



# CITY COUNCIL

1520 AVENUE K

DATE: January 26, 2009

CALL TO ORDER: 7:00 p.m.

INVOCATION: Associate Pastor Neal Jeffrey  
Prestonwood Baptist Church

PLEDGE OF ALLEGIANCE: Boy Scout Troop 2819  
Prestonwood Baptist Church

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>THE MISSION OF THE CITY OF PLANO IS TO PROVIDE OUTSTANDING SERVICES AND FACILITIES, THROUGH COOPERATIVE EFFORTS WITH OUR CITIZENS THAT CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.</p> <p><b>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</b></p> <p><b><u>PROCLAMATIONS &amp; SPECIAL RECOGNITION</u></b></p> <p>Proclamation: Heart Awareness Month – February, 2009</p> <p><b><u>CERTIFICATES OF APPRECIATION</u></b></p> <p><u>Animal Shelter Advisory Committee</u> John Carver D.V.M.</p> <p><u>Community Relations Commission</u> Sharon Marsh-Wyly</p> <p><b><u>COMMENTS OF PUBLIC INTEREST</u></b></p> <p><b><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></b></p> <p><b><u>CONSENT AGENDA</u></b></p> <p><b><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></b></p>	

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><b><u>Approval of Minutes</u></b></p> <p>(a) January 12, 2009</p> <p><b><u>Approval of Expenditures</u></b></p> <p><b>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</b></p> <p>(b) <b>Bid No. 2009-22-C</b> for Oil and Lubrication Products awarded to Douglass Distributing in the estimated annual amount of \$9,017; Jack Ray &amp; Sons Oil Company in the estimated annual amount of \$68,869; Sun Coast Resources in the estimated annual amount of \$7,284; Southwest Distributing Company in the estimated annual amount of \$11,356 and H &amp; B Industries Inc. in the estimated annual amount of \$5,725. Total estimated annual amount is \$102,251. This will establish an annual fixed price contract.</p> <p>(c) <b>Bid No. 2009-36-B</b> for the Alley Reconstruction – 15<sup>th</sup> Place and Belcamp project to Estrada Concrete Co., LLC, in the amount of \$279,392. The project includes the removal and replacement of two existing curbed alleys. The first alley is located between 17<sup>th</sup> Street and 15<sup>th</sup> Place and the length of this curbed alley from P Avenue to Jupiter Road is approximately 2500 linear feet, and the proposed curbed alley will be 10 linear feet in width. The second alley is located between Belcamp Drive and Alma Drive and the length of this alley replacement is approximately 865 linear feet, and the proposed alley will be 12 linear feet in width.</p> <p><b>Purchase from an Existing Contract</b></p> <p>(d) To authorize the purchase of Rooftop Split System AC Replacement for the Fire Administration Building in the amount of \$122,849 from Johnson Controls, Inc. through Texas Multiple Award System (TXMAS) contract, and authorizing the City Manager to execute all necessary documents. (TXMAS-5-03FAC020)</p> <p>(e) To authorize the purchase of the installation of the Security System and Intrusion Alarm System for Fire Station 12, EOC and Logistics Warehouse Complex in a “not to exceed” amount of \$151,263 from Certicom Security through Texas Multiple Award System (TXMAS) contract, and authorizing the City Manager to execute all necessary documents. (TXMAS-5-840120)</p> <p>(f) To approve of a contract/agreement to obtain Security Consulting Services from Internetwork Experts (INX), in the amount of \$65,916 through a Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-239)</p> <p>(g) To approve the purchase and installation of Communications Cabling for Fire Station No. 12/EOC/Fire Logistics Warehouse for \$198,532 from existing contract with Able Communications. (Contract No. 2007-147-C)</p>	

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	<p><b>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</b></p> <p>(h) To approve an Engineering Contract by and between the City of Plano and Garver Engineers, LLC, in the amount of \$153,500 for the Westwood Drive – Janwood Drive to 15<sup>th</sup> Street project, and authorizing the City Manager to execute all necessary documents.</p> <p><b>Approval of Change Order</b></p> <p>(i) To Core Construction Services of Texas, Inc. increasing the contract by \$126,175 for Russell Creek Park and Carpenter Park Improvements, Project No. 5891, Change Order #1 (Bid No. 2008-234-B)</p> <p><b><u>Adoption of Ordinances</u></b></p> <p>(j) To delete in its entirety Subsection (d) of Section 21-215 Refunds of Chapter 21 Utilities of the Code of Ordinances of the City of Plano, Texas; and providing an effective date.</p> <p>(k) To amend Article III, Hotel Occupancy Tax of Chapter 20, Taxation, of the Code of Ordinances of the City of Plano, Texas, redefining the term consideration; providing for audit cost recovery; providing penalties for late payment of taxes due; and providing a repealer clause, a severability clause, a penalty clause and an effective date.</p> <p>(l) To amend Chapter 20, Article II, of the Code of Ordinances of the City of Plano, Texas, by adding a new Section 20-19, entitled “Charitable Organization Exemption”; providing a property tax exemption for qualified charitable organizations engaged primarily in performing religious, charitable, scientific, literary or educational functions; requiring a determination letter from the State Comptroller’s Office finding the organization is engaged primarily in performing religious, charitable, scientific, literary or educational functions; providing terms for the property tax exemption; providing a severability clause; and providing for an effective date.</p> <p><b><u>Adoption of Resolutions</u></b></p> <p>(m) To grant Masonic Lodge No. 768 a Charitable Organization Exemption for a five (5) year period, and providing an effective date.</p> <p>(n) To amend Resolution No. 2008-11-23(R) to include Dallas Area Rapid Transit Authority (DART) to its 2009 Legislative Program; and providing an effective date.</p> <p>(o) To support legislation during the 81<sup>st</sup> Texas Legislative Session that encourages Underground Utility Line Relocation through financial incentives, grant funding opportunities, and public-private partnerships, while also supporting the integrity of the City’s right-of-way; and providing an effective date.</p> <p>(p) To approve the terms and conditions of a Second Modification of Contract by and between Able Communications, Inc. and the City of Plano, Texas for voice and data wiring; authorizing its execution by the City Manager; and providing an effective date.</p>	

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(q)	To approve the City of Plano’s participation in “TEXPOOL,” a public funds investment pool; designating authorized representatives and investment officers; and providing an effective date.	
(r)	To review and approve the City’s written Public Funds Investment Policy; and providing an effective date.	
(s)	To approve a legislative position on Rail North Texas, a primary rail program with supplemental roadway improvements and the creation of a Transportation Funding Area for the purpose of levying taxes or fees in order to generate revenue to fund rail and supplemental roadway improvements; authorizing the City Manager to effectuate such position.	
	<b><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></b>	
	<b><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></b>	
	<b><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></b>	
(1)	<b>A Resolution</b> to approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Bear Transportation Services, LP, a Delaware limited partnership; authorizing its execution by the City Manager; and providing an effective date.	
(2)	<b>Public Hearing and Consideration of an Appeal of the Planning and Zoning Commission’s Denial of Zoning Case 2008-68</b> – Request to rezone 58.4± acres located at the southwest corner of Preston Road and Spring Creek Parkway from Planned Development-447-Retail/Multifamily Residence-2 to Planned Development-Retail. Zoned Planned Development-447-Retail/Multifamily Residence-2. Applicant: City of Plano	
	<b><u>Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. Training Room A/Building Inspections Training Room are located on the first floor. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.</u></b>	