

PLANO CITY COUNCIL
March 9, 2009

COUNCIL MEMBERS

Pat Evans, Mayor
Jean Callison, Mayor Pro Tem
Harry LaRosiliere, Deputy Mayor Pro Tem
Pat Miner
Scott Johnson
Mabrie Jackson
Sally Magnuson
Lee Dunlap

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Deputy City Manager
Bruce Glasscock, Deputy City Manager
Rod Hogan, Deputy City Manager
Mark Israelson, Assistant City Manager
LaShon Ross, Assistant City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor Evans convened the Council into the Regular Session directly from the Preliminary Session on Monday, March 9, 2009, at 7:12 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Reverend Stacy Pell, Associate Pastor of St. Andrew United Methodist Church and the Pledge of Allegiance was led by and The Pledge of Allegiance was led by Brownie Troop of 1861Dooley Elementary & McCall Elementary.

COMMENTS OF PUBLIC INTEREST

Citizen Danny Williams stated concern that a long standing commercial sign will need to be moved at a high cost due to changes in regulations. City Manager Muehlenbeck advised that he would meet with Mr. Williams regarding his concerns.

Citizen Jack Lagos spoke to information in the Dallas Morning News regarding City cut backs and the City Manager volunteering one week of Park/Recreation personnel to clean land at the Arts of Collin County site. He spoke to monies allocated for the Arts of Collin County, Allen's request to acquire federal stimulus funding, the costs of capital bonds, operating costs and the use of City employees/equipment. Mr. Lagos spoke to the Council representing the constituency, providing responses and addressing the situation. Mayor Evans spoke to inaccuracies that may appear in the newspaper and to the City of Plano as one of the owners of land for the Arts of Collin County with the right to utilize employees and equipment.

CONSENT AGENDA

Citizen Jack Lagos requested that Consent Agenda Item "A," Approval of Minutes from February 23, 2009, be removed for individual consideration.

Upon a motion made by Council Member Magnuson and seconded by Council Member Dunlap, the Council voted 8-0 to approve and adopt all remaining items on the agenda as recommended and as follows:

Approval of Expenditures

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

Bid No. 2009-40-C for Traffic Markers to Ennis Paint Company in the estimated annual amount of \$7,590; BIKO Inc. in the estimated annual amount of \$10,140; Traffic Supply in the estimated annual amount of \$1,460; and Pathmark Traffic Parts of Texas in the estimated annual amount of \$37,892 for a total estimated annual amount of \$57,082. This will establish an annual fixed price contract with three optional renewals. [Consent Agenda Item (B)] (See Exhibit "A")

Bid No. 2009-57-C for Fire Hydrant and Water Line Repair Parts to HD Supply Waterworks in the estimated annual amount of \$114,553; Municipal Water Works Supply in the estimated annual amount of \$5,378; Empire West Inc. in the estimated annual amount of \$11,683 for a total estimated annual amount of \$131,614. This will establish an annual fixed price contract with three optional renewals. [Consent Agenda Item (C)] (See Exhibit "B")

Bid No. 2009-38-C for an annual fixed price contract for Temporary Labor Services Waste Collection in the estimated annual amount of \$340,000 to Labor Ready, Lone Staff Staffing and CTJ Maintenance. This contract will be for one year with three City optional one-year renewals. [Consent Agenda Item (D)] (See Exhibit "C")

Purchase from an Existing Contract

To authorize the purchase of Supply, Material and Installation of Avenue "N" Radio Communications Shelter to GFRC in the amount of \$213,074. CSP #2008-9-B [Consent Agenda Item (E)]

To approve the purchase and installation of Security Software, Hardware and Cameras for Fire Station No. 12/EOC/Fire Logistics Warehouse in the amount of \$67,245 from existing TCPN Contract #4785 with LenSec LLC. [Consent Agenda Item (F)]

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

To approve an Engineering Services Contract by and between the City of Plano and Birkhoff, Hendricks & Conway, L.L.P., in the amount of \$83,295, for Custer Ground Storage Tank 1A, and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (G)]

To approve an Architectural Contract by and between the City of Plano and HPA, LLP, dba hatch & ulland owen architects, in the amount of \$243,655, for repackaging existing design and construction oversight of Oak Point Park Visitor Center, and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (H)]

To approve an Architectural Contract by and between the City of Plano and F&S Partners, in the amount of \$789,870, for design and construction oversight of the Carpenter Park Recreation Center Renovation and Expansion, and authorizing the City Manager to execute all necessary documents. [Consent Agenda Item (I)]

Approval of Change Order

To Utilitex Construction, LLP, increasing the contract by \$39,630 and 40 working days, for Street Light Improvements Legacy Park – Phase 1 and Street Lighting Willow Bend Drive, Change Order No. 2, (Original Bid No. 2008-74-B). This change order is for adding 11 new light pole foundations with related work on Headquarters Drive from Spring Creek Parkway to approximately 2,200 feet east. [Consent Agenda Item (J)]

To McMahon Contracting, L.P., increasing the contract by \$26,801 for the 2007- 2008 Arterial Concrete Pavement Rehabilitation Project, Parker Road, Pleasant Valley and Country Place Drive, Project No. 5867, Change Order No. 2. Bid No. 2008-156-B. This change order is for final concrete street pavement repair quantities on Parker Road between Coit Road and Preston Road. [Consent Agenda Item (K)]

Adoption of Resolutions

Resolution No. 2009-3-1(R): To amend a Communication Facilities License Agreement approved by Plano City Council on November 9, 1998, 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. [Consent Agenda Item (L)]

Resolution No. 2009-3-2(R): To approve the terms and conditions of an Agreement by and between LegacyTexas Bank and the City of Plano, Texas for bank depository services; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (M)]

Resolution No. 2009-3-3(R): To approve the terms and conditions of a Safekeeping Agreement by and between LegacyTexas Bank, TIB – The Independent Bankers Bank, and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (N)]

Resolution No. 2009-3-4(R): To approve the dedication of a 417.9 square foot tract of land owned by the City of Plano, Texas for dedication as a drainage easement for Assured 14th Addition, Lot 1, Block A, said parcel situated in the M.R. Foster Survey, Abstract No. 332 in the City of Plano, Collin County, Texas, and providing an effective date. [Consent Agenda Item (O)]

Resolution No. 2009-3-5(R): To approve and grant an Electric Easement to Oncor Electric Service Company on City property located on the west side of Bishop Road, 257.01' south of Legacy Circle, authorizing its execution by the City Manager, and providing an effective date. [Consent Agenda Item (P)]

Resolution No. 2009-3-6(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano and Collin County, Texas, providing for the Widening of Communications Parkway from Parker Road to Spring Creek Parkway; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (Q)]

Adoption of Ordinances

Ordinance No. 2009-3-7: To amend Chapter 11, Licenses and Business Regulations, of the Code of Ordinances of the City of Plano by adding Article XI, Metal Recycling Entities, establishing regulations governing the purchase of copper and other valuable metals by metal recycling entities; providing definitions, licensing and recordkeeping requirements; providing a repealer clause; a severability clause; a penalty clause; a publication clause; and an effective date. [Consent Agenda Item (R)]

Ordinance No. 2009-3-8: To correct a typographical error in Ordinance No. 2009-1-21 providing for the issuance and sale of City of Plano, Texas, General Obligation Refunding and Improvement Bonds, Series 2009; levying a tax in payment thereof; awarding the sale thereof; approving the official statement; and enacting other provisions relating thereto; and providing an effective date. [Consent Agenda Item (S)]

END OF CONSENT

Approval of Minutes [Consent Agenda Item (A)]

February 23, 2009

Citizen Jack Lagos spoke to prior appointment of Bobby Baggett as a joint at-large representative when there was no seat and his current occupancy of that seat. Mayor Evans and Council Member Miner responded that Mr. Baggett's appointment as a City of Plano representative will take effect upon his resignation as an at-large member.

Upon a motion made by Council Member Miner and seconded by Deputy Mayor Pro Tem LaRosiliere, the Council voted 8-0 to approve the February 23, 2009 Council Minutes.

There being no further discussion, Mayor Evans adjourned the meeting at 7:18 p.m.

Pat Evans, MAYOR

ATTEST:

Diane Zucco, City Secretary