

**WACO CITY COUNCIL MEETING
TUESDAY, MAY 6, 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-222** Presentation regarding the conceptual plans for renovations at South Waco Recreation Center. 3:20p.m.

- B. **WS-223** Proposed renovations to the John Knox Texas Ranger Memorial Center. 4:00p.m.

- C. **WS-224** Mayor's Report 4:40p.m.
 - A. Report and Discussion of Mayor's City Related Activities.
 - B. Report and Discussion of Councilmembers' City Related Activities.

- D. **WS-225** 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-226** Proclaim: May 4 – 11 as “National Music Week”
2. **PRO-227** Proclaim: May 2008 as “Motorcycle Safety Awareness Month”
3. **MIN-228** Work/Business Session – Tuesday, April 15, 2008

PUBLIC HEARINGS

4. **PH-229** Conduct a public hearing to consider a resolution adopting an amendment to the Fiscal Years 2006-2007 and 2007-2008 Consolidated Annual Action Plans in an amount not to exceed \$168,700.00.

MOTION ON RESOLUTION

5. **PH-230** Conduct a public hearing on an ordinance amending Sec. 28-1071 of the City of Waco Zoning Ordinance to prohibit off-premises billboards containing light emitting diode (LED) screens, electronic images, or digital displays. **FIRST READING**

PC RECOMMENDATION: 8-0 APPROVAL

STAFF RECOMMENDATION: APPROVAL

MOTION ON ORDINANCE

Hearing of any visitor concerning City business.

CONSENT AGENDA

- Consider consent agenda.

Agenda Numbers RES – 231 through RES- 239 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-231** Consider approval of a resolution awarding twenty-four month material supply contracts for Asphalt and Concrete materials to 1) Knife River, Waco, TX; 2) Big Creek Construction Ltd., Waco, TX; 3) Ratliff Ready Mix, Waco, TX; 4) Lindsey Contractors, Waco, TX; 5) H & B Contractors, Inc., McGregor, TX; and 6) Barnett Contracting, Inc., Waco, TX, lowest and best responsible bidders for materials, and authorizing the City Manager to make purchases under the contracts in an amount not to exceed \$175,000.00 during FY2007-08.
7. **RES-232** Consider approval of a resolution awarding twenty-four month material supply contracts for Sand, Gravel, Topsoil and Fill Dirt materials to 1) Knife River, Waco, TX; 2) H & B Contractors, Inc., McGregor, TX; 3) Barnett Contracting, Inc., Waco, TX; and 4) Mine Service LTD, Rockdale, TX, lowest and best responsible bidders for materials, and authorizing the City Manager to make purchases under the contracts in an amount not to exceed \$125,000.00 during FY2007-08.

AGREEMENTS/CONTRACTS

8. **RES-233** Consider approval of a resolution awarding a contract to Parsons Commercial Roofing, Inc., Waco, Texas, to replace roofs at the Cameron Park Zoo, and further authorizing the City Manager to execute any documents in connection with the contract, in an amount not to exceed \$99,564.00, under an existing cooperative purchasing agreement with the Texas Local Government Purchasing Cooperative, operating as the BuyBoard.

9. **RES-234** Consider approval of a resolution ratifying the extension of a Tri-Party Agreement between the City of Waco, Sterling Bank and SWB Waco SH, L.P. related to the leasing of the Phase I and Phase VI Development Properties as set forth in the Amended and Restated Development Agreement for the Heritage Square Development Property between the City of Waco and SWB Heritage Square Partners, L.P., dated October 23, 2007.
10. **RES-235** Consider approval of a resolution authorizing the City Manager to solicit quotes and execute a contract not to exceed \$350,000.00 to bore and encase an eight inch water line to serve the Texas Ranger Headquarters Office under construction at Fort Fisher Park.

VEHICLES / EQUIPMENT

11. **RES-236** Consider approval of a resolution authorizing the City Manager to purchase one (1) new Caterpillar Landfill Compactor, Model No. 826H from Holt Equipment under an existing cooperative purchasing agreement with Texas Association of School Boards (TASB) BUYBOARD in an amount not to exceed \$549,731.68.
12. **RES-237** Consider approval of a resolution authorizing the City Manager to purchase under the cooperative purchasing agreement managed by the Texas Local Government Purchasing Cooperative operating as the BuyBoard:
- (1) One (1) 2008 Sterling Acterra Truck Chassis from Duncan Freightliner, Waco, TX in a total amount of \$73,340.00; and
 - (2) One (1) 2008 GMC C8500 Crew Cab w/Dump Body from Rush Truck Center, Waco, TX in a total amount of \$71,782.00.

BUILDINGS / LAND/ STREETS / PARKS

13. **RES-238** Consider approval of a resolution authorizing the purchase of Block 1, Lots 1 and A2 Nelson Beall Addition (617-621 Elm) from Sterling Trust Company, Trustee for the benefit of Douglas C. Brown, for the purchase price of \$28,354.93, and the purchase of Block 1, Lots 30 and B31 Nelson Beall Addition (708 Taylor) from Carolyn Scott for the purchase price of \$23,336.00 and approving the execution of contracts for the purchase of such properties and authorizing the purchase of Block 1, Lot 29 Nelson Beall Addition (712 Taylor) from Rosie Lee Daniel for the purchase price of \$48,624.00 and authorizing the negotiation and execution of a contract for the purchase of such property.

INTERLOCAL AGREEMENT

14. **RES-239** Consider approval of a resolution authorizing the payment of 10 cents per capita (\$12,149.60) based on the population figures for the City shown in the latest TML Directory of City Officials as the City of Waco's assessment for participation in the Steering Committee of Cities served by Oncor.

ORDINANCES

15. **ORD-240** Consider approval of an ordinance amending Sections 5-31 and 5-34(a) in Chapter 5 "Animals" of the Code of Ordinances of the City of Waco to revise the quorum requirement for animal grievance board meetings and to revise the time requirement for holding an Animal Grievance Board hearing in certain circumstances. **FIRST READING**
16. **ORD-241** Consider an ordinance to change the Comprehensive Plan land use designation from High Density Residential to Commercial and Office and to rezone from R-2 to C-2 the property described as Lot A6, Block 1, Baylor Addition, known as 1522 Speight Avenue, and Lot A7, Block 1, Baylor Addition, known as 1524 Speight Avenue. (Case #Z-08-10 – Jeffrey Paul)
SECOND READING
17. **ORD-242** Consider an ordinance to abandon a portion of right-of-way along Old Fish Pond Road just east of its intersection with State Highway 6, in the City of Waco, McLennan County, Texas. **SECOND READING**
18. **ORD-243** Consider an ordinance amending the City of Waco Zoning Ordinance by amending Secs. 28-133 and 28-134 for the purpose of clarifying time period restrictions for filing new applications after disapproval or withdrawal.
SECOND READING
19. **ORD-244** Consider approval of an ordinance re-establishing standards of care for City of Waco youth programs. **SECOND READING**

COUNCIL REPORTS

- 20. CR-245** Appointments to various Boards and Commissions subject to meeting qualifications.

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