

**PLANO CITY COUNCIL**  
**February 8, 2010**

**COUNCIL MEMBERS**

Phil Dyer, Mayor  
Harry LaRosiliere, Mayor Pro Tem  
Lee Dunlap, Deputy Mayor Pro Tem  
Pat Miner  
Ben Harris  
Mabrie Jackson (resigned)  
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, February 8, 2010, at 7:00 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Father Jason Cargo of St. Elizabeth Ann Seton Catholic Church and the Pledge of Allegiance was led by Boy Scout Troop 219 - Christ Church Plano.

Mayor Dyer presented a proclamation recognizing Census Awareness Week - 2010 and received a presentation on Leadership in Energy and Environmental Design – Existing Building Certification.

**COMMENTS OF PUBLIC INTEREST**

Citizen of the City Sunny Long brought forward a petition and spoke regarding the lack of transportation options provided to seniors and requested the Council consider restoration of City bus service.

**CONSENT AGENDA**

Staff requested that Consent Agenda Item “G,” a resolution to provide for creation of the Plano Photographic Traffic Signal Advisory Committee, be removed for individual consideration.

Upon a motion made by Mayor Pro Tem LaRosiliere and seconded by Council Member Smith, the Council voted 7-0 to approve and adopt all remaining items on the Consent Agenda as recommended and as follows:

**Approval of Minutes** (Consent Agenda Item “A”)  
January 25, 2010 Approved

**Approval of Expenditures**

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

**Bid No. 2010-34-B** for the purchase of Electronic Handheld Ticket Writers, in the amount of \$79,519 to Brazos Technology, and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**Purchase from an Existing Contract**

To approve the purchase of eighteen (18) 2010 Chevrolet Black and White Police Patrol Tahoes in the amount of \$477,810 from Caldwell Country Chevrolet through an existing contract/Interlocal agreement with Tarrant County, and authorizing the City Manager to execute all necessary documents. (Tarrant County Contract #2005-180). (Consent Agenda Item “C”)

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

To approve an Engineering contract by and between the City of Plano and Kimley-Horn and Associates, Inc., in the amount of \$119,500 for University Estates Waterline Rehabilitation, and authorizing the City Manager to execute all necessary documentation. (Consent Agenda Item “D”)

**Approval of Change Order**

To Hencie International, Inc., increasing the contract by \$44,938 for the 2008 - 2009 Arterial Concrete Pavement Rehabilitation Project, Los Rios Boulevard and Jupiter Road, Project No. 5979, Change Order No. 1, Bid No. 2009-117-B. (Consent Agenda Item “E”)

**Adoption of Resolutions**

**Resolution No. 2010-2-1(R)** - To approve the terms and conditions of a Real Estate Contract by and between the Trammel Crow Company No. 43, LTD., and the City of Plano for the purchase of approximately 7.005 acres of land located west of Midway Road and south of McKamy Trail immediately adjacent to the existing Sunset Park in Plano, Collin County, Texas; authorizing the City Manager to execute such contract; and providing an effective date. (Consent Agenda Item “F”)

**Resolution No. 2010-2-2(R)** - To repeal Resolution No. 2002-9-25(R), Resolution No. 2008-2-7(R) and Resolution No. 2008-7-16(R) with regard to the Multi-Cultural Outreach Roundtable (“Roundtable”) and adopting a new resolution to re-establish the Roundtable setting forth its purpose, appointment of a Chair and Vice-Chairs, establishing duties and meeting guidelines, and providing for open participation to the Roundtable; and providing an effective date. (Consent Agenda Item “H”)

**Resolution No. 2010-2-3(R)** - To approve an expenditure for repairs to grounding and surge protection at Ridgeview Pump Station; authorizing the execution of any and all documents by the City Manager; and providing an effective date. (Consent Agenda Item "I")

**Resolution No. 2010-2-4(R)** - To approve the terms and conditions of an Amendment to an Agreement by and between Connecticut General Life Insurance Company and the City of Plano; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "J")

**Resolution No. 2010-2-5(R)** - To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the North Central Texas Council of Governments providing terms and conditions for the funding of a Second Chance Swap and Reuse Event; authorizing its execution by the City Manager and providing an effective date. (Consent Agenda Item "K")

**Resolution No. 2010-2-6(R)** - To authorize the City to enter into an Agreement with the Texas Product Stewardship Council to become a member, and to promote and support the shift of disposal cost from the local government to the producer through state legislation; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "L")

### **Adoption of Ordinances**

**Ordinance No. 2010-2-7** - To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended; thereby rescinding a portion of Heritage Resource Designation No. H-05 on a 0.1± acre of land located on the west side of K Avenue, 355± feet south of 18<sup>th</sup> Street, situated in the City of Plano, Collin County, Texas; presently zoned Downtown Business/Government with Heritage Resource Designation H- 05; directing a change accordingly in the official Zoning Map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Zoning Case: 2009-24 Applicant: Bill Squiric (Approved 1/25/10) (Consent Agenda Item "M")

### **END OF CONSENT**

**Resolution No. 2010-2-8(R)** - To provide for the creation of the Plano Photographic Traffic Signal Advisory Committee; providing for appointment and terms of office for members and officers; providing rules and guidelines under which the Committee will function; and providing an effective date. (Consent Agenda Item "G")

Deputy City Manager Glasscock spoke regarding state legislation adopted in 2007 including a provision requiring cities adding or expanding red light cameras to have studies reported to a citizens' advisory committee for review. He further advised that the committee must be made up of members appointed by individual Council Members (eight positions), and stated that six additional approaches for cameras have been identified and that after review installations will commence. Mayor Dyer spoke to publicizing the committee openings and requesting applicants include their preference for length of term and requested appointments be brought forward at the March 8 Council meeting. Mr. Glasscock spoke to the anticipated number of meetings and advised that, per legislation, the committee would review only installations.

**Resolution No. 2010-2-8(R)** (cont'd)

Upon a motion made by Deputy Mayor Pro Tem Dunlap and seconded by Council Member Callison, the Council voted 7-0 to provide for the creation of the Plano Photographic Traffic Signal Advisory Committee and further to adopt Resolution No. 2010-2-8(R).

Mayor Dyer advised that the Executive and Preliminary Open Meetings were cancelled due to omissions in their postings.

**Resolution No. 2010-2-9(R)** - A Resolution to adopt a Water Management Plan for the City of Plano, Texas, to promote responsible use of water and to provide for best management practices resulting in on-going, long-term water savings, authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item "1")

Director of Sustainability and Environmental Services Nevil spoke to the Texas Commission on Environmental Quality (TECQ) requirement that the City have a Water Conservation Plan in place. She spoke to involvement by various departments and advised that the plan has no enforcement, but lays out best management practices for items such as landscaping irrigation, public awareness and goals for public consumption. Ms. Nevil spoke to annual reports referencing attainment of goals and responded to the Council, stating that the contract with the North Texas Municipal Water District is separate from the requirement for a water plan and commented on plans to continue educating the public regarding conservation.

Upon a motion made by Council Member Miner and seconded by Council Member Smith, the Council voted 7-0 to adopt a Water Management Plan for the City of Plano and further to adopt Resolution No. 2010-2-9(R).

**A Resolution** to canvass the election returns of the Special Election of January 30, 2010, for the election of one member of Council Place 3 (District 3) to fill a vacancy until the May 2011 General Election declaring the results; and resolving other matters on the subject. Tabled until 2/10/10 (Regular Agenda Item "2")

City Secretary Zucco advised that a runoff for the Special Election is calculated from the canvass of returns which must occur by February 10, 2010 and that moving the canvass to that date would offer March 27 as a possible election date and move the timeframes for early voting. Ms. Zucco spoke to negotiations with the Elections Administrator resulting in a March 11 start to early voting and to the order by the Council setting the election date. City Attorney Wetherbee spoke in support of moving the runoff date to allow additional time for submittal of information to the Department of Justice.

Citizen of the City Mike Openshaw spoke to announcement of March 20 as the election date and expenses incurred by candidates based on that information.

Upon a motion made by Council Member Callison and seconded by Deputy Mayor Pro Tem Dunlap, the Council voted 7-0 to table the request to canvass the election returns of the Special Election of January 30, 2010 until February 10, 2010.

**An Ordinance** to order a Runoff Election to be held on March 20, 2010, for the purpose of electing one Member of Council to Place No. 3 (District 3), to hold office until May 2011 to fill a vacancy; designating locations of polling places; and ordering notices of election to be given as prescribed by law in connection with such election and ordaining other matters on the subject. (Regular Agenda Item “3”)

This item was pulled from the agenda.

There being no further discussion, Mayor Dyer adjourned the meeting at 7:36 p.m.

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**Phil Dyer, MAYOR**

ATTEST:

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Diane Zucco, City Secretary