

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
August 12, 2013**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Lissa Smith, Mayor Pro Tem (arrived at 6:50)
Pat Miner
André Davidson
Jim Duggan
Patrick Gallagher
David Downs

COUNCIL MEMBERS ABSENT

Ben Harris, Deputy Mayor Pro Tem

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 4:34 p.m., Monday, August 12, 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 and discuss matters of Litigation, Section 551.071; 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 6:40 p.m. in the Senator Florence Shapiro Council Chambers.

Consideration and action resulting from Executive Session discussion

No items were discussed.

Discussion and Direction regarding Improvements to McCall Plaza

Chief Park Planner Reeves spoke to the development of McCall Plaza in 1986 and its deteriorating conditions. He spoke to a recommendation for renovation including the construction of a stage to be oriented toward the plaza (small events) or parking lot (large events), landscaping, electrical connections and lighting, additional sidewalk for adjacent restaurants and improved connections from the parking lot to 14th Street establishments. Mr. Reeves advised that the cost estimate is \$1-1.5 million from existing bond funds. The Council stated a consensus in directing Staff to proceed.

Consideration of 2014 City Council Meeting Dates

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

Council items for discussion/action on future agendas

No items were discussed.

Consent and Regular Agendas

City Secretary Zucco advised of substitute language for Consent Agenda Item "D," Bid No. 2013-290-B for Hoblitzelle Park Erosion Control project, Project No. 6277 to Environmental Safety Services, Inc.

Nothing further was discussed. Mayor LaRosiliere adjourned the Preliminary Meeting at 6:51 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, August 12, 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.

Reverend Dr. Robert Hasley, Jr. of St. Andrew United Methodist Church Plano led the invocation and Girl Scout Troop 2430 from Hughston Elementary led the Pledge of Allegiance.

Mayor LaRosiliere received a piece of artwork, "Texas Sunset" from Thalia Hernandez and recognized her receipt of a scholarship from Cambria Suites. He recognized City Attorney Diane Wetherbee for her 20 years of service to the City.

COMMENTS OF PUBLIC INTEREST

No one appeared to speak.

CONSENT AGENDA

City Secretary Zucco advised regarding a revision to Consent Agenda Item "D."

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Miner, the Council voted 7-0 to approve and adopt all items as recommended and as follows:

Approval of Minutes (Consent Agenda Item “A”)

July 22, 2013

July 24, 2013

August 5, 2013

August 7, 2013

Approval of Expenditures

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

Bid No. 2013-271-B for the purchase of the Oak Point Recreation Center Combined Heat and Power Plant and Replacement of Pool HVAC to Berger Engineering Company in the amount of \$1,643,729 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

Bid No. 2013-92-B for the Preston Road Corridor Project to Lone Star Civil Construction, Inc. in the amount of \$4,443,534 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Bid No. 2013-290-B for the Hoblitzelle Park Erosion Control project, Project No. 6277 to Enviromental Safety Services, Inc. in the amount of \$642,500 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”) (Item approved with revision)

Purchase from an Existing Contract

To approve the purchase of one (1) Compact Wheel Loader from Holt Cat in the amount of \$86,021 for the Fleet Department to be utilized by Compost Operations, through an existing contract/agreement with TASB/Buyboard, and authorizing the City Manager to execute all necessary documents. (TASB/Buyboard Contract No. 345-10) (Consent Agenda Item “E”)

To approve the purchase of a surveillance vehicle in the amount of \$134,523 from Specialty Vehicle Solutions, LLC through an existing contract with US General Services Administration (GSA) and authorizing the City Manager to execute all necessary documents. (GSA Contract #GS-30F-0011T) (Consent Agenda Item “F”)

To approve the purchase of Partner Assurance Software Support Services (PASS) for Avaya Voice Network, for one (1) year with two (2) optional one year renewals, in the estimated annual amount of \$65,623 from Affiliated Telephone, Inc. through an existing Department of Information Resources (DIR) contract and authorizing the City Manager to execute all necessary documents. (DIR-SDD-1499) (Consent Agenda Item “G”)

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

To approve a Landscape Architecture Services Agreement by and between the City of Plano and JBI Partners, Inc. in the amount of \$252,500 for design services for High Point South and Russell Creek Park Renovations and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

To approve the assignment of an existing agreement with CSG Systems Incorporated to a new provider, DP2 Billing Solutions LLC, dba DataProse, for Utility Bill Printing, Mailing & Offset Printing Services; authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

Approval of Contract Modification

To approve and authorize Contract Modification No. 3 for the purchase of additional design and survey services for Alley Reconstruction – Plano East Project No. 6066 in the amount of \$9,000 from J. Volk Consulting, Inc. (Consent Agenda Item “J”)

Adoption of Resolutions

Resolution No. 2013-8-1(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between loanDepot.com, LLC, a Delaware limited liability company, and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “K”)

Resolution No. 2013-8-2(R): To accept the Certified Appraisal Rolls for Fiscal Year 2013-14 for Collin County and Denton County, and providing an effective date. (Consent Agenda Item “L”)

Resolution No. 2013-8-3(R): To approve the Second Amended Bylaws of the Plano Health Facilities Development Corporation, and authorizing a change of the registered agent for the Plano Health Facilities Development Corporation to be the Finance Director of the City of Plano; and providing an effective date. (Consent Agenda Item “M”)

Resolution No. 2013-8-4(R): To approve the settlement between the City of Plano and Comerica Bank in the amount of \$79,058; authorizing the City Manager to execute any and all documents necessary to finalize such settlement; and providing an effective date. (Consent Agenda Item “N”)

Adoption of Ordinances

Ordinance No. 2013-8-5: To abandon all right, title and interest of the City, in and to part of that certain Drainage Easement recorded in Instrument No. 20060719001009210 of the Land Records of Collin County, Texas, and being situated in the Samuel Brown Survey, Abstract No. 108, which is located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the abutting property owner, West Plano Land Company, L.P., to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “O”)

Ordinance No. 2013-8-6: To repeal and replace Sections 15-1, 15-3, 15-4, 15-5, 15-24, 15-51, 15-85, 15-91, and 15-122 of Chapter 15, Parks and Recreation, of the Code of Ordinances of the City of Plano, Texas to revise certain definitions, permitted and prohibited activities, the permit process, facility fees, the duties of the Parks and Recreation Planning Board, and penalty language; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date. (Consent Agenda Item “P”)

Ordinance No. 2013-8-7: To amend Ordinance No. 2004-10-7 codified as Section 6-3 of Article I, Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano; Ordinance No. 2009-9-25 codified as Section 16-81 of Article V, Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano; and Ordinance No. 2008-12-6 codified as Sections 16-82 and 16-83 of Article V, Chapter 16, Planning and Development, of the Code of Ordinances of the City of Plano to increase the number of regular members of the Building Standards Commission and Board of Adjustment to eight (8) members and to eliminate alternate membership; and providing a repealer clause, a severability clause, a savings clause and an effective date. (Consent Agenda Item “Q”)

Ordinance No. 2013-8-8: To adopt and enact Supplement Number 104 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 “R”)

END OF CONSENT

Public Hearing on the FY 2013-14 Recommended Budget and the FY 2013-14 Proposed Community Investment Program (CIP)

Mayor LaRosiliere opened the Public Hearing. Citizen Shep Stahel spoke in support of Parks and Recreation Community Investment Program items, particularly the Oak Point Park Welcome Center. No one else appeared to speak. The Public Hearing was closed.

A vote on a proposal to consider an increase in the total tax revenue

Director of Budget and Research Rhodes-Whitley advised that the Truth-In-Taxation Law states that if a proposed tax rate exceeds the rollback or the effective tax rate, whichever is lower, the taxing unit's governing body must vote to place a proposal on the agenda of a future meeting as an action item; the vote must be recorded; and the proposal must specify a tax rate. Ms. Rhodes-Whitley advised that the proposed rate is 48.86 cents per \$100 of assessed valuation with a debt rate of 15.90 cents. She spoke to the effective tax rate (47.75 cents) being the rate which would result in the same tax revenue as last year using this year's appraised values and the rollback rate which raises the same amount for operations as the prior year plus 8% cushion. She reviewed the upcoming sessions including a budget worksession on August 17 and Public Hearings on August 26 and September 4. Upon a motion made by Council Member Davidson and seconded by Council Member Miner, the Council voted 7-0 to maintain a tax rate of 48.86 cents per \$100 valuation.

Discussion of the FY 2013-14 Proposed Community Investment Program

Director of Parks and Recreation Fortenberry spoke regarding the Park Master Plan and the backlog of projects resulting from the economic downturn. She advised that of the 2005 bond authority (\$10 million remaining) the Nature Center at Oak Point Park and Nature Preserve (\$3 million), Skate Park (\$925,000), Archgate Park (\$217,000) and Jack Carter Maintenance Shop are included in Capital Improvement Projects for Fiscal Year 2013-14. She responded to the Council, advising that skate parks remain high in popularity and that a specific location has not yet been determined. Ms. Fortenberry advised that of the 2009 bond authority (\$40 million remaining) Carpenter Recreation Center Pool (\$500,000), Douglass Community Center (\$450,000), Oak Point Recreation Center Expansion (\$4 million), Athletic Field Improvements (\$950,000), Athletic Field Renovations (\$1.9 million), Land Acquisitions (\$3.6 million), Oak Point Park Development (\$2.2 million), and Trail Connections (\$1.7 million) are included in the Capital Improvement Projects for FY 2013-14. Of the 2013 projects, Ms. Fortenberry advised that Jack Carter Pool Renovation (\$700,000) and Carpenter Park Renovation (\$600,000) are included as are maintenance facility expansion (\$2.8 million) from 2005 and 2009 bond referendums and park improvements (\$1.3 million) from 2009 and 2013 bond referendums.

Ms. Fortenberry advised that Park Fee Program projects include Cottonwood Creek Greenbelt South (\$135,000), Cottonwood Creek Greenbelt North (\$450,000) and Spring Creek/Parkwood NH Park (\$950,000) and that Capital Reserve Fund projects include: athletic field (\$950,000), community park (\$625,000), Courtyard Theatre (\$180,000) and dog park (\$250,000) renovations, double check replacements (backflow devices on irrigation \$30,000), irrigation renovations (\$475,000), living screen replacements (\$335,000), median (\$125,000) and neighborhood park (\$500,000) renovations, park restoration (\$100,000), park signage replacements (\$15,000), park structures and equipment (\$475,000), playground replacements (\$500,000), pool equipment (\$175,000), public building landscapes (\$725,000), recreation center equipment (\$200,000), trail repairs (\$750,000) and tree replacements (\$25,000). She advised that street enhancement projects include the downtown area (\$1,500,000) and entryway landscaping (\$150,000). She advised that recreation center items include tables/chairs and not fitness equipment and that the senior center will move forward in the coming years and look to expand parking.

Director of Public Works Cosgrove advised regarding the Street Improvements Program (\$26.4 million) including rehabilitation projects (\$8.3 million), design projects (\$1.4 million), capacity improvements (\$13.2 million), and miscellaneous items including addressing bridge projects (\$3.3 million). Mr. Cosgrove spoke to funding sources and municipal drainage projects (\$2.7 million), water improvement projects (\$7.5 million), sewer improvements (\$7.8 million), capital reserve projects (\$14.4 million), other community investment projects (\$6.7 million), facilities/capital reserve (\$4.2 million) and facility projects (\$7.8 million).

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 8:01 p.m. advising that the Council would resume the executive session in Training Room A and close the meeting following that session.

Harry LaRosiliere, MAYOR

ATTEST

Diane Zucco, City Secretary