

**PLANO CITY COUNCIL  
PRELIMINARY OPEN MEETING  
December 9, 2013**

**COUNCIL MEMBERS PRESENT**

Harry LaRosiliere, Mayor  
Lissa Smith, Mayor Pro Tem  
Ben Harris, Deputy Mayor Pro Tem  
Pat Miner  
André Davidson  
Patrick Gallagher  
David Downs

**COUNCIL MEMBERS ABSENT**

Jim Duggan

**STAFF PRESENT**

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

Mayor LaRosiliere called the meeting to order at 6:01 p.m., Monday, December 9, 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 Litigation, Section 551.071; 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 6:30 p.m. in the Senator Florence Shapiro Council Chambers.

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

Mayor LaRosiliere advised that discussion regarding appointment of the City Attorney has been deferred.

**Discussion and Direction Regarding Heritage Tax Exemption Program**

Comprehensive Planning Manager Schwarz requested Council direction on revisions to the Heritage Tax Exemption Program as proposed by the Heritage Commission and Staff. She reviewed the program and levels of exemption and spoke to an update in 2008 providing a definition for "contributing resources" to classify recently constructed buildings deemed compatible and which contribute to the overall architectural fabric of the district.

Ms. Schwarz spoke to discussion of the revisions since July 2013 and concerns raised following: Collin County's decision to no longer participate, recent changes in ownership of several properties and additional new construction. She stated that new construction, even if designed in a compatible manner, may not meet the intent of the state's property code with regard to exemptions and reviewed proposed options for Council consideration:

- a. "Grandfather" the properties with new construction, which have been receiving the exemption but not allow any other new construction to receive tax abatement;
- b. Phase out the tax exemption for newer construction that is currently receiving the tax relief over a period of years, with a declining exemption percentage each year;
- c. Set a termination date for the exemptions presently allowed for new construction; or
- d. Provide incentives for new construction that is compatible with the heritage district through other City programs, in addition to the currently provided waiver of building permit and development fees as part of the Neighborhood Empowerment Zone.

Mayor LaRosiliere opened the floor for speakers. Citizen John Brooks spoke to the potentially adverse impact revisions would have on historic districts and homeowners and requested input from the Legal Department regarding conflicts with state statutes. He further requested a meeting between stakeholders to evaluate the proposal. Citizen Karen Bowen spoke to encouraging individuals to relocate to the area rather than disincentivizing development and requested no change be made to the current program. Citizen Lisa Ringel spoke to contributing properties following guidelines for compliance and integrity. She spoke to investment in the community and the positive impact of abatements. Pam Hatcher, representing the Haggard Park Homeowners Association Board, spoke to new construction, completed in an appropriate manner, buffering and protecting the remaining historic structures. She spoke to maintaining confidence in the ordinances and abatement program and requested consideration of an alternate proposal which would clear non-contributing properties from the program, encourage new infill, motivate builders to comply with Certificates of Appropriateness, and maintain the strong position of the area.

Ms. Schwarz spoke to future limitations of the current ordinance and focusing more on preservation rather than new construction and advised that the proposal impacts 5-6 properties built after 1960. Ms. Schwarz responded to Mayor LaRosiliere, advising that the historic district is a part of zoning in the area and that new construction will still go through Heritage Commission review; but, that an alternate method of incentive for a fixed period of time may be more appropriate for those structures. She stated that the properties impacted have been notified and are in opposition to the revision and other properties noted by the speakers will not be impacted. Ms. Schwarz advised that Staff will discuss the alternate proposal with the Legal Department to ascertain which components are feasible.

Council Members Miner and Davidson requested additional discussion and review of the alternate proposal. Council Member Gallagher spoke to receiving more public input, legal review and to making no revisions. City Attorney Wetherbee responded to Mayor LaRosiliere, stating the current program is compliant within the broad parameters provided by statute. Mayor LaRosiliere spoke to the apparent disconnect between Staff's proposal and the community's perception of the potential impact. He requested more discussion so that each side might have clarity before bringing the item back to Council for consideration and the Council concurred.

## **Personnel**

### Parks and Recreation Planning Board – Member

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to appoint Diane Susan Donley to an interim term.

### Tax Increment Financing Reinvestment Zone No. 2 - Chair

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Downs, the Council voted 7-0 to appoint Council Member Miner as Chair.

## **Council items for discussion/action on future agendas**

Mayor Pro Tem Smith requested an update on the status of the Preston/Legacy Median Left Turn. City Manager Glasscock introduced new City Engineer Jack Carr.

## **Consent and Regular Agendas**

No items were discussed.

Nothing further was discussed. Mayor LaRosiliere adjourned the Preliminary Meeting at 7:17 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST

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Diane Zucco, City Secretary

**PLANO CITY COUNCIL**  
**December 9, 2013**

**COUNCIL MEMBERS PRESENT**

Harry LaRosiliere, Mayor  
Lissa Smith, Mayor Pro Tem  
Ben Harris, Deputy Mayor Pro Tem  
Pat Miner  
André Davidson  
Patrick Gallagher  
David Downs

**COUNCIL MEMBERS ABSENT**

Jim Duggan

**STAFF PRESENT**

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

Mayor LaRosiliere convened the Council into the Regular Session on Monday, December 9, 2013, at 7:17 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Mayor LaRosiliere led the invocation and Cub Scout Pack 261 from Christie Elementary led the Pledge of Allegiance.

Mayor LaRosiliere received a presentation from the Friends of the Plano Public Library, administered oaths to incoming board and commission members and recognized outgoing board members.

**Comments of Public Interest**

No one appeared to speak

**CONSENT AGENDA**

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Davidson, 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")  
November 25, 2013

### **Approval of Expenditures**

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

**Bid No. 2013-382-B** for the purchase of Fire Administration Building Floor Slab Repairs to Gilbert May Inc. d/b/a Phillips/May Corporation in the amount of \$77,033 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**Bid No. 2013-383-B** for the purchase of Warehouse Roof and Wall Sealant Replacement to Roof Management Services, Inc. in the amount of \$275,484 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

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

To approve the purchase of Microsoft software licenses for one (1) year with one (1) City optional one (1) year renewal, through a Microsoft Enterprise Agreement in the annual amount of \$896,476 from SHI Government Solutions, Inc. through an existing DIR (Department of Information Resources) contract and authorizing the City Manager to execute all necessary documents. (DIR-SDD-2503) (Consent Agenda Item “D”)

#### **Approval of Expenditure**

To approve the purchase of thirteen (13) Stryker Power PRO XT cots from Stryker, the sole source provider, in the amount of \$186,138 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

#### **Adoption of Resolutions**

**Resolution No. 2013-12-1(R):** To approve the terms and conditions of a First Modification to the Tax Abatement Agreement between the City of Plano, Texas, Eltek, Inc. and FFII TX Plano, L.P. successor to Argent Plano Realty, L. P.; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “F”)

**Resolution No. 2013-12-2(R):** To rescind the authorization of the Tax Abatement Agreement between Rent-A-Center Texas, L.P. and the City of Plano, Texas, pursuant to Resolution No. 2013-9-13(R); and providing an effective date. (Consent Agenda Item “G”)

**Resolution No. 2013-12-3(R):** To rescind the authorization of the Economic Development Incentive Agreement between Rent-A-Center Texas, L.P. and the City of Plano, Texas pursuant to Resolution No. 2013- 9-2(R); and providing an effective date. (Consent Agenda Item “H”)

**Resolution No. 2013-12-4(R):** To approve the purchase of a 5,089 square foot tract of land for Custer Road Right of Way and a 4,860 square foot Temporary Construction easement, both located at the southwest corner of Custer Road and Plano Parkway from Custer/190 Joint Venture, in the total amount of \$51,801 and authorizing the City Manager to execute any necessary documents; and providing an effective date. (Consent Agenda Item “I”)

**Resolution No. 2013-12-5(R):** To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas, the City of Allen, Texas and the Town of Fairview, Texas to add the Town of Fairview to the Plano-Allen radio communications system and to lease certain communications services to the City of Fairview; 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 “J”)

**Resolution No. 2013-12-6(R):** To approve the terms and conditions of a Master Communications Facilities License by and between the City of Plano, Texas, and Dallas MTA, L.P. d/b/a Verizon Wireless, authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “K”)

**END OF CONSENT**

**Public Hearing and adoption of Ordinance No. 2013-12-7** as requested in Zoning Case 2013-30 to amend Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 640 so as to allow the additional use of Private Recreation Facility or Area on 0.6± acre of land located at the northeast corner of Montville Way and Thetford Lane, in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-6; 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: Lennar Homes (Regular Agenda Item “1”)

Director of Planning Jarrell advised that the Planning and Zoning Commission recommended approval of the request as submitted and responded to Council, stating that while Staff has a site plan, she does not know the building size. She further advised that there are a number of other specific use permits for similar facilities in the City which are owned and maintained by homeowner associations.

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

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Mayor Pro Tem Smith, the Council voted 7-0 to grant Specific Use Permit No. 640 so as to allow the additional use of Private Recreation Facility or Area on 0.6± acre of land located at the northeast corner of Montville Way and Thetford Lane; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2013-30; and further to adopt Ordinance No. 2013-12-7.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:24 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST

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Diane Zucco, City Secretary

**PLANO CITY COUNCIL  
SPECIAL CALLED SESSION  
December 12, 2013**

**COUNCIL MEMBERS PRESENT**

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

**COUNCIL MEMBERS ABSENT**

Ben Harris, Deputy Mayor Pro Tem  
Jim Duggan

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Frank Turner, Deputy City Manager  
LaShon Ross, Deputy City Manager  
Jim Parrish, Assistant City Manager

Mayor LaRosiliere called the meeting to order at 6:07 p.m., Thursday, December 12, 2013, in the Building Inspections Training Room 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 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 open session at 9:42 p.m.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 9:42 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST

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Diane Zucco, City Secretary