

**PLANO CITY COUNCIL
PRELIMINARY AND REGULAR OPEN MEETING
MAY 7, 2002**

COUNCIL MEMBERS

Pat Evans, Mayor
Phil Dyer, Mayor Pro tem
Steve Stovall, Deputy Mayor Pro tem
Shep Stahel
Scott Johnson
Sally Magnuson
Jim McGee
Ken Lambert

Council Members Elected

Pat Evans, Mayor
Scott Johnson
Sally Magnuson
Jim McGee
Ken Lambert

Council Members Stepping Down

Jeran Akers, Mayor
Rick Neudorff, Mayor Pro tem

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

Mayor Akers called the meeting to order at 5:00 p.m., Tuesday, May 7, 2002, in the Council Chambers of the Plano Municipal Center, 1520 Avenue K. All Council Members were present. All newly elected Council Members were present.

Preliminary Open Meeting

Resolution 2002-5-1(R) To canvass the election returns of the Joint General Election of May 4, 2002, for the election of four members of Council (Places 2, 4, 6 (Mayor) and 8) for a term of two years; and to canvass the election returns of a Special Election of May 4, 2002, for the election of one member of Council (Place 7) to hold office for a period of one year to fill a vacancy; declaring the results; and resolving other matters on the subject.

Mayor Akers stated that he has asked Mayor Pro tem Neudorff and Deputy Mayor Pro tem Dyer to canvass the votes. City Secretary Bealke read the resolution caption into the record and advised that the records include a memo from Collin County Elections Administration stating that 8,769 ballots were cast in the May 4, 2002 election; a statement from Collin County Elections verifying the tabulated results, and further read into the record the accumulated totals.

Upon completion of the canvass, Mayor Pro tem Neudorff stated that he and Deputy Mayor Pro tem Dyer have canvassed the returns of the election and find that all ballot cards are accounted for as certified by the Elections Administrator of Collin County, with a total of 8,769 City ballots cast and further do move to adopt a resolution to approve the canvass of the returns of the May 4, 2002, General Election and declaring that Scott Johnson was elected to Place Two, Sally Magnuson was elected to Place Four, Pat Evans was elected to Place Six (Mayor), and Ken Lambert was elected to Place Eight; and further canvassing the returns of the May 4, 2002, Special Election declaring Jim McGee was elected to Place Seven to hold office for a period of one year to fill a vacancy; and further to adopt Resolution No. 2002-5-(R). The Council voted 8-0. The motion carried.

Oaths of Office for Newly Elected Council Members:

Mayor Akers administered the oath of office to newly elected Mayor Evans. Mayor Evans administered the oath of office to newly elected Council Members Johnson, Magnuson, McGee, and Lambert.

Mayor Akers advised at 5:15 p.m. that the Council will recess and convene the meeting into Executive Session in Training Room A in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, to receive Legal Advice, Section 551.071; and to discuss matters of Personnel, Section 551.074 for which a certified agenda will be kept in the office of the City Secretary for a period of two years. Mayor Akers advised that the Council will reconvene back into open session in the Council Chambers at the conclusion of Executive Session to resume the Preliminary Open Meeting.

Mayor Evans reconvened the meeting back into open session at 5:56 p.m. to discuss the following Preliminary Items:

Consideration and Action Resulting From Executive Session Personnel: Mayor Pro tem and Deputy Mayor Pro tem

Upon a motion made by Council Member Stahel and seconded by Council Member McGee the Council voted 8-0 to appoint Deputy Mayor Pro tem Dyer as Mayor Pro tem.

Upon a motion made by Council Member Stahel and seconded by Council Member McGee, the Council voted 8-0 to appoint Council Member Stovall as Deputy Mayor Pro tem.

Mayor Evans presented a proclamation recognizing "National Public Works Week". Mayor Evans also presented the "Paul Standberry Memorial Scholarship Awards."

Spotlight on Public Works

Public Works Director Foster presented a video of the Public Works Department, spoke to approaching build-out, population growth, aging infrastructure and introduced departmental managers. He stated that the Public Works Department consists of Public Works Operations, Solid Waste, and Equipment Services Divisions and spoke to the alleyways, signalized intersections, street operations and performance measures. Mr. Foster spoke to the importance of the Capital Reserve Fund, benchmark performances, awards received, and productivity increases.

Mr. Foster spoke to the Equipment Services Division and awards received. He spoke to low emission vehicles operating in the department, the acquiring of a hybrid vehicle and an upcoming business plan. He spoke to the importance of maintaining the existing City infrastructure, replacement value and further spoke to what Plano will look like in the future. Mr. Foster stated that the Public Works and Engineering Departments have made application for accreditation by the American Public Works Association. He stated that only eight cities in the United States have achieved this status.

Mayor Evans presented the Community Credit Union Scholarship Award.

Council Items for Discussion/Action on Future Agendas

Mayor Evans requested that the Council e-mail their requests for the board and commissions/committees liaison representation in order that this might be addressed next week.

Consent Agenda

Deputy Mayor Pro tem Stovall and Council Member Stahel advised that they will be stepping down on Consent Item "E", a resolution to enter into an agreement to provide City-wide payment processing service, due to conflicts of interest.

Council Committee Reports

Council Member Stahel spoke to the upcoming Memorial Day ceremony and scheduled participants to be held on Monday, May 27 at the Municipal Center at 8:00 a.m.

Council Member McGee spoke to a previous presentation regarding the recommendation of Hsinchu City, Taiwan as a Sister City and to he and Mayor Pro tem Dyer meeting with the Sister City committee to discuss the appointment of Hsinchu as a Sister City. He stated that it was determined at the meeting that the recommendation is to bring back a resolution in the next two weeks naming Hsinchu as a Sister City.

Council Member Lambert stated that in conjunction with Council Member McGee's recommendation an event will occur on the afternoon of May 18 at the Waterview Church of Christ in the City of Richardson and that a Chinese delegation will be present. Council Member Stahel stated that the program is basically an outreach program for Chinese citizens and members of the church. He stated that they are asking for representation from the City of Plano in providing introductory remarks and further that he has been advised that one-half of the membership reside in the City of Plano.

CONSENT AGENDA

Upon a motion made by Mayor Pro tem Dyer and seconded by Council Member Lambert, the Council voted 8-0 to approve and adopt all remaining items on the Consent Agenda as stated and as follows:

Award, Rejection of Bids/Proposals, Conditional Acceptance of Lowest Responsible Bid/Proposal and Designation of Alternate Lowest Responsible Bid/Proposal when applicable on the following:

Bid No. B060-02 for The Purchase of Mini Vans and Pickup Trucks for various departments in the amount of \$249,269. [Consent Agenda Item (A)] (See Exhibit "A")

Bid No. B071-02 for The Purchase and Installation of Video Compression and Transmission Equipment for the Traffic Engineering Department in the amount of \$36,139. [Consent Agenda Item (B)] (See Exhibit "B")

Bid No. C064-02 for a fixed-price contract for Water Meters in the estimated annual amount of \$575,175. This will establish an annual fixed-price contract with two optional one-year renewals to supply water meters to various City departments and outside contractors. [Consent Agenda Item (C)] (See Exhibit "C")

Rejection of Bids

Bid No. B068-02 for The Plano Centre Auditorium Roof Replacement. [Consent Agenda Item (D)] (See Exhibit "D")

Adoption of Resolutions

Resolution No. 2002-5-2(R): To authorize an additional expenditure of \$5,000 for participation in the Glenn Heights v. Sheffield Development Company litigation appeal; authorizing the City Manager to execute any and all documents in connection therewith; and providing an effective date. [Consent Agenda Item (F)]

Resolution No. 2002-5-3(R): To approve the terms and conditions of an interlocal cooperation agreement by and between the City of Plano, Texas, City of Richardson, Texas, and Collin County, Texas, providing terms and conditions for the construction of Brand Road as a four-lane divided thoroughfare from Renner Road to Tribune Way; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (G)]

Resolution No. 2002-5-4(R): To approve the terms and conditions of an agreement with the North Texas Tollway Authority providing for the relocation and maintenance of temporary traffic signals, and the installation of permanent traffic signals by the City during construction of improvements to the Dallas North Tollway; authorizing execution by the City Manager; and providing an effective date. [Consent Agenda Item (H)]

Resolution No. 2002-5-5(R): To approve the terms and conditions of a real estate contract by and between the City of Plano, Texas, and Earlane Baccus Croom for the purchase of 1.288 acres of land for right-of-way for Spring Creek Parkway, east of Midway Road, a 45 square-foot drainage easement and a 5,281 square-foot temporary construction easement, in the City of Plano, Collin County, Texas; authorizing its execution by the City Manager; and providing an effective date. [Consent Agenda Item (I)]

Resolution No. 2002-5-6(R): To authorize intervention in Gas Utilities Docket 9292 at the Railroad Commission; authorizing participation in a steering committee with other cities served by TXU and requiring reimbursement from TXU Lone Star Pipeline of cities' reasonable rate case expenses; and providing an effective date. [Consent Agenda Item (J)]

Award of Contract

Approved and authorized for the selection of Malcolm Pirnie, Inc. to provide Professional Engineering Services for an amount not to exceed \$249,969 in connection with the design of the McDermott – Rasor Waterline (TXU Easement to Ohio Drive) and authorizing the City Manager to execute all necessary documents to effectuate this contract. [Consent Agenda Item (K)]

Purchase Off Existing Contract

Authorized the City to purchase three (3) Crown Victoria cars with Police package through the Tarrant County Joint Venture/Cooperative Purchasing Program in the amount of \$62,923 (Bid No. 2001-125) and authorizing the City Manager to execute all documents necessary to effectuate this purchase. [Consent Agenda Item (L)]

Approval of Oversize Participation

Approved and authorized reimbursement to Shaddock Development Company for oversize paving and drainage, parkland improvements and parkland cost associated with construction of Cambridge Place at Russell Creek in the amount of \$845,316. [Consent Agenda Item (M)]

Cancellation of Contract

Canceled the lowest responsible bid/proposal for Median & ROW Maintenance @ Dallas Toll Road and Preston Road. (C218-01). [Consent Agenda Item (N)]

END OF CONSENT

Deputy Mayor Pro tem Stovall and Council Member Stahel stepped down from the bench on the following item due to conflicts of interest.

Resolution No. 2002-5-7(R): To authorize the City Manager to enter into an agreement with LINK2GOV CORP. for the purpose of providing a City-wide payment processing service; and providing an effective date. [Consent Agenda Item (E)]

Upon a motion made by Council Member Lambert and seconded by Council Member McGee, the Council voted 8-0 to authorize the City Manager to enter into an agreement with LINK2GOV CORP. for the purpose of providing a City-wide payment processing service; and providing an effective date; and further to adopt Resolution No. 2002-5-7 (R).

Deputy Mayor Pro tem Stovall and Council Member Stahel returned to their place at the bench. Nothing further was discussed. Mayor Evans adjourned the meeting at 6:44 p.m.

Pat Evans, **MAYOR**

Elaine Bealke, CITY SECRETARY