



CITY COUNCIL

1520 AVENUE K

DATE: February 17, 2009

CALL TO ORDER: 7:00 p.m.

INVOCATION: Father Jason Cargo
St. Elizabeth Ann Seton Catholic Church

PLEDGE OF ALLEGIANCE: Brownie Troop 8859
Harrington Elementary School

ITEM NO.	EXPLANATION	ACTION TAKEN
	<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>OATHS OF OFFICE</u></p> <p><u>Animal Shelter Advisory Committee</u> Elizabeth Ann Bodden</p> <p><u>Community Relations Commission</u> Elias Baron</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>No one appeared to speak</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(a)	<p><u>Approval of Minutes</u></p> <p>January 26, 2009</p>	Approved
(b)	<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> <p>CSP No. 2009-27-C for Security Control System Upgrade and Maintenance for the Robinson Justice Center and Police Building in the amount of \$704,500 to Redhawk, a UTC Fire & Security Company, for the security upgrade and an estimated annual amount of \$13,000 for maintenance, for a first year total of \$717,500 and authorizing the City Manager to execute all necessary documents. This will establish an annual fixed price contract with three optional one-year renewals for the maintenance.</p>	Approved
(c)	<p>Purchase from an Existing Contract</p> <p>To approve the purchase of one Caterpillar Backhoe Loader (416E) in the amount of \$66,950 from Holt Cat through an existing contract/agreement with Texas Association School Buyboard Purchase Program, and authorizing the City Manager to execute all necessary documents. (#268-07)</p>	Approved
(d)	<p>To authorize the purchase of CommVault Email Archiving Solution for eDiscovery, in the amount of \$165,573 from Dell, through a Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-890)</p>	Approved
(e)	<p>Contract Modification</p> <p>To approve and authorize Contract Modification No. 2 with Carter & Burgess, Inc. for additions and deletions in Architectural Services in conjunction with improvements to Oak Point Park and Nature Preserve resulting in a net reduction in the contract amount by \$73,351 and authorizing the City Manager to execute any and all documents necessary to effectuate the contract modifications.</p>	Approved
(f)	<p>Approval of Change Order</p> <p>To Hencie International, Inc., increasing the contract by \$32,507 for the 2007-2008 Residential Concrete Pavement Rehabilitation Project, Zone I8, Project No. 5890, Change Order No. 2, Bid No. 2008-95-B. This change order is for additional alley repairs.</p>	Approved
(g)	<p>To Jerusalem Corporation, increasing the contract by \$82,675 for the 2007-2008 Residential Concrete Pavement Rehabilitation Project, Zone L5, Project No. 5936, Change Order No. 1, Bid No. 2008-205-B. This change order is for additional street pavement repairs due to the drought/wet conditions and shrinkage/swelling of the base soil under the street pavement.</p>	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><u>Adoption of Resolutions</u></p>	
(h)	<p>Resolution No. 2009-2-1(R): To approve the terms and conditions of a Second Modification of Contract by and between Otto Container Management, L.L.C. and the City of Plano, Texas for maintenance, repair, replacement and distribution of roll out trash and recyclable carts; authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>
(i)	<p>Resolution No. 2009-2-2(R): To approve the terms and conditions of an Agreement by and between the City of Plano and the Presbyterian Plano Diagnostics Surgery Center for the use of the Allen/Frisco/Plano Trunked Radio System by PPCDS; authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>
(j)	<p>Resolution No. 2009-2-3(R): To approve the Investment Portfolio Summary for the quarter ending December 31, 2008 prepared by Valley View Consulting, L.L.C.; and providing an effective date.</p>	<p>Adopted</p>
(k)	<p>Resolution No. 2009-2-4(R): To approve the terms and conditions of an Amended Economic Development Incentive Agreement by and between the City of Plano, Texas and Diodes Incorporated, a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>
(l)	<p>Resolution No. 2009-2-5(R): To approve the terms and conditions of an Amended Agreement by and between the City of Plano, Texas, the County of Collin, Texas, and Diodes Incorporated, a Delaware corporation, and providing for a real and business personal property tax abatement, and authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>
(m)	<p>Resolution No. 2009-2-6(R): To approve the terms and conditions of a Real Estate Contract by and between Preston Legacy Holdings, L.P., and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>
(n)	<p>Resolution No. 2009-2-7(R): To authorize outside employment with Southern Methodist University for the City Attorney, Diane Wetherbee; and providing an effective date.</p>	<p>Adopted</p>
(o)	<p>Resolution No. 2009-2-8(R): To authorize the City Manager to enter into a Joint Election Agreement with the Plano Independent School District and Frisco Independent School District for the purpose of conducting a joint election on May 9, 2009; and providing an effective date.</p>	<p>Adopted</p>
	<p><u>Adoption of Ordinances</u></p>	
(p)	<p>Ordinance No. 2009-2-9: To order an election to be held on May 9, 2009 for the purpose of electing four (4) members of Council, Place No. 2 (District 2), Place No. 4 (District 4), Place No. 6 (Mayor), and Place No. 8, to the City Council to hold office for a period of three years; designating locations of polling places; ordering notices of election to be given as prescribed by law in connection with such election; and providing an effective date.</p>	<p>Adopted</p>
(q)	<p>Ordinance No. 2009-2-14: To repeal Ordinance No. 2003-4-18, which set fees for Animal Services; and repealing Ordinance No. 2008-11-15, entitled "Health Categories and Fees"; and replacing both with this ordinance, to be entitled "Health Categories and Fees" to provide for the addition of Animal Services fees; providing a repealer clause, a severability clause, and an effective date.</p>	<p>Adopted</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(r)	<p>Ordinance No. 2009-2-13: To repeal Ordinance Nos. 94-12-16, 96-8-7, 99-8-11 codified as Chapter 4, Animal Regulations, Code of Ordinances of the City of Plano and adopting a new Chapter 4, Animal Regulations, Code of Ordinances of the City of Plano incorporating updates to State law and adding provisions regulating: sterilization; multiple pets; pet identification through microchips; certain businesses which deal with animals; and, the use of tethers; providing a repealer clause, a severability clause; a penalty clause; a savings clause; providing an effective date; and providing for publication.</p>	<p>Adopted – w/exception of Sec. 4-809 for which Council directed further consideration</p>
(s)	<p>Ordinance No. 2009-2-10: To amend Ordinance 2008-12-4, currently codified as Chapter Six, Article XIII, Irrigation Systems, to amend the regulations including listed and approved devices, a correct filing date of reports and requirement of freeze sensors for installation on irrigation systems within the city limits of the City; and providing a repealer clause, a severability clause, a penalty clause, a publication clause and an effective date.</p>	<p>Adopted</p>
(t)	<p>Ordinance No. 2009-2-11: To amend the City’s ordinances providing for the issuance of City of Plano, Texas, General Obligation Bonds, Series 2007, General Obligation Bonds, Series 2008 and General Obligation Bonds, Series 2009; and providing an effective date.</p>	<p>Adopted</p>
(u)	<p>Ordinance No. 2009-2-12: To amend Section 12-74(b) 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 Headquarters Drive and Parkwood Boulevard 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 severability clause, a savings clause, a publication clause, and an effective date.</p>	<p>Adopted</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>		

ITEM NO.	EXPLANATION	ACTION TAKEN
(1)	Ordinance 2009-2-15: To amend specific sections of Ordinance No. 2008-1-9 codified as Sections 21-135, 21-136 and 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, to reflect the new rates and increase the fee schedules for water and sewer services effective March 1, 2009, and providing a repealer clause, a severability clause, a savings clause, and an effective date.	Adopted
(2)	Ordinance 2009-2-16: To authorize a three-year renewal of the Private Franchise Agreement by and between the City of Plano, Texas and Allied Waste Systems, Inc. d/b/a Trinity Waste Services, for collection and disposal of solid waste for commercial customers located within the City of Plano and a non-exclusive private franchise for collection of recyclable materials from commercial customers located in the City of Plano; and authorizing the City Manager to execute any and all documents necessary to effectuate this renewal; providing a repealer clause, a severability clause, a savings clause, a penalty clause, and providing for publication and an effective date. (Second Reading, First Reading approved January 12, 2009)	Adopted
(3)	Resolution No. 2009-2-17(R): To approve the Investment Portfolio Summary for the quarter ending September 30, 2008 prepared by Valley View Consulting, L.L.C.; and providing an effective date.	Adopted
(4)	Resolution No. 2009-2-18(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Interphase Corporation, a Texas corporation; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(5)	Resolution No. 2009-2-19(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Robot Entertainment, Inc., a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(6)	<p>Public Hearing and adoption of Ordinance No. 2009-2-20 to amend the Comprehensive Plan originally adopted by Resolution No. 86-11-22(R) to include a Mixed-use Policy Statement with guidelines for reviewing zoning requests for mixed-use projects; providing procedures approving the utilization of said policy statement by the appropriate personnel and departments of the City of Plano for the purpose of guiding future development within the City of Plano, Texas; and providing an effective date. Applicant: City of Plano</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>	Conducted and adopted