



ACTION AGENDA
WACO CITY COUNCIL WORK/BUSINESS SESSION
TUESDAY, SEPTEMBER 1, 2009
WACO CONVENTION CENTER
100 WASHINGTON AVENUE

WORK SESSION

The Work Session agenda was reordered as follows:

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| 09-453 | Presentation regarding Public Improvement District Number One and the updated Service Delivery Plan, including the Annual Budget, Assessment Plan, and Assessment Roll for providing improvements and/or services for Fiscal Year 2009-2010 | Discussed |
| 09-454 | Discussion concerning Juvenile Curfew Ordinance | Discussed |
| 09-452 | Discussion concerning Neighborhood Associations | Discussed |
| 09-455 | Council requests for scheduling of future Agenda Items | |

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.

File No.	Description	Action
BUSINESS SESSION		
MINUTES		
09-456	Work/Business Session– August 18, 2009	Approved
09-457	Special Business Session – August 25, 2009	Approved
PUBLIC HEARINGS		
09-458	<p>Conduct public hearing disclosing the employment status of Esmeralda Perales, a City of Waco employee, who has been approved for an Employee Down Payment Assistance loan in an amount not to exceed \$25,000.00 for the purchase of a home located at 913 North 63rd Street, Waco, Texas, funded by the U. S. Department of Housing and Urban Development HOME Investment Partnership Program.</p> <p>NO ACTION REQUIRED</p>	No action required
09-459	<p>Conduct public hearing on Ordinance 2009-459 amending Article V. “Traffic-Control Devices” in Chapter 25 “Traffic and Vehicles” of the Code of Ordinances of the City of Waco, Texas to authorize the City Traffic Engineer to post signs in accordance with the Texas Transportation Code that will allow the City of Waco to enforce the provisions of the Texas Transportation Code that prohibit operators of motor vehicles from using wireless communication devices within school crossing zones unless the vehicle is stopped or the wireless communication device is used with a hands-free device. EMERGENCY READING</p>	Approved 6-0 vote
09-460	<p>Conduct public hearing on an ordinance 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. FIRST READING</p>	Approved 6-0 vote
09-461	<p>Conduct public hearing on an ordinance to change the Comprehensive Plan land use designation from Commercial and Office to Low Density Residential and to rezone from C-1 to R-1B the property described as Lot 11, Block 2 of the Colonial Annex Addition and located at 1110 N. 15th Street (Case #Z-09-29 – Waco CDC). FIRST READING</p>	Approved 6-0 vote
09-462	<p>Conduct public hearing on Resolution 2009-462 authorizing an amendment to the Housing and Community Development Citizen Participation Plan and multiple project amendments to the Program Year 2008-2009 Consolidated Annual Action Plan in an amount not to exceed \$125,000.00.</p>	Approved 6-0 vote

CONSENT AGENDA approved by 6-0 vote.

File No.	Description	Action
RESOLUTIONS		
09-463	Resolution 2009-463 authorizing the City Manager to proceed with the acquisition of easements required for the Waco Regional Airport Runway Safety Project and to expend an amount not exceeding \$325,000.00 to acquire the required easements.	Approved Consent
09-464	Resolution 2009-464 awarding a professional services contract to SCS Engineers for engineering work, including ground water monitoring, on-call general engineering services, compliance assistance and related engineering services at Landfill 948-A in an amount not to exceed \$100,000.00 during FY2009/10; and authorizing the City Manager to execute all documents necessary to complete the transaction.	Approved Consent
09-465	Resolution 2009-465 awarding a professional services contract to The Wallace Group, Inc. for land surveying services; and general engineering services at Landfill 948-A in an amount not to exceed \$50,000.00 during FY2009/10; and authorizing the City Manager to execute all documents necessary to complete the transaction.	Approved Consent
09-466	Resolution 2009-466 authorizing the renewal of an existing contract with Goodwill Contract Services, Inc. for a term of one-year, to provide litter abatement for the City of Waco Solid Waste Department, in an amount not to exceed \$55,000.00; and authorizing the City Manager to execute all documents necessary to complete the transaction.	Approved Consent
09-467	Resolution 2009-467 awarding a bid to Archer Western Contractors, Ltd, Arlington, TX, lowest and best responsible bidder, for Liquid Oxygen (LOX) Storage Tanks and associated equipment for the Dissolved Air Flotation (DAF) Plant; and authorizing the City Manager to make purchases in an amount not to exceed \$360,000.00.	Approved Consent
09-468	Resolution 2009-468 approving the award of a private contract for the construction of water improvements by a private developer, The Alford Company, to JNB Construction Ltd., Waco, Texas, lowest and best responsible bidder, for The Bentwood Addition, in an amount not to exceed \$22,010.00; and authorizing the City Manager to execute a Water Improvement Refund Contract with The Alford Company, in an amount not to exceed \$14,910.00.	Approved Consent
09-469	Resolution 2009-469 awarding a contract to JNB Construction, LLC, Waco, Texas, lowest and best responsible bidder, for the Manhole at Windmill Hill Project in an amount not to exceed \$286,964.06 and authorizing the City Manager to execute all documents necessary to complete this transaction.	Approved Consent
09-470	Resolution 2009-470 awarding a bid to L.A. Sears Construction,	Approved

File No.	Description	Action
	Inc., McKinney, Texas, lowest and best responsible bidder, to complete construction of the Cotton Belt Trail Project, in an amount not to exceed \$3,961,347.62; and authorizing the City Manager to execute all documents necessary to complete this transaction.	Consent
09-471	Resolution 2009-471 authorizing the City of Waco's support for the Texas Department of Transportation to submit an application to the U. S. Department of Transportation for \$206 million from the Transportation Infrastructure Generating Economic Recovery Program also known as TIGER to fund the reconstruction of the portion of IH-35 between Lacy-Lakeview and West.	Approved Consent
09-472	Resolution 2009-472 authorizing the City Manager to make purchases of printing and mailing services for water bills through an Interlocal Agreement with the City of Plano, Texas, under its bid and contract awarded to Dataprose, Inc., Irving, Texas, in an amount not to exceed \$65,000.00 for Fiscal Year 2009-10.	Approved Consent
09-473	Resolution 2009-473 authorizing the City Manager to execute an agreement to renew the Interlocal Agreement between McLennan County and the City of Waco for the operation and maintenance of the On-Site Sewage Facilities (OSSF) Program under the Waco McLennan County Public Health District during the 2009-10 Fiscal Year.	Approved Consent
09-474	Resolution 2009-474 amending an existing engineering services contract with HDR Engineering, Inc., Austin, Texas, for final design work for plant improvements at the WMARSS Central Plant; and authorizing the City Manager to execute the amendment in an additional amount of \$287,678.61 so that the total amount of the contract does not exceed \$883,290.75.	Approved Consent
09-475	Resolution 2009-475 approving a Change Order with Mazanec Construction Co., Inc., Waco, TX, for construction of Waco Mammoth Site Phase One Development in an amount not to exceed \$99,472.00, bringing the total contract amount to \$3,249,508.00; and authorizing the City Manager to execute all documents necessary to complete this transaction.	Approved Consent
ORDINANCES		
09-476	Ordinance 2009-476 setting a tax rate of 0.786232 cents (0.603720 cents to fund maintenance and operation expenditures and 0.182512 cents to pay debt service) on each \$100.00 of assessed valuation of property for Fiscal Year 2009-2010 and matters related thereto. EMERGENCY READING	Approved 6-0 vote
09-477	Ordinance 2009-477 to change the Comprehensive Plan land use	Approved

File No.	Description	Action
	designation from High Quality, Very Light Industrial to High Density Residential and to rezone from M-2 to O-2 the property described as Lot 3, Block 4, Texas Central South Addition, located on the south side of Corporation Parkway. (Case #Z-09-20 Waco Industrial Foundation) SECOND READING	6-0 vote
09-478	Ordinance 2009-478 to rezone the property described as Lot 1, Block 1, Cougar Ridge Addition, as follows: (1) the 31,484 sq. ft. portion immediately at the southwest corner of China Spring Road and Cougar Ridge Parkway from Planned Unit Development (PUD) to O-3 and (2) the remaining 84,113 sq. ft. of said property from Planned Unit Development (PUD) to O-1. (Case #Z-09-23 MKTF Properties LLC) SECOND READING	Approved 6-0 vote

COUNCIL REPORTS

09-479 Appointments to various Boards and Commissions subject to meeting qualifications. Removed from agenda

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 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 – 6:27 P.M.

NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING – SEPTEMBER 15, 2009

THE OFFICIAL MINUTES FOR THIS MEETING SHOULD BE AVAILABLE FOR INSPECTION BY SEPTEMBER 16, 2009.

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