



CITY COUNCIL

1520 AVENUE K

DATE: September 8, 2008

CALL TO ORDER: 7:00 p.m.

INVOCATION: Associate Pastor Pete Kralyevich
Four Corners Church

PLEDGE OF ALLEGIANCE: Cub Scout Pack 421
Andrews Elementary

| ITEM NO. | EXPLANATION | ACTION TAKEN |
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| | <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> <p>Proclamation: Plano Balloon Festival – 2008</p> <p>Proclamation: Food Safety Awareness Month - 2008</p> <p><u>CERTIFICATES OF APPRECIATION</u></p> <p>Ben Harris - Parks and Recreation Planning Board</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><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>Presented</p> <p>Presented</p> <p>Received</p> |

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| (a) | <p><u>Approval of Minutes</u></p> <p>August 21, 2008 – Special Called Session August 21, 2008 – Roundtable August 25, 2008</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> | Approved |
| (b) | <p>Bid No. 2008-50-C for Senior Mobility Taxi Voucher Service to Irving Holding, Inc. in the estimated annual amount of \$20,000</p> | Approved |
| (c) | <p>Bid No. 2008-205-B for 2007-08 Residential Concrete Pavement Rehabilitation Project, Zone L5 to Jerusalem Corporation in the amount of \$786,595. This project involves the repair of residential street and alley pavement in the area bounded by Alma Road on the east, Spring Creek Parkway on the north, Custer Road on the west and Parker Road on the south.</p> | Approved |
| (d) | <p><u>Adoption of Resolutions</u></p> <p>Resolution No. 2008-9-13(R): To amend Resolution No. 99-9-35(R) establishing a Public Arts Committee to provide for meetings on an as-needed basis; and providing an effective date.</p> | Adopted |
| (e) | <p>Resolution No. 2008-9-1(R): To support the discontinuation of the diversion of Transportation User Revenues to Non-Transportation Uses and the appropriation of all revenue generated from highway user fees and taxes to fund transportation projects.</p> | Adopted |
| (f) | <p>Resolution No. 2008-9-2(R): To approve the appointment of the Health Authority for the City of Plano in accordance with Section 121.033 of the Texas Health and Safety Code; and approving the agreement between the City of Plano and Allan R. deVilleneuve, M.D. for professional services; and providing an effective date.</p> | Adopted |
| (g) | <p>Resolution No. 2008-9-3(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and the Plano Independent School District for the operation of the Police/School Liaison Program; authorizing its execution by the City Manager; and providing an effective date.</p> | Adopted |
| (h) | <p>Resolution No. 2008-9-4(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and the Frisco Independent School District for the operation of the Police/School Liaison Program; authorizing its execution by the City Manager; and providing an effective date.</p> | Adopted |
| (i) | <p>Resolution No. 2008-9-5(R): To approve the renewal of an Agreement with Oracle USA, Inc., a sole source vendor, for the maintenance and software support updates of J.D. Edwards Licenses; authorizing its execution by the City Manager; and providing an effective date.</p> | Adopted |

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| (j) | Resolution No. 2008-9-6(R): To authorize continued participation with the Atmos Cities Steering Committee; and authorizing the payment of 5 cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation; authorizing its execution by the City Manager; and providing an effective date. | Adopted |
| (k) | Resolution No. 2008-9-7(R): To amend a Communication Facilities License Agreement approved by Plano City Council on August 9, 1999, by and between the City of Plano, Texas, and AT&T Mobility Texas LLC, a Delaware limited liability company, to install, and operate telecommunications ground equipment in certain specific premises authorizing its execution by the City Manager; and providing an effective date. | Adopted |
| (l) | Resolution No. 2008-9-12(R): To approve the terms and conditions of an agreement by and between the City of Plano and Maurice Barnett Geriatric Wellness Center, Inc., for administration of the Senior Transportation Program; and authorizing its execution by the City Manager; and providing an effective date. | Adopted |
| <u>Adoption of Ordinances</u> | | |
| (m) | Ordinance No. 2008-9-8: To repeal Ordinance No. 2004-8-13, codified as Article IX, Electrical Code, of Chapter 6 of the Code of Ordinances of the City of Plano; adopting the 2008 National Electrical Code; providing a repealer clause, a severability clause, a penalty clause, a savings clause, and an effective date. | Adopted |
| (n) | Ordinance No. 2008-9-9: To amend Section 12-101 of Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances to prohibit stopping, standing, or parking of motor vehicles on certain sections of 10th Street, Capital Avenue, N Avenue, Notre Dame Drive, Stewart Avenue, and Summit Avenue 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, and an effective date. | Adopted |
| (o) | Ordinance No. 2008-9-10: To amend Section 15-23 Meetings of Article II Parks and Recreation Planning Board of Chapter 15 Parks and Recreation; amending Section 10-18 Meetings of Article II Advisory Board of Chapter 10 Library; and amending Section 2-244 Meetings; Quorum of Article XII Senior Citizens Advisory Board of Chapter 2 Administration of the City of Plano Code of Ordinances; and providing an effective date. | Adopted |
| (p) | Ordinance No. 2008-9-14: To repeal the following Articles of the Plano Code of Ordinances; Article IX. Keep Plano Beautiful Commission of Chapter 16 Planning and Development; Article XI. Plano Global Advisory Committee of Chapter 2 Administration; Article IX. Transportation Advisory Committee of Chapter 2 Administration; Article XVIII. Youth Advisory Commission of Chapter 2 Administration; and Article XXII Plano Transition and Revitalization Commission of Chapter 2 Administration; and providing an effective date. | Adopted – with revision removing YAC |

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| (q) | <p>Ordinance No. 2008-9-11: To approve a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "the company") regarding the company's rate review mechanism filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; 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; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; requiring delivery of this ordinance to the company and legal counsel; and providing severability, repealing, savings, penalty, and publication clauses, and an effective date.</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> | Adopted |
| (1) | <p>Ordinance No. 2008-9-15: To approve and adopt the Budget and setting the appropriations for the Fiscal Year beginning October 1, 2008, and terminating September 30, 2009; and providing an effective date.</p> | Adopted |
| (2) | <p>Ordinance No. 2008-9-16: To approve and adopt the Community Investment Program and setting the appropriations for 2008-09; and providing an effective date.</p> | Adopted |
| (3) | <p>Ordinance No. 2008-9-17: To approve and adopt the tax rate for this Fiscal Year beginning October 1, 2008, and terminating September 30, 2009; and providing an effective date.</p> | Adopted tax rate of 47.35 cents per \$100 assessed value |
| (4) | <p>Ordinance No. 2008-9-18: To ratify the Property Tax Revenue Increase in the 2008-09 Budget as a result of the City receiving more revenues from Property Taxes in the 2008-2009 Budget than in the previous Fiscal Year; and providing an effective date.</p> | Adopted |
| (5) | <p>Public Hearing and Comment: Review of Annual Performance Report for the use of Federal funds in 2007-2008.</p> | Conducted – No Comments |
| (6) | <p>Discussion and Direction regarding Plano Centre and the Convention and Visitors Bureau.</p> | Discussion held – Direction to move forward with study |

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| <p>(7)</p> | <p>Discussion and Direction regarding the proposed Parker Maxwell Creek 138 kV Transmission Line Project.</p> <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> | <p>Discussion held – Direction to recommend line north along FM 2551</p> |