

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
September 22, 2014**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Lissa Smith, Mayor Pro Tem
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
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 5:02 p.m., Monday, September 22, 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; 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 6:00 p.m. in the Senator Florence Shapiro Council Chambers.

**Consideration and action resulting from Executive Session discussion
Personnel – Appointments/Reappointments**

The Arts Center of North Texas

Upon a motion made by Mayor LaRosiliere and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to reappoint Denise Tacke.

Board of Adjustment

Upon a motion made by Council Member Downs and seconded by Council Member Davidson, the Council voted 7-0 to reappoint Carolyn Kalchthaler as Chair, change Jim McGee and Jim Norton to regular members, and to appoint Phil Head (term expiring 2015) and Susan Plonka (term expiring 2016) as alternate members.

Building Standards Commission

Upon a motion made by Council Member Davidson and seconded by Council Member Miner, the Council voted 7-0 to reappoint Art Stone as Chair and appoint Cleveland Dedman and Robert Pierce as members.

Heritage Commission

Upon a motion made by Council Member Miner and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to reappoint Gary Graley as Chair and appoint John Brooks as a member.

Planning and Zoning Commission

Upon a motion made by Council Member Downs and seconded by Council Member Miner, the Council voted 7-0 to reappoint Richard Grady as Chair.

Personnel – Appointments/Reappointments

Animal Shelter Advisory Committee

Upon a motion made by Council Member Miner and seconded by Council Member Gallagher, the Council voted 7-0 to reappoint Dr. Sunny Ruth as Chair.

Community Relations Commission

Upon a motion made by Council Member Davidson and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to appoint John Wagoner as a member and table the appointment of the Chair to the next meeting.

Cultural Affairs Commission

Upon a motion made by Council Member Davidson and seconded by Council Member Downs, the Council voted 7-0 to appoint Marion Brockette, Jr. as Chair and Sharon Hirsch as a member.

Library Advisory Board

Upon a motion made by Council Member Gallagher and seconded by Council Member Duggan, the Council voted 7-0 to appoint Kelly Haynes and Steve Craig as members and Steve Lavine as Interim Member, leaving one vacancy to be filled at the next meeting.

Parks and Recreation Planning Board

Upon a motion made by Council Member Davidson and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to reappoint Beth Webb as Chair and appoint Brian Rogers and Paul Naquin as members and Donna de Chabert as Interim Member.

Photographic Traffic Signal Advisory Committee

Appointments for this board are deferred to the next meeting.

Retirement Security Plan Committee

Upon a motion made by Mayor LaRosiliere and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to confirm the reappointment of Casey Srader as Chair.

Self Sufficiency Committee

Upon a motion made by Council Member Downs and seconded by Council Member Duggan, the Council voted 7-0 to reappoint Charles Ho as Chair and appoint Kim Houline as a member.

Senior Citizens Advisory Board

Upon a motion made by Council Member Miner and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to reappoint Nancy Jensen as Chair and appoint Nancy Baumgarten, Yang Chen, and Ronald Silvas as members.

NTTA Briefing

Bill Moore, Vice Chair of the NTTA Board of Directors spoke briefly regarding the Five-Year Plan and introduced Elizabeth Mow, Assistant Executive Director of Infrastructure. Ms. Mow provided a brief history of NTTA, its services, and presented the Five-Year Capital Plan projects. She stated the capital improvements to the Dallas North Tollway (DNT) include adding a fourth lane from Sam Rayburn Tollway to 635, interchange improvements at DNT and President George Bush Turnpike (PGBT), ramp improvements, aesthetic improvements and landscaping, and a u-turn lane at Legacy Drive. Ms. Mow advised the construction should begin in March of 2015 with completion in three years.

Ms. Mow spoke to a fourth lane being added to President George Bush Turnpike from IH 35 to SH78 with three stages of construction beginning in 2016 and completed in 2019. She stated Sam Rayburn Tollway will be expanded to four lanes with construction completed in 2019. Ms. Mow informed the Council of an Open House at the NTTA offices on October 8th for the public.

Screening Wall Policy

Director of Public Works Cosgrove presented the proposed Screening Wall Policy designed to maintain screening walls throughout the City. He provided information regarding the existing related ordinances, screening options, and locations of existing City maintained screening walls. Mr. Cosgrove stated eight miles of screening walls located on private property could be added if the screening policy is approved and easements would be necessary to access the private property. He spoke to the types of screening wall ownership and stated walls built by property owners that are not required by ordinance or walls within an area with a homeowners association would not be included in the maintenance program. Mr. Cosgrove discussed the criteria used in determining repair or replacement of the walls and the costs involved. He stated the cost for full replacement, including foundation and wall, is \$300 per foot or \$1.6 million per mile. Mr. Cosgrove spoke to the funds available for the program.

Screening Wall Policy (Cont'd)

The Council discussed concerns regarding the cost of the program, the City maintaining improvements on private property, the equity of the process, and why the disrepair is not handled by the Property Standards Department. City Manager Glasscock stated the policy is in response to the number of complaints about the condition of the walls and the lack of ability for property owners to maintain them satisfactorily. He advised the policy would be brought back to a future meeting for approval and asked the Council to express any concerns regarding the policy so they may be adequately addressed in the policy.

Saigling House Briefing

This item will be presented at the October 13, 2014 meeting.

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 7:20 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
REGULAR SESSION
September 22, 2014**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Lissa Smith, Mayor Pro Tem
Pat Miner
André Davidson
Jim Duggan
Patrick Gallagher
David Downs

COUNCIL MEMBERS ABSENT

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Mark Israelson, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Monday, September 22, 2014, at 7:20 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Senior Pastor Boyd from Legacy Church led the invocation and Cadette Girl Scout Troop 8638 from Wilson Middle School led the Pledge of Allegiance.

Mayor LaRosiliere recognized Plano Independent School District, Hendricks Scholarship Foundation, and Capital One for supporting the Plano Mayor's Summer Internship Program and presented proclamations recognizing September as Hunger Action Month and Ovarian Cancer Awareness Month.

Comments of Public Interest

No one appeared to speak.

CONSENT AGENDA

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

Approval of Minutes (Consent Agenda Item “A”)

September 8, 2014

Approval of Expenditures

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

RFP No. 2014-169-C for a one (1) year contract with three (3) City optional one (1) year renewals for Vision Insurance, to be utilized by Human Resources to United Healthcare Insurance Company, in an estimated total amount of \$923,560 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

Bid No. 2014-315-B for Davis Library Parking Improvements – Project No. 6437, to Jim Bowman Construction Company, LP, in the amount of \$114,852 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Bid No. 2014-333-B for the purchase of eleven (11) Chevrolet 1/2-ton pickups from Caldwell Country Automotive (aka Baby Jack II) in the amount of \$243,248 and the purchase of one (1) Dodge Ram 3/4-ton pickup from Grapevine DCJ, LLC (aka Grapevine Dodge Chrysler Jeep) in the amount of \$22,950; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

Bid No. 2014-288-B for the Courtyard Theater Site Improvements to Cole Construction, Inc. in the amount of \$323,000 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Purchase from an Existing Contract

To approve the purchase of material testing services for the 15th Street Reconstruction – G Avenue to U.S. 75 project, in the amount of \$154,690 from GME Consulting Services, Inc. through an existing contract (Contract No. 2014-12-D); and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

To approve the purchase of renovations at Fire Station No. 4 & 7 in the amount of \$170,010 from SDB, Inc., through an existing contract/agreement with TIPS/TAPS, and authorizing the City Manager to execute all necessary documents. (TIPS/TAPS Contract No. 10012413) (Consent Agenda Item “G”)

To approve the purchase of 14 Oncore Video Detection Systems from Paradigm Traffic Systems, Inc., in the amount of \$240,212 through an existing City of Grand Prairie contract for Public Works, and authorizing the City Manager to execute all necessary documents. (City of Grand Prairie Contract No. 13104) (Consent Agenda Item “H”)

To approve the purchase of Video Detection equipment from Paradigm Traffic Systems, Inc., for a one (1) year contract with three (3) City optional renewals, in the estimated annual amount of \$425,000 through an existing City of Grand Prairie contract and authorizing the City Manager to execute all necessary documents. (City of Grand Prairie Contract No. 13104) (Consent Agenda Item “I”)

Approval of Expenditures

To approve an expenditure for a Medical Cot Maintenance Agreement in the amount of \$69,524 from Stryker for the maintenance of Stryker Power PRO XT Cots for the Fire Department and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “J”)

To approve expenditures for Buffington Community Services Grant funds in the amount of \$269,330 for the provision of various community services; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “K”)

To approve expenditures for the Heritage Preservation Grant Program in the total amount of \$779,250 for heritage preservation; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “L”)

To approve an expenditure for the purchase of a Motorola Radio Service Agreement from Motorola Solutions, Inc., for the City of Plano Digital Radio System in the estimated amount of \$506,760 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “M”)

To approve the purchase of library materials including books, compact disks, and books on CD for Plano Public Library System (PPLS) in the amount of \$50,000 from Ingram Library Services through an existing contract/agreement with Texas State Contract 715-M2 Print Materials and Multimedia; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “N”)

To approve the purchase of various library materials including books, compact disks and books on CD for Plano Public Library System (PPLS) in the amount of \$100,000 from Brodart through an existing contract/agreement with Texas State Contract 715-M2 Print Materials and Multimedia; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “O”)

To approve the purchase of downloadable content (e-books, music, video and e-audio library materials) with Kindle functionality in an amount not to exceed \$175,000 from OverDrive, Inc., a sole source provider, through City of Plano Contract No. 2014-370-X; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “P”)

To approve the purchase of library materials including books, compact disks, and books on CD for Plano Public Library System (PPLS) in the amount of \$250,000 from Midwest Tape through an existing contract/agreement with Texas State Contract 715-M2 Print Materials and Multimedia; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “Q”)

To approve the purchase of library materials including books, compact disks, and books on CD for Plano Public Library System (PPLS) in the amount of \$500,000 from Baker & Taylor through an existing contract/agreement with Texas State Contract 715-M2 Print Materials and Multimedia; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “R”)

Adoption of Resolutions

Resolution No. 2014-9-11(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the City of Allen, Texas to allow employees of each city to participate in training classes offered by the other city, authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “S”)

Resolution No. 2014-9-12(R): To ratify the terms and conditions of an Interlocal Agreement by and between City of Plano and the University of Texas at Dallas, providing educational services as part of the City’s Professional Development Program; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date. (Consent Agenda Item “T”)

Resolution No. 2014-9-13(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 AMS-TAOS USA Inc., a Nevada corporation; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “U”)

Resolution No. 2014-9-14(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and the Frisco Independent School District for the operation of the Police/School Resource Officer Program; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “V”)

Resolution No. 2014-9-15(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and the Plano Independent School District for the operation of the Police/School Resource Officer Program; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “W”)

Adoption of Ordinances

Ordinance No. 2014-9-16: To repeal Ordinance No. 2014-7-6; establishing the number of certain classifications within the Fire Department for fiscal year 2014-15; establishing the authorized number and effective dates of such positions for each classification; and providing a repealer clause, a severability clause and an effective date. (Consent Agenda Item “X”)

Ordinance No. 2014-9-17: To repeal Ordinance No. 2013-9-31; establishing the number of certain classifications within the Police Department for fiscal year 2014-15; establishing the authorized number and effective dates of such positions for each classification; establishing a salary plan for the Police Department effective September 22, 2014; and providing a repealer clause, a severability clause and an effective date. (Consent Agenda Item “Y”)

Ordinance No. 2014-9-18: To repeal Ordinance No. 2013-10-31; establishing a certification pay plan for classified members of the Plano Fire and Police Departments; establishing an assignment pay plan for members of the Plano Fire Department serving in the capacity of paramedic; establishing a Paramedic Preceptor pay plan for members of the Plano Fire Department; establishing an assignment pay plan for members of the Plano Police Department serving in the capacity of Field Training Officers; and providing a repealer clause, a severability clause and an effective date. (Consent Agenda Item “Z”)

Ordinance No. 2014-9-19: To repeal in its entirety Ordinance No. 2013-9-28, codified as Section 18-34 of Article II, Commercial Container Rates, of Chapter 18, Solid Waste of the Code of Ordinances of the City of Plano, Texas and enacting this new Section 18-34 of Article II, Commercial Container Rates, of Chapter 18, Solid Waste, of the Code of Ordinances of the City of Plano, establishing a revised schedule of rates and charges for solid waste disposal and collection applicable to commercial accounts; providing a repealer clause, a severability clause, a publication clause and an effective date. (Consent Agenda Item “AA”)

Ordinance No. 2014-9-20: To repeal Ordinance No. 2014-9-4 in its entirety and adopt a new ordinance to amend Section 21-2(f) of Article I, Chapter 21, Utilities, of the Code of Ordinances of the City of Plano to modify the fees for residential customers of Municipal Drainage Utility System; providing a severability clause, a repealer clause, a savings clause, and an effective date. (Consent Agenda Item “BB”)

END OF CONSENT

Public Hearing and adoption of Ordinance No. 2014-9-21 as requested in Zoning Case 2014-29 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 653 so as to allow the additional use of Health/Fitness Center on 0.1± acre of land located 290± feet south of Park Boulevard and 105± feet east of Los Rios Boulevard, in the City of Plano, Collin County, Texas, presently zoned General Office with Specific Use Permit No. 592 for Kennel (Indoor Pens)/Commercial Pet Sitting; 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: Main Street Plaza, LTD. (Regular Item “1”)

Development Review Manager Hill stated this request is to allow the additional use of a health and fitness center in an existing lease space and that the Planning and Zoning Commission recommends approval as presented.

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 Duggan and seconded by Council Member Davidson, the Council voted 7-0, to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 653 so as to allow the additional use of Health/Fitness Center on 0.1± acre of land located 290± feet south of Park Boulevard and 105± feet east of Los Rios Boulevard, in the City of Plano, Collin County, Texas, presently zoned General Office with Specific Use Permit No. 592 for Kennel (Indoor Pens)/Commercial Pet Sitting; directing a change accordingly in the official zoning map of the City; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2014-29; and further to adopt Ordinance No. 2014-9-21.

Public Hearing and adoption of Ordinance No. 2014-9-22 as requested in Zoning Case 2014-30 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 654 so as to allow the additional use of Mid-Rise Residential on 8.3± acres of land located at the southwest corner of Spring Creek Parkway and Parkwood Boulevard, in the City of Plano, Collin County, Texas, presently zoned Regional Commercial; 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: Acres of Sunshine, LTD. (Regular Item “2”)

Director of Planning Day spoke to the Specific Use Permit (SUP) to allow mid-rise residential on the property stating this type of use is fairly new to the City of Plano and gave a brief review of the category. She advised the primary issue before Council is land use decision and that the Planning and Zoning Commission recommends approval and Staff supports the SUP request if the Council finds the use compatible with properties in the area. Ms. Day stated the secondary issue before the Council is modification of the development standards requested by the developer and that under the Zoning Ordinance the modifications must be handled through a Planned Development process. She advised Staff requests the Council to call a public hearing to address the stipulations for the development as a separate zoning case to be heard initially by the Planning and Zoning Commission. Ms. Day reported the original request contained a SUP for a helistop and the applicant has withdrawn that portion of the request due to numerous objections by area property owners.

John Richardson with Visions 5, representing the applicant, stated the project is a twenty story building with one hundred owner occupied condominium units with an estimated property value of \$140 million.

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

Mayor LaRosiliere and City Attorney Mims clarified the motions required for the Council.

Upon a motion made by Council Member Downs and seconded by Council Member Davidson, the Council voted 7-0, to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 654 so as to allow the additional use of Mid-Rise Residential on 8.3± acres of land located at the southwest corner of Spring Creek Parkway and Parkwood Boulevard, in the City of Plano, Collin County, Texas, presently zoned Regional Commercial; directing a change accordingly in the official zoning map of the City; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2014-30 with no stipulations; and further to adopt Ordinance No. 2014-9-22.

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Miner, the Council voted 7-0 to initiate a zoning case for a Planned Development District on 8.3± acres of land located at the southwest corner of Spring Creek Parkway and Parkwood Boulevard, in the City of Plano, Collin County, Texas.

Consideration of an appeal of the Planning & Zoning Commission's approval of the Preliminary Site Plan and Concept Plan for Haggard Farm Addition, Block A, Lots 1 & 2. Zoned Regional Commercial/Dallas North Tollway Overlay District. Applicant: Director of Planning (Regular Item "3")

Director of Planning Day spoke to the appeal stating the Preliminary Site and Concept Plans need to be considered concurrently with the Planned Development District, as directed in the previous action and that the development plan will need to be reconsidered by the Planning and Zoning Commission.

Upon a motion made by Council Member Davidson and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to remand the Preliminary Site Plan and Concept Plan for Haggard Farm Addition, Block A, Lots 1 & 2, to the Planning and Zoning Commission for further consideration.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:53 p.m.

Harry LaRosiliere, MAYOR

ATTEST

Lisa C. Henderson, City Secretary