

WACO CITY COUNCIL MEETING
TUESDAY, JANUARY 22, 2008
3:00 P.M. and 6:00 P.M.
DECORDOVA ROOM / BOSQUE THEATRE
WACO CONVENTION CENTER

We would like to WELCOME each of you to the meeting today.
Persons with disabilities who plan to attend this meeting and who may need auxiliary aides or services should contact Patricia W. Ervin, City Secretary, at (254) 750-5750 at least twenty-four (24) hours before this meeting so that appropriate arrangements can be made.

The Waco City Council may convene into an Executive Session at anytime during the course of the meeting to discuss appropriate items. Times indicated are estimated.

WORK SESSION

**Est.
Time**

- **Review of Business Session Agenda** 3:00p.m.

- A. **WS-038** Discussion of results of negotiations for the proposed issuance of up to \$13,875,000.00 of City of Waco Combination Tax and Revenue Certificates of Obligation, Series 2008. 3:15p.m.

- B. **WS-039** Discussion of the 1st Quarter 2007-08 Financials. 3:30p.m.

- C. **WS-040** Discussion of TxDOT policies concerning Toll Roads. 3:50p.m.

- D. **WS-041** Discussion to amend Section 5-206, in Chapter 5, Animals of the Code of Ordinances, providing that all dogs and cats must have a microchip permanently inserted between their shoulder blades. 4:20p.m.

- E. **WS-042** Mayor's Report 4:50p.m.
 - A. Report and Discussion of Mayor's City Related Activities.
 - B. Report and Discussion of Councilmembers' City Related Activities.

- F. **WS-043** Council requests for scheduling of future Agenda Items. 4:55p.m.

**EXECUTIVE SESSION
DECORDOVA ROOM**

5:00p.m.

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
BOSQUE THEATRE
6:00 p.m.**

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

1. **PRO-044** Proclaim: January 22, 2008 as "KUDOS FIVE DAY"
2. **PRO-045** Proclaim: January 31, 2008 as "Project Homeless Connect Day"
3. **MIN-046** Work/Business Session – Tuesday, January 8, 2008

PUBLIC HEARINGS

4. **PH-047** Conduct a public hearing to consider an ordinance to rezone from R-1B to R-2 the property described as 8.05 acres in the Tomas De La Vega Gant, Abstract N. 43, located at East Loop 340 approximately 400 feet south of Kendall Lane. (Case #Z-07-58 - Wornat-Corsicana Ltd.) **FIRST READING**

PC RECOMMENDATION: 9-0 APPROVAL

STAFF RECOMMENDATION: APPROVAL

MOTION ON ORDINANCE

5. **PH-048** Public hearing to consider a resolution granting a Petition for Annexation of Property filed by James G. Vaughan, Executive Vice President for the Waco Industrial Foundation, of 186.181 acres of land located in the Carlos O'Campo Survey, Abstract No. 32, in McLennan County, Texas, and being located along Bagby Avenue just west of its intersection with Texas Central Parkway, and further located within Waco's Extraterritorial Jurisdiction. (Waco Industrial Foundation)

MOTION ON RESOLUTION

- Hearing of any visitor concerning City business.

CONSENT AGENDA

- Consider consent agenda.

Agenda Numbers RES-049 through RES-059 require no formal public hearing and are subject to being approved in a single motion. However, any City Council Member or the City Manager may remove an item from the Consent Agenda to allow discussion and voting on the item individually.

RESOLUTIONS

BIDS/PURCHASES

6. **RES-049** Consider approval of a resolution awarding a material supply contract for 36 months to Paradigm Traffic Systems, Inc., Fort Worth, Texas, lowest responsible bidder, for Traffic Signal Hardware, and authorizing the City Manager to make purchases in an amount not exceeding \$55,373.00 during FY 2007-08.

AGREEMENTS/CONTRACTS

7. **RES-050** Consider approval of a resolution authorizing an amendment to an agreement between Waco Community Development Corporation ("CDC") and the City of Waco to allow future lot reservations between the City and CDC to be approved by the city manager.
8. **RES-051** Consider approval of a resolution authorizing the City Manager to execute a two-year lease amendment agreement with HPRI-Waco Centers, LP, San Antonio, Texas for the R.B. Hoover Library, in an amount not to exceed \$50,000.00 in FY 2007-08; \$75,000.00 in FY 2008-09; and \$25,000.00 in FY 2009-10.

BUDGET/CERTIFICATES OF OBLIGATION/BONDS

9. **RES-052** Consider approval of a resolution amending the Fiscal Year 2007-08 operating budget for the General Fund, Health Fund, Street Reconstruction Fund, Water Fund, WMARSS Fund, Solid Waste Fund, Airport Fund, Convention & Visitors Services Fund, and Transit Fund and to approve a resolution amending the Fiscal Year 2007-08 operating budget fee schedule for the General Fund, WMARSS Fund, and Solid Waste Fund.

ECONOMIC DEVELOPMENT

10. **RES-053** Consider approval of a resolution authorizing the City Manager to execute an Agreement to assign the Tax Abatement Agreement entered into in March, 2007 with Woodfall Equipment, Inc. d/b/a Phoenix Equipment Company (RES 2007-194, approved on March 20, 2007) to Genie Industries, Inc.

WATER/SEWER

11. **RES-054** Consider approval of a resolution authorizing the City Manager to execute a contract between the City of Waco and the Heller Company, Inc. for the trenchless sanitary sewer line construction in the Landon's Branch and Barron's Branch Sanitary Sewer Drainage Basins in the amount not to exceed \$2,642,614.00.
12. **RES-055** Consider approval of a resolution authorizing the award of a contract to Barnett Contracting, Inc., Waco, Texas, lowest and best responsible bidder, for construction of water improvements and off-site sewer for the Trails of Oakridge Addition – Phase 1 in an amount not to exceed \$249,841.75, and authorizing the City Manager to execute contracts with Imperial Asset Management for partial refund of such improvements on a timely basis, with the water refund contract for improvements being in an amount not to exceed \$154,850.00, and the off-site sewer refund contract for improvements being in an amount not to exceed \$36,990.25.

13. **RES-056** Consider approval of a resolution authorizing the award of a contract to Barnett Contracting, Inc., Waco, Texas, lowest and best responsible bidder, for water improvements by Mid-Tex Properties, L.P., for Lost Oaks Addition – Part 2 in an amount not to exceed \$110,126.00 and authorizing the City Manager to execute a contract with Mid-Tex Properties, L.P., for partial refund of such improvements on a timely basis, with the contract for improvements being in an amount not to exceed \$82,526.00.
14. **RES-057** Consider approval of a resolution authorizing the award of a contract to JNB Contractors, L.P., of Waco, Texas, lowest and best responsible bidder, for water improvements by Starcrest Development Partners, in The Reserve @ Lakeland Meadows Addition – Phase 5, in an amount not to exceed \$131,854.00 and authorizing the City Manager to execute a contract with Starcrest Development Partners, for partial refund of such improvements on a timely basis, with the contract for improvements being in an amount not to exceed \$106,954.00.
15. **RES-058** Consider approval of a resolution awarding a contract to Barsh Company, Waco, Texas, lowest and best responsible bidder, for the construction of the Old McGregor Road 30” Fill Valve project in an amount not to exceed \$302,093.00 and authorizing the City Manager to execute all documents necessary to complete this transaction.

VEHICLES/EQUIPMENT

16. **RES-059** Consider approval of a resolution authorizing the City Manager to purchase under cooperative purchasing agreements managed by the Texas Local Government Purchasing Cooperative operating as the BuyBoard and the Houston-Galveston Area Council Cooperative Purchasing Program:
- (a) Three (3) 2009 Mack LEU613 “Low Entry” Truck Chassis from Dallas Mack, Dallas, TX through HGAC in an amount of \$349,500.00 total; and,
 - (b) Three (3) Heil Half Pack Eject bodies from Heil of Texas, Irving, TX through Buyboard in an amount of \$323,947.00 total.

ORDINANCES

17. **ORD-060** Consider approval of an ordinance amending Section 5-206, in Chapter 5, Animals, of the Code of Ordinances, providing that all dogs and cats must have an identifying microchip permanently inserted. **FIRST READING.**

18. **ORD-061** Consider approval and take action with respect to an ordinance providing for the issuance and sale of City of Waco, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2008; levying a tax in payment thereof; authorizing the execution and delivery of a purchase contract relating to said bonds; authorizing the execution and delivery of a paying agent/registrar agreement; approving the official statement; finding and determining that the meeting at which this ordinance is passed is open to the public as required by law; and enacting other provisions relating thereto. **ONE READING ONLY**
19. **ORD-062** Consider approval of an ordinance to abandon an alley from McKeen Street south to an existing alley and between Dallas Street and Nathaniel McCoy Street (formerly, Archer Street), in the City of Waco, McLennan County, Texas. **SECOND READING**
20. **ORD-063** Consider approval of an ordinance deleting Section 1-17 "Authority of Mayor and Councilmembers to receive remuneration" in Chapter 1 "General Provisions" of the Code of Ordinances of the City of Waco, Texas. **SECOND READING.**

COUNCIL REPORTS

City Manager's Report.

- A. Reports on City and Community upcoming activities.
- B. Reports on City and City employee honors and awards.
- C. Follow up reports on City Council requested information.

- Council Committees' Activities
- City Council and Staff Announcements.

It is the opinion of the City Attorney's Office that this meeting is being held and conducted in accordance with Chapter 551 of the Texas Government Code.

Leah Hayes, City Attorney