

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
May 26, 2015**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Lissa Smith, Mayor Pro Tem
Ben Harris, Deputy Mayor Pro Tem
Angela Miner
Rick Grady
Ron Kelley
Tom Harrison
David Downs

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Jim Parrish, Deputy City Manager
Mark Israelson, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere called the meeting to order at 5:00 p.m., Tuesday, May 26, 2015, 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; to discuss 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 5:45 p.m. in the Senator Florence Shapiro Council Chambers.

Consideration and action resulting from Executive Session discussion-

a) Personnel

Designation of Mayor Pro Tem and Deputy Mayor Pro Tem –

Upon a motion made by Mayor LaRosiliere and seconded by Deputy Mayor Pro Tem Harris, the Council voted 8–0 to appoint Lissa Smith as Mayor Pro Tem.

Upon a motion made by Mayor LaRosiliere and seconded by Mayor Pro Tem Smith, the Council voted 8–0 to appoint Ben Harris as Deputy Mayor Pro Tem.

Council Appointments to Various Committees and Organizations

Mayor LaRosiliere read the following into the record.

- The Arts Center of North Texas Mayors Committee – Mayor LaRosiliere
- Collin County Mayors Committee – Mayor LaRosiliere
- Council Legislative Committee – Mayor, Mayor Pro Tem and Deputy Mayor Pro Tem
- Texas Clean Air Cities Coalition – David Downs
- Dallas Regional Mobility Coalition – Mayor Pro Tem Lissa Smith
- Designation of Official North Central Texas Council of Governments Voting Representative - Mayor LaRosiliere
- Metroplex Mayors Committee - Mayor LaRosiliere
- North Central Texas Workforce Development Board of Directors – Tom Harrison
- North Texas Commission – Mayor LaRosiliere and Mayor Pro Tem Lissa Smith
- North Texas Housing Coalition – Rick Grady
- Plano Health Facilities Development Corporation – Mayor LaRosiliere, David Downs, and Ron Kelley
- Regional Committee on Child Predator Legislation – Tom Harrison
- Regional Transportation Council – NCTCOG – Mayor Pro Tem Lissa Smith
- Board and Commission Review Committee – Deputy Mayor Pro Tem Ben Harris and David Downs
- Community Finance – Deputy Mayor Pro Tem Ben Harris and David Downs
- Joint PISD/Council Committee – Angela Miner and Rick Grady
- Ad Hoc Committee of Cities of Allen, Plano and Frisco– Deputy Mayor Pro Tem Ben Harris and David Downs
- Multi-Cultural Outreach Roundtable – David Downs and Angela Miner
- Animal Shelter Advisory Committee – Angela Miner and Tom Harrison
- The Arts Center of North Texas – Mayor Harry LaRosiliere
- Board of Adjustment – Deputy Mayor Pro Tem Harris and Rick Grady
- Building Standards Commission – Ron Kelley and Tom Harrison
- Civil Service Commission - City Manager Bruce D. Glasscock
- Collin County Appraisal District Board – Angela Miner and Ron Kelley
- Community Relations Commission – Deputy Mayor Pro Tem Ben Harris and Rick Grady
- Cultural Affairs Commission – Mayor Pro Tem Lissa Smith and David Downs
- DART Board of Directors – Faye Moses Wilkins and Paul Wageman
- Heritage Commission – David Downs and Ron Kelley
- Library Advisory Board – Angela Miner and Tom Harrison
- North Texas Municipal Water District Board – Mayor Pro Tem Lissa Smith and Deputy Mayor Pro Tem Ben Harris
- Parks and Recreation Planning Board – Ron Kelley and Tom Harrison
- Photographic Traffic Signal Advisory Committee – Rick Grady and Ron Kelley
- Planning and Zoning Commission – Mayor Pro Tem Lissa Smith and David Downs
- Plano Housing Authority – Rick Grady and Ron Kelley
- Retirement Security Plan Committee – City Manager Bruce D. Glasscock
- Self Sufficiency Committee – Deputy Mayor Pro Tem Ben Harris and Tom Harrison
- Senior Citizens Advisory Board – Mayor Pro Tem Lissa Smith and Angela Miner
- Tax Increment Financing Reinvestment Zone No. 2 Board – Angela Miner and Rick Grady

Personnel

a) Tax increment Financing Reinvestment Zone No. 2

Upon a motion made by Mayor LaRosiliere and seconded by Deputy Mayor Pro Tem Harris, the Council voted 8–0 to appoint Council Member Miner as a member and Chair of the Tax Increment Financing Reinvestment Zone No. 2.

Citywide Roadway Projects Update

Director of Engineering Carr provided information regarding roadway projects throughout the city. He stated City roadways are maintained by multiple agencies and that Texas Department of Transportation (TxDOT) and North Texas Tollway Authority (NTTA) have several projects underway. Mr. Carr spoke to the improvements to US 75 at Spring Creek, the addition of lanes on the Sam Rayburn Tollway, Dallas North Tollway widening and the interchange improvements at the President George Bush Turnpike at US 75 and the Dallas North Tollway as well as other projects.

Mr. Carr discussed the City initiated projects of adding additional lanes at intersections to alleviate congestion, a bike trail over US 75, and the addition of two lanes on Windhaven Parkway. He stated in Legacy West the developer was realigning the intersection of Communications Parkway and Headquarters Drive. Mr. Carr added Marsh Lane improvements will be funded by Denton County and the City will work with the City of Carrollton to complete the improvements and maintain the road in the future.

Mr. Carr spoke to the delay in construction at Preston Road and Parker Road due to utility relocation and lane reconfiguration at Preston Road and Plano Parkway to increase capacity and reduce traffic congestion. In response to Council, Mr. Carr stated it will take two years to complete the project and interruptions will be limited, there will not be any turn restrictions, and open space will need to be maintained. He spoke to the construction restrictions of the improvements to President George Bush Turnpike and traffic signal coordination and adaptive traffic signals.

Heritage Preservation Permitting Recommendations

Director of Planning Day stated to improve customer service and reduce the burden to property owners in the Downtown Heritage District for the Heritage Preservation Permitting process, three items are recommended:

1. Expedite the update of the Heritage Preservation Ordinance and Guidelines
2. Develop a formal training calendar for Commission members and set an annual meeting with the liaisons
3. Delegate review and permitting of signs and lighting to staff.

The council expressed concurrence to proceed with the recommendations.

Consent and Regular Agendas

Mayor LaRosiliere stated that Deputy Mayor Pro Tem Harris requested Item D to be pulled from consent due to a conflict of interest and Mayor Pro Tem Smith requested for Item G to be pulled for individual consideration.

Council Items for Future Discussion

No items were discussed.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 6:17 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
REGULAR SESSION
May 26, 2015**

COUNCIL MEMBERS PRESENT

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Lissa Smith, Mayor Pro Tem
Ben Harris, Deputy Mayor Pro Tem
Angela Miner
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David Downs

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Jim Parrish, Deputy City Manager
Mark Israelson, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Tuesday, May 26, 2015, at 7:01 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Dr. Joseph Parker of First Presbyterian Church of Plano led the invocation and Council Member Grady led the Pledge of Allegiance and Texas Pledge.

Mayor LaRosiliere presented proclamations for Motorcycle Safety Awareness Month, 2015 - Year of the Library, recognized the Plano West High School Basketball Team and the Plano Library Bookmark winners.

COMMENTS OF PUBLIC INTEREST

No one appeared to speak.

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, except Items "D" and "G", and as follows:

Approval of Minutes

May 11, 2015

May 20, 2015

(Consent Agenda Item "A")

Approval of Expenditures

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

Bid No. 2015-152-B for Ridgeview Pump Station Roof and Wall Sealant Replacement to Castro Roofing of Texas, LLC in the amount of \$182,515; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

Bid No. 2015-197-C for a one (1) year contract with three (3) City optional renewals for Professional Food Service Personnel for the Plano Centre to SMB Services, LLC in the estimated annual amount of \$141,833; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

Purchase from an Existing Contract

To approve the purchase of carpet replacement for the Harrington Library in the amount of \$113,000 from Gomez Floor Covering, Inc., dba GFC Contracting through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard 476-15) (Consent Agenda Item "E")

To approve the purchase of two (2) Crane Carrier Refuse Truck Chassis in the amount of \$364,402 from Bond Equipment Company, Inc. and two (2) Rear Loader Bodies in the amount of \$178,024 from Heil of Texas for a total amount of \$542,426 for Fleet Services to be utilized by the Environmental Waste Services Division through existing TASB/BuyBoard contracts; and authorizing the City Manager to execute all necessary documents. (TASB/BuyBoard Contract No. 425-13 and 430-13) (Consent Agenda Item "F")

To approve the purchase of a Landscape Maintenance Provider for the Parks and Recreation Department from ValleyCrest Landscape Maintenance, Inc., in the total estimated amount of \$450,000 for the initial three (3) year term and an estimated annual amount of \$150,000 for two (2) one-year optional renewals through an existing contract with Plano Independent School District; and authorizing the City Manager to execute all necessary documents. (PISD Contract #2015-002) (Consent Agenda Item "H")

Approval of Contract Modification

To approve and authorize the First Modification to Interlocal Agreement by and between the City of Plano, Texas and the City of Desoto, Texas; authorizing its execution by the City Manager or his authorized designee; and providing an effective date. (Consent Agenda Item "I")

Approval of Expenditure

To approve an expenditure for the purchase of a three (3) year annual technical service support agreement for eleven (11) Lifepak 12 devices, eleven (11) Lifepak 15 devices, seven (7) Lifepak 1000 devices, and sixteen (16) Lucas Cardiac Compression devices from Physio Control in the amount of \$168,777 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “J”)

Adoption of Resolutions

Resolution No. 2015-5-5(R): To approve the terms and conditions of an Amended and Restated Economic Development Incentive Agreement by and between the City of Plano, Texas and Pizza Hut of America, LLC, a Delaware limited liability company, f/k/a Pizza Hut of America, Inc., a Delaware corporation; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “K”)

Resolution No. 2015-5-6(R): To approve the terms and conditions of an interlocal agreement by and between the City of Plano, Texas, and the State of Texas Parks and Wildlife Department for the construction of a bioretention basin at Chisholm Trail Park; authorizing the City Manager to execute all necessary documents; and providing an effective date. (Consent Agenda Item “L”)

Resolution No. 2015-5-7(R): To approve the dedication of a 0.121 acre tract of land owned by the City of Plano, Texas, presently designated as park property, as permanent easement and right-of-way within the Moore Park site, said tract being situated in the Robert C. Whisenant Survey, Abstract No, 1012; and providing an effective date. (Consent Agenda Item “M”)

Resolution No. 2015-5-8(R): To authorize continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation; and providing an effective date. (Consent Agenda Item “N”)

Resolution No. 2015-5-9(R): To approve the Investment Portfolio Summary for the quarter ending March 31, 2015 and providing an effective date. (Consent Agenda Item “O”)

Adoption of Ordinances

Ordinance No. 2015-5-10: To amend Section 12-73.1(d) of Article IV, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano, Texas to enact school zones for summer school sessions; providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item “P”)

Ordinance No. 2015-5-11: To amend Chapter 12, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 12-102(f), prohibiting parking along certain sections of Decator Drive and Longfellow Drive in the City of Plano; and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item “Q”)

Ordinance No. 2015-5-12: To approve a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2014 and 2015 rate review mechanism filings; approving a settlement agreement with attached rate tariffs and proof of revenues; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this Ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this Ordinance to the Company and the ACSC’s legal counsel. (Consent Agenda Item “R”)

Ordinance No. 2015-5-13: To amend Section 12-114 of Chapter 12, Motor Vehicles and Traffic of the Code of Ordinances of the City of Plano, Texas thereby providing that City service or emergency trailers, semi-trailers, pole trailers and special mobile equipment may park or stand in single-family, two-family and multifamily dwelling districts; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date. (Consent Agenda Item “S”)

END OF CONSENT

RFQ No. 2015-51-C for a five (5) year contract with five (5) one-year City optional renewals for Medical Advisory Services for the Fire Department to Columbia Medical Center of Plano Subsidiary, L.P. dba Medical Center of Plano in the total estimated amount of \$991,800 for the initial five (5) year term and an estimated annual amount of \$207,000 for each optional renewal year; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

Due to a conflict of interest, Deputy Mayor Pro Tem Harris stepped down from the dais.

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Downs, the Council voted 7-0, with Deputy Mayor Pro Tem Harris abstaining, to approve RFQ No. 2015-51-C for a five (5) year contract with five (5) one-year City optional renewals for Medical Advisory Services for the Fire Department to Columbia Medical Center of Plano Subsidiary, L.P. dba Medical Center of Plano in the total estimated amount of \$991,800 for the initial five (5) year term and an estimated annual amount of \$207,000 for each optional renewal year. Deputy Mayor Pro Tem Harris returned to the dais.

To approve the purchase of fitness equipment for the Liberty, Oak Point, Tom Muehlenbeck, and Senior Recreation Centers from Comm Fit in the amount of \$63,799 and Marathon Fitness in the amount of \$155,780 through an existing contract/agreement with BuyBoard; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract 413-12) (Consent Agenda Item “G”)

Director of Parks and Recreation Fortenberry responded to Council questions regarding the replacement policy of exercise equipment stating the equipment is evaluated annually, a portion of the membership fees are set aside to fund the replacements, and replacement are on a piece for piece basis not adding equipment to any facility. She added bond funds are not typically used for items with a shorter life cycle.

To approve the purchase of fitness equipment (Cont'd.)

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Downs, the Council voted 8-0, to approve the purchase of fitness equipment for the Liberty, Oak Point, Tom Muehlenbeck, and Senior Recreation Centers from Comm Fit in the amount of \$63,799 and Marathon Fitness in the amount of \$155,780 through an existing contract/agreement with BuyBoard.

Public Hearing and adoption of Ordinance No. 2015-5-14 to renew the designation of a certain area within the City of Plano, Texas, known as Reinvestment Zone No. 120 for tax abatement consisting of a 20.54 acre tract of land located 500 feet north of Tennyson Parkway and east of Corporate Drive in the City of Plano, Texas, establishing the boundaries of such zone; ordaining other matters related thereto; and providing an effective date. (Regular Item "1")

Director of Economic Development Bane spoke to the legal requirements of a reinvestment zone and that this item renews the reinvestment zone initially approved in 2009. She stated if approved, the \$5 million in real property improvements and \$2 million in business personal property improvements will in place by December 31, 2016. Ms. Bane advised the abatement would be for a term of ten years beginning January 1, 2017 and at a rate of fifty percent.

Mayor LaRosiliere opened the public hearing. No one appeared to speak. 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 renew the designation of a certain area within the City of Plano, Texas, known as Reinvestment Zone No. 120 for tax abatement consisting of a 20.54 acre tract of land located 500 feet north of Tennyson Parkway and east of Corporate Drive in the City of Plano, Texas, establishing the boundaries of such zone; ordaining other matters related thereto; and further to adopt Ordinance No. 2015-5-14.

Resolution No. 2015-5-15(R): To approve the terms and conditions of an agreement by and between the City of Plano, Texas and Pizza Hut of America, LLC, a Delaware limited liability company, providing for real and business personal property tax abatement; and authorizing its execution by the City Manager; and providing an effective date. (Regular Item "2")

Director of Economic Development Bane stated the abatement will be between the City and Pizza Hut of America, LLC and that the company would construct at least 60,000 square feet of office and training space on their campus in Plano. She added the abatement is for a term of 10 years at a rate of fifty percent.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Downs, the Council voted 8-0, to approve the terms and conditions of an agreement by and between the City of Plano, Texas and Pizza Hut of America, LLC, a Delaware limited liability company, providing for real and business personal property tax abatement; and further to adopt Resolution No. 2015-5-15(R).

Public Hearing and adoption of Resolution No. 2015-5-16(R) to approve the use or taking of a portion of City of Plano public Park Land, known as Oak Point Park and Nature Preserve pursuant to Chapter 26 of the Texas Parks and Wildlife Code to approve using a portion of dedicated Park Land as a permanent easement and right of way to Oncor Electric Delivery LLC for the purpose of upgrading electrical service to the North Texas Municipal Water District sewer pumping station located in the park; authorizing the City Manager to execute all necessary documents; and providing an effective date. (Regular Item “3”)

Director of Parks and Recreation Fortenberry spoke to the request by Oncor Electric Delivery LLC for a permanent right-of-way and easement and the legal requirements under Chapter 26 of the Texas Parks and Wildlife Code. She stated the Council must find there is no feasible alternative and proper planning has been completed. Ms. Fortenberry provided information regarding the site, stating the location is within an existing easement and the impact will be minimal.

Mayor LaRosiliere opened the public hearing. No one appeared to speak. Mayor LaRosiliere closed the public hearing.

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 8-0, to approve the use or taking of a portion of City of Plano public Park Land, known as Oak Point Park and Nature Preserve pursuant to Chapter 26 of the Texas Parks and Wildlife Code to approve using a portion of dedicated Park Land as a permanent easement and right of way to Oncor Electric Delivery LLC for the purpose of upgrading electrical service to the North Texas Municipal Water District sewer pumping station located in the park; and further to adopt Resolution No. 2015-5-16(R).

With no further business, Mayor LaRosiliere adjourned the meeting at 7:44 p.m.

Harry LaRosiliere, Mayor

ATTEST

Lisa C. Henderson, City Secretary