barrier shall be constructed on the property line so that access is denied to one of the adjacent streets.

~~3.404~~ 3.405 In the case where excess right-of-way is dedicated by plat for the purpose of construction an overpass and where such right-of-way exceeds the normal right-of-way required by the Thoroughfare Plan for the adjacent street, development which occurs on the property from which the excess right-of-way was dedicated may utilize the dedicated excess right-of-way in computing floor area ratio and lot coverage.

3. Amend Subsection 3.801 of Section 3.800 (Height Regulations) of Article 3 (Supplementary Regulations) to read as follows:

3.800 Height Regulations

3.801 In all zoning districts and planned developments, water standpipes and tanks, ~~church steeples~~ religious facility architectural features, bell towers, domes and spires on school buildings and institutional buildings, the roofs of auditoriums and sanctuaries of one story construction, and public safety structures may be erected to exceed the district's maximum height. Side and rear yards shall be increased by two additional feet, and the front yard shall be increased by one additional foot, for each foot that such structures exceed the district's maximum height where adjacent to residential districts. The increase in the required yard shall apply only to the portion of the structure that causes the increased yard requirements. See Sections 3.600 and 3.700 for additional side and rear yard setbacks in nonresidential zoning districts.

4. Amend Subsection 3.1107 (Schedule of Off-Street Parking) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) to read as follows:

Ordinance No 2010-8-7 (cont'd)

3.1107 Schedule of Off-Street Parking

Amend parking requirements for religious facility as follows:

~~Church~~ Religious Facility – One space ~~for per each~~ every five seats persons accommodated in the main ~~sanctuary assembly area(s)~~. (No maximum number of parking spaces.)

5. Any reference to ‘church’ and/or ‘church and rectory’ in the Zoning Ordinance shall be changed to ‘religious facility.’

Ms. Firgens responded to the Council, advising that under current regulations, only church staff are considered residents and the household care facility category allows a maximum of eight persons. She spoke to the Commission’s recommendation encompassing more diversity and to engaging with facility architects when determining parking calculations (to provide for diverse seating arrangements). She clarified the differences between household care facilities and institutions, advising that institutions are not allowed by right in any area of the City and that churches require a specific use permit to offer housing.

Mayor Dyer opened the Public Hearing. Gary Rodenbaugh, Family Promise of Collin County, Inc. spoke to the homeless in the City and requested expansion of zoning to allow up to 14 guests, two hosts and maximum of 28-35 nights. He spoke to churches participation in the program and collaboration across Collin County. Deborah Stubbe, Family Promise of Collin County, spoke to keeping families together and expansion to 14 guests. Priscilla Kimery, Family Promise of Collin County, spoke to offering the City a no-cost method of addressing homelessness. Resident John Buttman spoke to including verbiage not to allow additions/facilities within 100 feet of an operating liquor store and to closer review of requests for expansion or new buildings. Resident Dale Waggoner spoke to caring for Plano citizens. Reverend Patrick Prince of Community Unitarian Church spoke in support of expanding to 14 guests and two hosts and to the revenue neutrality of the request. Resident Kimberly Potter spoke to developing property for commercial/business uses rather than homeless shelters. Resident Ted Wesley spoke to determining parking requirements based on capacity rather than seating. No one else spoke for or against the request. The Public Hearing was closed.

Ms. Firgens responded to the Council, stating that those wishing to house more than eight guests would need to request a variance from the Board of Adjustment. Director of Planning Jarrell advised that churches could utilize existing education or cafeteria areas or may construct an overnight facility. Council Member LaRosiliere stated that any regulations adopted would cover all religious facilities and not just those associated with Family Promise. Mayor Dyer spoke to locations where additional residents may impact neighbors and moving ahead as proposed before increasing the number of guests.

Ordinance No 2010-8-7 (cont'd)

Upon a motion made by Mayor Pro Tem Dunlap and seconded by Council Member LaRosiliere, the Council voted 8-0 to approve the request to amend Section 1.600 Definitions of Article 1, Subsection 2.502 of Section 2.500 of Article 2, Section 3.400, Subsection 3.801 of Section 3.800, and Subsection 3.1107 of Section 3.1100 of Article 3, and related sections of the Comprehensive Zoning Ordinance of the City pertaining to church and rectory uses and other religious uses and facilities as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2010-06; and further to adopt Ordinance No 2010-8-7

Public Hearing and adoption of Ordinance No. 2010-8-8 as requested in Zoning Case 2010-08, to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 604 so as to allow the additional use of a 90-foot Commercial Antenna Support Structure located 220± feet east of Coit Road and 480± feet north of Hedgcoxe Road, in the City of Plano, Collin County, Texas, presently zoned Retail; 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: Morledge Holdings, LP (Regular Agenda Item “6”)

Director of Planning Jarrell spoke to the request to remove the existing 60-foot tower and construct a new 90-foot tower in the same location to allow for collocation for multiple carriers. She further advised that due to a letter in opposition received from a property owner within 200 feet, approval requires a three-quarter vote of Council. Ms. Jarrell advised that the Planning and Zoning Commission recommended approval subject to the commercial antenna support structure being constructed as a flagpole stealth design.

Mayor Dyer opened the Public Hearing. Vincent Huebinger of Vincent Gerard & Assoc. Inc., representing the applicant, provided information regarding coverage, location and design. He responded to Mayor Dyer, stating that the “footprint” will be expanded by two parking spaces. No one else spoke for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Callison and seconded by Deputy Mayor Pro Tem Miner, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, granting Specific Use Permit No. 604 to allow the additional use of a 90-foot Commercial Antenna Support Structure located 220± feet east of Coit Road and 480± feet north of Hedgcoxe Road, in the City of Plano as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2010-08; and further to adopt Ordinance No. 2010-8-8.

Public Hearing and adoption of Ordinance No. 2010-8-9 as requested in Zoning Case 2010-11, to amend Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended pertaining to commercial amusement (outdoor) uses and development standards within the Regional Employment zoning district; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano (Regular Agenda Item “7”)

Ordinance No 2010-8-9 (cont'd)

Director of Planning Jarrell advised regarding recent discussions with developers related to a potential commercial amusement use currently prohibited (eg. batting cages, miniature golf, go-karts, etc.) and spoke to other districts in which these uses are allowed with a specific use permit. Ms. Jarrell advised that the Planning and Zoning Commission recommended approval as follows: Amend Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) of the Zoning Ordinance to allow commercial amusement (outdoor) use in the Regional Employment zoning district with approval of a specific use permit.

Mayor Dyer opened the Public Hearing. No one spoke for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member LaRosiliere and seconded by Deputy Mayor Pro Tem Miner, the Council voted 8-0 to amend Subsection 2.502 of Section 2.500 of Article 2 and related sections of the Comprehensive Zoning Ordinance of the City, pertaining to commercial amusement (outdoor) uses and development standards within the Regional Employment zoning districts as recommended by the Planning and Zoning Commission and requested in Zoning Case 2010-11; and further to adopt Ordinance No. 2010-8-9.

The Council recessed at 9:07 p.m. and resumed at 9:17 p.m.

Public Hearing and consideration of a Resolution to amend the 2009-10 Action Plan to include the additional activity of land purchase in the amount of \$700,000 to support homeless transitional housing and services; and providing an effective date. (Regular Agenda Item "8")

Community Services Manager Day spoke to the request related to the U.S. Housing and Urban Development funding process, limited opportunities to meet the City's goals of providing services to the homeless and including a loan against future dollars to be repaid over ten years. Ms. Day stated that the focus is only on funding and is not site-specific, utilizes federal funds and will not impact the budget, and approval does not guarantee the City will receive funds which must be HUD approved. She responded to the Council, advising that approval will not impact public service funding but will impact housing and community construction goals, spoke to occasions when all funds were not utilized by agencies, stated that the process is "open" and not limited to a specific timeframe and spoke to the longevity of Community Development Block Grant funding.

Mayor Dyer opened the Public Hearing. Lynne Sipiora, Executive Director of The Samaritan Inn, spoke to the number of residents coming from Plano, growth of the homeless population, and those turned away from the program. Jim Maletk, Samaritan Inn Director of Operations, reviewed the program and resources, graduation rates, and advised regarding the objective to serve those from Collin County. He advised regarding partnering with the City and citizens and working to find the right location. Citizens Cara Mendelson, Philip Snyder, Jim McGuire, and John F. Reglin spoke in support of the request. Murphy resident Rebecca Walls; Leslie Boysen representing Health Services of North Texas; and Laura Fall, representing the Collin County Homeless Coalition spoke in support. Former resident of Samaritan Inn Denny James; Mark Layer of the Society of St. Vincent de Paul/St. Mark; Plano resident Warner Richeson and Parker resident Erica Johnson spoke in support.

Consideration of a Resolution to amend the 2009-10 Action Plan (cont'd)

Olan Knight spoke in opposition to the location being considered and David Minaldi, representing the Los Rios Homeowners Association spoke in opposition and to keeping properties zoned for light commercial/light industrial in the Research/Technology district. Plano residents Steve Reese, Cathie Reese, Transwell Livingston, Elfrieda Cole, Jay Breeding, and John Stanley of Chase Oaks Church spoke in support. Samaritan Inn volunteer Iva Hollenberg and Plano residents James Thomas, Mary Alice Garza, and Richard Simmons spoke in support. Plano citizen Lane L. Weible spoke in opposition. Plano Resident Katherine Brewer spoke to opposition by the Pheasant Landing homeowners and delaying a decision until consideration of potential property. Plano citizen Alan Smith spoke in opposition and requested denial or tabling. President of the League of Women Voters Patty Jantho; Plano resident Deanna Thompson; Rev. Patrick Price of Community Unitarian Universal Church of Plano; and Plano Housing Authority Director Helen Macey spoke in support. Amanda Beltz-Jestu requested approval having been assisted by Samaritan Inn. Plano Residents Shep Stahel and Mark Case spoke to a request to rezone property in the Technology/Research District for the Samaritan Inn and delaying a decision until that case comes before Council. Plano resident Sherryl Archer spoke to the City exercising due diligence before making a decision and resident Michael Petersen spoke in support. No one else spoke for or against the request. The Public Hearing was closed.

Ms. Day responded to the Council Member LaRosiliere, advising that the City has a portfolio of loans to address payment should the entitlement funds no longer be available and spoke placing a lien on the property, if needed, until full payment is made. She advised that should a more expensive location be chosen, another loan process would ensue or the Samaritan Inn would provide additional funding. Ms. Sipiora spoke to consideration of various sites and responded to the Council regarding anticipated capacity in Plano and expansion planned in McKinney.

Deputy Mayor Pro Tem Miner stated concern regarding locating the facility within the Retail/Technology district and to opposition by businesses. He spoke to moving through the zoning process prior to consideration of funding and made a motion to table the request until the zoning application process is complete. Mayor Dyer seconded and spoke to consideration of the location at a later time. Council Member LaRosiliere stated his support for funding, but advised that this action does not indicate support/opposition to any specific location on his part.

Mayor Pro Tem Dunlap spoke to the timeframe for financing, this request being related to funding for Samaritan Inn and zoning considered independently. Council Member Callison stated opposition to tabling the request, spoke to starting a funding process to meet Council plans and to the Planning and Zoning Commission making an independent decision.

A motion was made by Deputy Mayor Pro Tem Miner and seconded by Council Member LaRosiliere to table consideration of a resolution to amend the 2009-10 Action Plan to include the additional activity of land purchase in the amount of \$700,000 to support homeless transitional housing and services. The Council voted 6-2 in favor with Mayor Pro Tem Dunlap and Council Member Callison voting in opposition. The motion carried.

Consideration of a Resolution to authorize the Filing of an Application in an amount not to exceed \$700,000 under the U. S. Department of Housing and Urban Development Section 108 Loan Guarantee Program; approving its execution by the City Manager; and providing an effective date. (Regular Agenda Item “9”)

Upon a motion made by Mayor Pro Tem Dunlap and seconded by Council Member LaRosiliere, the Council voted 8-0 to table consideration of a resolution to authorize the filing of an application in an amount not to exceed \$700,000 under the U.S. Department of Housing and Urban Development.

Mayor Dyer adjourned the meeting at 11:23 p.m.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary