

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
June 10, 2013**

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
Lee Dunlap

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Diane C. Wetherbee, City Attorney
Diane Zucco, City Secretary

Mayor LaRosiliere called the meeting to order at 6:00 p.m., Monday, June 10, 2013, 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; 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 6:47 p.m. in the Senator Florence Shapiro Council Chambers.

Consideration and action resulting from Executive Session discussion:

No items were brought forward.

Council Appointments to Various Committees and Organizations

Mayor LaRosiliere read the following into the record.

- Animal Shelter Advisory Committee – Jim Duggan and Place 8
- The Arts Center of North Texas – Mayor Harry LaRosiliere
- Board of Adjustment – André Davidson and Jim Duggan
- Building Standards Commission – Jim Duggan and Place 8
- Civil Service Commission - City Manager Bruce D. Glasscock
- Collin County Appraisal District Board – Pat Miner and Place 8
- Community Relations Commission – André Davidson and Place 8
- Cultural Affairs Commission – Pat Miner and André Davidson

- DART Board of Directors – Faye Moses Wilkins and Paul Wageman
- Heritage Commission – Pat Miner and Place 8
- Library Advisory Board – Deputy Mayor Pro Tem Ben Harris and Patrick Gallagher
- North Texas Municipal Water District Board – Mayor Pro Tem Lissa Smith and Patrick Gallagher
- Parks and Recreation Planning Board – Deputy Mayor Pro Tem Ben Harris and Pat Miner
- Photographic Traffic Signal Advisory Committee – Patrick Gallagher and Place 8
- Planning and Zoning Commission – Jim Duggan and Patrick Gallagher
- Plano Housing Authority – Deputy Mayor Pro Tem Ben Harris and Jim Duggan
- Retirement Security Plan Committee – City Manager Bruce D. Glasscock
- Self Sufficiency Committee – Deputy Mayor Pro Tem Ben Harris and Patrick Gallagher
- Senior Citizens Advisory Board – André Davidson and Place 8
- Tax Increment Financing Reinvestment Zone No. 2 Board – Deputy Mayor Pro Tem Ben Harris and Pat Miner
- 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 –
- 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 – Deputy Mayor Pro Tem Ben Harris
- Plano Health Facilities Development Corporation – Mayor LaRosiliere, Pat Miner and André Davidson
- 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 – Jim Duggan and Patrick Gallagher
- Joint PISD/Council Committee – Mayor Pro Tem Lissa Smith and André Davidson
- Multi-Cultural Outreach Roundtable – André Davidson

Council items for discussion/action on future agendas

No items were discussed.

Consent and Regular Agendas

Council Member Dunlap requested that Consent Agenda Items “C,” Bid No. 2013-228-B for the 2012-2013 Residential Sidewalk Project Zone P7, Project No. 6301 to Jim Bowman Construction Co., LP, in the amount of \$349,640; and “D,” Bid No. 2013-231-B for 14th Street – E Avenue to F Avenue to Jim Bowman Construction Co., LP in the amount of \$362,668 be removed for individual consideration due to possible conflicts of interest.

Nothing further was discussed. Mayor LaRosiliere adjourned the Preliminary Meeting at 6:54 p.m.

Harry LaRosiliere, MAYOR

ATTEST

Diane Zucco, City Secretary

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Mayor LaRosiliere convened the Council into the Regular Session on Monday, June 10, 2013, at 7:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Assistant Pastor Kelvin Foley of Prestonwood Baptist Church led the invocation and the Plano Chapter of the Sons of the American Revolution posted the colors and led the Pledge of Allegiance.

Mayor LaRosiliere administered an oath of office to incoming board member John H. Bock, III (Multicultural Outreach Roundtable). Mayor LaRosiliere recognized Chetan Reddy for his top ten placement at the National Spelling Bee.

COMMENTS OF PUBLIC INTEREST

No one appeared to speak.

CONSENT

Council Member Dunlap requested that Consent Agenda Items “C” and “D” be removed for individual consideration due to possible conflicts of interest.

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

Approval of Minutes (Consent Agenda Item “A”)
May 28, 2013 Approved

Approval of Expenditures

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

Bid No. 2013-213-B for the purchase of one (1) emergency generator from Groves Electrical Service, Inc., in the amount of \$69,958 for Fleet Services and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

Bid No. 2013-238-B for the Pavement Rehab – Plano Parkway, Old Orchard Drive, Maumelle Drive and Hearst Castle Way, Project No. 6240 to Jerusalem Corporation, in the amount of \$1,552,699 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Bid No. 2013-206-C for a one (1) year contract with three (3) City optional renewals to purchase ammunition for the Police Department from Bailey's House of Guns, Inc. in an estimated annual amount of \$94,226 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

RFP No. 2013-226-C for a one (1) year contract with four (4) City optional renewals for Technical Consultant for JD Edwards EnterpriseOne ERP System to Remote Services Inc., in the estimated annual amount of \$99,600 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

Purchase from an Existing Contract

To approve the purchase of two (2) Peterbilt Chassis from Rush Truck Center, in the amount of \$197,500 and two (2) Vac-Con Jet Truck Bodies from Vac-Con Inc., in the amount of \$422,095 totaling \$619,595 for the Fleet Department, to be utilized by Utility District #3, through an existing contract/agreement with TASB/Buyboard, and authorizing the City Manager to execute all necessary documents. (TASB/Buyboard Contract #358-10 & 347-10) (Consent Agenda Item “H”)

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

To approve a contract made and entered into by and between the City of Plano and Frank Phillips, the Elections Administrator of Denton County, Texas, pursuant to the authority in Subchapter D, Section 31.092, of Chapter 31, of the Texas Election Code, regarding the coordination, supervision, and running of the City's May 11, 2013 Joint General and Special Elections in the amount of \$4,952. (Consent Agenda Item “I”)

Reimbursement of Oversize Participation

To approve and authorize reimbursement to TOG Development I, LLC, for oversize participation for public improvements associated with the construction of Oceanview Drive in the amount of \$58,652. (Consent Agenda Item “J”)

Approval of Expenditure

To approve of the purchase of library materials for Plano Public Library System (PPLS) in the amount of \$250,000 from Baker & Taylor for purchase of various library materials including books, compact disks, books-on-CD and DVDs. These purchases will be made through the State of Texas CO-OP Purchasing Program under Texas State Contract 715-N1 Print Materials and Multimedia with Baker & Taylor; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “K”)

Adoption of Resolutions

Resolution No. 2013-6-1(R): To certify that the City is eligible to receive financial assistance under the Collin County Parks and Open Space Matching Grant Program as provided by the Collin County Commissioners Court; certifying that the City’s matching share is readily available; designating the Director of Parks and Recreation as being responsible for acting for and on behalf of the City of Plano in dealing with the Collin County Commissioners Court for the purpose of participating in the Collin County Parks and Open Space Matching Grant Program; certifying that the Rowlett Creek Greenbelt Addition will be dedicated for public park and recreational uses; and providing an effective date. (Consent Agenda Item “L”)

Resolution No. 2013-6-2(R): To certify that the City is eligible to receive financial assistance under the Collin County Parks and Open Space Matching Grant Program as provided by the Collin County Commissioners Court; certifying that the City’s matching share is readily available; designating the Director of Parks and Recreation as being responsible for acting for and on behalf of the City of Plano in dealing with the Collin County Commissioners Court for the purpose of participating in the Collin County Parks and Open Space Matching Grant Program; certifying that the Three Cities Trail Connection will be dedicated for public park and recreational uses; and providing an effective date. (Consent Agenda Item “M”)

Resolution No. 2013-6-3(R): To approve the dedication of a 0.647 acre tract of land owned by the City of Plano, Texas designated as park property but not yet utilized as park for dedication as a public right-of-way adjacent to Oak Point Park and Nature Preserve, said tract being situated in the A.M. Hetfield Survey, Abstract No. 432; and providing an effective date (Consent Agenda Item “N”)

Adoption of Ordinances

Ordinance No. 2013-6-4: To amend certain sections of Ordinance No. 2003-8-8 codified as Section 10-3 of Article I, Chapter 10, Library, of the Code of Ordinances of the City of Plano to revise the fee schedule for unreturned and overdue materials, and to establish charges for interlibrary loan materials and non-resident library cards; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “O”)

END OF CONSENT

Council Member Dunlap stepped down from the bench on the following two items which were considered concurrently.

Bid No. 2013-228-B for the 2012-2013 Residential Sidewalk Project Zone P7, Project No. 6301 to Jim Bowman Construction Co., LP, in the amount of \$349,640 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Bid No. 2013-231-B for 14th Street – E Avenue to F Avenue to Jim Bowman Construction Co., LP in the amount of \$362,668 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Davidson, the Council voted 7-0 to approve Bid No. 2013-228-B for the 2012-2013 Residential Sidewalk Project Zone P7, Project No. 6301 to Jim Bowman Construction Co., LP, in the amount of \$349,640 and Bid No. 2013-231-B for 14th Street – E Avenue to F Avenue to Jim Bowman Construction Co., LP in the amount of \$362,668.

Council Member Dunlap resumed his seat at the bench.

Public Hearing and adoption of Ordinance No. 2013-6-5 as requested in Zoning Case 2013-10 to amend an Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to expand Specific Use Permit No. 53 for the additional use of Private Club and Specific Use Permit No. 463 for the additional use of Arcade on 1.2± acres of land located on the north side of Parker Road, 183± feet east of Alma Drive, in the City of Plano, Collin County, Texas, presently zoned Planned Development-69-Retail with Specific Use Permit No. 53 for Private Club and Specific Use Permit No. 463 for Arcade; 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: Bryan Capps (Regular Agenda No. 1)

Ordinance No. 2013-6-5 (cont'd)

Director of Planning Jarrell advised that the applicant intends to build a new restaurant building with a larger and different footprint than the previous one and therefor is requesting to expand the existing specific use permits to match the boundaries. She advised that the Planning and Zoning Commission recommended approval of the request as submitted and responded to Council Member Davidson that through use of on- and off-site agreements, parking is sufficient.

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

Upon a motion made by Council Member Duggan and seconded by Mayor Pro Tem Smith, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City to expand Specific Use Permit No. 53 for the additional use of Private Club and Specific Use Permit No. 463 for the additional use of Arcade on 1.2± acres of land located on the north side of Parker Road, 183± feet east of Alma Drive, in the City of Plano as requested in Zoning Case 2013-10 and as recommended by the Planning and Zoning Commission; and further to adopt Ordinance No. 2013-6-5.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:15 p.m.

Harry LaRosiliere, MAYOR

ATTEST

Diane Zucco, City Secretary