

PLANO CITY COUNCIL
May 10, 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
Mark Israelson, Assistant City Manager
LaShon Ross, Assistant City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, May 10, 2010, at 7:06 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Pastor Brian McLane of Northpointe Church and the Pledge of Allegiance was led by Cub Scout Pack 220 – Harrington Elementary.

Mayor Dyer presented the 2010 Paul L. Standberry Scholarship Awards, read proclamations recognizing Public Service Recognition Week, National Safe Boating Week and Keller Williams RED DAY. He further presented special recognition to Employee of the Year, Nicole Offerdahl.

Mayor Dyer administered an oath of office to Denver Tracy, incoming member of the Library Advisory Board.

Comments of Public Interest

No one appeared to speak.

CONSENT AGENDA

Upon a motion made by Mayor Pro Tem Dunlap and seconded by Deputy Mayor Pro Tem Miner, the Council voted 8-0 to approve and adopt all items on the Consent Agenda as recommended and as follows:

Approval of Minutes (Consent Agenda Item “A”)
April 26, 2010

Approval of Expenditures

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

CSP No. 2009-180-C for a mobile data system for the Radio Shop to Moseley Associates, Inc. in the amount of \$1,413,767 plus a 5 year maintenance contract in the amount of \$167,527 for a total system cost of \$1,581,294 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)

To approve an engineering contract by and between the City of Plano and EJES Incorporated in the amount of \$215,365 for the engineering design of the Split Trail Road - K Avenue to Spring Creek Parkway Project and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Approval of Contract Modification

To approve and authorize Contract Modification No. 6 for the purchase of Engineering Services for the McDermott Road - Ohio Drive to Coit Road Project in the amount of \$12,965 from Halfff Associates, Inc. (Consent Agenda Item “D”)

Adoption of Resolutions

Resolution No. 2010-5-1(R): To authorize the City of Plano to participate in and receive funding through the Texas Highway Traffic Safety Program for a “Click It or Ticket” Project, to be conducted during Memorial Day Holiday period; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “E”)

Resolution No. 2010-5-2(R): To authorize the purchase of the Northrup Grumman Remotec Talisman wireless hybrid radio system and maintenance support from Remotec, Inc., a sole-source provider, in the amount of \$54,998 for use by the Plano Police Department; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the purchase; and providing an effective date. (Consent Agenda Item “F”)

Resolution No. 2010-5-3(R): To approve the Investment Portfolio Summary for the quarter ending March 31, 2010; and providing an effective date. (Consent Agenda Item “G”)

Resolution No. 2010-5-4(R): To approve a Boundary Line Agreement between the City of Plano, the North Texas Municipal Water District and Oncor Electric Delivery Company for property located south of Plano Parkway, west of Coit Road in the City of Plano, Collin County, Texas; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “H”)

Resolution No. 2010-5-5(R): To approve and grant an electric easement to Oncor Electric Service Company on City property, Fire Station #13, located on the west side of Corporate Drive, south of Legacy Drive, authorizing its execution by the City Manager, and providing an effective date. (Consent Agenda Item “I”)

Resolution No. 2010-5-6(R): To approve and grant an electric easement to Oncor Electric Service Company on City property, Rowlett Creek Treatment Plant, located on the east side of Los Rios Boulevard, north of 14th Street, authorizing its execution by the City Manager, and providing an effective date. (Consent Agenda Item “J”)

Adoption of Ordinances

Ordinance No. 2010-5-7: To approve the terms and conditions of a Boundary Adjustment Agreement between the City of Plano, Texas and the City of Murphy, Texas; authorizing the City Manager to execute the Agreement on behalf of the City of Plano; and providing an effective date. (Consent Agenda Item “K”)

ITEMS FOR INDIVIDUAL CONSIDERATION:

Resolution No. 2010-5-8(R): To repeal Resolution No. 2007-5-17 and approving the terms and conditions of a new Economic Development Incentive Agreement by and between the City of Plano, Texas, and Denbury Onshore LLC, a Delaware limited liability company; authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item “1”)

City Manager Muehlenbeck advised that Denbury Onshore LLC, would occupy no less than 274,000 square feet of commercial space and transfer 275 full-time jobs by March 1, 2011 with an additional 125 new jobs by March 1, 2011, and 125 by December 31, 2011. He advised that the terms of the agreement run from March 1, 2011 through February 28, 2023 and include the addition or relocation of business personal property values of not less than \$7.5 million and add real property values of not less than \$13 million.

Upon a motion made by Deputy Mayor Pro Tem Miner and seconded by Council Member LaRosilire, the Council voted 8-0 to approve the terms and conditions of a new Economic Development Incentive Agreement by and between the City and Denbury Onshore LLC; and further to adopt Resolution No. 2010-5-8(R).

Public Hearing and adoption of Ordinance No. 2010-5-9 as requested in Zoning Case 2010-03 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 7.1± acres located at the southwest corner of 14th Street and Bradshaw Drive in the City of Plano, Collin County, Texas, from Planned Development-202-Research/Technology Center to Single-Family Residence-6; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: Roger Lawler (Regular Agenda Item “2”)

Ordinance No. 2010-5-9 (cont'd)

Director of Planning Jarrell advised that Staff recommended denial as the use requested is inconsistent with the Comprehensive Plan; however, the Planning and Zoning Commission approved the item and recommends approval as submitted. She advised the Council that property to the west is part of a Planned Development, and spoke to multi-family zoning to the north, and discussions with the applicant regarding possible alignment of Bradshaw Drive.

Mayor Dyer opened the Public Hearing. Sharon Barbosa-Crane, representing the owner/applicant spoke to surrounding residential zoning, current Research-Technology zoning, and efforts to broaden the opportunity for commercial development. She spoke to the demand for residential sites in the area, the long-term opportunities provided and retail/commercial development that will follow. Ms. Barbosa-Crane spoke to the low impact of sound from the Police firing range, possible use of sound attenuation methods, addressing concerns regarding fire response times by including sprinkler systems, and a similar development in Irving. No one else spoke for or against the request. The Public Hearing was closed.

Deputy Mayor Pro Tem Miner expressed support and spoke to encouraging development, mutual aid agreements for fire services and a school in the area. Ms. Jarrell advised that upgrades will be needed to the sanitary sewer system paid for by the applicant. She responded to the Council regarding consideration of service impacts for departments and stated that sprinkling may address fires but not other emergency calls. She spoke noise being moderated by winds, but audible at the location and responded to the Council that the City could not control or require advising potential buyers of issues. Planning Manager Firgens spoke to receipt of another residential request for the area. Member Harris spoke in support of maintaining zoning integrity and in opposition to the request. Council Member LaRosiliere spoke in support of the request, citing its location on the edge of the R/T district not disrupting the area concept. Council Member Davidson spoke in support with inclusion of sprinklers and water/sewer upgrades and Council Member Callison spoke to the proximity of worship facilities. Ms. Jarrell spoke to Staff working details through the concept plan.

A motion was made by Mayor Pro Tem Dunlap and seconded by Deputy Mayor Pro Tem Miner to approve the request to rezone 7.1± acres located at the southwest corner of 14th Street and Bradshaw Drive in the City of Plano from Planned Development-202-Research/Technology Center to Single-Family Residence-6 as requested in Zoning Case 2010-03 and as recommended by the Planning and Zoning Commission. The Council voted 7-1 with Council Member Harris in opposition. The motion carried and Ordinance No. 2010-5-9 adopted.

Mayor Dyer spoke to the recent passing of former Council Member Jim Boswell and to the upcoming Law Enforcement Memorial Service.

There being no further discussion, Mayor Dyer adjourned the meeting at 8:06 p.m.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary