

**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

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 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