



CITY COUNCIL

1520 AVENUE K

DATE: December 22, 2008

CALL TO ORDER: 7:00 p.m.

INVOCATION:

PLEDGE OF ALLEGIANCE:

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>Board of Adjustment</u> Randy Hart Salvator J. La Mastra IV Henry C. Pauly Michael Pirek William G.Suttle Donnie Swango</p> <p><u>Building Standards Commission</u> Jim C. Kesterson Ann L. Nurre Richard W. Prusha</p> <p><u>CERTIFICATES OF APPRECIATION</u></p> <p><u>Board of Adjustment</u> Chris Polito, Chair Roger K. Bolin</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>Administered</p> <p>Presented</p> <p>No one appeared to speak</p>

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	<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>	
(a)	<p><u>Approval of Minutes</u></p> <p>December 8, 2008</p>	Approved
	<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>	
(b)	<p>Bid No. 2008-229-C for Top Soil and Sand for Compost Blends. Line Item 1 (Top Soil) to Earth Haulers, Inc. in the estimated amount of \$44,000 and Line Item 2 (Sand) to David Copeland Sand & Gravel, Inc. in the estimated amount of \$75,000 for a total estimated contract amount of \$119,000. The term of this contract is for one year with three City optional one year renewals.</p>	Approved
(c)	<p>CSP No. 2008-183-B for Class IV Armored Response Vehicle in an amount not to exceed \$152,350 to Lenco Armored Vehicles. This vehicle is purchased under the terms of the 2007 LETPP (Homeland Security) Grant.</p>	Approved
(d)	<p>Bid No. 2009-21-B for the Independence Parkway Paving Improvements – McDermott Road to State Highway 121 to Tiseo Paving Company in the amount of \$1,199,513 for the Alternate 2 Bid for low nitrous oxide dry kiln cement. The project consists of widening Independence Parkway from 4 lanes to 6 lanes from McDermott Road to State Highway 121.</p>	Approved
(e)	<p>Bid No. 2009-26-B for the Mapleshade Lift Station to Crescent Constructors, Inc., in the amount of \$2,375,029. This project consists of the construction of a 7.5 million gallon a day lift station south of Mapleshade Lane between Coit Road and Ohio Drive.</p>	Approved
	<p>Purchase from an Existing Contract</p>	
(f)	<p>To approve the purchase of GIS Maintenance Expenses as designated in the amount of \$57,222 from ESRI through a State of Texas Department of Information Resources (DIR) contract, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-492)</p>	Approved
(g)	<p>To approve an expenditure for a Service Agreement between Motorola and the City of Plano in the amount of \$171,710 through an existing contract with the Department of Information Resources, and authorizing the City Manager to execute all necessary documents. (DIR-SDD-477)</p>	Approved
(h)	<p>To authorize an expenditure in the amount of \$883,302 with Software House International (SHI) for a Microsoft Enterprise Agreement renewal and true-up for our server and desktop licenses through a Department of Information Resources (DIR) Contract, and authorizing the City Manager to execute all necessary documents. (SHI DIR Contract No. DIR-SDD-198)</p>	Approved

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(i)	<p>Approval of Change Order</p> <p>To McMahon Contracting, L.P., increasing the contract by \$159,982 for the 2007-2008 Arterial Concrete Pavement Rehabilitation Project, Parker Road, Pleasant Valley and Country Place Drive, Project No. 5867, Change Order No. 1, Bid No. 2008-156-B. This is for additional concrete street pavement repairs on Parker Road between Coit Road and Preston Road.</p>	Approved
(j)	<p>To Birkhoff, Hendricks & Conway, L.L.P., increasing the Professional Services contract by \$44,500 for the Jupiter Road Elevated Tank Repaint. Contract Modification No. 1 is for additional engineering and inspection services.</p>	Approved
(k)	<p>To Jim Bowman Construction Co., L.P., increasing the contract by \$72,993 for Intersection Improvements 2004, Change Order No. 1. This includes work on all three project locations: Spring Creek Parkway at Lookout Trail, Commerce Drive at Plano Parkway and West Park Boulevard at Ohio Drive. This is for additional work related to replacement of deteriorated paving adjacent to the project areas, also included are additional barrier free ramps and sidewalk replacement determined to be necessary to satisfy handicapped requirements.</p>	Approved
(l)	<p><u>Modification to an Existing Contract</u></p> <p>To approve the terms and conditions of a third modification to an existing contract by and between HD Supply Waterworks, LTD and the City of Plano executed on March 25, 2008 to allow the purchase of additional parts and services and to increase the original contract amount by up to \$700,000 or 3.74% for these purchases; authorizing its execution by the City Manager; and providing an effective date.</p>	Approved
(m)	<p><u>Adoption of Ordinances</u></p> <p>Ordinance No. 2008-12-23: To transfer the sum of \$1,715,906 from the Water & Sewer Fund Unappropriated Fund Balance to the Water & Sewer Fund Appropriation for Fiscal Year 2008-09 for the purpose of providing additional funding for increased costs associated with the Fixed Network Meter Project; amending the budget of the City and Ordinance 2008-9-15, Section 1, Item "L" to reflect the actions taken herein; declaring this action to be a case of public necessity; and providing an effective date.</p>	Adopted
(n)	<p>Ordinance No. 2008-12-14: To amend Article V, Chapter 12, Motor Vehicles and Traffic of the Code of Ordinances of the City of Plano by adding Section 12-114.1, to Article V, Chapter 12, Motor Vehicles and Traffic of the Code of Ordinances of the City of Plano to prohibit stopping, standing, or parking of a vehicle with a gross vehicle weight rating of 10,000 pounds or more on Split Trail Road, along both sides from its intersection with East Spring Creek Parkway south to its intersection with K Avenue, and Wedgewood Drive, along both sides from its intersection with Dallas Parkway west to its intersection with Communications Parkway, within the city limits of the City of Plano; providing a repealing clause; a severability clause; a savings clause; a penalty clause; a publication clause; and an effective date.</p>	Adopted
(o)	<p>Ordinance No. 2008-12-15: To adopt and enact Supplement Number 84 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
	<u>Adoption of Resolutions</u>	
(p)	Resolution No. 2008-12-16(R): -To approve and authorize the refunds of property tax overpayments; and providing an effective date.	Adopted
(q)	Resolution No. 2008-12-17(R): To repeal Resolution No. 2008-5-26(R) and approve the terms and conditions of an Agreement by and between the City of Plano, Texas, and The Shops at Legacy (North) LLC, a Texas limited liability company, providing for a Real Property Improvement Tax Abatement, and authorizing its execution by the City Manager; and providing an effective date.	Adopted
(r)	Resolution No. 2008-12-18(R): To authorize the investment of public funds in the TexasTERM or TexasDAILY public funds reinvestment pool; designating City representatives to transmit funds for investment in the pool; and providing an effective date.	Adopted
(s)	Resolution No. 2008-12-19(R): To approve and adopt the amended and restated City of Plano Supplemental Savings Plan; authorizing its execution by the City Manager; delegating to the City Manager the authority to adopt future plan amendments where such amendments do not materially increase the cost of the plan to the City; and providing an effective date.	Adopted
(t)	Resolution No. 2008-12-24(R): To approve the terms and conditions of an Amendment to Development Agreement between the City of Plano, Texas and Pinnacle AMS Development Company, LLC for development of Eastside Station – Plano; authorizing its execution by the City Manager; and providing an effective date.	Adopted with revisions
(u)	Resolution No. 2008-12-20(R): To approve the terms and conditions of an Assignment of Development Agreement by and between Pinnacle AMS Development Company, LLC, Southern/Pinnacle AMS Development Company, LLC and the City of Plano, Texas for development of Eastside Station – Plano; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(v)	Resolution No. 2008-12-21(R): To approve a Licensing Agreement by and between the City of Plano and the North Central Texas Council of Governments; providing terms and conditions for the purchase of digital aerial photography in the amount of \$8,651; authorizing execution of the License Agreement by the City Manager; and providing an effective date.	Adopted
(w)	Resolution No. 2008-12-22(R): To repeal Resolution 2005-10-24(R); adopting new criteria and procedures for the Safe Streets Program (SSP), to provide for the Planning & Zoning Commission to assume the responsibilities of the Transportation Advisory Committee.	Adopted
	<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>	

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	<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>	
(1)	<p>Resolution No. 2008-12-25(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and Raising Cane’s USA LLC, a Louisiana limited liability company; authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>
(2)	<p>Resolution No. 2008-12-26(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and RomaCorp, Inc., (dba Tony Roma’s), a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</p>
(3)	<p>Resolution No. 2008-12-27(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas and MarketNet, Inc., a Texas corporation; authorizing its execution by the City Manager; and providing an effective date.</p>	<p>Adopted</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>	