



ACTION AGENDA
WACO CITY COUNCIL WORK/BUSINESS SESSION
TUESDAY, SEPTEMBER 15, 2009
WACO CONVENTION CENTER
100 WASHINGTON AVENUE

WORK SESSION

Work Session items were reordered as follows:

- | | | |
|---------------|---|-----------|
| 09-483 | Discussion concerning Health Care Services. | Discussed |
| 09-481 | Discussion concerning Alley Dumpster Service. | Discussed |
| 09-482 | Discussion concerning Sale of City-Owned Property Policy. | Postponed |
| 09-484 | Council requests for scheduling of future Agenda Items. | Discussed |

EXECUTIVE SESSION

No Action Taken

Notice is hereby given that the City Council will go into Executive Session in accordance with the following provisions of the Tax Code: Sec. 321.3022 to receive information or question employees or third parties regarding information received from the comptroller relating to sales taxes; and the Government Code: Sec. 551.071(1)(A) pending or contemplated litigation; 551.071(1)(B) a settlement offer; Sec. 551.071(2) an attorney-client privilege/relationship; Sec. 551.072 the purchase, exchange, lease, or value of real property; Sec. 551.073 a gift and/or donation; 551.074(a)(1) the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a city officer or employee including City Council Members, the City Manager, City Secretary, City Attorney, and Municipal Judge; Sec. 551.074 (a)(2) to hear a complaint or charge against a city officer or employee; and Sec. 551.076 the deployment or specific occasions for implementation of security personnel or devices; 551.087(1) to discuss commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the City of Waco with which the City is conducting economic development negotiations; Sec. 551.087(2) to discuss the offer of a financial or other incentive to a business prospect that the City seeks to have locate, stay, or expand in or near the City of Waco; Sec. 551.088 to discuss a test item or information related to a test item.

The City Council may go into Executive Session on any item listed on the Agenda in accordance with Chapter 551 of the Government Code.

BUSINESS SESSION

MINUTES

- | | | |
|---------------|--|----------|
| 09-485 | Work/Business Session– September 1, 2009 | Approved |
| 09-486 | Special Business Session – September 4, 2009 | Approved |

File No.	Description	Action
PROCLAMATIONS		
09-487	Proclaim: September 17 – 23, 2009 as “Constitution Week”	Presented
09-488	Proclaim: September 18, 2009 – “National Gear-Up Day”	Presented
PUBLIC HEARINGS		
09-489	Public hearing on Ordinance 2009-489 adopting an Updated Service Delivery Plan and Assessment Plan including the Annual Budget and Assessment Roll for providing improvements and/or services for fiscal year 2009-2010 for Waco Public Improvement District Number One; making provisions for the levying of assessments against property in the district and the owners thereof; fixing charges and liens against property in the district and the owners thereof; providing for the collection of such assessments; enacting other provisions related thereto; reserving unto the City Council the authority to reduce such assessments based on credits established by City Council; directing that all required procedures be followed in accordance with Chapter 372 of the Local Government Code. EMERGENCY READING	Approved 6-0 vote
09-490	Public hearing on Ordinance 2009-490 adopting an Updated Service Plan and Assessment Plan including the Annual Budget and Assessment Roll for Fiscal Year 2009-2010 for bond payments on the infrastructure improvements made in Waco Public Improvement District Number Two; making provisions for the levying of special assessments against property in the district and the owners thereof; fixing charges and liens against property in the district and the owners thereof; providing for the collection of such assessments; enacting other provisions related thereto; reserving unto the City Council the authority to reduce such assessments based on credits established by City Council; directing that all required procedures be followed in accordance with Chapter 372 of the Local Government Code. EMERGENCY READING	Approved 6-0 vote
09-491	Public hearing on Ordinance 2009-491 continuing the Juvenile Curfew originally enacted on March 18, 1997, as Article IV to Chapter 19 of the Code of Ordinances of the City of Waco, and extended by Ordinance No. 2006-625, until September 14, 2012. SECOND READING	Approved 6-0 vote
09-492	Public hearing on Resolution 2009-492 approving the Final Plan of a Planned Unit Development (PUD) for property located at the north-west corner of China Spring Road and proposed Parker Springs Road and described as a portion of 3.225 acres out of the James Lane Survey. (Case # Z-09-28 – Shamrock Realty, Ltd.)	Approved 6-0 vote
09-493	Public hearing on Resolution 2009-493 to disapprove the following subdivision plat, as recommended by the City Plan Commission: (1) Final Plat of the C.T. Hines Addition, Lots 6 & 7, Block 3 until all platting requirements are met by the applicants.	Approved 6-0 vote

File No.	Description	Action
09-494	Public hearing on Resolution 2009-494 to grant an amendment to the Special Permit issued to Texas Animal Medical Center for a veterinary clinic and kennels in R-1B and C-3 Districts on property described as Lot 1, Block A, Erwin Addition, known as 4900 Steinbeck Bend Road to expand the main structure and kennel area. (Case #Z-09-25 – Texas Animal Medical Center)	Approved 6-0 vote
09-495	Public hearing on Resolution 2009-495 to approve a request for a variance to the Waco Subdivision Ordinance to delete the requirement for the construction of a cul-de-sac at the end of Tennie Drive (including street, drainage, sewer, and water improvements). (Final Plat of the C.T. Hines Addition, Lots 6 & 7, Block 3)	Approved 6-0 vote
09-496	Public hearing on Resolution 2009-496 to grant a Special Permit to Allen Samuels Realty, Inc. for auto sales in an M-2 District on property described as Lot 5, Block 2, Barnes Addition, known as 201 S. Loop 340. (Case #Z-09-26 – Allen Samuels Realty, Inc.)	Approved 6-0 vote
RESOLUTIONS / CONSENT AGENDA was approved by a 6-0 vote.		
HOUSING		
09-497	Resolution 2009-497 authorizing the City Manager to execute residential tax abatement agreements with Edanbra Development, LC for Lot 11, Block 1 of the Woods on Kendrick Lane Addition in the City of Waco, McLennan County, Texas, also known as 2225 Autumn Woods, Waco, Texas; Lot 10, Block 1 of the Woods on Kendrick Lane Addition in the City of Waco, McLennan County, Texas, also known as 2229 Autumn Woods, Waco, Texas; and Lot 2, Block 2 of the Woods on Kendrick Lane Addition in the City of Waco, McLennan County, Texas, also known as 2304 Kendrick Lane.	Approved Consent
AGREEMENTS / CONTRACTS		
09-498	Resolution 2009-498 authorizing the City Manager to execute a one-year lease with The Lamar Companies, for the lease of seven billboards at various locations along I-35 to promote the Texas Ranger Hall of Fame and Museum, the Texas Sports Hall of Fame, and the Cameron Park Zoo, in a total amount not to exceed \$105,768.00.	Approved Consent
09-499	Resolution 2009-499 authorizing the City Manager to execute a Master Agreement for Health Care Services between the City of Waco through the Waco-McLennan County Public Health District and the Heart of Texas Community Health Center, Inc. (d/b/a Family Practice Center) for indigent health care services from October 1, 2009 through September 30, 2010 in an amount not to exceed \$933,264.00.	Approved Consent

File No.	Description	Action
09-500	Resolution 2009-500 authorizing the City Manager to execute a twelve month extension of an existing service contract with Lawns Ltd., Inc., Waco, Texas for Public Improvement District One landscaping and maintenance services in an amount not to exceed \$50,054.16 for FY 2009-2010.	Approved Consent
09-501	Resolution 2009-501 authorizing the City Manager to make purchases from an existing 36-month supply contract for Diesel Fuel with Brenco Marketing Corp., Bryan, Texas in an amount not to exceed \$700,000.00 in FY 2009-10.	Approved Consent
09-502	Resolution 2009-502 authorizing the City Manager to make purchases under an existing supply contract for Unleaded Fuel with Brenco Marketing Corp., Bryan, Texas in an amount not to exceed \$400,000.00 in FY 2009-10.	Approved Consent
09-503	Resolution 2009-503 authorizing the City Manager to make purchases from an existing 24-month supply contract for automotive lubricants with Brazos Valley Lubricants, Bryan, TX in an amount not to exceed \$200,087.00 during FY 2009-10.	Approved Consent
09-504	Resolution 2009-504 authorizing the City Manager to make purchases under the second extension of a 36-month agreement in a total amount not to exceed \$282,259.00 for FY 2009-2010 from the following vendors: <ol style="list-style-type: none"> 1. Baker & Taylor Inc., Charlotte, NC; 2. Brodart Company, Williamsport, PA; 3. Ingram Library Services Inc., La Vergne, TN; 4. Book Wholesalers Inc., McHenry, IL; 5. Francbeth, Inc. Jacksonville, FL; 6. Salem Press Inc., Hackensack, NJ; 7. Follett Educational Services (Academic Book Services), Cartersville, GA; 8. Bound to Stay Bound Books, Jacksonville, IL; 9. Regent Book Co. Inc., Lodi, NJ; 10. Gale Cengage Learning (formerly Thomson-Gale), Farmington Hills, MI; 11. Demco Media LP, Madison, WI; 12. Scholastic Library Publishing, Danbury, CT; and 13. Books on Tape/Random House Inc. Costa Mesa, CA. 	Approved Consent
09-505	Resolution 2009-505 authorizing the City Manager to execute a lease agreement with the Waco Humane Society regarding the lease and utilization of the Waco Animal Shelter for a term of twelve (12) months with the provision that the agreement may be extended for up to an additional four (4) years upon mutual agreement of the parties and authorizing the City Manager to execute any necessary agreements there-with.	Approved Consent

File No.	Description	Action
09-506	Resolution 2009-506 authorizing the City Manager to execute a 12 month extension of an existing service supply contract with Gonzalez Diesel Service, Moody Texas, for solid waste, mobile fleet preventative maintenance services in an amount not to exceed \$200,000.00 for FY2009-2010.	Approved Consent
09-507	Resolution 2009-507 amending an existing engineering services contract (Amendment Number One) with Walker Partners, Waco, TX, for preliminary design and easement acquisition for a reclaimed waterline project from IH-35 to Cottonwood Golf Course; and authorizing the City Manager to execute the amendment in an additional amount of \$39,225.00 so that the total amount of the contract does not exceed \$1,628,286.01.	Approved Consent
INTERLOCAL AGREEMENTS		
09-508	Resolution 2009-508 authorizing the City Manager to negotiate and execute a Memorandum of Agreement with the National Park Service (NPS), Texas Historical Commission (THC), and Advisory Council on Historic Preservation (ACHP) for mitigation of adverse impacts to historical property and the conversion of property at Fort Fisher Park to remove recreational use only restrictions relating to a 1967 Land and Water Conservation Fund (L&WCF) Grant.	Approved Consent
09-509	Resolution 2009-509 authorizing the City Manager to accept a communications/command trailer from Falls County (originally purchased with Homeland Security funds at a cost of \$126,158.18) and to enter into an Interlocal Agreement with Falls County regarding the use of the trailer, and authorizing the City Manager to execute any other documents necessary in connection therewith.	Approved Consent
09-510	Resolution 2009-510 to renew an Interlocal Agreement with McLennan County for two deputy sheriffs to handle illegal dumping cases within the City of Waco and to provide law enforcement services through the Prisoner Utilization Program (PUP) for the control of litter at the City of Waco Landfill for FY 2009-10 in an amount not to exceed \$123,700.00.	Approved Consent
09-511	Resolution 2009-511 authorizing an amended Interlocal Agreement with the Cities of Bellmead, Hewitt, Lacy-Lakeview, Lorena, Robinson, and Woodway regulating the funding, operation and maintenance of the Waco Metropolitan Area Regional Sewerage System (WMARSS) commencing on October 1, 2009 and concluding on September 30, 2011, and authorizing the City Manager to execute all documents necessary to complete this transaction.	Approved Consent
BIDS / PURCHASES		
09-512	Resolution 2009-512 awarding a bid to Layne-Texas, Tyler, Texas, lowest and best responsible bidder, for a water pump to replace existing equipment for the Mt. Carmel Water Treatment Plant; and authorizing the City Manager to make purchases in an amount not to exceed \$50,943.00.	Approved Consent

File No.	Description	Action
09-513	Resolution 2009-513 awarding a bid to Frisbie and Edward, LLC for the disposal of approximately 1,000 cubic yards of contaminated soils in an amount not to exceed \$66,639.76; and authorizing the City Manager to execute all documents necessary to complete this transaction.	Approved Consent
09-514	Resolution 2009-514 awarding a contract to Johnston Technical Services, Inc. (d/b/a JTS), Dallas, Texas, lowest responsible bidder, for construction of the Hillcrest Building – S.12 th Street Tower microwave link in the amount not to exceed \$60,333.78; and authorizing the City Manager to execute all documents necessary to complete this transaction.	Approved Consent
09-515	Resolution 2009-515 designating the Robinson Media Company, LLC, (d/b/a Waco Tribune Herald), Waco, Texas, lowest & best responsible bidder, as the Official Organ/Newspaper to publish legal notices and other advertising for the City of Waco for Fiscal Year 2009-10, and authorizing the City Manager to execute all documents in connection therewith.	Approved Consent
09-516	Resolution 2009-516 authorizing the City Manager to purchase through the BuyBoard one Ford F750 Regular Cab Chassis with Versalift Articulated Aerial Platform Body from Philpott Motors, Nederland, TX in an amount not to exceed \$122,695.19.	Approved Consent
GRANTS / SUPPORT		
09-517	Resolution 2009-517 authorizing the City Manager to accept a Homeland Security Assistance to Firefighters Grant for Staffing for Adequate Fire and Emergency Response (SAFER Grant), administered by the Department of Homeland Security Appropriations Act of 2008, to provide funding for the hiring of three (3) additional firefighters in the Waco Fire Department in the amount of \$325,140.00 (with City match of \$774,165.00); and authorizing the City Manager to execute any and all documents in connection with said grant.	Approved Consent
09-518	Resolution 2009-518 accepting a formal offer from the U. S. Department of Energy (DOE) for an Energy Efficiency & Conservation Block Grant in the amount of \$1,246,300.00; and authorizing the City Manager to execute any grant documents in connection therewith, and/or furnish additional information/documentation as may be deemed necessary for the implementation of said program.	Approved Consent
BUILDINGS / LAND / STREETS / PARKS		
09-519	Resolution 2009-519 authorizing the City Manager to renew an existing contract for street sweeping with Tymco International, Ltd., Waco, Texas, for one year, and increase the total amount of compensation under the contract by \$4,456.02 for a total contract amount not to exceed \$386,279.82.	Approved Consent

File No.	Description	Action
09-520	Resolution 2009-520 granting an easement to Oncor Electric Delivery Company LLC to 1.079 acres out of the Carlos O'Campo Survey, A-32, McLennan County, Texas to construct power lines; and authorizing the City Manager to execute all documents necessary to complete this transaction.	Approved Consent
09-521	Resolution 2009-521 authorizing the acquisition of four easements required for the IH-35 Water Line Project in an amount not to exceed \$66,000.00; and authorizing the City Manager to execute all documents necessary to complete this transaction.	Approved Consent
CHANGE ORDERS		
09-522	Resolution 2009-522 approving Change Order Number One with Bear Contractors, Inc. for the removal and replacement of four sewer meter stations operated by the Waco Metropolitan Area Regional Sewer System (WMARSS) in an amount not to exceed \$70,620.00 bringing the total contract amount to \$706,093.00; and authorizing the City Manager to execute all documents necessary to complete this transaction.	Approved Consent
BUDGET / CERTIFICATES OF OBLIGATION / BONDS		
09-523	Resolution 2009-523 adopting an amended policy to govern City of Waco investments.	Approved Consent
09-524	Resolution 2009-524 authorizing Mayor Virginia DuPuy to sign on behalf of the City of Waco a certificate approving note modifications to tax exempt notes issued by the Riesel Cultural Facilities Corporation for financing for the YMCA of Central Texas in maximum amount of this modified note of \$5,125,000.00.	Approved Consent
ORDINANCES		
09-525	Consider approval of an ordinance amending Section 18-76(a) of the Code of Ordinances of the City of Waco, Texas to increase the number of Firefighters (Pay Grade I) from seventy-eight (78) to eighty-one (81) and to increase the total authorized strength of civil service personnel in the Waco Fire Department from 191 to 194. FIRST READING	Approved 6-0 vote
COUNCIL REPORTS		
09-526	Consider approval of appointments to various Boards and Commissions subject to meeting qualifications. See attached document for complete list of appointees.	Approved 6-0 vote

All regular council meetings are broadcast live on the Waco City Cable Channel (WCCC 10 TV), and are typically rebroadcast nine times after each council meeting. Please check the schedule for viewing times. DVD video copies are available of meetings up to four months from the meeting date. DVD's may be ordered from the Municipal

File No.	Description	Action
----------	-------------	--------

Information Department for \$5.00 at City Hall, 300 Austin Ave. Copies of audiotapes are available for purchase through the City Secretary's Office at a cost of \$1.50 each.

ADJOURNMENT – 7:06 P.M.

NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING – OCTOBER 6, 2009

THE OFFICIAL MINUTES FOR THIS MEETING SHOULD BE AVAILABLE FOR INSPECTION BY OCTOBER 7, 2009.

PATRICIA W. ERVIN, TRMC
CITY SECRETARY
trish@ci.waco.tx.us
(254)750-5750