

PLANO CITY COUNCIL
February 27, 2012

COUNCIL MEMBERS PRESENT

Phil Dyer, Mayor
Pat Miner, Mayor Pro Tem
Lissa Smith, Deputy Mayor Pro Tem
Ben Harris
André Davidson
James Duggan
Patrick Gallagher
Lee Dunlap

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Victoria Huynh, Deputy City Attorney
Diane Zucco, City Secretary

Mayor Dyer convened the Council into the Regular Session on Monday, February 27, 2012, at 7:01 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Assistant Pastor Kelvin Foley of Prestonwood Baptist Church led the invocation and Cadette Girl Scout Troop 2206 of Rice Middle School led the Pledge of Allegiance.

PROCLAMATIONS & SPECIAL RECOGNITION

The presentation of a check by the Collin County Commissioners Court from the Collin County Parks and Open Space Matching Grant Program to the City of Plano was postponed to a future Council meeting.

OATHS OF OFFICE

Mayor Dyer administered the Oath of Office to Peter Pennesi, a newly appointed member of the Photographic Traffic Signal Advisory Committee.

COMMENTS OF PUBLIC INTEREST

No one appeared to speak.

CONSENT AGENDA

Staff requested Consent Agenda Item “D” be pulled and held.

Deputy Mayor Pro Tem Smith requested Consent Agenda Item “N” be removed for individual consideration.

Upon a motion made by Mayor Pro Tem Miner and seconded by Council Member Harris, 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")
February 13, 2012

Approval of Expenditures

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

Bid No. 2012-101-B for the purchase of twenty (20) Chevrolet Black & White Police Tahoe's for Fleet Services to be utilized by the Police Department from Caldwell Country Automotive in the amount of \$538,680 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

Purchase from an Existing Contract

To approve the purchase and installation of playground equipment for Cross Bend, Forest Creek East, and Prairie Meadow Parks through PISD Contract (2011-59-I/PISD #2010-052) in the amount of \$328,905; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

To approve the purchase of a False Alarm Tracking and Billing System to include Software Licenses, Installation, Data Conversion and Training for the Plano Police Department in the amount of \$66,825 from Dell Marketing L.P., through an existing contract/agreement with Department of Information Resources (DIR), and authorizing the City Manager to execute all necessary documents. (DIR Contract #SDD-890) (Consent Agenda Item "D") (Pulled and held)

To approve a contract for the purchase of Commvault-Galaxy Software Premium Support Coverage, in the amount of \$118,423 from CDW Government, LLC, through an existing contract with The Cooperative Purchasing Network (TCPN), and authorizing the City Manager to execute all necessary documents. (TCPN Contract No. R5106) (Consent Agenda Item "E")

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

To approve a Professional Services Agreement by and between the City of Plano and Birkhoff, Hendricks & Carter, L.L.P., in the amount of \$66,000 to prepare a performance specification for the replacement of the City's Water and Wastewater Supervisory Control and Data Acquisition (SCADA) and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "F")

To approve a Professional Services Agreement by and between the City of Plano and Birkhoff, Hendricks, and Carter, L.L.P., in the amount of \$424,000 for the renovation of the Stadium Pump Station and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "G")

Adoption of Resolutions

Resolution No. 2012-2-10(R): To approve the terms and conditions of an agreement by and between the City of Plano and SolarBee, Inc., the sole source provider of SolarBee Potable Water Mixers; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “H”)

Resolution No. 2012-2-11(R): To suspend the March 6, 2012, effective date of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex”) requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with Atmos Cities Steering Committee (“ACSC”) and other cities in the Atmos Mid-Tex service area to hire legal and consulting services and to negotiate with the company and direct any necessary litigation and appeals; requiring reimbursement of cities’ rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company; ACSC’s legal counsel; and providing an effective date. (Consent Agenda Item “I”)

Resolution No. 2012-2-12(R): To authorize the filing of application for federal funds in an amount not to exceed \$35,700 under the Edward Byrne Memorial Justice Assistance Grant (JAG) State Formula Program through the Office of the Governor of Texas, Criminal Justice Division; designating Gregory W. Rushin as authorized representative of the City of Plano for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date. (Consent Agenda Item “J”)

Resolution No. 2012-2-13(R): To approve the terms and conditions of an Amended and Restated Tax Abatement Agreement consolidating the prior agreements into a single document by and among the City of Plano, Texas, a home rule municipal corporation of Collin and Denton Counties, Texas, the County of Collin, Texas, and Capital One, National Association, a national banking association; and authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “K”)

Resolution No. 2012-2-14(R): To approve the hiring of an Assistant City Attorney II by the City Attorney; and providing an effective date. (Consent Agenda Item “L”)

Resolution No. 2012-2-15(R): To approve the hiring of an Assistant City Attorney II by the City Attorney; and providing an effective date. (Consent Agenda Item “M”)

Adoption of Ordinances

Ordinance No. 2012-2-16: To amend Section 12-101 of Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to prohibit stopping, standing, or parking of motor vehicles on certain sections of Bishop Road, Dickens Drive, Gifford Drive, Infinity Avenue, and Wedgeway Drive 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; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item “O”)

Ordinance No. 2012-2-17: To transfer the sum of \$15,000 from the General Fund unappropriated fund balance to the General Fund operating appropriation for fiscal year 2011-12 for the purpose of providing funds for auditing of additional programs outside the scope of the audit engagement with Grant Thornton; amending the budget of the City and Ordinance 2011-9-8, declaring this action to be a case of public necessity; and providing an effective date. (Consent Agenda Item "P")

END OF CONSENT

Resolution No. 2012-2-18(R): To authorize the purchase of downloadable content (ebooks, music, video, and e-audio library materials) with Kindle functionality in an amount not to exceed the sum of \$150,000 from OverDrive, Inc., the sole source provider of such library materials for the City of Plano - Plano Public Library System; and authorizing its execution by the City Manager to execute all necessary documents; and providing an effective date. (Consent Agenda Item "N")

Director of Libraries Ziegler spoke in regards to the purchase of e-books and advised that Overdrive is the one vendor that includes Kindles as well as all other e-readers. Ms. Ziegler responded to Council regarding how long the City has ownership/digital rights to the e-books. Director of Collection Development Torstad stated that downloadable software will be required for the user to access the e-books. Ms. Torstad responded to Council regarding how many persons could check out the same e-book, types of books, how usage would be tracked, promotion, software, and citizen downloading. She stated checkouts would be limited at the beginning due to the small number of e-books available.

Upon a motion made by Deputy Mayor Pro Tem Smith, and seconded by Mayor Pro Tem Miner, the Council voted 8-0 to authorize the purchase of downloadable content with Kindle functionality in an amount not to exceed the sum of \$150,000 from OverDrive, Inc., and further to adopt Resolution No. 2012-2-18(R).

Mayor Dyer mentioned the next Council meeting will be Tuesday, March 6 moved from Monday, March 12 due to Spring Break.

Nothing further was discussed and Mayor Dyer adjourned the meeting at 7:15 p.m.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary