



CITY COUNCIL

1520 AVENUE K

DATE: July 27, 2009

CALL TO ORDER: 7:00 p.m.

INVOCATION: Father R. James Balint
Prince of Peace Catholic Community

PLEDGE OF ALLEGIANCE:

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>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</p> <p><u>PROCLAMATIONS & SPECIAL RECOGNITION</u></p> <ul style="list-style-type: none"> • Special Recognition: Ben Sater – All-Stars Among Us Winner • Special Recognition: Corina Sadler – Outstanding New Volunteer Administrator • Recognition of Designation: Pecan Hollow Golf Course as a Certified Audubon Cooperative Sanctuary • Recognition of Award: Plano Arts Program at the Americans for the Arts Annual Convention • Presentation: Phyllis Jarrell, Director of Planning – 25 Year Service Award <p><u>CERTIFICATES OF APPRECIATION</u></p> <p><u>Self Sufficiency Committee</u> Shelby Williams III</p> <p><u>COMMENTS OF PUBLIC INTEREST</u></p> <p><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>Presented</p> <p>Presented</p> <p>Received</p>

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	<p><u>CONSENT AGENDA</u></p> <p><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> <p><u>Approval of Minutes</u></p> <p>(a) June 22, 2009</p> <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> <p>(b) Bid No. 2009-133-B for 2008-09 Arterial Concrete Pavement Rehabilitation Project (Project No. 5982) – Enterprise Drive and Premier Drive to Smith Contracting Inc. in the amount of \$174,102. This project involves the repair of arterial concrete pavement on Enterprise Drive between Park Boulevard and Central Expressway and on Premier Drive between Enterprise Drive and Ruisseau Drive.</p> <p>(c) Bid No. 2009-132-B for 2008-09 Arterial Concrete Pavement Rehab, Plano Parkway and Commerce Drive, Project No. 5975 to Advanced Paving Acquisitions LTD, dba Advanced Paving Company in the amount of \$530,551. This project involves the replacement of arterial street pavement, curb and gutter, sidewalk repair and barrier free ramp construction on Plano Parkway between Commerce Drive and K Avenue and on Commerce Drive between 15th Street and Plano Parkway.</p> <p>(d) Bid No. 2009-34-B for Preston Road at Legacy Drive Intersection Improvements to McMahon Contracting, LP, in the amount of \$1,292,753. The project consists of construction to provide modified median left turn improvements at Preston Road and Legacy Drive.</p> <p>(e) Rejection of Bid No. 2009-122-B for the Legacy Greenbelt Extension, Denbury to YMCA from all bidders. The project is for construction of concrete recreational trail along White Rock Creek (Legacy Trail) from Tennyson Parkway north through the current YMCA property on the west side of the creek.</p> <p>Purchase from an Existing Contract</p> <p>(f) To authorize the purchase and installation of 6780 Sun Storage, in the amount of \$154,940 from Sigma Solutions, Incorporated, through an existing contract/agreement with the Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-503)</p> <p>(g) To approve the purchase of Materials Testing Services for Razor Road from Ohio Drive to S.H. 121, in the amount of \$55,422 from Terracon Consultants, Inc., through an existing contract (Number 2009-6-D), and authorizing the City Manager to execute all necessary documents.</p>	<p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Tabled to 8-10-09 Meeting</p> <p>Approved</p> <p>Approved</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(h)	<p>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</p> <p>To approve an Engineering Contract by and between the City of Plano and Wier & Associates, Inc., in the amount of \$184,000 for the Cross Bend and Deerfield Culverts project, and authorizing the City Manager to execute all necessary documents.</p>	Approved
(i)	<p>Approval of Change Order</p> <p>To Tiseo Paving Company increasing the contract by \$36,804 for the Independence Parkway Paving Improvements – McDermott Road to SH 121, Change Order No. 2 (Bid No. 2009-21-B). This is to modify the portion of pavement that falls inside and adjacent to the State Highway right of way so as to conform with the TxDOT specifications. This portion is located south of the intersection of Independence Parkway and SH 121.</p>	Approved
(j)	<p>Approval of Modification</p> <p>To consider a Modification to the Substantial Amendment to the 2008-09 City of Plano Action Plan for the Community Development Block Grant Recovery Program.</p>	Approved
	<p><u>Adoption of Resolutions</u></p>	
(k)	<p>Resolution No. 2009-7-1(R): To authorize continued participation with the Atmos Cities Steering Committee; authorizing the payment of 2 cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation; and providing an effective date.</p>	Adopted
(l)	<p>Resolution No. 2009-7-2(R): To ratify the additional expenditure of \$23,100 from the Buffington Community Services Fund to increase the number of meals delivered to at-risk Plano seniors and to increase the individual seniors being served weekday meals by 50 people; authorizing the execution of any and all documents in connection therewith by the City Manager; and providing an effective date.</p>	Adopted
(m)	<p>Resolution No. 2009-7-3(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the City of Murphy, Texas to allow City of Murphy’s employees to take classes offered by City of Plano Professional Development Center; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(n)	<p>Resolution No. 2009-7-4(R): To approve the terms and conditions of a Software Maintenance Agreement by and between the City of Plano and Northrop Grumman Information Technology, Inc., the sole source provider of the Records Management System and Automated Field Reporting System, in an amount not to exceed \$246,993; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(o)	<p>Resolution No. 2009-7-5(R): To ratify the Takeover Agreement by and between Liberty Mutual Insurance Company and the City of Plano for completion of Plano Centre Storage Expansion; approving its execution by the City Manager; and providing an effective date.</p>	Adopted

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(p)	Resolution No. 2009-7-6(R): To approve the dedication of four tracts of land, a 0.371 acre tract, a 1.173 acre tract, a 1.302 acre tract, and a 3.575 acre tract, owned by the City of Plano, Texas designated as park property but not yet utilized as park for dedication as a public right-of-way for Chaparral Road, said tracts being situated in the Jeremiah Muncy Survey, Abstract No. 621 and the R.C. Whisenant Survey, Abstract No. 1012, in the City of Plano, Collin County, Texas, and providing an effective date.	Adopted
(q)	To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and Collin County, Texas, for Intersection Improvements at McDermott Road and Robinson Road; authorizing its execution by the City Manager; and providing an effective date.	Pulled
(r)	Resolution No. 2009-7-7(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and Collin County, Texas, concerning the Design and Right of Way Acquisitions for the Parker Road and US 75 Interchange and repealing Resolution No. 2004-9-25(R); authorizing its execution by the City Manager; and providing an effective date.	Adopted
(s)	Resolution No. 2009-7-8(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and Collin County, Texas, for the Widening of Communications Parkway from Parker Road to Spring Creek Parkway and repealing Resolution No. 2009-3-6(R); authorizing its execution by the City Manager; and providing an effective date.	Adopted
(t)	Resolution No. 2009-7-9(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and Collin County, Texas, for Ridgeview Drive Widening from Coit Road to Independence Parkway and repealing Resolution No. 2009-5-22(R); authorizing its execution by the City Manager; and providing an effective date.	Adopted
(u)	<u>Adoption of Ordinances</u> Ordinance No. 2009-7-10: To approve a Negotiated Resolution between the Atmos Cities Steering Committee ("ACSC" or "Steering Committee") and Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company") regarding the Company's Rate Review Mechanism filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; requiring the Company to reimburse cities' reasonable ratemaking expenses; 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; approving Atmos' Proof of Revenues; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; and requiring delivery of this Ordinance to the Company and the steering committee's legal counsel.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(v)	<p>Ordinance No. 2009-7-11: To amend Article I of Chapter 18, Solid Waste of the Code of Ordinances of the City of Plano, Texas to add certain definitions to Section 18-1 and adding Section 18-25 Downtown Collection Accommodation and rates to create accommodation for the collection of solid waste for specified downtown properties including a rate structure; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date.</p>	<p>Adopted</p>
(w)	<p>Ordinance No. 2009-7-13: To transfer the sum of \$183,610 from the General Fund Operating Appropriation for Fiscal Year 2008-09 to the Grant Fund Operating Appropriation to repay HUD for Plano International Preschool’s failure to fully comply with the national objectives during the relevant periods; amending the budget of the City and Ordinance 2008-9-15, as amended, to reflect the actions taken herein; declaring this action to be a case of public necessity; and providing an effective date.</p>	<p>Adopted</p>
(x)	<p>Ordinance No. 2009-7-12: To amend Section 12-101 of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to temporarily prohibit until February 1, 2010 the stopping, standing, or parking of motor vehicles on certain sections of Buckboard Drive and Windmill Lane, within the City limits of the City of Plano; declaring it unlawful and a misdemeanor to park motor vehicles upon such sections of such roadway within the limits herein defined; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>	<p>Adopted</p>
<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>		
<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>		
(1)	<p>CSP No. 2009-90-B for the construction of the Environmental Education Complex – Project No. 5119, in the amount of \$1,185,314 to Turner Construction Company, and authorizing the City Manager to execute all necessary documents.</p>	<p>Approved</p>
(2)	<p>To Rescind an Award for Median Right of Way Landscape Maintenance (Proposal #2009-94-C)</p>	<p>Approved</p>
(3)	<p>Resolution No. 2009-7-14(R): To approve the terms and conditions of an Amendment to Tax Abatement Agreement by and between the City of Plano, Texas and The Shops at Legacy (North) LLC; authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>

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(4)	Public Hearing and adoption of Ordinance No. 2009-7-15 to designate a certain area within the City of Plano as Reinvestment Zone No. 119 for a Tax Abatement consisting of a 14.36 acre tract of land located at the southwest corner of East Plano Parkway and Shiloh Road, in the City of Plano, Texas establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date.	Conducted and Adopted
(5)	Resolution No. 2009-7-16(R): To approve the terms and conditions of an Agreement by and between the City of Plano, Texas, Lineage Power Corporation, a Nevada corporation, and Plano Tech Center Partners, Ltd., a Texas limited partnership; providing for a Real and Business Personal Property Tax Abatement, and authorizing its execution by the City Manager; and providing an effective date.	Adopted
(6)	Resolution No. 2009-7-17(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Lineage Power Corporation, a Nevada corporation; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(7)	Resolution No. 2009-7-18(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Atos Origin, Inc., a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(8)	Resolution No. 2009-7-19(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Enterprise Mobile, Inc., a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(9)	Resolution No. 2009-7-20(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Publicis Inc., a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date.	Adopted
	<p><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></p>	