

# CITY COUNCIL

1520 AVENUE K



DATE: 7/26/2010  
 CALL TO ORDER: 7:00 p.m.  
 INVOCATION: Jessie Prince, Executive Pastor  
 Grace Outreach Center  
 PLEDGE OF ALLEGIANCE: Cub Scout Pack 754  
 Riddle and Borchardt Elementary Schools

| ITEM NO. | EXPLANATION  | ACTION TAKEN                      |
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|          | <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><br/>                     Proclamation: ADA Awareness Day<br/>                     Presentation: Bruce Glasscock - 20 Year Anniversary</p> <p><b><u>OATHS OF OFFICE</u></b><br/> <b><u>DART Board of Directors</u></b><br/>                     Faye Moses Wilkins</p> <p><b><u>COMMENTS OF PUBLIC INTEREST</u></b><br/> <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><b><u>CONSENT AGENDA</u></b><br/> <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>Presented</p> |

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| (a)      | <p><b><u>Approval of Minutes</u></b><br/> June 28, 2010 - Firing Range Field Trip<br/> June 28, 2010 - Council Meeting<br/> June 29, 2010 - Joint City ACC Meeting</p>   | Approved     |
|          | <p><b><u>Approval of Expenditures</u></b><br/> <b>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</b></p>   |              |
| (b)      | <p>Bid No. 2010-157-B, for Plano Public Safety Communications Air Conditioning Improvements, to Denali Construction Services, in the amount of \$78,091 and authorizing the City Manager to execute all necessary documents.</p>   | Approved     |
| (c)      | <p>Bid No. 2010-149-C for a one (1) year contract to purchase tires for Warehouse Inventory from A to Z Tire &amp; Battery Inc., Blagg Tire &amp; Service, GCR Tire Center, Southern Tire Mart, Tire Centers, LLC, &amp; Wingfoot Commercial Tire Systems, LLC in an estimated amount of \$333,715 and authorizing the City Manager to execute all necessary documents.</p>  | Approved     |
| (d)      | <p><b>Purchase from an Existing Contract</b><br/> To approve the purchase of six (6) Heil Automated Side Loader Bodies in the amount of \$636,830 and three (3) Heil Rear Loader Bodies in the amount of \$224,172 totaling \$861,002 from Heil of Texas, through an existing contract/agreement with TASB/Buyboard, and authorizing the City Manager to execute all necessary documents. (TASB/Buyboard contract #280-07)</p> | Approved     |
| (e)      | <p>To approve the purchase of six (6) Crane Carrier Automated Side Loader Chassis in the amount of \$935,470 and three (3) Crane Carrier Rear Loader Chassis in the amount of \$486,417 totaling \$1,421,887 from Bond Equipment Co. through an existing contract/agreement with TASB/Buyboard, and authorizing the City Manager to execute all necessary documents. (TASB/Buyboard contract #281-07)</p>                      | Approved     |
| (f)      | <p><b>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</b><br/> To approve an Engineering Services Contract by and between the City of Plano and Burgess &amp; Niple, Inc. in the amount of \$162,485 for I/I Program (2010) Pittman Creek Basin and authorizing the City Manager to execute all necessary documents.</p>   | Approved     |
| (g)      | <p><b>Approval of Contract Modification</b><br/> To approve a Second Modification to a professional services agreement by and between the City of Plano, Texas and RCC Consultants, Inc. in the amount of \$49,954.00 through an existing agreement 2008-157-I with RCC Consultant for Phase III Implementation Services for Mobile Data Project; authorizing the City Manager to execute all necessary documents.</p>         | Approved     |

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| (h)      | <p>To approve the Third Modification of the contract by and between the City of Plano and Hay Group, Inc. (Contract No. 2006-154-C) for Employee Benefits Consulting Services to increase the contract 25% from \$110,000 to \$137,500 and authorizing the City Manager to execute all necessary documents.</p> <p><b>Approval of Change Order</b></p>   | Approved     |
| (i)      | <p>To ARK Contracting Services, LLC, increasing the contract by \$102,693 for Erosion Control Briarwood – Eight Locations, Change Order No. 2. Original Bid No. 2010-31-B.</p> <p><b>Approval of Expenditure</b></p>   | Approved     |
| (j)      | <p>To approve of the purchase of library materials for Plano Public Library System (PPLS) in the amount of \$200,000 from Baker and Taylor through an existing contract/agreement with Texas State Contract 715-N1 Print Materials and Multimedia; and authorizing the City Manager to execute all necessary documents.</p> <p><b>Adoption of Resolutions</b></p>  | Approved     |
| (k)      | <p>Resolution No. 2010-7-1(R): To approve the terms and conditions of an agreement by and between North Texas Municipal Water District and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.</p>  | Adopted      |
| (l)      | <p>Resolution No. 2010-7-2(R): To nominate Denbury Onshore , LLC, to the Office of the Governor, Economic Development and Tourism through the Texas Economic Development Bank for designation as an Enterprise Project under the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Texas Government Code, Chapter 2303; and providing an effective date.</p>  | Adopted      |
| (m)      | <p>Resolution No. 2010-7-3(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and Texas Department of Transportation (“TxDOT”) for participation in the Scofflaw Program in accordance with Section 702.003 of the Texas Transportation Code for the collection of outstanding warrant fees; authorizing its execution by the City Manager; and providing an effective date.</p> | Adopted      |
| (n)      | <p>Resolution No. 2010-7-4(R): To approve the terms and conditions of an Easement for Encroachments by and between Legacy North PT MFA III, L.P. and the City of Plano; authorizing its execution by the City Manager; and providing an effective date.</p>  | Adopted      |
| (o)      | <p>Resolution No. 2010-7-5(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano and the North Central Texas Council of Governments for Traffic Signal Retiming; authorizing its execution by the City Manager to execute any documents deemed necessary; and providing an effective date.</p>   | Adopted      |

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| (p)                                  | Resolution No. 2010-7-13(R): To authorize the naming of the program room at the W. O. Haggard, Jr. Library the Richard D. Tobin, Jr. Program Room in memory of Mr. Richard D. Tobin, Jr. and to honor Mr. Tobin's years of service and dedication to Plano Public Library System, and providing an effective date.   | Adopted      |
| (q)                                  | Resolution No. 2010-7-6(R): To terminate the Interlocal Cooperation Agreement by and between the City of Plano, Texas and the City of Allen, Texas for library automation services; approving its execution by the City Manager; and providing an effective date.  | Adopted      |
| (r)                                  | Resolution No. 2010-7-7(R): To terminate the Interlocal Cooperation Agreement by and between the City of Plano, Texas and the City of Allen, Texas for library courier services; approving its execution by the City Manager; and providing an effective date.   | Adopted      |
| <b><u>Adoption of Ordinances</u></b> |  |              |
| (s)                                  | Ordinance No. 2010-7-8: To repeal Ordinance No. 2009-5-26, entitled "Health Categories and Fees", and replacing it with this ordinance, to be entitled "Health Categories and Fees" to amend Animal Services and Health fees; providing a repealer clause, a severability clause, and an effective date.   | Adopted      |
| (t)                                  | Ordinance No. 2010-7-9: To amend a section of Ordinance No. 2008-9-35 codified as Section 18-25, Article I of Chapter 18, Solid Waste, of the City of Plano Code of Ordinances to revise the service fee schedule for the collection of solid waste for downtown properties; and providing a repealer clause, a savings clause, a severability clause, and an effective date.  | Adopted      |
| (u)                                  | Ordinance No. 2010-7-10: To repeal Ordinance No. 2009-9-26; establishing the number of certain classifications within the Police and Fire Departments for fiscal year 2009-10; establishing the authorized number and effective dates of such positions for each classification effective October 1, 2009, December 1, 2009, and August 1, 2010 respectively; establishing a salary plan for the Police and Fire Departments effective September 28, 2009; and providing a repealer clause, a severability clause and an effective date. | Adopted      |
| (v)                                  | Ordinance No. 2010-7-11: To repeal Section 12-104.5 and enacting a new Section 12-104.5 to Chapter 12 (Traffic Code) of the City of Plano Code of Ordinances regulating the parking of motor vehicles in certain designated public parking lots within the Business Government district; 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.   | Adopted      |

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| (w)      | <p>Ordinance No. 2010-7-12: To abandon all right, title and interest of the City, in and to the remainder of that Variable Width Drainage Easement recorded in Volume 2242, Page 945 of the Deed Records of Collin County, Texas and being situated in the Collin Country School Survey, Abstract No. 150, which is located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, Pizza Hut of America, Inc., to the extent of its interest; authorizing the City Manager or his authorized designee, to execute any documents deemed necessary; 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> | Adopted               |
| (1)      | <p>Resolution No. 2010-7-14(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas, and Advocare International, LP., a Delaware Limited Partnership; authorizing its execution by the City Manager; and providing an effective date.</p>   | Adopted               |
| (2)      | <p>Resolution No. 2010-7-15(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano, Texas, and Women of Faith, Inc., a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date.</p>  | Adopted               |
| (3)      | <p>Public Hearing and adoption of Ordinance No. 2010-7-16 as requested in Zoning Case 2010-07 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend Planned Development-377-Retail/General Office on 22.7± acres out of the William Beverly Survey, Abstract No. 75, located at the northeast corner of Plano Parkway and Custer Road in the City of Plano, Collin County, Texas, to increase the maximum height allowed for church steeples; 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, a publication clause, and an effective date. Applicant: Messiah Lutheran Church</p>   | Conducted and adopted |

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| (4)      | Ordinance No. 2010-7-17: To repeal Section 14-6, Drug Paraphernalia, of Article I, In General, of Chapter 14, Offenses-Miscellaneous of the Code of Ordinances of the City of Plano, Texas and adopting a new Article X, Illegal Smoking Products and Ingestion Devices to Chapter 14, Offenses-Miscellaneous to prohibit the use, purchase, possession and sale of illegal smoking products containing certain plant, plant products or derivatives, chemical compounds applied to plants, and plant products and their derivatives or other substances, and ingestion devices used in connection with the illegal smoking products; dispensing with a culpable mental state and providing a penalty; providing an affirmative defense for authorized medical use or use in landscaping; and providing a repealer clause, a severability clause, a savings clause, and an effective date. | Adopted      |
| (5)      | <p>Resolution No. 2010-7-18(R): To approve the terms and conditions of a Management Services Agreement by and between the City of Plano and the Boys and Girls Club of Collin County to operate and manage the Douglass Community Center; authorizing its execution by the City Manager; and providing and effective date.</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>                                | Adopted      |