



# CITY COUNCIL

1520 AVENUE K

DATE: April 27, 2009

CALL TO ORDER: 7:00 p.m.

INVOCATION: Dr. Leon Aduddell  
First Baptist Church Plano

PLEDGE OF ALLEGIANCE: Boy Scout Troop 1177  
Church of Jesus Christ of Latter Day Saints

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><b>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</b></p> <p><b><u>PROCLAMATIONS &amp; SPECIAL RECOGNITION</u></b></p> <p>Proclamations: National Volunteer Month – April 2009            *Volunteers in Plano            *Legacy Community Partners</p> <p>Proclamation: Building Safety Week</p> <p>Presentation: Diane Zucco, City Secretary – Certified Municipal Clerk</p> <p><b><u>OATHS OF OFFICE</u></b></p> <p><u>North Texas Municipal Water District Board</u>            Jerry E. Yancey</p> <p><u>Self Sufficiency Committee</u>            Stephen E. Vitasek</p> <p><b><u>COMMENTS OF PUBLIC INTEREST</u></b></p> <p><b><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></b></p>	<p>Presented</p> <p>Administered</p> <p>Received</p>

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p><b><u>CONSENT AGENDA</u></b></p> <p><b><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></b></p> <p><b><u>Approval of Minutes</u></b></p> <p>(a) April 14, 2009</p> <p><b><u>Approval of Expenditures</u></b></p> <p><b>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</b></p> <p>(b) <b>Bid No. 2009-80-B</b> for Screening Wall-Desert Garden to Ratliff Hardscape, Ltd. in the amount of \$295,582. The project includes the removal and replacement of existing screening walls with new screening walls. The total length of new walls add up to 1,172 linear feet. Also includes 5,540 square feet of adjacent sidewalks.</p> <p>(c) <b>Bid No. 2009-100-B</b> for Baffin Bay Drive and Morton Vale Road to JRJ Paving, L.P., in the amount of \$637,033 for the Alternate No. 2 Bid (low nitrous oxide dry kiln cement). The project consists of pavement reconstruction and water line replacement on Baffin Bay Drive from Custer Road to Country Place Drive and pavement reconstruction on Morton Vale Road from Parker Road to 500 feet west.</p> <p>(d) <b>Bid No. 2009-88-B</b> for Shiloh Pump Station to Crescent Constructors, Inc., in the amount of \$921,000. The project includes replacement of pumps, motors, piping, electrical motor control centers, etc.</p> <p>(e) <b>Bid No. 2009-93-B</b> for Avenue P, 18<sup>th</sup> Street and Belle View Addition to McMahon Contracting, LP, in the amount of \$1,394,301 for the Alternate No. 2 Bid (low nitrous oxide dry kiln cement). The project consists of pavement reconstruction and water line replacement on the following streets: P Avenue – 17<sup>th</sup> Street to 18<sup>th</sup> Street, 18<sup>th</sup> Street – P Avenue to Redbud Lane, 17<sup>th</sup> Street – N Avenue to P Avenue, N Place – 17<sup>th</sup> Street to 18<sup>th</sup> Street, O Avenue – 17<sup>th</sup> Street to 18<sup>th</sup> Street, Concord Circle – 17<sup>th</sup> Street to end and N Avenue – 16<sup>th</sup> Place to 18<sup>th</sup> Street (water line replacement only). The project also includes storm drainage, sidewalks, driveways and other related construction.</p> <p><b>Purchase from an Existing Contract</b></p> <p>(f) To approve the purchase of Fire Station #6 Kitchen Remodel in the amount of \$55,580 from Kellogg Brown and Root Services, Inc. through an existing contract/agreement with The Cooperative Purchasing Network (TCPN), and authorizing the City Manager to execute all necessary documents. (TCPN Contract No. R4895)</p>	<p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p> <p><b>Approved</b></p>

ITEM NO.	EXPLANATION	ACTION TAKEN
(g)	<p>To authorize the renewal of Technical Support Services for PeopleSoft Software License Applications, in the amount of \$157,187 from Oracle, through a Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents (DIR-VPC-03-018).</p> <p><b>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</b></p>	<b>Approved</b>
(h)	<p>To approve a Professional Services Agreement by and between Weibring-Wolfard Golf Design, Inc. and the City of Plano, Texas in the amount of \$876,200 for Pecan Hollow Golf Course Renovation and authorizing the City Manager to execute all necessary documents (RFQ #208-55B). The renovation includes a new cart barn, new greens, new tee boxes, cart path additions, new irrigation system, re-routing of several existing fairways and a new fully functional driving range.</p> <p><b>Approval of Change Order</b></p>	<b>Tabled until following election</b>
(i)	<p>To Motorola, Inc. increasing the contract by \$139,753 for Services of Cabinet move as part of the backhaul upgrade for Coit Water Tower, Jupiter Water Tower and Parkwood Water Tower through an existing contract/agreement with Houston Galveston Area Council (HGAC), and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. RA01-06). Change Order No. 3.</p>	<b>Approved</b>
(j)	<p>To Alan Plummer Associates, Inc., increasing the Professional Services Contract by \$21,278 for Alma Drive and Parker Road Drainage Improvements, Contract Modification No. 2. Additional design services are required for additional survey work, drainage study/analysis of an additional drainage area, design modifications to the proposed drainage relief line route and re-analysis of the proposed drainage relief system considering the additional drainage area.</p>	<b>Approved</b>
(k)	<p>To Ratliff Hardscape Ltd., increasing the contract by \$28,028, for Screening Wall – 15<sup>th</sup> Street Project, Change Order No. 1, Original Bid No. 2008-178-B. This change order is for revising the scope of work to include the changes to the quantities of drilled piers.</p>	<b>Approved</b>
(l)	<p>To McMahon Contracting, L.P., increasing the contract price by \$56,082 for Intersection Improvements – Jupiter Road and Plano Parkway, Change Order No. 1, Original Bid No. 2008-76-B. This change order is for revising the scope of work to include various paving, drainage, water and landscaping repairs.</p> <p><b><u>Adoption of Resolutions</u></b></p>	<b>Approved</b>
(m)	<p><b>Resolution No. 2009-4-14(R):</b> To approve and authorize the refunds of Property Tax Overpayments; and providing an effective date. This will authorize the City's Tax Assessor/Collector to make the appropriate property tax refunds totaling \$8,365.</p>	<b>Adopted</b>
(n)	<p><b>Resolution No. 2009-4-15(R):</b> To approve and authorize the refunds of Property Tax Overpayments; and providing an effective date. This will authorize the City's Tax Assessor/Collector to make the appropriate property tax refunds totaling \$12,804.</p>	<b>Adopted</b>

ITEM NO.	EXPLANATION	ACTION TAKEN
(o)	<p><b>Resolution No. 2009-4-16(R):</b> To authorize the purchase of street light standards and associated equipment for Headquarters Drive from Spring Creek Parkway to Parkwood Drive, Communications Parkway from Headquarters Drive to Tennyson Parkway, Corporate Drive from Legacy Drive to Tennyson Parkway, Democracy Drive from North Dallas Parkway to Tennyson Parkway, Brand Road from south of Tribune Way to north of Logan Drive, from Oncor Electric Delivery, who is the selected provider of electric service and the selected provider of such equipment; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the purchase in an amount not to exceed \$285,134 and providing an effective date.</p> <p><b><u>Adoption of Ordinances</u></b></p>	<b>Adopted</b>
(p)	<p><b>Ordinance No. 2009-4-17:</b> To amend Ordinance No. 2008-4-39, currently codified as Chapter 6, Article XX, Residential Code, Division 2, Section 6-710, with certain additions, deletions and amendments to the City of Plano Code of Ordinances by adding Appendix R; establishing a "Residential Green Building Standard" for all new single family residential buildings and structures in the City of Plano, Texas; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.</p>	<b>Adopted</b>
(q)	<p><b>Ordinance No. 2009-4-18:</b> To repeal Article XVIII. Youth Advisory Commission of Chapter 2 Administration of the City of Plano Code of Ordinances; and providing an effective date.</p>	<b>Adopted</b>
(r)	<p><b>Ordinance No. 2009-4-19:</b> To amend Section 12-73 and add Section 12-73.1 to Chapter 12 Motor Vehicles and Traffic of the City of Plano Code of Ordinances; to revise the definition of school days during the regular school year, and to enact school zones for summer school sessions; providing a fine for criminal penalties not to exceed \$200 for each offense; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date.</p>	<b>Adopted</b>
(s)	<p><b>Ordinance No. 2009-4-20:</b> To repeal City of Plano Ordinance No. 95-12-29, codified as Article VIII, Flood Damage Prevention, Sections 16-161 through 16-194, Chapter 16 of the Code of Ordinances of the City and enacting a new Article VIII, Flood Damage Prevention, Chapter 16 of the Code of Ordinances; adding rules and regulations to minimize loss from flooding; incorporating new flood plain maps as developed by the Federal government; authorizing the Director of Public Works and Engineering to implement and administer this ordinance; providing for permits; and providing a savings clause, a penalty clause, a severability clause, a publication clause, and an effective date.</p>	<b>Adopted</b>
(t)	<p><b>Ordinance No. 2009-4-21:</b> To amend Section 14-7 of Chapter 14. Offenses-Miscellaneous of the Code of Ordinances of the City of Plano thereby providing that roller skates and similar devices are prohibited in certain portions of Memorial Park; providing a repealer clause; a savings clause; a severability clause; a penalty clause; and providing an effective date.</p>	<b>Adopted</b>

ITEM NO.	EXPLANATION	ACTION TAKEN
(u)	<p><b>Ordinance No. 2009-4-22:</b> To amend Chapter 15. Parks and Recreation of the Code of Ordinances of the City of Plano designating athletic fields and support areas as reserved facilities; closing soft trails and native park areas between dusk and dawn; prohibiting owners from accompanying animals in park areas without proper materials to clean up animal droppings; adjusting sports seasons for various activities; prioritizing facilities use; setting fees for residents and non-residents; amending the composition of the Tree Ordinance Review Board; excluding franchise utility companies from certain tree trimming restrictions on public property; providing a repealer clause; a savings clause; a severability clause; a penalty clause; and providing an effective date.</p> <p><b><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></b></p> <p><b><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></b></p> <p><b><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></b></p>	<b>Adopted</b>
(1)	<b>Transmittal of Fiscal Year 2007-2008 Affirmative Action Report.</b>	<b>Received</b>
(2)	<b>Public Hearing and adoption of Resolution No. 2009-4-23(R)</b> to adopt the 2009-2010 Action Plan, including the Final Statement of Community Development Block Grant and Home Program Objectives and Proposed Use of Funds for Program Year 2009-2010; and declaring an effective date.	<b>Conducted and adopted</b>
(3)	<b>Resolution No. 2009-4-24(R):</b> to authorize the filing of applications for Federal Funds in an amount not to exceed \$1,751,851 under the Housing and Community Development Act and the Home Investment Partnership Act; designating Thomas H. Muehlenbeck as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date.	<b>Adopted</b>
(4)	<b>Public Hearing and adoption of Ordinance No. 2009-4-25</b> to designate a certain area within the City of Plano as Reinvestment Zone No. 118 for a Tax Abatement consisting of a 17.181 acre tract of land located at the northwest corner of East Plano Parkway and Stewart Avenue, in the City of Plano, Texas establishing the boundaries of such zone; ordaining other matters relating thereto; and providing an effective date.	<b>Conducted and adopted</b>

ITEM NO.	EXPLANATION	ACTION TAKEN
(5)	<b>Resolution 2009-4-26(R)</b> approving the terms and conditions of an Agreement by and between the City of Plano, Texas, The Planet, a Delaware corporation and Northwest Mutual Life, a Wisconsin company; and providing for a Business Personal Property and Real Property Tax Abatement; and authorizing its execution by the City Manager; and providing an effective date.	<b>Adopted</b>
(6)	<b>Resolution No. 2009-4-27(R)</b> to approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and The Planet, a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date.	<b>Adopted</b>
(7)	<b>Resolution 2009-4-28(R)</b> to approve an amendment to the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Bear Transportation Services, LP, a Delaware limited partnership; authorizing its execution by the City Manager; and providing an effective date.	<b>Adopted</b>
(8)	<b>Public Hearing</b> and approval of disbursement of grant funds in the total amount of \$597,704 awarded through the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Award for the purpose of purchasing equipment resources, pursuant to the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the "Recovery Act") and by 42 U.S.C. 3751 (a). Under this Grant, the City of Plano will be the Fiscal agent and will disburse funds to the City of Allen, City of Frisco, City of McKinney, City of Wylie and the Collin County Sheriff's Office as agreed upon in the Memorandum of Understanding signed by all entities.	<b>Conducted</b>
(9)	<p><b>Resolution 2009-4-29(R)</b> to approve the terms and conditions of an Interlocal Cooperation Agreement between the City of Plano, Texas, the City of Allen, the City of Frisco, the City of McKinney and the City of Wylie and the County of Collin, Texas for the disbursement of the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Award funds; authorizing its execution by the City Manager; and providing an effective date.</p> <p><u><b>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.</b></u></p>	<b>Adopted</b>