

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
January 27, 2014**

**COUNCIL MEMBERS PRESENT**

Harry LaRosiliere, Mayor  
Lissa Smith, Mayor Pro Tem (arrived at 6:17 p.m.)  
Ben Harris, Deputy Mayor Pro Tem  
Pat Miner  
André Davidson  
Jim Duggan  
Patrick Gallagher  
David Downs

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Paige Mims, City Attorney  
Diane Zucco, City Secretary  
Alice D. Snyder, Assistant City Secretary

Mayor LaRosiliere called the meeting to order at 5:05 p.m., Monday, January 27, 2014, in Training Room A of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor LaRosiliere then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice, Section 551.071; to receive information regarding Economic Development, Section 551.087 and Real Estate, Section 551.072 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor LaRosiliere reconvened the meeting back into the Preliminary Open Meeting at 6:16 p.m. in the Senator Florence Shapiro Council Chambers.

**Consideration and action resulting from Executive Session discussion**

No items were brought forward.

**Rescue Squad Update**

Fire Chief Crawford stated that after careful review of the previous Strategic Plan in 2013, the Fire Department made a significant shift in strategy based on incident volume data that demonstrated a major and continuing trend in customer service demand for emergency medical response, and determined that two smaller alternative response vehicles (Suburbans) called Rescue "Squads" would serve the Emergency Operations mission of the Fire Department better than adding an additional engine company. He spoke to the purpose of the program to add a level of public safety service, creating greater operational effectiveness and fiscal efficiency by providing the right-sized emergency and non-emergency response to calls. Chief Crawford also stated that the Squad program increased the

availability of other emergency equipment to respond to calls as well as providing an expected decrease in fuel maintenance costs, wear and tear on the engines and ladder trucks and reduces the City's carbon footprint.

Chief Crawford reviewed the different levels of medical calls that the squads respond to. He stated the two squads were placed in service on October 8, 2013 and have responded to 1,151 calls. Chief Crawford responded to Council on the levels of response and how 9-1-1 can determine the need. He spoke of the significant decline in major apparatus commit times during this period, equating to the engines and trucks at Station 1 and 4 being available to respond to calls in their own district 30% more often. He spoke to an average of 17.5% reduction in "cover company" responses in Fire Station 1 and 4 districts and estimated fuel cost savings of \$3,479 with the use of the smaller vehicles in the 90-day implementation period.

Chief Crawford responded to Council Member Downs regarding the increase in call volumes for the period of study and plans for additional units, stating they are studying this program for one year and will evaluate if there is a need in particular areas to create operational effectiveness. He spoke to the program being as effective as it can be right now since they are located in a high volume, high density area. Chief Crawford spoke to possibly creating a light alternative response vehicle in the future called a mini-pumper which has everything that the squad has plus fire-fighting capabilities but on a smaller scale.

### **Oak Point Park and Nature Preserve Improvements**

Parks and Recreation Director Fortenberry spoke to the improvements at Oak Point Park that are about to begin on the northeast side that are not directly related to the music festival, but are long term in nature. She stated that Old Morton Vale Road will be extended through the park to facilitate trucks for the festival. Ms. Fortenberry reviewed drop-off area, stage area, smaller parking lot, park preserve area for the prairie, and road-based maintenance yard on the east side of Los Rios Boulevard and spoke to the festival layout. She stated permanent park improvements will include road base that will create a 14 foot wide trail, parking lot, large reservable pavilion, restrooms and water fountains, play feature, small trailhead parking, bump-out area and connectivity. Ms. Fortenberry spoke to the improvements being done in a phased approach, beginning with road base before the music festival this year and evaluating traffic flow and how everything works at the event, continuing to study park improvements, bids going out before the 2015 festival, and permanent improvements in place before the second festival. She responded to Council Member Downs inquiry regarding the preservation of prairie area.

### **Health Plan Update**

Assistant City Manager Parrish spoke to review of Fiscal Year 2013 in regards to the City's health plan. He stated there are currently 4600 members on the plan and medical claims were up 15.3% (\$2.1 million) last year due to an increase in large claims (over \$50,000), and pharmacy had an increase of 2,500 prescriptions. Mr. Parrish responded to Deputy Mayor Pro Tem Harris regarding pharmacy cost structure – generic versus name brand and pharmacy programs/plans. He reviewed the key drivers for medical claims: neoplasms (cancers), musculoskeletal disease and circulatory system. Mr. Parrish spoke to inpatient care which increased 30% and primary care/OB/GYN which accounted for less than 10% of spending and the City's focus on these areas. He reviewed medical and pharmacy cost by member type, and yearly medical costs by relationship and a breakdown of employees by plan

("employees only" account for 39%). Mr. Parrish gave an update on the Affordable Care Act which will cost the City \$310,000 next year for fees that have to be paid to the Federal Government.

Mr. Parrish reviewed the Health Plan Vision, strategic priorities, tactics to achieve strategic priorities and went over options being currently evaluated for employee contributions which will increase in 2015. He responded to Mayor Pro Tem Smith considering the option of decreasing the subsidy for spouses of new hires and not for current employees and verification of available coverage for spouses. City Manager Glasscock spoke to the previous verification process. Mr. Parrish spoke to Deputy Mayor Pro Tem Harris' inquiry regarding the Connect for Health program and accountability. He spoke to the initiatives for 2014, including Live Healthy Plano and updating the workout facilities at Parkway Service Center and Municipal Center. Mr. Parrish responded to Council Member Davidson regarding the implementation of a proposed employee surcharge.

**Council items for discussion/action on future agendas**

No items were discussed.

**Consent and Regular Agendas**

No items were discussed.

Nothing further was discussed. Remaining items were presented during the Regular meeting. Mayor LaRosiliere adjourned the meeting at 7:07 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST

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Diane Zucco, City Secretary

**PLANO CITY COUNCIL**  
**January 27, 2014**

**COUNCIL MEMBERS PRESENT**

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Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Paige Mims, City Attorney  
Diane Zucco, City Secretary  
Alice D. Snyder, Assistant City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Monday, January 27, 2014, at 7:07 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Dr. Leslie Smith, Senior Pastor of North Dallas Community Bible Fellowship led the invocation and representatives from the Boys & Girls Clubs of Collin County led the Pledge of Allegiance.

Mayor LaRosiliere administered the Oath of Office to City Attorney Paige Mims, presented a proclamation to The Medical Center of Plano and the American Heart Association proclaiming February as Heart Disease Awareness Month and recognized the Plano Table Tennis Club in their participation in the 2013 Joola North American Team Tournament.

**Comments of Public Interest**

No one appeared to speak.

**Comprehensive Monthly Financial Report**

Finance Director Tacke advised that the December 2013 report finds General Fund revenues up slightly as a percentage of budget as compared to last year while Water and Sewer revenues are down. She stated that actual General Fund revenues are up \$10.2 million, primarily due to an increase in collection of ad valorem taxes of \$8.9 million, due to the timing of payments, as well as an increase in the portion of the City's tax rate that goes towards the General Fund versus Debt Service. She spoke to an increase in sales tax of \$1.5 million primarily due to an increase in business to business sales.

## **Comprehensive Monthly Financial Report (cont'd)**

Ms. Tacke advised that General Fund expenditures are up compared to the last fiscal year due to a 3% non-civil and 2% civil service pay increase effective in October 2013, professional contract services for the Facilities Department, and park field support services due to the need for tree and forest services. She stated that the unemployment rate is at 5.1%. Ms. Tacke advised that actual Water and Sewer revenues are down as compared to the prior year primarily due to more stringent water restrictions, that expenses are up due to a North Texas Municipal Water District 12% rate increase effective October 1, 2013.

## **CONSENT AGENDA**

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

**Approval of Minutes** (Consent Agenda Item "A")  
January 13, 2014

### **Approval of Expenditures**

**Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)**

**Bid No. 2014-61-B** for the Sanitary Sewer Relocation - Legacy at US 75 Project to Dowager Utility Construction, Ltd., in the amount of \$135,303 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

**Bid No. 2014-63-B** for the Big Lake Park and Chisholm Trail Improvements to Gilbert May Inc., dba Phillips/May Corporation in the amount of \$2,766,633 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

### **Purchase from an Existing Contract**

To approve the purchase of six (6) Crane Carrier Refuse Truck Chassis from Bond Equipment Company, Inc., in the amount of \$957,952 and six (6) Heil Automated Single Arm Bodies from Heil of Texas, in the amount of \$672,800, totaling \$1,630,752 for the Fleet Department, to be utilized by Environmental Waste Collections, through an existing contract/agreement with TASB/Buyboard, and authorizing the City Manager to execute all necessary documents. (TASB/Buyboard Contract No. 430-13 & 425-13) (Consent Agenda Item "D")

To approve the purchase of Wireless Network Upgrade for Jack Carter Maintenance Facility in the amount of \$59,664 from Scientel Wireless LLC, through an existing H-GAC (Houston-Galveston Area Council) contract and authorizing the City Manager to execute all necessary documents. (H-GAC CW10-09) (Consent Agenda Item "E")

To approve the purchase of Consulting Services for PeopleSoft Human Capital Management System Software Upgrade (HCM v9.2) in the estimated amount of \$123,250 from eVerge Group, LLC, through an existing U.S. General Services Administration contract and authorizing the City Manager to execute all necessary documents. (GS-35F-0324Y) (Consent Agenda Item "F")

### **Approval of Change Order**

To Jerusalem Corporation, increasing the contract by \$130,351 for the Pavement Rehab - Plano Parkway, Old Orchard Drive, Maumelle Drive and Hearst Castle Way, Project No. 6240, Change Order No. 1, Bid No. 2013- 238-B. (Consent Agenda Item “G”)

### **Approval of Expenditure**

To approve the purchase of a new message and voting display for the Senator Florence Shapiro Council Chamber from International Roll-Call Corporation, the sole source provider in the amount of \$162,450 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

### **Adoption of Resolutions**

**Resolution No. 2014-1-14(R):** To approve the hiring of Alan C. Wayland as Senior Assistant City Attorney by the City Attorney; and providing an effective date. (Consent Agenda Item “I”)

**Resolution No. 2014-1-15(R):** To approve the terms and conditions of a Fourth Amended and Restated Police Training Center Operating Agreement by and between the City of Richardson and the City of Plano; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “J”)

**Resolution No. 2014-1-16(R):** To accept the findings and opinions of the Annual Audit; authorizing the City Manager, or in his absence the Director of Finance, to publish the results thereof; and providing an effective date. (Consent Agenda Item “K”)

### **Adoption of Ordinances**

**Ordinance No. 2014-1-17:** To abandon all right, title and interest of the City, in and to a portion of a certain Drainage Easement recorded in Document No. 95-0066420, and a 30’ Sanitary Sewer & Water Easement recorded in Document No. 96-0095464, of the Deed Records of Collin County, Texas and being situated in the M. Taylor Survey, Abstract No. 897, which are located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easements to the owner of the property underlying the easements, IBP 16 LAND, LLC., to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “L”)

**Ordinance No. 2014-1-18:** To approve the use of a portion of City of Plano public Park Land, known as Moore Park for a permanent sanitary sewer easement along with a temporary construction easement to the North Texas Municipal Water District; and providing an effective date. (Consent Agenda Item “M”)

**Ordinance No. 2014-1-19:** To amend Ordinance No. 2012-12-16, codified as Chapter 9, Food Code of the Code of Ordinances of the City of Plano, to update definitions, update mobile food establishment commissary requirements, and add guidelines for annual temporary food establishment permits; providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause and an effective date. (Consent Agenda Item “N”)

**Ordinance No. 2014-1-20:** To repeal Ordinance Nos. 2013-12-11, 2012-12-17 and 2012-11-24, and replacing them with this Ordinance, to be entitled “Health Categories and Fees,” to amend Animal Services and Environmental Health fees; providing a repealer clause, a severability clause, and an effective date. (Consent Agenda Item “O”)

**Ordinance No. 2014-1-21:** To adopt and enact Supplement Number 105 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date. (Consent Agenda Item “P”)

## END OF CONSENT

**Public Hearing and adoption of Ordinance No. 2014-1-22** as requested in Zoning Case 2013-35 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend Planned Development-112-Retail on 72.3± acres of land located at the northeast and southeast corners of Plano Parkway and Midway Road, in the City of Plano, Collin County, Texas, to allow for Automobile Repair-Major by Specific Use Permit; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Plano Development, LLC (Regular Agenda Item “1”)

Director of Planning Jarrell spoke to the planned development district being created in 2001 as Light Industrial-1 and stated that the City initiated rezoning to bring it into conformance to the type of development occurring in the area at that time. She stated that a number of uses were kept that were not allowed in the base zoning retail but allowed by specific use permit and stated this request is to add Automobile Repair-Major. Ms. Jarrell advised that the Planning & Zoning Commission recommended the item for approval as follows: (Additions are indicated in underlined text.)

### Restrictions:

1. Adding the following uses by specific use permit to the PD-112-R district as follows:
  - a. Mini-warehouse/Public storage
  - b. Light-intensity manufacturing
  - c. New car dealer and used car dealer
  - d. Office - Showroom/Warehouse
  - e. Automobile repair-major
2. Establishing a building height of 10 stories (175 feet):
  - a. Structured parking garages limited to three stories at or above grade.
  - b. Residential setback slope of 3 times the height up to a maximum of 8 stories or 140 feet, whichever is more restrictive for a minimum distance of 1,000 feet. Beyond 1,000 feet, the setback shall be increased at 1 time the height above 8 stories or 140 feet, whichever is more restrictive, up to 10 stories or 175 feet in height, whichever is more restrictive.

**Ordinance No. 2014-1-22 (cont'd)**

3. Establishing the following Floor Area Ratio (FAR) and lot coverage standards:

- a. Lot Coverage: 50%, 70% if structured parking facilities are included in the calculation
- b. Floor Area Ratio: 1:1

Mayor LaRosiliere opened the Public Hearing. Robert Vann with Cross Development, representing the applicant, provided an overview of Calliber Collision Centers and requested approval. No one else appeared to speak for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 8-0 to amend Planned Development-112-Retail on 72.3± acres of land located at the northeast and southeast corners of Plano Parkway and Midway Road, in the City of Plano, Collin County, Texas, to allow for Automobile Repair-Major by Specific Use Permit; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2013-35; and further to adopt Ordinance No. 2014-1-22.

**Public Hearing and adoption of Ordinance No. 2014-1-23** as requested in Zoning Case 2013-36 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 643 so as to allow the additional use of Automobile Repair-Major on 2.4± acres of land located on the north side of Park Boulevard, 1,100± feet east of Midway Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-112-Retail; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Plano Development, LLC (Regular Agenda Item "2")

Director of Planning Jarrell advised that the Planning & Zoning Commission recommended the item for approval subject to City Council approval of Zoning Case 2013-35.

Mayor LaRosiliere opened the Public Hearing. No one appeared to speak for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Miner and seconded by Mayor Pro Tem Smith, the Council voted 8-0 to grant Specific Use Permit No. 643 so as to allow the additional use of Automobile Repair-Major on 2.4± acres of land located on the north side of Park Boulevard, 1,100± feet east of Midway Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-112-Retail; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2013-36; and further to adopt Ordinance No. 2014-1-23.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:45 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST

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Diane Zucco, City Secretary

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
February 10, 2014**

**COUNCIL MEMBERS PRESENT**

Harry LaRosiliere, Mayor  
Lissa Smith, Mayor Pro Tem  
Ben Harris, Deputy Mayor Pro Tem  
Pat Miner  
André Davidson  
Jim Duggan  
Patrick Gallagher  
David Downs

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Paige Mims, City Attorney  
Alice D. Snyder, Interim City Secretary

Mayor LaRosiliere called the meeting to order at 5:00 p.m., Monday, February 10, 2014, in Training Room A of the Municipal Center, 1520 K Avenue. A quorum was present. Mayor LaRosiliere then stated that the Council would retire into Executive Session in compliance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, in order to consult with an attorney and receive Legal Advice and discuss Litigation, Section 551.071; to receive information regarding Economic Development, Section 551.087; Real Estate, Section 551.072; and Personnel, Section 551.074 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor LaRosiliere reconvened the meeting back into the Preliminary Open Meeting at 6:52 p.m. in the Senator Florence Shapiro Council Chambers.

**Consideration and action resulting from Executive Session discussion**

No items were brought forward.

**Council items for discussion/action on future agendas**

No items were discussed.

**Consent and Regular Agendas**

No items were discussed.

Nothing further was discussed. Remaining items were presented following the Regular meeting. Mayor LaRosiliere adjourned the meeting at 6:53 p.m. and reconvened back into the Preliminary Open Meeting at 7:16 p.m.

### **Discussion and Direction on Housing Reinvestment Incentive Pilot Program**

Director of Planning Jarrell briefed Council on the creation and implementation of a housing reinvestment incentive program designed to encourage reinvestment in older homes with the goal of making them more attractive to new buyers, preserving affordable housing and supporting the City's tax base. She stated the program would result in cost improvement rebates to property owners and that qualifying properties would include single-family detached, duplexes, townhomes, or individual condominiums at least 25 years old with an appraised value less than or equal to the FHA single-family mortgage limit for Collin County which is currently \$287,000 (this number would fluctuate year-to-year based on appraisal values). Ms. Jarrell stated that currently, owner-occupied and rental properties would be eligible with improvements equal to or exceeding 10% of the total appraised value with rebates up to a maximum of \$5,000 per property per year. She reviewed interior and exterior improvements and spoke to exclusions.

Ms. Jarrell reviewed plans for administration of the program, citing a budget of \$617,000. She stated the program would initially be administered by existing staff in the Planning and Building Inspections Departments and there would be an impact on the General Fund. Ms. Jarrell spoke to consideration of an additional program to waive building permit fees for participants, cost recovery and next steps including review by realtors and contractors and development of marketing. Ms. Jarrell requested Council direction to include rental properties and whether or not the budget should cover staff time and fee waivers in addition to the rebate program.

In response to Mayor Pro Tem Smith's inquiries, City Manager Glasscock discussed the budget and Ms. Jarrell stated the time requirements for improvement completion and initial application minimums. Ms. Jarrell responded to Council Member Davidson about evaluating the program, eligible improvements and how the program compares to those in other cities. City Manager Glasscock spoke to the focus of the program being on homes to enhance their marketability and spoke to the length of time it may take to see if the program is successful. Mr. Glasscock recommended only using the program for improvement projects for maximum benefit.

Council Member Downs expressed concern regarding rental properties and inclusion of their landscaping. Ms. Jarrell responded to Mayor Pro Tem Smith in regard to determining funding spent on owner-occupied versus rental properties. Mayor LaRosiliere and Mayor Pro Tem Smith spoke in support of including rental properties. Mayor LaRosiliere spoke to emphasizing exterior improvements, waivers on building permits and consideration to first time homebuyers. Chief Building Official Mata reviewed the permits and fees for improvements. Ms. Jarrell stated the waiver would only apply to those participating in the program and spoke to a wide range of exterior improvements that would qualify. She spoke to reviewing the program with a realtor group and coming back to Council before implementation. Deputy Mayor Pro Tem Harris requested clarity regarding energy efficiency and enhancing appearances. Ms. Jarrell reviewed the consultant's cost and anticipated response time. Council stated a consensus to include rental properties, review the program after one year, and use funds specifically for improvements.

### **Discussion and Direction Regarding a Request to Abandon an East-West Alley Located Southeast of the Intersection of 14<sup>th</sup> Street and N Avenue**

Director of Engineering Carr spoke to the original plat (Oglesby Place) being residential and transitioning to commercial properties through the years. He stated the subject property is the alley which lies south of the applicant (who filed for petition to abandon), and north of the property owned by the North Texas Municipal Water District. Mr. Carr spoke to the 1997 abandonment of a portion of the alley located to the east of this property, available access and the City having no need to retain the alley right-of-way.

Bill Lisle III addressed the Council in regards to his property which may be affected by the proposed alley abandonment. He spoke to property improvements and reviewed reasons for abandoning an alley which he believes do not apply in this situation. Mr. Lisle stated he purchased the property with the alley in place and on the approved site plan and spoke to drainage issues and current use of the alley. Mr. Lisle spoke to other alleys used by commercial properties in the downtown area and requested that no further action be taken. Mr. Shannon Kackley, representing the applicant, spoke to the City abandoning alleyways in this area since 1975 and stated the applicant is a medical and dental office that has paved the property and used the back portion for a parking lot since 1960. He spoke to Mr. Lisle using the alleyway as a conduit to his property and requested Council move forward with the request.

Mr. Carr responded to Council, advising that Mr. Lisle was not required to inform the City that he would be using the alley and confirmed this portion was not abandoned. Mr. Carr addressed cost, risk, liability and other potential issues if the City did not abandon the property and stated the alley is functioning as a one-way pavement surface. City Attorney Mims spoke regarding waivers of immunity in state statutes for premise defect liabilities and maintenance obligations unless there is a license agreement with the property owner. Mr. Carr responded to Council regarding the amount of truck traffic the alley and N Avenue can handle, clarified the one-way direction of the alleyway, and spoke to requirements of multiple access points to properties. Director of Planning Jarrell explained the petitioner's property was re-platted into two lots which share a driveway and the alley was not considered to be a point of access when Staff reviewed and the Planning and Zoning Commission approved the plat. Mr. Lisle spoke to not being able to use his main access point at this time.

Council Member Miner spoke to not abandoning the alley previously, both parties having equal access and not abandoning the alley now. Mayor Pro Tem Smith, Council Members Gallagher and Duggan also favored not abandoning the alley. City Manager Glasscock responded to Council Member Davidson regarding Staff review of the issue, drainage, heavy vehicle use and the City's responsibility if the alley is not abandoned, and advised that costs are undetermined. Mr. Lisle responded to Council Member Davidson, advising that once a driveway is completed it will serve as primary access with the alley possibly being a primary access point for a back tenant and spoke to plans to concrete over to the alley.

Council Member Downs spoke to not abandoning the alley. City Attorney Mims spoke to ceasing the use of the alley and changing it or entering into a license agreement with the property owner. City Manager Glasscock clarified ownership of the properties abutting the alley and spoke to the impact of abandonment. Deputy Mayor Pro Tem Harris stated support for not abandoning the alley right-of-way. Mayor LaRosiliere expressed concern over not abandoning the alley and the use of the alley by the applicant. Mayor Pro Tem Smith spoke to Mr. Lisle purchasing the property with the alley in place. City Attorney Mims advised Staff is required to bring the petition forward once it is filed unless it is withdrawn by the applicant. Council stated a consensus not to abandon the property.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 8:27 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST

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Alice D. Snyder, Interim City Secretary

**PLANO CITY COUNCIL**  
**February 10, 2014**

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Mayor LaRosiliere convened the Council into the Regular Session on Monday, February 10, 2014, at 7:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Jessie Prince, Executive Pastor of Grace Outreach Center led the invocation and Jr. Girl Scout Troop 2739 with Davis and Hughston Elementary Schools led the Pledge of Allegiance.

Mayor LaRosiliere presented the 2013 Achievement of Library Excellence Award from the Texas Municipal Library Directors Association to Haggard Library Manager Libby Holtmann.

**Comments of Public Interest**

Citizen Sharon Overall spoke regarding City smoking regulations.

**CONSENT AGENDA**

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

**Approval of Minutes** (Consent Agenda Item "A")  
January 27, 2014

### **Approval of Expenditures**

#### **Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)**

**Bid No. 2014-68-B** for Screening and Retaining Wall Reconstruction, Custer, Independence and Coit – Project No. 6250, to Tracon Ventures, LTD., in the amount of \$1,042,033 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**Bid No. 2014-58-B** for the purchase of four (4) Black and White Chevrolet Caprice Police Package Sedans for the Fleet Services Department, to be utilized by Police from Caldwell Country Automotive (aka Baby Jack II) in the amount of \$112,976 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

**CSP No. 2014-9-B** for Downtown Parking Signs to Groves Electrical Service, Inc. in the estimated amount of \$84,000 for the purchase and installation of 10 illuminated parking signs and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

#### **Purchase from an Existing Contract**

To approve the purchase of one (1) John Deere 5100M Tractor from John Deere Co., utilizing a HGAC Contract #GR01-12 in the amount of \$46,436 and the purchase of one (1) Toro Pro Core SR75 Aerator from Professional Turf Products utilizing a TASB/Buyboard Contract #373-11 in the amount of \$28,650 for a total of \$75,086 for the Fleet Department, to be utilized by Parks and Recreation, and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

#### **Approval of Contract**

To approve a Professional Services Agreement by and between the City of Plano and Gresham, Smith and Partners, in the amount of \$153,481 for the 2014 Erosion Control Improvements at Twelve Aerial Sewer Crossings project and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

To approve a Landscape Architecture Services Agreement by and between the City of Plano and David McCaskill Design Group in the amount of \$244,035 for park master plan services for Carpenter Park and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

#### **Approval of Contract Modification**

To approve and authorize Contract Modification No. 3 for the purchase of additional engineering services for the Erosion Control – Padre, Dunmoor, Buckboard & Rockbrook project in the amount of \$4,300 from GWC Engineering, L.P. (Consent Agenda Item “H”)

#### **Adoption of Resolutions**

**Resolution No. 2014-2-1(R):** To approve the terms and conditions of an Economic Development Agreement by and between FedEx Office and Print Services, Inc., a Texas corporation, and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “I”)

**END OF CONSENT**

**Public Hearing and adoption of Ordinance No. 2014-2-2** to designate a certain area within the City of Plano, Texas, as Reinvestment Zone No. 137 for tax abatement consisting of a 19.278 acre tract of land located in the J.C. Barrow Survey, Abstract No. 91, the J.W. Haynes Survey, Abstract No. 458, and the William G. Garvin Survey, Abstract No. 1103, Collin County and described in Exhibit "A", attached hereto, in the City of Plano, Texas, establishing the boundaries of such zone; ordaining other matters related thereto; and providing an effective date. (Regular Agenda Item "1")

Economic Development Director Bane spoke to statutes requiring the establishment of reinvestment zones which include a Public Hearing and to this agreement based on a ten-year abatement of 50% for an estimated \$35 million in real property improvements and \$10 million in business personal property commencing no later than January 1, 2016.

Mayor LaRosiliere opened the Public Hearing. No one appeared to speak for or against the request. The Public Hearing was closed.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Gallagher, the Council voted 8-0 to designate a certain area within the City of Plano, Texas, as Reinvestment Zone No. 137 for tax abatement located in the J.C. Barrow Survey, Abstract No. 91, the J.W. Haynes Survey, Abstract No. 458, and the William G. Garvin Survey, Abstract No. 1103, in the City of Plano, Texas, establishing the boundaries of such zone; ordaining other matters related thereto; and providing an effective date; and further to adopt Ordinance No. 2014-2-2.

**Resolution No. 2014-2-3(R):** To approve the terms and conditions of an agreement by and between the City of Plano, Texas, FedEx Office and Print Services, Inc., a Texas corporation, and KDC Legacy HQ Investments One, LP, a Texas limited partnership, providing for real and business personal property tax abatement; and authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item "2")

Economic Development Director Bane advised that the agreement would be between the City of Plano and FedEx Office and Print Services, Inc. and KDC Legacy HQ Investments One, LP, for a term of ten years at 50% for both real and business personal property and FedEx will cause to complete real property improvements consisting of at least a 255,000 square foot office headquarters in the Legacy Business Park at the intersection of Legacy and Headquarters Drive.

Upon a motion made by Council Member Davidson and seconded by Council Member Miner, the Council voted 8-0 to approve the terms and conditions of an agreement by and between the City of Plano, Texas, FedEx Office and Print Services, Inc., a Texas corporation, and KDC Legacy HQ Investments One, LP, providing for real and business personal property tax abatement; and further to adopt Resolution No. 2014-2-3(R).

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:16 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST

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Alice D. Snyder, Interim City Secretary