

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
June 9, 2014**

**COUNCIL MEMBERS PRESENT**

Harry LaRosiliere, Mayor  
Lissa Smith, Mayor Pro Tem  
Ben Harris, Deputy Mayor Pro Tem  
Pat Miner  
André Davidson (arrived at 5:05 p.m.)  
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, June 9, 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 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 6:00 p.m. in the Senator Florence Shapiro Council Chambers.

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

**Personnel – Appointments**

Board of Adjustment

Upon a motion made by Council Member Duggan and seconded by Council Member Davidson, the Council voted 8–0 to appoint James McGee as an alternate member.

**Personnel – Appointments**

Cultural Affairs Commission

Upon a motion made by Council Member Davidson and seconded by Council Member Miner, the Council voted 8–0 to appoint Tom Venner to an interim term.

## **Council Appointments to Various Committees and Organizations**

Mayor LaRosiliere read the following into the record.

- Animal Shelter Advisory Committee – Pat Miner and Patrick Gallagher
- The Arts Center of North Texas – Mayor Harry LaRosiliere
- Board of Adjustment – Patrick Gallagher and David Downs
- Building Standards Commission – Deputy Mayor Pro Tem Ben Harris and André Davidson
- Civil Service Commission - City Manager Bruce D. Glasscock
- Collin County Appraisal District Board – Mayor Pro Tem Lissa Smith and Deputy Mayor Pro Tem Ben Harris
- Community Relations Commission – Mayor Pro Tem Lissa Smith and André Davidson
- Cultural Affairs Commission – André Davidson and David Downs
- DART Board of Directors – Faye Moses Wilkins and Paul Wageman
- Heritage Commission – Mayor Pro Tem Lissa Smith and Pat Miner
- Library Advisory Board – Jim Duggan and Patrick Gallagher
- North Texas Municipal Water District Board – Mayor Pro Tem Lissa Smith and Deputy Mayor Pro Tem Ben Harris
- Parks and Recreation Planning Board – Mayor Pro Tem Lissa Smith and André Davidson
- Photographic Traffic Signal Advisory Committee – Pat Miner and Patrick Gallagher
- Planning and Zoning Commission – Jim Duggan, Patrick Gallagher, and David Downs
- Plano Housing Authority – Deputy Mayor Pro Tem Ben Harris and André Davidson
- Retirement Security Plan Committee – City Manager Bruce D. Glasscock
- Self Sufficiency Committee – Jim Duggan and David Downs
- Senior Citizens Advisory Board – Mayor Pro Tem Lissa Smith and Pat Miner
- Tax Increment Financing Reinvestment Zone No. 2 Board – Pat Miner and Jim Duggan
- 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 – Patrick Gallagher
- 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 Texas Commission – Mayor LaRosiliere and Mayor Pro Tem Lissa Smith
- North Texas Housing Coalition – Jim Duggan
- Plano Health Facilities Development Corporation – Mayor LaRosiliere, Jim Duggan, and David Downs
- Regional Committee on Child Predator Legislation – Patrick Gallagher
- Regional Transportation Council – NCTCOG – Mayor Pro Tem Lissa Smith
- Board and Commission Review Committee – Mayor Pro Tem Lissa Smith and Deputy Mayor Pro Tem Ben Harris
- Community Finance – Deputy Mayor Pro Tem Ben Harris and Patrick Gallagher
- Joint PISD/Council Committee – Pat Miner and David Downs
- Ad Hoc Committee of Cities of Allen, Plano and Frisco– Deputy Mayor Pro Tem Ben Harris and David Downs
- Multi-Cultural Outreach Roundtable – André Davidson and David Downs

## **Consideration of 2015 City Council Meeting Dates**

City Manager Glasscock spoke to rescheduling dates that conflict with school breaks, holidays, etc. and the recommendations to reschedule meetings in March, May and December. The Council concurred with the recommendations.

## **DART Report**

DART Board of Directors Member Paul Wageman spoke to parking at the Parker Road station reserved for Plano residents, how to obtain a permit, and the designated parking lots. Council Member Davidson inquired about the location of the reserved parking lot. Mr. Wageman stated he would review and report back to Council.

Mr. Wageman stated starting October 1, 2014, the existing NCTCOG Senior Citizen transportation system would be changed to a DART system to serve 194 Plano residents and photo debit cards would replace paper vouchers. He advised changing to debit cards would reduce the cost from 50% to 20% and allow service to an additional 35 non-elderly disabled Plano residents.

Mr. Wageman spoke to the Cotton Belt line areas of service, phases, and funding options. He reviewed the D2 project scope, phases, project alternatives, and financing options.

## **Engineering Department Briefing**

Director of Engineering Carr spoke to the areas of responsibility covered by the Engineering Department including Facilities Division, Development Engineering, Transportation Engineering, and CIP Management and details of each sections duties and responsibilities.

Mr. Carr stated the Facilities Division oversees over 100 City facilities, completing 15,000 work orders annually, and providing janitorial service for 60 buildings. He spoke to the maintenance staff completing repairs and maintaining the facilities, the services staff providing custodial service to the facilities, and the construction staff providing construction management of construction and renovation of City facilities.

Mr. Carr spoke to the Development Engineering division duties, including review of development projects, supporting planning staff, and review of building and construction plans. He stated the division reviews utility engineering plans, drainage and flood plains, design standards and utility cut permitting.

Mr. Carr stated the Transportation Engineering Division responsibilities include responding to citizen traffic requests, operation of the traffic management center, traffic signal programming and timing, providing traffic support related to development, school traffic safety, monitoring high accident areas, providing red light camera support and coordinate with the NTTA and TxDOT.

Mr. Carr spoke to the high visibility of the CIP Management division due to the management of capital improvement projects including construction of streets and alleys, traffic signals, screening walls, improvements to the water and sewer system and drainage system.

## **Performance Measurement/Community Outcomes Report**

Director of Policy and Government Relations Israelson spoke to the Community Outcomes Report and performance measures including the methodology of the process starting at the desired outcome to determine the actions required to accomplish the goal and provided samples. He stated the report objective was to keep the information concise, focused on items of importance and he outlined the data provided for each outward facing department. Mr. Israelson stated the information provided in the survey section of the report was based on business and citizen surveys and employee satisfaction survey results.

Mr. Israelson stated the next steps include Council input, a final document printed with an e-book available on the website, creation of an electronic dashboard, adding internal departments to the process, and providing an annual update.

## **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 6:50 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST

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Lisa C. Henderson, City Secretary

## **PLANO CITY COUNCIL**

**June 9, 2014**

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Mayor LaRosiliere convened the Council into the Regular Session on Monday, June 9, 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.

Rabbi Michael Kushnick from Congregation Anshai Torah led the invocation and the Plano Chapter of The Sons of the American Revolution presented the Colors and led the Pledge of Allegiance.

The Plano Chapter of The Sons of the American Revolution presented Public Service awards and honored City of Plano First Responders from the Police Department, Public Safety Communications, and Fire Department.

Mayor LaRosiliere recognized Alexa Borota and Ron Smith for their response to an injured rider. Mayor LaRosiliere administered the oath of office to Paul Wageman and Faye Wilkins (DART Board of Directors) and Karen Bowen (Heritage Commission).

### **Comments of Public Interest**

No one requested to speak.

## **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”)

May 27, 2014

### **Approval of Expenditures**

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

**Bid No. 2014-106-B** for the Courtyard Theater A/V Renovation from Audio Fidelity Communications Corporation in the amount of \$315,258 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**Bid No. 2014-237-B** for Arbor Hills Park & Parker Road Erosion Control – Project No. 6328, to ARK Contracting Services, Inc., in the amount of \$592,330 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

**Bid No. 2014-219-B** for High Point Park South Site Improvements to Phillips/May Corporation in the amount of \$4,005,220 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

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

To approve the purchase of modular workstations from XYBIX Systems, Inc. in the amount of \$202,062 to be utilized by Public Safety Communications, through an existing contract/agreement with HGAC, and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. EC07-11) (Consent Agenda Item “E”)

### **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 VRX, Inc., in the amount of \$60,044 for the US 75 to K Avenue Connector Project No. 6450; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

To approve an Engineering Services Agreement by and between the City of Plano and Verdunity, Inc., in the amount of \$76,885 for the Russell Creek Drive – Independence Parkway to Sutherland Lane Project No. 6451; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

To approve a Landscape Architecture Services Agreement by and between the City of Plano and Quimby McCoy Preservation Architecture, LLP in the amount of \$86,885 for preservation and architectural consulting services for Saigling House Architectural Renovation and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

To approve a Landscape Architecture Services Agreement by and between the City of Plano and JBI Partners, Inc. in the amount of \$109,500 for design and construction document services for Russell Creek Park Site Improvements and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

### **Approval of Expenditure**

To approve the purchase of two (2) EOD-9 Bomb Suits, two (2) EOD-9 Bomb Helmets, and two (2) Visor Kits from the sole source manufacturer, Med-Eng, LLC, in the amount of \$54,441 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “J”)

### **Adoption of Resolutions**

**Resolution No. 2014-6-1(R):** To approve the terms and conditions of a First Amendment to the Economic Development Incentive Agreement by and between the City of Plano, Texas and Futurewei Technologies, Inc., a Texas corporation; authorizing its execution by the City Manager; and providing an effective date (Consent Agenda Item “K”)

### **Adoption of Ordinances**

Ordinance No. 2014-6-2: To adopt and enact Supplement Number 107 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 “L”)

### **END OF CONSENT**

**Public Hearing and adoption of Resolution No. 2014-6-3(R):** To approve the terms and conditions of an Interlocal Agreement and Memorandum of Understanding by and between the City of Plano, the City of McKinney and the Collin County Sheriff's Office for the disbursement of the 2014 Edward Byrne Justice Assistance Grant funds; authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item “1”)

Police Chief Rushin spoke to the required public hearing and process for distribution of grant funds. He stated Plano is the fiscal agent for the grant due to its population and spoke to Plano receiving \$23,603 of the \$54,457 in available funds for purchase of rifle lasers and suppressors for the tactical team marksmen and patrol rifles with necessary accessories if approved by Council. Chief Rushin further stated the funds could only be used in the areas of prevention, prosecution, corrections, drug treatment, law enforcement programs, and planning the valuation of technology programs.

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

**Public Hearing and adoption of Resolution No. 2014-6-3(R) Con't.**

Upon a motion made by Council Member Downs and seconded by Deputy Mayor Pro Tem Harris, the Council voted 8-0 to approve the terms and conditions of an Interlocal Agreement and Memorandum of Understanding by and between the City of Plano, the City of McKinney and the Collin County Sheriff's Office for the disbursement of the 2014 Edward Byrne Justice Assistance Grant funds; and to further adopt Resolution No. 2014-6-3(R).

**Public Hearing and adoption of Ordinance No. 2014-6-4** as requested in Zoning Case 2014-11 to amend Section 1.600 (Definitions) of Article 1 (General Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to modify the definition of Commissary; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability clause, and an effective date. Applicant: City of Plano (Regular Agenda Item "2")

Director of Planning Day spoke to the amendment allowing additional flexibility for restaurants with food trucks to use their restaurant as a commissary, if all mandated health and safety requirements are met, instead of having to take the food truck out of Plano for commissary services. She stated the change in definition would allow one mobile food establishment owned and operated by the restaurant and Staff and the Planning and Zoning Commission recommend approval as follows: (Additions are indicated by underlined text; deletions are shown as strike through text):

Amend Section 1.600 (Definitions) of Article 1 (General Regulations) to amend the following definition for Commissary:

An establishment ~~other than a restaurant~~ in which food, containers, or supplies are kept, handled, prepared, packaged, or stored for transportation by mobile food establishments, and that serves as an operating base where a mobile food establishment may be stored, parked, serviced, cleaned, supplied, and maintained. A restaurant may serve as a commissary for one mobile food establishment which is owned and operated by the restaurant. Commissaries must comply with other provisions of the Code of Ordinances.

Mayor LaRosiliere opened the Public Hearing. Jason Key, owner of Cajun Tailgators, spoke in favor of the proposed change. Mayor LaRosiliere closed the Public Hearing.

Upon a motion made by Council Member Miner and seconded by Council Member Davidson, the Council voted 8-0 to amend to amend Section 1.600 (Definitions) of Article 1 (General Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to modify the definition of Commissary; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2014-11; and to further adopt Ordinance No. 2014-6-4.

**Consideration of RFQ No. 2014-202-B** for Construction Manager at Risk (CMAR) services to Pogue Construction Co., L.P. for the construction of Oak Point Park Nature and Retreat Center in the estimated amount not to exceed \$5,500,000 and authorizing the City Manager to execute all necessary documents. (Regular Agenda Item "3")

**Consideration of RFQ No. 2014-202-B Con't.**

Director of Engineering Carr spoke to the project delivery methods the for the Oak Point Park Nature and Retreat Center improvements and due to the time constraints he recommends the Construction Manager at Risk (CMAR) method. Mr. Carr stated the CMAR would provide design assistance and suggestions, cost estimates, and establish the guaranteed maximum price (GMP). He spoke to the process creating trade packages that would be bid separately and providing timely project completion with any cost overruns being the responsibility of the CMAR and any savings benefitting the City. Mr. Carr stated this is a common practice in area cities.

Council Member Downs stated his concerns about having a maximum price and inquired about a smaller scale project. Director of Parks and Recreation Fortenberry spoke to the initial scope of the 2005 bond package and 2008 staff allocation of \$5 million for the project. City Manager Glasscock stated typically if a project is approved for a specific amount, Staff will present the project at that value. Council Member Davidson inquired as to why the city had not used the CMAR process previously. Mr. Glasscock stated with the new staffing in Engineering, different options were being explored. Council Members Duggan and Gallagher spoke to concerns with the scope of the project and completion of the project at a lower funding level. Mayor LaRosiliere spoke to the importance of community investment and following through with voter approved items.

A motion was made by Mayor LaRosiliere and seconded by Mayor Pro Tem Smith, and further discussion by Council, to approve RFQ No. 2014-202-B for Construction Manager at Risk (CMAR) services to Pogue Construction Co., L.P. for the construction of Oak Point Park Nature and Retreat Center in the estimated amount not to exceed \$5,500,000. The Council voted 5-3 with Deputy Mayor Pro Tem Harris and Council Members Duggan and Gallagher voting in opposition. The motion carried.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:58 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST

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Lisa C. Henderson, City Secretary