

**PLANO CITY COUNCIL**  
**February 23, 2009**

**COUNCIL MEMBERS**

Pat Evans, Mayor  
Jean Callison, Mayor Pro Tem  
Harry LaRosiliere, Deputy Mayor Pro Tem  
Pat Miner  
Scott Johnson  
Mabrie Jackson  
Sally Magnuson  
Lee Dunlap

**STAFF**

Thomas H. Muehlenbeck, City Manager  
Frank Turner, Deputy City Manager  
Bruce Glasscock, Deputy City Manager  
Rod Hogan, Deputy City Manager  
Mark Israelson, Assistant City Manager  
LaShon Ross, Assistant City Manager  
Diane C. Wetherbee, City Attorney  
Diane Zucco, City Secretary

Mayor Evans convened the Council into the Regular Session on Monday, February 23, 2009, at 7:05 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. All Council Members were present.

The invocation was led by Pastor Jack Schneider of St. Paul Lutheran Church and The Pledge of Allegiance was led by Brownie Troop 3064 of Wells Elementary School.

Mayor Evans presented a proclamation recognizing ‘Larry Kenneth McDavid Day.’

**COMMENTS OF PUBLIC INTEREST**

No one appeared to speak.

**CONSENT AGENDA**

Council Member Jackson requested that Consent Agenda Item “H” be removed for individual consideration.

Upon a motion made by Mayor Pro Tem Callison and seconded by Council Member Dunlap, the Council voted 8-0 to approve and adopt all remaining items on the Consent Agenda as recommended and as follows:

**Approval of Minutes** [Consent Agenda Item (A)]

February 17, 2009

**Approval of Expenditures**

**CSP No. 2009-41-B** for total base proposal for the construction of the Animal Shelter Addition in the amount of \$1,640,000 to Hisaw and Associates General Contractors, Inc. [Consent Agenda Item (B)] (See Exhibit “A”)

**Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)**

To approve a contract made and entered into by and between the City of Plano and the Board of Trustees of the Plano Independent School District and Sharon Rowe, the Elections Administrator of Collin County, Texas, pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, regarding the coordination, supervision, and running of the City’s May 9, 2009, General and/or Special Election in the estimated amount of \$28,938. [Consent Agenda Item (C)]

To approve a Service Agreement by and between the City of Plano and Verizon to upgrade the existing SONET Ring bandwidth capabilities in the amount of \$117,362 and authorizing the City Manager to execute all necessary documents. (Bid No. B021-03) [Consent Agenda Item (D)]

**Approval of Change Order**

To Santos Construction Company, Inc., increasing the contract by \$78,528 for the 2008-2009 Arterial Concrete Pavement Rehabilitation Project, Parker Road – Preston Road to Dallas North Toll Road, Project No. 5942, Change Order No. 1, Bid No. 2008-226-B. [Consent Agenda Item (E)]

**Adoption of Resolutions**

**Resolution No. 2009-2-21(R):** To appoint William J. Roberts and Scott M. Seidel to serve for two year terms as investigators as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date. [Consent Agenda Item (F)]

**Resolution No. 2009-2-22(R):** To approve the settlement of the lawsuit styled American Community Newspapers, LLC d/b/a Star Community Newspapers v. The City of Plano, Cause No. 08-40259 in the United States Court of Appeals for the Fifth Circuit and any other ancillary proceedings related to the appeal; authorizing the City Manager to execute any and all documents necessary to settle such lawsuit; and providing an effective date. [Consent Agenda Item (G)]

**Adoption of Ordinances**

**Ordinance No. 2009-2-23:** To amend Section 13-9(b) of Chapter 13 Municipal Court of the Code of Ordinances of the City of Plano providing for a new juvenile case manager fee; providing a repealer clause, a savings clause, a severability clause; and providing an effective date. [Consent Agenda Item (I)]

**END OF CONSENT**

**Ordinance No. 2009-2-24:** To call a Special Election to be held within the City on May 9, 2009, for the purpose of authorizing General Obligation Bonds and revoking certain prior voted bond authorization; making provisions for the conduct of the election and other provisions incident and related to the purpose of this ordinance; and providing an effective date. [Consent Agenda Item (H)]

A motion was made by Council Member Johnson and seconded by Council Member Magnuson to call a Special Election to be held within the City on May 9, 2009, for the purpose of authorizing General Obligation Bonds and revoking certain prior voted bond authorization; making provisions for the conduct of the election and other provisions incident and related to the purpose of this ordinance; and providing an effective date; and further to adopt Ordinance No. 2009-2-24. The Council voted 5-3 with Council Members Jackson, Dunlap and Miner voting in opposition. The motion carried.

There being no further discussion, Mayor Evans adjourned the meeting at 7:18 p.m.

---

**Pat Evans, MAYOR**

ATTEST:

---

Diane Zucco, City Secretary