PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
May 12, 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
Jim Parrish, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere called the meeting to order at 5:00 p.m., Monday, May 12, 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; and to discuss 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 5:45 p.m. in the Senator Florence Shapiro Council Chambers.

Consideration and action resulting from Executive Session discussion
Personnel Reappointments –

DART Board of Directors

Upon a motion made by Mayor Pro Tem Smith and seconded by Deputy Mayor Pro Tem Harris, the Council voted 8–0 to reappoint Paul Wageman as the City of Plano representative and Faye Wilkins as a shared representative.

Personnel Appointments

Self Sufficiency Committee

Upon a motion made by Council Member Gallagher and seconded by Deputy Mayor Pro Tem Harris with a clarification of term, the Council voted 8–0 to appoint Shelby Howard Williams with a term ending October 31, 2016.

Board and Commission Review Committee report

Mayor Pro Tem Smith and Deputy Mayor Pro Tem Harris spoke to the Board and Commission Review Committee meetings and thanked the Board and Commission Chairs and Staff Liaisons for their dedicated service. Mayor Pro Tem Smith stated the committee had no specific recommendations. Deputy Mayor Pro Tem Harris spoke to the Senior Citizens Advisory Board possibly meeting monthly and hosting a roundtable 2-3 times a year. He requested the Senior Citizen Advisory Board to explore their options and provide Council with a recommendation.

Environmental Health Briefing – E-Cigarettes

Director of Environmental Health Teel spoke to the history, industry, increased popularity and use of e-cigarettes (electronic) and vaping (using an e-cigarette). Mr. Teel outlined definitions, terms, and issues the Council should consider if they desire to regulate the use and sale of e-cigarettes. Mr. Teel stated positive attributes of e-cigarettes such as, being used as a smoking cessation device, e-cigarettes being less harmful, and causing fewer pollutants to be released than a regular tobacco cigarette. He spoke to negative attributes which include being a gateway for young people to smoke, some e-cigarettes can contain carcinogens, minors can purchase e-cigarettes and e-cigarettes are currently unregulated. Mr. Teel spoke to the countries, states and Texas cities currently with regulations and the FDA's plan to start regulating e-cigarettes. He stated the City's current policies and regulation options for the Council to consider.

Jamee Jolly, President and CEO of the Plano Chamber of Commerce presented the results of a quick survey of hospitality members showing support of regulation of e-cigarettes and stated the Chamber will continue to monitor the issue. Mr. Teel stated the City could regulate at a high, moderate or low level. He spoke to each level of regulation and its impact. The Council discussed the pros and cons of each level regulation and directed Staff to bring back an ordinance to regulate e-cigarettes like tobacco products but grandfathering use in primary vapor shops selling e-cigarettes and supplies.

Plano Tomorrow Comprehensive Plan Discussion - Regionalism

Comprehensive Planning Manager Schwarz spoke to the Comprehensive Plan update regarding regionalism including land-use and transportation. Ms. Schwarz presented the estimated population and employment density for 2035 and undeveloped land in Plano. She stated the Planning and Zoning Commission's recommendation of Plano will expand existing housing to accommodate population growth. Ms. Schwarz confirmed the Council was in line with the recommendation.

Plano Tomorrow Con't.

Ms. Schwarz spoke to future improvement and expansion of services within the City's portion of the regional transportation system. She stated the Planning and Zoning Commission recommendation of Plano will be open to the expansion of various aspects of the regional transportation system, including roadways, expressways, trails, and mass transit. Ms. Schwarz confirmed the Council was in line with the recommendation.

Council items for discussion/action on future agendas

No items were discussed.

Consent and Regular Agendas

No items were discussed.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 6:34 p.m.

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Harry LaRosiliere, MAYOR

ATTEST

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Lisa C. Henderson, City Secretary

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Mayor LaRosiliere convened the Council into the Regular Session on Monday, May 12, 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.

Father Wesley Evans from Holy Nativity Episcopal Church led the invocation and Cub Scout Pack 480 from Haggar Elementary led the Pledge of Allegiance.

Mayor LaRosiliere recognized the Standberry Scholarship recipients, Motorcycle Safety and Awareness Month, National Historic Preservation Month, and Bike to work Week and Bike to Work Month. He administered oaths of office to Shep Stahel (North Texas Municipal Water District Board) and Farrah Ahmed (Tax Increment Financing Reinvestment Zone No. 2 Board). Mayor LaRosiliere presented a Certificate of Appreciation to Thomas Buning for his service on the Tax Increment Financing Reinvestment Zone No. 2 Board.

Comments of Public Interest

Erin Wright of The Artisan Vapor Company spoke in support of regulating electronic cigarettes and allowing the use in free standing stores and strip malls. Ryan Dry, representing the Pitman Creek Homeowners Association, spoke to the expediency of the Council to regulate carnival activity.

CONSENT AGENDA

Upon a motion made by Council Member Downs and seconded by Council Member Miner, 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")

April 28, 2014

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

CSP 2014-111-C for a five (5) year contract with two (2) City optional two (2) year renewals, for Print Management Services to NovaCopy, Inc. in the estimated annual amount of $162,444 or an estimated amount of $812,220 over a five year period, and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

CSP 2014-139-C for a three (3) year contract with two (2) City optional one (1) year renewals, for Camera Installation Services, Software and Maintenance to Sigma Surveillance, Inc. d/b/a STS360 in the estimated amount of $546,725 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

Purchase from an Existing Contract

To approve the purchase of Software Maintenance and Support Services, for one (1) year with three (3) City optional one (1) year renewals, for JD Edwards and PeopleSoft Software, in the estimated annual amount of $375,515 from Oracle America, Inc. through an existing DIR (Department of Information Resources) contract and authorizing the City Manager to execute all necessary documents. (DIR-TSO-2539) (Consent Agenda Item "D")

Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)

To approve an Engineering Services Agreement by and between the City of Plano and Halff Associates, Inc., in the amount of $398,095 for the White Rock Creek & Prairie Creek Sewer Mains Rehabilitation project and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "E")

To approve a Landscape Architecture Services Agreement by and between the City of Plano and David McCaskill Design Group in the amount of $759,800 for design services for Jack Carter Pool Replacement and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "F")

Adoption of Resolutions

Resolution No. 2014-5-1(R): To approve the terms and conditions of a First Amendment to the Economic Development Incentive Agreement between the City of Plano, Texas and FedEx Office and Print Services, Inc., a Texas corporation; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "G")

Resolution No. 2014-5-2(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between Toyota Motor North America, Inc., a California corporation, and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "H")

Resolution No. 2014-5-3(R): To approve the terms and conditions of an Economic Development Incentive Agreement for Tax Rebate for calendar years 2028-2037 by and between Toyota Motor North America, Inc., a California corporation, and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "I")

Resolution No. 2014-5-4(R): To deny the rate increase requested by Atmos Energy Corp., Mid-Tex Division under the Company's 2014 annual Rate Review Mechanism filing in all cities exercising original jurisdiction; requiring the Company to reimburse cities' reasonable ratemaking expenses pertaining to review of the RRM; authorizing the City's participation with Atmos Cities Steering Committee in any appeal filed at the Railroad Commission of Texas by the Company; requiring the Company to reimburse cities' reasonable ratemaking expenses in any such appeal to the Railroad Commission; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; requiring delivery of this resolution to the Company and the Steering Committee's legal counsel; and providing an effective date. (Consent Agenda Item "J")

Resolution No. 2014-5-5(R): To approve the terms and conditions of a Restated and Amended Development Agreement between the City of Plano and Southern Land Company, LLC for development of Junction15 Plano; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "K")

Resolution No. 2014-5-6(R): To approve the hiring of Brandi Youngkin as Assistant City Attorney II by the City Attorney; and providing an effective date. (Consent Agenda Item "L")

Adoption of Ordinances

Ordinance No. 2014-5-7: To amend Section 11-141 Definitions and Section 11-156 Itinerant Vendors, of Article IV Peddlers and Solicitors, of Chapter 11 Licenses and Business Regulations, of the Code of Ordinances of the City of Plano to amend the definition for itinerant vendor, to establish definitions for carnival and carnival operator, to increase the permit fee for itinerant vendors, and to establish regulations for temporary carnivals on private property within the City of Plano; and providing a repealer clause, a severability clause; a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item "M")

END OF CONSENT

Ordinance No. 2014-5-8: Public Hearing and consideration of an Ordinance to amend Ordinance No. 2014-2-2 to designate a new geographic area within the City of Plano, Texas, as Reinvestment Zone No. 137 for tax abatement consisting of a 21.000 acre tract of land located in the J.C. Barrow Survey, Abstract No. 91, City of Plano, Collin County, Texas and, being part of Lot 1, Block B of J.C. Penney Headquarters, an addition to the City of Plano according to the plat thereof recorded in Cabinet G, Slide 783 of the Map records of Collin County, Texas, being part of a tract of land described as Tract II in Limited General Warranty Deed to SWC Tollway & 121 LLC, recorded in Instrument No. 2014-10254, Deed Records of Denton County, Texas 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")

Director of Economic Development Bane spoke to statutes requiring the establishment of reinvestment zones which include a Public Hearing, also apply to amending reinvestment zones. She stated the amendment only applies to the geographical area of Reinvestment Zone No. 137 and the current agreement based on a ten-year abatement of 50% having $35 million in real property improvements and $10 million in business personal property in place by December 31, 2015 remains unchanged.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against. Mayor LaRosiliere closed the Public Hearing.

Upon a motion made by Mayor Pro Tem Smith and seconded by Deputy Mayor Pro Tem Harris, the Council voted 8-0 to amend Ordinance No. 2014-2-2 to designate a new geographic area within the City of Plano, Texas, as Reinvestment Zone No. 137 for tax abatement consisting of a 21.000 acre tract of land located in the J.C. Barrow Survey, Abstract No. 91, City of Plano, Collin County, Texas and, being part of Lot 1, Block B of J.C. Penney Headquarters, an addition to the City of Plano, according to the plat thereof recorded in Cabinet G, Slide 783 of the Map records of Collin County, Texas, being part of a tract of land described as Tract II in Limited General Warranty Deed to SWC Tollway & 121 LLC, recorded in Instrument No. 2014-10254, Deed Records of Denton County, Texas, 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. 2014-5-8.

Resolution No. 2014-5-9(R): Consideration of a Resolution to approve the terms and conditions of a First Amendment to the Tax Abatement Agreement 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; authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item "2")

Director of Economic Development Bane stated the amended tax abatement modifies the geographic location of the project only and the terms of the agreement representing a ten-year tax abatement based on 50% remains unchanged between the City of Plano, FedEx Office and Print Services, Inc. and KDC Legacy HQ Investments One, LP. Ms. Bane stated the corporate headquarters will now be located at the northeast corner of Legacy Drive and Headquarters Drive in Legacy Business Park

Resolution No. 2014-5-9(R) Con't.

Upon a motion made by Council Member Miner and seconded by Council Member Davidson, the Council voted 8-0 to approve the terms and conditions of a First Amendment to the Tax Abatement Agreement 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; and providing an effective date; and further to adopt Resolution No. 2014-5-9(R).

Ordinance No. 2014-5-10: Public Hearing and consideration of an Ordinance to designate a certain area within the City of Plano, Texas, as Reinvestment Zone No. 138 for tax abatement consisting of a 99.816 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, City of Plano, Collin County, Texas, being part of the R.P. Harding Survey, Abstract No. 611, the William Garvin Survey, Abstract No. 453 in the City of Plano, Denton County, Texas, and being part of a tract of land described in Limited General Warranty Deed to SWC Tollway & 121 LLC, recorded in Instrument No. 2014-10254, Deed Records of Denton County, Texas and all of a tract of land described in Special Warranty Deed to KDC Legacy HQ Investments One LP, recorded in Instrument No. 20140225000175910, Land Records of Collin County, Texas, being all of a tract of land described in deed to 121 Epic Commercial, Ltd., recorded in Document No. 2005-60189 of the Official Records of Denton County, Texas, being all of Lots 2 and 3, Block 1 of Lots 1, 2, 3, & 4, Palomino Crossing Addition, an addition to the City of Plano according to the plat recorded in Document 2012-134 of the Official Records of Denton County, Texas 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 "3")

Director of Economic Development Bane spoke to statutes requiring the establishment of reinvestment zones which include a Public Hearing and to this agreement based on $300 million in real property improvements and $50 million in business personal property improvements to be put into place by December 31, 2017 and the tax abatement associated with the zone would be for a period of ten years beginning on January 1, 2018 based on the amount equal to 50%.

Mayor LaRosiliere recognized representatives in attendance from Toyota, Jones Lang LaSalle, and the Dallas Regional Chamber of Commerce in the audience and stated this was the largest economic development incentive package in Plano's history. He spoke to economic impact to the city and surrounding communities. May LaRosiliere further spoke to Toyota's generosity to non-profit organizations and its employee volunteer efforts being in line with Plano's goal of excellence.

Mayor LaRosiliere opened the Public Hearing. Robert Miller, a Plano resident, spoke to his support of the Toyota relocation and incentive package. Mayor LaRosiliere closed the Public Hearing.

Ordinance No. 2014-5-10 Con't.

Upon a motion made by Council Member Downs and seconded by Council Member Duggan, the Council voted 8-0 to designate a certain area within the City of Plano, Texas, as Reinvestment Zone No. 138 for tax abatement consisting of a 99.816 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, City of Plano, Collin County, Texas, being part of the R.P. Harding Survey, Abstract No. 611, the William Garvin Survey, Abstract No. 453 in the City of Plano, Denton County, Texas, and being part of a tract of land described in Limited General Warranty Deed to SWC Tollway & 121 LLC, recorded in Instrument No. 2014-10254, Deed Records of Denton County, Texas and all of a tract of land described in Special Warranty Deed to KDC Legacy HQ Investments One LP, recorded in Instrument No. 20140225000175910, Land Records of Collin County, Texas, being all of a tract of land described in deed to 121 Epic Commercial, Ltd., recorded in Document No. 2005-60189 of the Official Records of Denton County, Texas, being all of Lots 2 and 3, Block 1 of Lots 1, 2, 3, & 4, Palomino Crossing Addition, an addition to the City of Plano according to the plat recorded in Document 2012-134 of the Official Records of Denton County, Texas, 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. 2014-5-10.

Resolution No. 2014-5-11(R): Consideration of a Resolution to approve the terms and conditions of an agreement by and between the City of Plano, Texas and Toyota Motor North America, Inc., a California corporation, providing for real and business personal property tax abatement; and providing an effective date. (Regular Agenda Item "4")

Director of Economic Development Bane spoke to the tax abatement between the City of Plano and Toyota Motor North America, Inc. which will cause to complete real property improvements consisting of 1 million square feet into a corporate headquarters in the Legacy Business Park. Ms. Bane stated the agreement represents a ten-year tax abatement in the amount of 50%.

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Davidson, the Council voted 8-0 to approve the terms and conditions of an agreement by and between the City of Plano, Texas and Toyota Motor North America, Inc., a California corporation, providing for real and business personal property tax abatement; and authorizing its execution by the City Manager; and further to adopt Resolution No. 2014-5-11(R).

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2014-03 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 644 so as to allow the additional use of Hospital and Specific Use Permit No. 645 so as to allow the additional use of Helistop on 30.4± acres of land located at the southeast corner of Preston Road and Rasor Boulevard, in the City of Plano, Collin County, Texas, presently zoned Planned Development-159-General Office; 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: Commodore Partners, Ltd. (Tabled April 14, 2014) (Regular Agenda Item "5")

Public Hearing and consideration of an Ordinance Con't.

Director of Planning Day spoke to the original request being tabled at the April 14, 2014 meeting. Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Miner, the Council voted 8-0 to remove the item from the table.

Ms. Day stated the requestor has withdrawn the request. Mayor LaRosiliere opened the Public Hearing. No one spoke for or against. Mayor LaRosiliere closed the Public Hearing.

Upon a motion made by Council Member Davidson and seconded by Council Member Duggan, the Council voted 8-0 to accept the request from the applicant to withdraw Zoning Case 2014-03.

Ordinance No. 2014-5-12: Public Hearing and consideration of an Ordinance as requested in Zoning Case 2014-09 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 649 so as to allow the additional use of Private Club on 0.2± acre of land located 550± feet east of Preston Road, 66± feet south of Park Boulevard, in the City of Plano, Collin County, Texas, presently zoned Planned Development-189-Retail/General Office; 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: BHTT Entertainment, Inc. (Regular Agenda Item "6")

Director of Planning Day spoke to the request for a special use permit for a private club located at the corner of Park Boulevard and Preston Road. She stated the free standing restaurant is currently doing business as Brick House and this request will allow the business to sell up to 65 percent of its gross receipts in alcohol. Ms. Day stated it is in compliance with the standards of the zoning ordinance and the Planning and Zoning Commission has recommended approval as submitted.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against. Mayor LaRosiliere closed the Public Hearing.

Upon a motion made by Council Member Downs and seconded by Council Member Gallagher, the Council voted 8-0 to grant Specific Use Permit No. 649 so as to allow the additional use of Private Club on 0.2± acre of land located 550± feet east of Preston Road, 66± feet south of Park Boulevard, in the City of Plano, Collin County, Texas, presently zoned Planned Development-189-Retail/General Office; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2014-09; and to further approve Ordinance No. 2014-5-12.

Ordinance No. 2014-5-13: Consideration of an Ordinance to determine a public necessity to acquire the easement property as described in the attached Exhibit "A", also known as 801 W. Park Blvd., for the public use of the Park Boulevard and US 75 Pedestrian Crossing Project; authorizing the use of the power of eminent domain to condemn the easement property; authorizing the City Manager and City Attorney, or their respective designees, to acquire the property including making initial and bona fide offers, and authorizing the City Attorney to file eminent domain proceedings, if necessary, and providing an effective date. (Regular Agenda Item "7")

Ordinance No. 2014-5-13 Con't.

Director of Engineering Carr spoke to the acquisition of two necessary easements located on one parcel for the construction of the Park Boulevard and US75 Pedestrian Crossing project scheduled to begin in Spring 2015. He stated the need to acquire one street, sidewalk, and utility easement and one temporary construction easement on property located at the northeast corner of the intersection of Enterprise Drive and Park Boulevard. Mr. Carr advised the project will improve pedestrian access between Parker Road DART station and Chisholm Trail and that five of the six property owners have executed the land rights.

Mayor Pro Tem Smith moved to authorize the City of Plano to the use of the power of eminent domain to acquire both parcels of property described in Exhibit "A" attached to the Ordinance marked as Item No. 7 on tonight's City Council agenda, determining a public necessity to acquire a street, sidewalk, and utility easement and a temporary construction easement for the public use of constructing the Park Boulevard and US 75 Pedestrian Crossing Project; and further to adopt Ordinance No. 2014-5-13. Council Member Davidson seconded the motion and the Council voted 8-0. The motion carried.

Ordinance No. 2014-5-14: Consideration of an Ordinance to determine a public necessity to acquire the easement property as described in the attached Exhibit "A", also known as a portion of 1017 E. 15th Street, of the City of Plano, for the public use of the construction of the Centralized Waste Collection Station on 15th Place Project; authorizing the use of the power of eminent domain to condemn the easement property; authorizing the City Manager and City Attorney, or their respective designees, to acquire the property including making initial and bona fide offers, and authorizing the City Attorney to file eminent domain proceedings, if necessary, and providing an effective date. (Regular Agenda Item "8")

Director of Engineering Carr spoke to the acquisition of a necessary easement located on one parcel for the construction of a Centralized Waste Collection Station on 15th Place and that the project needs to acquire a utility easement to allow a transformer to be relocated to this parcel. He stated this will provide a location for property owners in this area to deposit their trash in an enclosed compactor in a new building. Mr. Carr stated that three of the four property owners have executed the land rights.

Mike Montgomery, property owner of 1017 E. 15th Street, spoke in opposition of the acquisition and stated concern of reduction in his property's value. He reviewed the history of the area and alternative placement options for the transformer.

Deputy City Manager Turner spoke to the need for acquiring the easement property. He stated alternate plans were reviewed but found not feasible and the plan being presented is the best option for the project.

Ordinance No. 2014-5-14 Con't.

Mayor Pro Tem Smith moved to authorize the City of Plano to use the power of eminent domain to acquire the property described in Exhibit "A" attached to the Ordinance marked as Item No. 8 on tonight's City Council agenda, and determining a public necessity to acquire a utility easement to improve the property for the public use of constructing the Centralized Waste Collection Station for the 15th Place Project; and further to adopt Ordinance No. 2014-5-14. Council Member Downs seconded the motion and the Council voted 8-0. The motion carried.

Public Hearing and Ordinance No. 2014-5-15: To amend the Project and Finance Plan for Tax Increment Financing District Reinvestment Zone Number Two; expanding the boundaries of such Zone; extending the term of the Zone for an additional 15 years; and providing a severability clause and an effective date. (Regular Agenda Item "9")

Deputy City Manager Turner spoke to the existing district boundaries, the term expiring at the end of 2014 and the contributions to the reinvestment zone due to the improvements and tax base growth. Mr. Turner stated he is requesting the term of the TIF be extended for an additional 15 years and expanding the properties covered by the district. He spoke to the current level of participation by the City, School District, County, and College District. Mr. Turner stated only two entities will continue to participate, the City at 100% of tax increment value and Collin County at 50%, reduced from 80% in the existing agreement. He spoke to Collin College's position of not participating in economic development incentives and with changes in state law Plano Independent School District is largely unable to participate in the next extension period.

Finance Director Tacke spoke to the base valuation of $314 million of with $200 million can be attributed to the improvements by the reinvestment zone. Ms. Tacke stated to date, $37.9 million in revenue has been collected with a current fund balance of $8.5 million of which $3.5 million is encumbered for the conclusion of Mendenhall School project and Southern Land project. Ms. Tacke responded to Deputy Mayor Pro Tem Harris if the TIF is closed, any unencumbered funds would revert back to the entities at their level of participation. In response to Council Member Downs, Ms. Tacke estimated conservatively an additional $20 million will be added to the fund.

Mr. Turner spoke to the public improvements, projects completed, and projects planned in the future and reviewed the Project and Finance Plan for the Tax Increment Financing District Reinvestment Zone Number Two. He stated the Ordinance would include expanding the boundaries, extending the term for an additional 15 years and amending the Project and Finance Plan for the Zone.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against. Mayor LaRosiliere closed the Public Hearing.

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Downs, the Council voted 8-0 to amend the Project and Finance Plan for Tax Increment Financing District Reinvestment Zone Number Two; expanding the boundaries of such Zone; extending the term of the Zone for an additional 15 years; and further to adopt Ordinance No. 2014-5-15.

First Reading and consideration of an Ordinance to grant to CoServ Gas, Ltd., d/b/a CoServ Gas, a franchise to furnish and supply gas to the general public in the City of Plano, Collin and Denton Counties, Texas, for the transporting, delivery, sale, and distribution of gas in and out of, and through said municipality for all purposes; providing for the payment of a fee or charge for the use of the streets, alleys, and public ways; providing a severability clause, and an effective date. (Regular Agenda Item "10")

Director of Policy and Government Relations Israelson spoke to the existing franchise agreement ending in 2012 and CoServ Gas has continued to make payments following the old agreement. Mr. Israelson stated the changes in the new agreement include quarterly payments and increasing the franchise fee to five percent with a ten year term with one five year renewal.

Upon a motion made by Council Mayor Pro Tem Harris and seconded by Council Member Davidson, the Council voted 8-0 to approve the first reading of an Ordinance to grant to CoServ Gas, Ltd., d/b/a CoServ Gas, a franchise to furnish and supply gas to the general public in the City of Plano, Collin and Denton Counties, Texas, for the transporting, delivery, sale, and distribution of gas in and out of, and through said municipality for all purposes; providing for the payment of a fee or charge for the use of the streets, alleys, and public ways.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 8:14 p.m.

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Harry LaRosiliere, MAYOR

ATTEST

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Lisa C. Henderson, City Secretary