

PLANO CITY COUNCIL
March 20, 2007

COUNCIL MEMBERS

Pat Evans, Mayor
Scott Johnson, Mayor Pro Tem
Sally Magnuson, Deputy Mayor Pro Tem
Shep Stahel
Jean Callison
Loretta L. Ellerbe
Harry LaRosiliere
Lee Dunlap

STAFF

Thomas H. Muehlenbeck, City Manager
Frank Turner, Executive Director
Bruce Glasscock, Executive Director
Rod Hogan, Executive Director
Diane C. Wetherbee, City Attorney
Elaine Bealke, City Secretary
Diane Zucco, Assistant City Secretary

Mayor Evans convened the Council into the Regular Session on Tuesday, March 20, 2007, at 7:02 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present with the exception of Council Members Stahel and LaRosiliere.

The invocation was led by Reverend Larry McGuire of First Baptist Church – Plano.

The Pledge of Allegiance was led by Representatives of Boys and Girls Clubs of Collin County – Plano.

Mayor Evans administered oaths of office to incoming Keep Plano Beautiful Commission member Rob Sippl and incoming Senior Citizens Advisory Board member Jim Hudson.

The Council recognized City Secretary Bealke for twenty years of service to the City and her retirement.

COMMENTS OF PUBLIC INTEREST

Ted Kalal, citizen of the City, spoke to allocating a portion of solicitor's fines to a complainant's charity in Plano. City Attorney Wetherbee spoke to some monies going to the state, City funds being set for a public purpose and hesitation regarding controls set by an outside party. City Manager Muehlenbeck spoke to being cautious regarding monies going into the General Fund then being obligated for a specific purpose and stated it may establish a precedent.

BOARD AND COMMISSION REPORT

Transportation Advisory Committee Chair Michael W. Copeland spoke to 2006 initiatives supported by the committee including the Safe Streets Program, Red Light Camera Program, and Share the Road Campaign. He spoke to determining what additional steps the committee can take to support the Council and City and recommendations including earlier involvement in development plans, traffic impact studies where appropriate, coordination with zoning cases, and assistance on Planning and Zoning Commission transportation aspects. Mr. Copeland spoke to the Committee's issues including public transportation, especially for seniors, road user safety including the Share the Road Campaign, pedestrian-friendly policies and opportunities during reconstruction/rehabilitation of an aging infrastructure and improving the "walkability" of Plano.

Mayor Evans and Deputy Mayor Pro Tem Magnuson spoke regarding senior transportation issues and to the survey done by the Senior Citizens Advisory Board. City Manager Muehlenbeck spoke to MP3 class of 2007 looking at senior transportation and stated that once complete, the group will look to the Transportation Advisory Committee for additional input.

CONSENT AGENDA

Upon the request of Staff, Consent Agenda Item "W" was pulled from the agenda.

Upon a motion made by Mayor Pro Tem Johnson and seconded by Deputy Mayor Pro Tem Magnuson, the Council voted 6-0 to approve and adopt all remaining items as recommended and as follows:

Approval of Minutes [Consent Agenda Item (A)]

February 26, 2007

Approval of Expenditures

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

Bid No. 2007-62-C for Overhead Door and Gate Inspection and Maintenance to Johnson Equipment Company in the estimated annual amount of \$50,020. This will establish an annual fixed price contract with three optional one-year renewals. [Consent Agenda Item (B)] (See Exhibit "A")

Bid No. 2007-92-B for the 2006-2007 Residential Concrete Pavement Rehabilitation Project, Zones K8, L8 & J6N to Jerusalem Corporation in the amount of \$637,539. This project involves the replacement of street and alley pavement in the residential areas on the west side of the City, bounded by Legacy Drive on the south, Red River Drive on the east, Hedgcox Road on the north and Independence Parkway on the west. [Consent Agenda Item (C)] (See Exhibit "B")

Bid No. 2007-60-C for Security Control Systems Maintenance Package to The Systems Group, Inc. dba SystemsGroup, SGI Protective Services, Silver Star Protective Services, in the estimated annual amount of \$46,562. This will establish an annual fixed price contract with three optional one-year renewals. [Consent Agenda Item (D)] (See Exhibit "C")

Bid No. 2007-63-C for Custodial Services – Various Locations to UBM Enterprise, Inc. in the estimated annual amount of \$962,273. This will establish an annual fixed price contract, with three optional one-year renewals. [Consent Agenda Item (E)] (See Exhibit "D")

Bid No. 2007-72-C to establish an annual fixed price contract for Traffic Control Devices/Signal Equipment items 1-9 to Requisite Inc. in the estimated amount of \$31,304. Item 10, Conflict Monitors, will be re-bid. This will establish an annual fixed price contract with three City optional renewals. [Consent Agenda Item (F)] (See Exhibit "E")

Purchase from Existing Contract/Agreement: (Purchase of products/services through Cooperative Purchasing Interlocal Contract with another governmental/quasi-governmental agency or an additional purchase from current City of Plano annual purchase agreement).

To approve the purchase of two (2) Spartan/General Pumper's and one (1) Spartan/General Pumper with Elevated Master Stream for the Fire Department in the amount of \$1,490,804 from Emergency Vehicles of Texas through an existing contract/agreement with HGAC Cooperative Purchase Program and authorizing the City Manager to execute all necessary documents. (#JC14 & JA01) [Consent Agenda Item (G)]

To approve the purchase of six (6) Panasonic Toughbook Laptops with mounting equipment and installation in the amount of \$31,341 from Portable Computer Systems, through an existing Department of Information Resources (DIR) contract; and authorizing the City Manager to execute all necessary documents. (DIR-VPC-03-039) [Consent Agenda Item (H)]

To approve the purchase of a Bomb Response Vehicle for the Police Department in the amount of \$200,000 from LDV Incorporated through a Texas Building and Procurement Commission contract, and authorizing the City Manager to execute all necessary documents. (TXMAS #4-23V020). [Consent Agenda Item (I)]

To approve the purchase of a Mini-ANDROS II Vehicle for the Police Department in the amount of \$81,153 from Remotec Incorporated through a Texas Building and Procurement Commission-Multiple Award Schedule contract, and authorizing the City Manager to execute all necessary documents. (TXMAS #GSA-84). [Consent Agenda Item (J)]

To approve the purchase of material testing services for the Parker Road Estates West Water Rehabilitation Project, in the amount of \$35,026 from Kleinfelder, Inc., through an existing contract/agreement, and authorizing the City Manager to execute all necessary documents. (Contract # 2005-265-D) [Consent Agenda Item (K)]

To approve the purchase of labor and materials for the Roof Replacement Project at Stadium Pump Station, in the amount of \$66,797, from Tremco Incorporated, through an existing contract/agreement with Texas Cooperative Purchasing Network (TCPN), and authorizing the City Manager to execute all necessary documents. (TCPN Vendor Contract No. R4611) [Consent Agenda Item (L)]

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 and Birkhoff, Hendricks & Conway, L.L.P., in the amount of \$127,500, for Dallas North Trunk Sewer Replacement Rehabilitation, Phase III, and authorizing the City Manager to execute all necessary documents. This agreement is for engineering design to include the replacement of about 4,300 linear feet of 24-inch to 36-inch diameter sewer line along the President George Bush Turnpike. [Consent Agenda Item (M)]

Change Order: (Change to current City of Plano contract allowable under State law)

To Birkhoff, Hendricks & Conway, L.L.P. increasing the Professional Services Contract by \$6,500 for Dallas North Trunk Sewer Main Rehabilitation, Contract Modification No. 1. [Consent Agenda Item (N)]

To Miller Pipeline Corporation, increasing the contract by \$37,237 for the Sanitary Sewer Rehabilitation Requirements Contract 2004, Project No. 5470, Renewal, Change Order No. 1, Bid No. P069-04 [Consent Agenda Item (O)]

To Tri-Con Services, Inc. increasing the contract by \$58,085 for Avenue P, Park to 18Th Street/Ridgetop Lane, Change Order No. 6 (2006-51-B). [Consent Agenda Item (P)]

Adoption of Resolutions

Resolution No. 2007-3-1(R): To authorize continued participation with the Atmos Cities Steering Committee; and authorizing the payment of 10 cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation; authorizing the City Manager to take such action and execute such documents as necessary and providing an effective date. [Consent Agenda Item (Q)]

Resolution No. 2007-3-2(R): To appoint the City Manager to be Plan Administrator of the 457 Deferred Compensation Plan; setting forth duties of the Plan Administrator; and providing an effective date. [Consent Agenda Item (R)]

Resolution No. 2007-3-3(R): To ratify the terms and conditions of an Interlocal Agreement between the cities of Prosper and Plano for Administration Services to be provided to Prosper by Plano; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (S)]

Resolution No. 2007-3-4(R): To authorize the participation of the City in the action styled City of Webster and the Webster Economic Development Corporation vs. Carole Keeton Strayhorn, in Her Official Capacity as Comptroller of Public Accounts for the State of Texas currently pending in the 261st District Court of Travis County, and/or to pursue such other remedies and matters relating to sales tax allocation; authorizing the expenditure of funds; and providing an effective date. [Consent Agenda Item (T)]

Resolution No. 2007-3-5(R): To authorize a partial refund of property taxes and fees in the amount of \$330 pursuant to Section 43.148(a) of the Texas Local Government Code to property owners disannexed from the City of Plano; authorizing the City Manager to take such action and execute such documents as necessary to effectuate said refund approved herein; and providing an effective date. [Consent Agenda Item (U)]

Adoption of Ordinances

Ordinance No. 2007-3-6: To abandon all right, title and interest of the City, in and to that certain drainage easement recorded in Volume 4247, Page 1762 and that certain drainage easement recorded in Clerk File No. 92-0002185 of the Land Records of Collin County, Texas, being situated in the John D. Martin Survey, Abstract No. 603, which is located within the City limits of Plano, Collin County, Texas quitclaiming all right, title and interest of the City in such easements to the abutting property owner, Plano Pointe West, L.P., to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. [Consent Agenda Item (V)]

To repeal Ordinance No. 93-11-14, codified as Subsection “Central Expressway,” a paragraph under Section 12-74 of Chapter 12 (Traffic Code) of the Code of Ordinances of the City of Plano; adopting a new subsection “Central Expressway” of Section 12-74 of Chapter 12 (Traffic Code) of the Code of Ordinances to establish prima facie maximum speed limits for motor vehicles operating upon certain sections of Central Expressway within the corporate limits of the City of Plano; providing a fine for criminal penalties not to exceed \$200.00 for each offense; and providing a repealer clause, a penalty clause, a severability clause, a savings clause, and an effective date. [Consent Agenda Item (W)] (Item pulled from the agenda)

Ordinance No. 2007-3-7: To amend Article I. In General, of Chapter 17. Police, of the City of Plano Code of Ordinances by adding Section 17-2 to codify the authority of police officers to enforce State laws and City ordinances; and providing an effective date. [Consent Agenda Item (X)]

Ordinance No. 2007-3-8: To adopt and enact Supplement Number 77 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date. [Consent Agenda Item (Y)]

Ordinance No. 2007-3-9: To revise Section 2-301 of Article XVI Self-Sufficiency Committee of Chapter 2 Administration of the Code of Ordinances of the City of Plano to add one member to be appointed by Plano Housing Authority; providing a repealer clause, a severability clause, and an effective date. [Consent Agenda Item (Z)]

END OF CONSENT

Public Hearing and an ordinance as requested in Zoning Case 2007-01 – To amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend 5.7± acres located at the northeast corner of Preston Road and Old Shepard Place in the City of Plano, Collin County, Texas, from Planned Development-189-Retail/General Office to Planned Development-186-Retail/General Office; 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. Applicant: Old Shepard Place II, Ltd. [Regular Agenda Item (1)]

Director of Planning Jarrell advised the Council that the applicant has requested the item be tabled until the April 9, 2007 Council meeting.

Upon a motion made by Deputy Mayor Pro Tem Magnuson and seconded by Council Member Ellerbe, the Council voted 6-0 to table Zoning Case 2007-01 - A request to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend 5.7± acres located at the northeast corner of Preston Road and Old Shepard Place in the City of Plano, Collin County, Texas, from Planned Development-189-Retail/General Office to Planned Development-186-Retail/General Office until April 9, 2007.

Discussion and adoption of Ordinance No. 2007-3-10 to amend Chapter 21, Article II, Division 4, Drought Contingency Plan, Section 21.60.1(J) and 21.60.1(N) of the Code of Ordinances of the City of Plano; revising the existing water zone map to include a morning watering schedule and evening watering schedule for the purpose of improving the operations of the City's water system; providing a repealer clause, a savings clause; a severability clause; and providing an effective date. [Regular Agenda Item (2)]

Director of Public Works Foster spoke regarding elevated storage tanks, meeting peak flow requirements, equalizing pressures throughout the City, providing emergency water supplies and recommendations to improve the operational characteristics of the water system. He spoke to overwatering that occurred last year due to the one-day limitation and stated that impacts on storage have impacts on pressure. Mr. Foster spoke to recommended amendments to allow watering two days per week during specified times, prohibiting watering from 10 p.m. to 2 a.m. in addition to the current prohibition from 10 a.m. to 6 p.m., dividing the City into six zones and allowing watering on an additional day (Saturday). Mr. Foster spoke to the recommendations offering operational improvements, more flexibility for citizens, watering being permitted two days per week rather than one and an enhancement of fire-fighting capabilities.

Mr. Foster spoke to the low levels of area lakes and recent rainfall stating that it is running behind last year. He responded to City Manager Muehlenbeck, stating that eastern Plano is one of the areas experiencing problems with pressure and that dividing it will help. He spoke to low pressure in the northern and mid-sections of the City as well. Mr. Foster responded that Saturday was a better choice for an additional day in terms of enforcement and spoke to considering those who may attend church on Sunday. He spoke to providing letters to all citizens regarding the amendments, group meetings, electronic displays, mall displays and to delaying enforcement of the changes until mid-April. Mr. Foster spoke to continued enforcement of the 10 a.m. to 6 p.m. restriction.

Mr. Foster advised that violations would be handled as they are in the existing ordinance and responded to Council Member Ellerbe, stating that allowing watering of putting greens and t-boxes is consistent with the current restrictions. He spoke to the great level of contribution on the part of the City's commercial sector. Mr. Foster responded to Mayor Pro Tem Johnson, stating that the future projects of the North Texas Municipal Water District appear to be on time or ahead of schedule.

Danny Morris, citizen of the City, spoke to the low pressure he experienced last year and to including Sunday nights rather than Saturday. He spoke to control boxes that do not allow different watering times on different days and to the City providing information on models that may accommodate the revisions.

Ordinance No. 2007-3-10 (cont'd)

Upon a motion made by Deputy Mayor Pro Tem Magnuson and seconded by Mayor Pro Tem Johnson, the Council voted 6-0 to amend Chapter 21, Article II, Division 4, Drought Contingency Plan, Section 21.60.1(J) and 21.60.1(N) of the Code of Ordinances of the City of Plano; revising the existing water zone map to include a morning watering schedule and evening watering schedule for the purpose of improving the operations of the City's water system; providing a repealer clause, a savings clause; a severability clause; and providing an effective date; and further to adopt Ordinance No. 2007-3-10.

Public Hearing and receive Staff report on the City's Juvenile Curfew Ordinance No. 94-11-11; action to continue, repeal or modify the current ordinance. [Regular Agenda Item (3)]

Chief Rushin spoke to review of the Juvenile Curfew Ordinance done every three years, reviewed the history and purpose of the ordinance and advised that that it deals with those under 17, restricting them from public places or premises during certain hours and has minor and parent culpability. He spoke to the defenses including being accompanied by a parent or guardian, running an errand for a parent, traveling interstate, employment activities, emergencies, being on the sidewalk in front of one's house, supervised school/religious/recreational activity, exercising First Amendment rights or being married. Chief Rushin spoke to the opportunity to refer first-time offenders into programs that require parental cooperation, use of the ordinance as tool for early intervention, and penalty options including trial, deferred disposition, teen court and a first offender program. He stated that from March 2004 to February 2007 a majority of the notices given resulted in a referral to teen court or a first-offender program and spoke regarding the increases in youth population while offenses committed by minors during curfew hours have remained consistently low. Chief Rushin spoke to the ordinance as an effective tool in curbing crimes committed by persons younger than 17 and recommended it be continued with no changes.

Mayor Evans opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Callison and seconded by Mayor Pro Tem Johnson , the Council voted 6-0 to approve the City's Juvenile Curfew Ordinance No. 94-11-11.

Public Hearing pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to the use or taking of a portion of a City of Plano Park and known as the Wellington Site for an amendment to a Communications Facilities License Agreement for cellular equipment attached to and at the base of the existing TXU electric transmission tower. [Regular Agenda Item (4)]

Director of Customer and Utility Services Israelson spoke to an audit of cellular equipment in rights-of-way and information indicating a number are located on City property. He spoke to expansion of the Verizon site, coming to terms on the rental amount, and approval by the Parks and Recreation Planning Board.

Mayor Evans opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Ordinance No. 2007-3-11: To approve a project requiring the use or taking of a portion of City of Plano public park land, known as the Wellington Site; providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the park land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park and recreation area resulting from the use; and providing an effective date. [Regular Agenda Item (5)]

Upon a motion made by Council Member Ellerbe and seconded by Mayor Pro Tem Johnson, the Council voted 6-0 to approve a project requiring the use or taking of a portion of City of Plano public park land, known as the Wellington Site; providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the park land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park and recreation area resulting from the use; and providing an effective date; and further to adopt Ordinance No. 2007-3-11.

Resolution No. 2007-3-12(R): To approve the terms and conditions of an amendment to a Communications Facilities License Agreement by and between the City of Plano, Texas, and Dallas MTA, L.P., a Texas Limited Partnership, d/b/a Verizon Wireless, to locate, place, attach, install, and operate, telecommunications ground equipment in certain specific portions of City of Plano public park land, known as the Wellington Site, authorizing its execution by the City Manager, and providing an effective date. [Regular Agenda Item (6)]

Upon a motion made by Mayor Pro Tem Johnson and seconded by Council Member Ellerbe, the Council voted 6-0 approve the terms and conditions of an amendment to a Communications Facilities License Agreement by and between the City of Plano, Texas, and Dallas MTA, L.P., a Texas Limited Partnership, d/b/a Verizon Wireless, to locate, place, attach, install, and operate, telecommunications ground equipment in certain specific portions of City of Plano public park land, known as the Wellington Site, authorizing its execution by the City Manager, and providing an effective date; and further to adopt Resolution No. 2007-3-12(R).

Public Hearing pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to the use or taking of a portion of a City of Plano Park and known as the Bronze Leaf Site for a Communications Facilities License Agreement for cellular equipment attached to and at the base of the existing TXU electric transmission tower. [Regular Agenda Item (7)]

Director of Customer and Utility Services Israelson advised that the City has come into agreement with T-Mobile on the following two sites, that they will build a living screen around each of the sites, and that these are existing facilities.

Mayor Evans opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Ordinance No. 2007-3-13: To approve a project, requiring the use or taking of a portion of City of Plano public park land, known as the Bronze Leaf Site; providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the park land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park and recreation area resulting from the use; and providing an effective date. [Regular Agenda Item (8)]

Upon a motion made by Deputy Mayor Pro Tem Magnuson and seconded by Council Member Ellerbe, the Council voted 6-0 to approve a project, requiring the use or taking of a portion of City of Plano public park land, known as the Bronze Leaf Site; providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the park land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park and recreation area resulting from the use; and providing an effective date; and further to adopt Ordinance No. 2007-3-13.

Resolution No. 2007-3-14(R): To approve the terms and conditions of a Communications Facilities License Agreement by and between the City of Plano, Texas, and T-Mobile Texas, L.P. by T-Mobile West Corporation, a Delaware Corporation, to locate, place, attach, install, and operate, telecommunications ground equipment in certain specific portions of City of Plano public park land, known as the Bronze Leaf Site, authorizing its execution by the City Manager, and providing an effective date. [Regular Agenda Item (9)]

Upon a motion made by Council Member Callison and seconded by Council Member Ellerbe, the Council voted 6-0 to approve the terms and conditions of a Communications Facilities License Agreement by and between the City of Plano, Texas, and T-Mobile Texas, L.P. by T-Mobile West Corporation, a Delaware Corporation, to locate, place, attach, install, and operate, telecommunications ground equipment in certain specific portions of City of Plano public park land, known as the Bronze Leaf Site, authorizing its execution by the City Manager, and providing an effective date; and further to adopt Resolution No. 2007-3-14(R).

Public Hearing pursuant to Chapter 26 of the Texas Parks and Wildlife Code pertaining to the use or taking of a portion of a City of Plano Park and known as the Blue Ridge Site for a Communications Facilities License Agreement for cellular equipment attached to and at the base of the existing TXU electric transmission tower. [Regular Agenda Item (10)]

Mayor Evans opened the Public Hearing. No one spoke either for or against the request. The Public Hearing was closed.

Ordinance No. 2007-3-15: To approve a project, requiring the use or taking of a portion of City of Plano public park land, known as the Blue Ridge Park Site; providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the park land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park and recreation area resulting from the use; and providing an effective date. [Regular Agenda Item (11)]

Upon a motion made by Council Member Callison, and seconded by Deputy Mayor Pro Tem Magnuson, the Council voted 6-0 to approve a project, requiring the use or taking of a portion of City of Plano public park land, known as the Blue Ridge Park Site; providing for a determination that there is no feasible and prudent alternative to the proposed use or taking of the park land; and that the proposed project includes all reasonable planning to minimize harm to the land and the park and recreation area resulting from the use; and providing an effective date; and further to adopt Ordinance No. 2007-3-15.

Resolution No. 2007-3-16(R): To approve the terms and conditions of a Communications Facilities License Agreement by and between the City of Plano, Texas and T-Mobile Texas, L.P. by T-Mobile West Corporation, a Delaware Corporation, to locate, place, attach, install, and operate, telecommunications ground equipment in certain specific portions of City of Plano public park land, known as the Blue Ridge Site, authorizing its execution by the City Manager, and providing an effective date. [Regular Agenda Item (12)]

Upon a motion made by Deputy Mayor Pro Tem Magnuson and seconded by Council Member Callison, the Council voted 6-0 to approve the terms and conditions of a Communications Facilities License Agreement by and between the City of Plano, Texas and T-Mobile Texas, L.P. by T-Mobile West Corporation, a Delaware Corporation, to locate, place, attach, install, and operate, telecommunications ground equipment in certain specific portions of City of Plano public park land, known as the Blue Ridge Site, authorizing its execution by the City Manager, and providing an effective date; and further to adopt Resolution No. 2007-3-16(R).

There being no further discussion, Mayor Evans adjourned the meeting at 8:02 p.m.

Pat Evans, MAYOR

ATTEST:

Elaine Bealke, City Secretary
Diane Zucco, Assistant City Secretary