

**PLANO CITY COUNCIL
CORE BUSINESS WORK SESSION
APRIL 10, 2010**

COUNCIL MEMBERS

Phil Dyer, Mayor
Harry LaRosiliere, Mayor Pro Tem
Lee Dunlap, Deputy Mayor Pro Tem
Pat Miner
Ben Harris
André Davidson
Lissa Smith
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 open session at 8:33 a.m. on Saturday, April 10, 2010, in Training Room A of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

Opening Comments

City Manager Muehlenbeck thanked Staff for their efforts, advised that the City is down 4.8% on sales tax revenues and that some of the items discussed will be permanent reductions while others will be one-time adjustments. He spoke to the tax rate of 48.86 cents with debt service at 16.02 cents and operating funds at 32.84 cents, advising of his recommendation to no longer transfer monies from operations to debt. Chair of the Budget Reduction Committee/Director of Health Collins spoke to the process of determining reductions with participation across the City and a change from “across the board” to “service cuts.” Director of Budget Rhodes-Whitley spoke to mid-level estimates from the appraisal district indicating a reduction in property values of 3.7% and the decline in sales tax from the business-to-business sector.

Council discussion and direction for the following City service areas and departments:

Public Safety Services Business Center

Deputy City Manager Glasscock spoke regarding reductions in postage for roundtable meetings, legislative-related items, and Sister City travel reflecting a \$31,000 reduction.

Police Chief Rushin spoke to a proposal to share costs for school liaisons 50/50 with PISD and eliminate candy purchased for the *Trick or Treat Kid's Night Out* program, advising that Staff may apply for a grant or collect funds from the community to cover costs.

Fire Chief Esparza spoke to elimination of an Administrative Assistant's position and two vehicles. He spoke to the City's growth and recommended proceeding with construction of Station #13 and procuring additional apparatus, but delaying the cost of personnel by temporarily moving a fire company from another station to retain the ISO PPC-1 rating and provide high quality services. Chief Esparza responded to the Council regarding the need for double companies at some stations due to their functions and future requests for station upgrades or assets and work towards fee-based inspections at commercial buildings.

Director of Property Standards O'Banner spoke to reducing printing costs, travel/training, utilizing less expensive computer systems, eliminating membership dues to professional associations, and eliminating a part-time Administrative Assistant position. She spoke to revenue enhancements proposed in conjunction with the Planning, Engineering and Building Inspections Departments related to the collection of administrative fees for non-compliant properties raising \$15,000 for the Property Standards Department.

Director of Health Collins spoke to elimination of a Health Specialist position advising that any further personnel reduction would reduce inspections and may result in increased food borne illness, health issues, and complaints. He responded to Council, advising that inspections costs are individually based and that Plano's rates are comparatively high. Mr. Collins advised that there will be reductions in scheduled inspections and that utilizing a contractor may result in extra costs when a citation must be issued. He spoke to reducing one full-time Animal Services Officer to part-time, outsourcing the *Animal Licensing Program* and revenues related to animal cremation services, re-inspection fees/late fees and owner surrender fees.

Director of Public Safety/Communications Timmons spoke to reducing travel costs.

Director of Technology Services Stephens spoke to one-time savings resulting from extended warranties for personal computers and the delay in filling one position. He further spoke to reductions for Public Safety Technology Support including reduced maintenance agreements, travel, and cell phone packages. Mr. Stephens spoke to a reduction in the number of utility poles required for lease by the Moto-mesh system and reductions for the Telecommunications and Data Network related to the consolidation of telephone lines.

Assistant City Manager Israelson spoke to the Customer Utility Billing's implementation of wireless meter reading, testing a Municipal Center payment kiosk with the possibility of an additional one at the Joint-Use Facility, reducing after-hours collections and increasing trip fees.

Director of Sustainability and Environmental Services Nevil spoke to the department's funding through an enterprise fund with costs recouped by fees, advised regarding proposed reductions to travel and training, eliminating one-gallon recycled paint cans (five-gallon only), reducing recycling totes offered to new commercial customers, eliminating compost bins and free water conservation items, and charging for workshop books.

Director of Public Information Conklin spoke to elimination of a PTN Producer position and the transfer of franchise fees to the CATV fund. She spoke to adjustments made in revenues from Time Warner Cable based on an anticipated change in calculation of Public Education Government fees, and responded to the Council that there may not be sufficient Staff resources for background work on public service/non-profit groups but that events will be covered.

The Council recessed at 10:38 a.m. and resumed at 10:47 a.m.

Development Services Business Center

Director of Planning Jarrell spoke to eliminating the department's assigned vehicle and placing it into the "Fleet Share" program, reducing the funding for imaging and travel/training, eliminating the Data Base Administrator and Long Range Planning positions, and shifting benefits for grant-funded positions from the General Fund to a federal grant. Deputy Mayor Pro Tem Dunlap spoke to keeping GIS maps current and their use by multiple departments in the City. Ms. Jarrell spoke to fee increases in conjunction with the Engineering, Building Inspections and Property Standards departments resulting in \$10,000 revenue for Planning/Engineering.

Chief Building Official Mata spoke to eliminating the following positions: Building Inspector, Part-time Inspection Assistant, Permit Services Supervisor and Senior Administrative Assistant. He spoke to increases in inspections and to fees waived for schools, DART, and the tollway authority. Mr. Mata advised technology related to the Moto-mesh system is not utilized by the department.

Director of Public Works/Engineering Upchurch spoke to reductions in food, apparel and travel for Public Works and Streets with a further reduction of a Labor/Maintenance and Senior Construction Inspector positions. He spoke to reduction in apparel and overtime for the Signals Division and reductions of overtime, food, apparel, minor apparatus, chemicals, maintenance parts and contractual repair for Signs and Markings. Mr. Upchurch spoke to reductions in Engineering by eliminating a Senior Engineering Technician position, reducing overtime/apparel/minor apparatus/travel/training and Facility Maintenance with elimination of a Facility Construction Coordinator's position. He spoke to reductions in Municipal Drainage through contracts, overtime, food, apparel, minor apparatus and advertising, and moving to semi-annual updates the City's aerial map. Mr. Upchurch spoke to reducing the budget for debris hauling/street sweeping and other reductions for utility districts (food and apparel), meter services (overtime/food/apparel and training) and the elimination of a Traffic Engineering Technician position and advised that positions recommended for elimination are vacant.

Assistant City Manager Ross spoke to Human Resources recommendations to delay the hiring of a Professional Development Manager and to reduction of the Picchioni contract, Management Preparation Program, employee development and elimination of a Senior Administrative Assistant position. She advised regarding an interlocal agreement with the City of Murphy to provide training (\$10,000) and responded to the Council regarding costs for dependent care. Council Member Smith requested a schedule of costs paid by other area cities and an estimate of costs savings for reduced premium costs.

Ms. Ross responded to Mayor Dyer that the new Professional Development Manager would spend time researching revenue generating opportunities rather than training. Ms. Ross responded to Council Member Davidson regarding the provision of a retirement plan for part-time employees as the City does not participate in Social Security.

Director of Libraries Ziegler spoke to reducing publications and databases and advised that with anticipated staffing levels her recommendation is a closure of facilities on Sunday. She spoke to Thursdays as the slowest usage day at libraries, 40% of Staff eligible for retirement, part-time employees comprising one-third of the staff resulting in a lack of succession planning, and overloading of remaining buildings should libraries be closed on a staggered schedule. Ms. Ziegler responded to the Council regarding non-resident usage and grant monies received for servicing the needs of the County and spoke to the programs either eliminated or scaled back. Mayor Pro Tem LaRosiliere and Council Members Callison and Miner stated opposition to Sunday closings and Mayor Dyer requested consideration at a future Council Meeting. Council Member Davidson stated concern regarding the lack of a succession plan.

Director of Parks and Recreation Fortenberry spoke to eliminating three currently vacant management positions and discussions with the Boys and Girls Club of Collin County to operate the Douglass Community Center. She spoke to the redundancy of service provided by the Club and the City, advised that the facility is owned by PISD and spoke to City transportation provided to the Center. Ms. Fortenberry spoke to the recommendation to eliminate Plano Senior Rides, advising that more is spent on administration than vouchers.

Mayor Dyer adjourned the session for lunch at 12:28 and resumed the session at 12:50 p.m.

Administration

Director of Finance Tacke spoke to reductions of travel and training in the department and to a buyer's position held open until the end of the year. She spoke to Fleet Services evaluation of take-home vehicles resulting in cost savings and to elimination of two positions. Ms. Tacke spoke to the proposed reduction in funding of post employment benefits with evaluations each year to determine future participation.

City Manager Muehlenbeck advised regarding delays in filling the Deputy City Manager and Administrative Assistant positions.

City Attorney Wetherbee spoke to reductions in travel and training and delay in filling the vacant Assistant City Attorney position. She spoke to expansion of services, additional litigation in-house, increased work load, and legal representation to additional boards.

City Secretary Zucco spoke to reductions in printing expenses due to the implementation of a paperless agenda packet and increased revenues for mixed-beverage permits.

Director of Budget and Research Rhodes-Whitley spoke to reductions in printing expenses with the use of web-based documents for the department.

Ms. Rhodes-Whitley spoke to non-departmental items including elimination of the Print Shop/Publishing division, DART Rail Pass Program, and reduction of the Buffington Grants to \$250,000 rather than \$2 per capita. Mayor Pro Tem LaRosiliere and Council Members Smith and Davidson spoke to determining the focus of the grants. Council Member Harris spoke to a gradual scaling back of grant funding and the Council discussed providing groups with criteria for future requests. Council Member Callison requested an agenda item to review definitions.

Ms. Rhodes-Whitley spoke to City-wide reductions including equipment replacement transfers with the exception of video in-car digital recording, advised regarding the elimination of an internal transfer from Technology Fund to Equipment Services, elimination of part-time employee vacation/holiday accrual and adoption assistance and changes in the calculation of overtime. City Manager Muehlenbeck spoke to a reevaluation of contribution levels by the Texas Municipal Retirement System. Ms. Rhodes-Whitley advised that of those positions proposed to be eliminated; only the ones at the Douglass Center are filled and Staff will look to relocate employees. She spoke to debt coming online including: Arts of Collin County (\$9 million), street improvements (\$11.2 million), park improvements (\$15.6 million), recreation centers (\$3.5 million), libraries (\$200,000), public safety (\$3.4 million) and technology facility (\$7 million). Mayor Pro Tem LaRosiliere requested information on the future costs for the arts center and Mayor Dyer requested an update on funding available from the 2005 Bond election.

Ms. Rhodes-Whitley provided information regarding the effective and rollback tax rates. Deputy Mayor Pro Tem Dunlap requested additional information regarding the estimated rollback rate.

Mayor Dyer spoke to scheduling further discussions for upcoming Council meetings. Nothing further was discussed and he adjourned the meeting at 2:18 p.m.

Phil Dyer, Mayor

ATTEST:

Diane Zucco, City Secretary

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
April 12, 2010**

COUNCIL MEMBERS

Phil Dyer, Mayor
Harry LaRosiliere, Mayor Pro Tem
Lee Dunlap, Deputy Mayor Pro Tem
Pat Miner
Ben Harris
André Davidson
Lissa Smith
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 called the meeting to order at 5:02 p.m., Monday, April 12, 2010, in Training Room A of the Municipal Center, 1520 K Avenue. All Council Members were present. Mayor Dyer then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice/Litigation, Section 551.071, discuss Personnel, Section 551.074; and to receive information regarding Economic Development, Section 551.087 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor Dyer reconvened the meeting back into the Preliminary Open Meeting at 5:36 p.m.

Consideration and action resulting from Executive Session discussion:

Personnel Appointments

Building Standards Commission

Upon a motion made by Deputy Mayor Pro Tem Dunlap and seconded by Council Member Harris, the Council voted 8-0 to move Arthur Stone to a regular position and to appoint James Mack Craft, Jr. to an alternate interim position.

Board of Adjustment

Upon a motion made by Deputy Mayor Pro Tem Dunlap and seconded by Council Member Miner, the Council voted 8-0 to appoint Peter Krause to an alternate interim position.

North Texas Municipal Water District Board

Upon a motion made by Council Member Harris and seconded by Council Member Miner, the Council voted 8-0 to reappoint Shep Stahel.

Personnel Appointments

Library Advisory Board

Upon a motion made by Mayor Pro Tem LaRosiliere and seconded by Council Member Harris, the Council voted 8-0 to appoint Kimberley Malouf to an interim term expiring in October of 2011 and further deferred the remaining vacancy.

Photographic Traffic Signal Advisory Committee

Upon a motion made by Mayor Pro Tem Larosiliere and seconded by Deputy Mayor Pro Tem Dunlap, the Council voted 8-0 to appoint Doug A. Bender to a one-year term. Upon a motion made by Council Member Callison and seconded by Deputy Mayor Pro Tem Dunlap, the Council voted 8-0 to appoint Natalie "N" Crawford to a three-year term. The Council deferred on the remaining vacancy and appointment of chair/vice-chair.

Self Sufficiency Committee

Upon a motion made by Council Member Smith and seconded by Council Member Harris, the Council voted 8-0 to appoint Matt Lagos.

Discussion and Direction Regarding Spousal Eligibility on Health Plan

Assistant City Manager Ross spoke to the City's commitment to providing a benefit package that is competitive in the market and allows for positive recruitment and retention. She reviewed the philosophy implemented in 2006 transitioning the subsidy to 90% for employees and 75% for dependents. Ms. Ross spoke to spouses who may have coverage with their own employer, the rate of subsidy for other municipalities with Plano being among the highest, providing information to employees prior to implementation of any revisions, and health care being part of an overall benefit package. Council Member Smith requested information regarding the cost savings to the City related to the decreased dependent subsidy. Mayor Pro Tem LaRosiliere requested information regarding the cost to employees should the amount of subsidy be changed and City Manager Muehlenbeck requested information regarding the impact of new health-related legislation.

Presentation and Demonstration of City On-line Check Register

Director of Finance Tacke advised that the register has been on-line for several weeks and spoke to the City's receipt of the Gold Leadership Circle Award from the State Comptroller's Office based on web posting of the budget, comprehensive annual financial report and check register. Mayor Dyer requested the presentation be rescheduled due to technical difficulties.

Comprehensive Monthly Finance Report

Director of Finance Tacke spoke to February's General Fund and Sustainability revenues as a percentage of budget being down slightly as compared to last year and Water/Sewer revenues up slightly. She advised that actual revenues are down by \$4.5 million primarily due to decreasing sales tax and electric/telephone franchise fee revenues. Ms. Tacke advised that expenditures in the General Fund are down slightly with Water/Sewer up, the unemployment rate has increased, and spoke to increases in the sewer account, encumbrances of the new environmental education complex, and increases in contractual payments to the North Texas Municipal Water District

Presentation of Police Department's Racial Profiling Report

Police Chief Rushin spoke to the requirement to present data gathered from traffic stops resulting in a citation or arrest noting the race or ethnicity of the individual detained and whether a search was conducted. He advised that the report contains rough data and does not constitute evidence of racial profiling. Chief Rushin spoke to the percentage of stops affecting non-Plano residents, a baseline based on crash data population and factors related to discretionary and non-discretionary arrests. He advised there were 74,436 traffic contacts in 2009 with five alleging bias and stated none of these could be investigated because the alleging parties did not sign the required complaint form. Chief Rushin spoke to officer involvement in the community and future strategies to include gathering and analyzing data, utilizing car videos, review of standards, training, and minority recruiting. He responded to City Manager Muehlenbeck that the requirement to provide information applies to all entities (state, counties, and municipalities).

Presentation of Police Department's Annual Report

Police Chief Rushin spoke to the police as the largest City department with 586 full/part time employees (341 sworn officers/157 civilians) and its mission to provide outstanding police services in partnership with the community and to maintain a safe environment that contributes to the quality of life. He spoke to emphasizing voluntary compliance, education of citizens, partnership with the community, visual presence, detection and apprehension of offenders. Chief Rushin referred to performance measures including the crime rate (the lowest in over ten years), traffic safety, timely service with overall response times within target ranges and quality of service as measured by citizen expectations. He spoke to accomplishments including receipt of CALEA Flagship Accreditation, efforts of Law Enforcement Explorer's Post 911, the award winning National Night Out Program, and the rise in volunteer programs. Chief Rushin spoke to the positive impact and expansion of the Automated Red Light Camera Enforcement Program and the Department's future focus on performance measures, efficiency, technology, employee development, and community partnerships.

Discussion Regarding Council Member Interest in Service on National League of Cities (NLC) Boards

City Manager Muehlenbeck requested the Council advise Staff of their interest in serving on NLC Boards and reviewed the appointment process. Deputy City Manager Glasscock advised regarding meetings and noted that the NLC is comprised of 8,000+ cities and serves as the legislative voice of municipal government at the federal level.

Council Items for discussion/action on future agendas

No items were discussed.

Consent and Regular Agendas

Deputy Mayor Pro Tem Dunlap requested that Consent Agenda Items “H,” Bid No. 2010-78-B for Alley Reconstruction – 16th Street & US 75 to Jim Bowman Construction Co., L.P. in the amount of \$210,458; and “I,” Bid No. 2010-81-B for 14th Street and George Bush Turnpike Waterlines to Jim Bowman Construction Co., L.P. in the amount of \$764,931 be removed for individual consideration due to possible conflicts of interest.

City Manager Muehlenbeck advised that Consent Agenda Item “G,” Bid No. 2010-48-C for contract for the purchase of large and small plastic meter box lids to Bass and Hays Foundry, Inc. in an estimated amount of \$114,120 would be pulled and held until April 26, 2010.

Nothing further was discussed. Mayor Dyer adjourned the Preliminary Meeting at 6:49 p.m.

Phil Dyer, Mayor

ATTEST

Diane Zucco, City Secretary

PLANO CITY COUNCIL
April 12, 2010

COUNCIL MEMBERS

Phil Dyer, Mayor
Harry LaRosiliere, Mayor Pro Tem
Lee Dunlap, Deputy Mayor Pro Tem
Pat Miner
Ben Harris
André Davidson
Lissa Smith
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, April 12, 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 Reverend Alice Coder of First United Methodist Church and the Pledge of Allegiance was led by Pack 220, Jr. Webelos – Harrington Elementary.

Mayor Dyer received the 2010 Award for Excellence for the City of Plano's Building Inspections Department; presented Special Recognition to Dr. Mark Gamber, for his Chief Medical Officer Accreditation; and read a proclamation for National Volunteer Week.

Mayor Dyer administered oaths of office to Joseph Celso, Phil Head, Greg Price and Michael Shea as members of the Photographic Traffic Signal Advisory Committee.

Comments of Public Interest

No one appeared to speak.

Consent Agenda

Upon the request of Staff, Consent Agenda Item "G" was pulled and held until the April 26, 2010 Council Meeting.

Upon the request of Deputy Mayor Pro Tem Dunlap, Consent Agenda Items "H," and "I" were removed for individual consideration due to possible conflicts of interest.

Upon a motion made by Deputy Mayor Pro Tem Dunlap 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”)

March 22, 2010
April 6, 2010

Approval of Expenditures

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

Bid No. 2010-70-B for Tennis Facility Lighting Renovation, Plano Senior High School to NEMA3 Electrical Contractors, Inc. in the amount of \$148,270. (Consent Agenda Item “B”)

Bid No. 2010-58-C for a one (1) year contract with three (3) City optional renewals for mowing and landscaping service for Public Works to TruGreen LandCare, LLC in the amount of \$51,485 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Bid No. 2010-90-B for the purchase of three (3) Ballfield Groomers for Fleet Services to be utilized by Athletic Field Maintenance to Kromer Co. LLC in the amount of \$63,159. (Consent Agenda Item “D”)

Bid No. 2010-71-C for a one (1) year contract with three (3) optional one year renewals for Plano Police Department Pistol Lights and Holsters to GT Distributors, Inc. in the amount of \$65,470 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Bid No. 2010-75-C for a one (1) year contract with three (3) optional one year renewals for the purchase of Athletic Field Bulk Fertilizer for the Parks and Recreation department to Lonestar Ranch and Outdoors in the amount of \$73,127 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

Bid No. 2010-48-C for a one (1) year contract with three (3) City optional renewals for the purchase of large and small plastic meter box lids to Bass and Hays Foundry, Inc. in an estimated amount of \$114,120 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”) (Pulled and held to 4-26-10)

Bid No. 2010-83-B for Russell Creek Sewer Main Rehab – Phase I to Insituform Technologies, Inc., in the amount of \$1,118,400. (Consent Agenda Item “J”)

Purchase from an Existing Contract

To approve the purchase of mobile computer workstations for the Fire Department in the amount of \$206,395 from Motorola Inc. through an existing contract/agreement with Texas Department of Information Resources (DIR), and authorizing the City Manager to execute all necessary documents. (DIR-SDD-1304) (Consent Agenda Item “K”)

To approve the purchase of a maintenance agreement, for Wireless Mesh Network Devices, in the amount of \$209,950 from Motorola through an existing contract with the Houston-Galveston Area Council, and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. RA-01-08) (Consent Agenda Item “L”)

To approve the purchase of material testing services for 14th Street Reconstruction, K Avenue to Ridgewood Drive, in the amount of \$89,991 from GME Consulting Services, Inc. through an existing City of Plano contract and authorizing the City Manager to execute all necessary documents. (2009-186-D) (Consent Agenda Item “M”)

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

To approve the purchase of Justice Center Equipment Replacement in the amount of \$60,346 from Trane U.S., Inc. dba Trane, through an existing contract/agreement with The Cooperative Purchasing Network (TCPN) and authorizing the City Manager to execute all necessary documents. (TCPN Contract Number R4669) (Consent Agenda Item “N”)

Adoption of Resolutions

Resolution No. 2010-4-2(R): To repeal Resolutions No. 99-9-35(R) and 2008-9-13(R) and thereby dissolving the Plano Public Art Committee; and providing an effective date. (Consent Agenda Item “O”)

Resolution No. 2010-4-3(R): To approve the terms and conditions of an Amended Contract between Helmick Sculpture LLC and the City of Plano for artwork in the Visitor Center of Oak Point Park and Nature Preserve; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “P”)

Resolution No. 2010-4-4(R): To approve the terms and conditions for the purchase of Lifepak defibrillators and related accessories from Physio- Control, Inc. in an amount not to exceed \$329,840 and technical support service agreement for a five (5) year bundled term in an amount of \$50,900 for use in the City’s emergency services vehicles; authorizing the execution of any and all documents by the City Manager; and providing an effective date. (Consent Agenda Item “Q”)

Resolution No. 2010-4-5(R): To approve the renewal of an Agreement with Oracle USA, Inc., a sole source vendor, for an amount not to exceed \$179,942 for maintenance and support of Peoplesoft Enterprise Software; authorizing the City Manager to execute any and all documents in connection therewith; and providing an effective date. (Consent Agenda Item “R”)

Adoption of Ordinances

Ordinance No. 2010-4-6: To repeal Ordinance No. 2005-4-18 concerning the Plano Public Art Program and various matters related thereto; providing for the termination of the Public Art Program; providing for the completion of existing public art projects and the maintenance of completed public art; and providing an effective date. (Consent Agenda Item “S”)

END OF CONSENT

Due to possible conflicts of interest, Deputy Mayor Pro Tem Dunlap stepped down from the bench on the following two items which were considered concurrently.

Bid No. 2010-78-B for Alley Reconstruction – 16th Street & US 75 to Jim Bowman Construction Co., L.P. in the amount of \$210,458. (Consent Agenda Item “H”)

Bid No. 2010-81-B for 14th Street and George Bush Turnpike Waterlines to Jim Bowman Construction Co., L.P. in the amount of \$764,931. (Consent Agenda Item “I”)

Upon a motion made by Council Member Harris and seconded by Council Member Miner, the Council voted 7-0 to approve Bid No. 2010-78-B for Alley Reconstruction – 16th Street & US 75 to Jim Bowman Construction Co., L.P. in the amount of \$210,458 and Bid No. 2010-81-B for 14th Street and George Bush Turnpike Waterlines to Jim Bowman Construction Co., L.P. in the amount of \$764,931.

Deputy Mayor Pro Tem Dunlap resumed his seat at the bench.

Public Hearing and adoption of Ordinance No. 2010-4-7 to designate a certain area within the City of Plano, Texas, as Reinvestment Zone No. 122 for tax abatement consisting of a 16.5852 acre tract of land located at the northeast corner of the intersection of Technology Drive and Klein Road in the City of Plano, Texas, establishing the boundaries of such zone; ordaining other matters related thereto; and providing an effective date. (Regular Agenda Item “1”)

Director of Finance Tacke spoke to statutes requiring the establishment of reinvestment zones which include a Public Hearing and to this agreement based on an estimated \$750,000 in real and an estimated \$4 million in business personal property for a period of ten years from January 1, 2011 through December 31, 2010 at the rates of thirty percent for real property and fifty percent for business personal property. She stated that impact would be \$1,099 for real property and \$9,772 for business personal property at the current tax rate.

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

Ordinance No. 2010-4-7 (cont'd)

Upon a motion made by Mayor Pro Tem LaRosiliere and seconded by Council Member Miner, the Council voted 8-0 to designate a certain area within the City of Plano, Texas, as Reinvestment Zone No. 122 for tax abatement consisting of a 16.5852 acre tract of land located at the northeast corner of the intersection of Technology Drive and Klein Road in the City of Plano, Texas; and further to adopt Ordinance No. 2010-4-7.

Resolution No. 2010-4-8(R): To approve the terms and conditions of an Agreement by and between the City of Plano, Texas, Kracker Enterprises LLC, a Texas limited liability company, and various Tenants in Common Owners acting by and through their authorized agent Rainier Asset Management LLC, a Texas limited liability company; providing for a business personal property and real property tax abatement; and authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item "2")

Director of Finance Tacke advised that the agreement would be between the City of Plano and Kracker Enterprises LLC, include 60,500 square feet of space for ten years and retention, transfer or creation of 30 full-time job equivalents.

Upon a motion made by Council Member Callison and seconded by Mayor Pro Tem LaRosiliere, the Council voted 8-0 to approve an Agreement by and between the City of Plano, Texas, Kracker Enterprises LLC and various Tenants in Common Owners acting by and through their authorized agent Rainier Asset Management LLC; providing for a business personal property and real property tax abatement; and further to adopt Resolution No. 2010-4-8(R).

Public Hearing and adoption of Ordinance No. 2010-4-9 to designate a certain area within the City of Plano, Texas, as Reinvestment Zone No. 121 for tax abatement consisting of a 10.087 acre tract of land located north of the intersection of Mapleshade Lane and Silverglen Drive in the City of Plano, Texas, establishing the boundaries of such zone; ordaining other matters related thereto; and providing an effective date. (Regular Agenda Item "3")

Director of Finance Tacke spoke to statutes requiring the establishment of reinvestment zones which include a Public Hearing and to this agreement based on an estimated \$6.25 million in real and an estimated \$1.35 million in business personal property for a period of ten years from January 1, 2011 through December 31, 2020 at the rate of fifty percent for both real and business personal property. She stated that impact would be \$15,269 for real property and \$3,298 for business personal property at the current tax rate.

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

Upon a motion made by Mayor Pro Tem LaRosiliere and seconded by Council Member Miner, the Council voted 8-0 to designate a certain area within the City of Plano, Texas, as Reinvestment Zone No. 121 for tax abatement consisting of a 10.087 acre tract of land located north of the intersection of Mapleshade Lane and Silverglen Drive in the City of Plano, Texas; and further to adopt Ordinance No. 2010-4-9.

Resolution No. 2010-4-10(R): To approve the terms and conditions of an Agreement by and between the City of Plano, Texas, and Atmos Energy Corporation, a Texas and Virginia corporation; providing for a business personal property and real property tax abatement; and authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item “4”)

Director of Finance Tacke advised that the agreement would be between the City of Plano and Atmos Energy Corporation and include not less than 48,000 square feet of a proposed new commercial industrial facility.

Upon a motion made by Council Member Callison and seconded by Council Member Miner, the Council voted 8-0 to approve an Agreement by and between the City of Plano, Texas, and Atmos Energy Corporation; providing for a business personal property and real property tax abatement; and further to adopt Resolution No. 2010-4-10(R):

Resolution No. 2010-4-11(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas, and Atmos Energy Corporation, a Texas and Virginia corporation; authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item “5”)

Director of Finance Tacke advised that Atmos Energy Corporation would occupy no less than 48,000 square feet of commercial space and retain, transfer or create up to 78 full-time jobs by December 31, 2010 with up to an additional 11 full time jobs by December 31, 2012. She advised that the terms of the agreement are for ten years in an amount of up to \$80,100.

Upon a motion made by Mayor Pro Tem LaRosiliere and seconded by Council Member Smith, the Council voted 8-0 to approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas, and Atmos Energy Corporation; and further to adopt Resolution No. 2010-4-11(R).

There being no further discussion, Mayor Dyer adjourned the meeting at 7:29 p.m.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary