

**PLANO CITY COUNCIL
REGULAR SESSION
December 14, 2015**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Lissa Smith, Mayor Pro Tem
Ben Harris, Deputy Mayor Pro Tem
Angela Miner
Rick Grady
Ron Kelley
Tom Harrison
David Downs

STAFF PRESENT

Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Mark Israelson, Assistant City Manager
Jack Carr, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Monday, December 14, 2015, at 7:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Pastor Hunter Hall with The Village Church, Plano Campus led the invocation and The Men of Note Chorus led the Pledge of Allegiance, Texas Pledge and provided holiday music.

Mayor LaRosiliere proclaimed December 17th as Arbor Day in Plano and received the Bronze Level Bicycle Friendly Community designation. Mayor LaRosiliere and Library Director Ziegler accepted a donation from The Friends of the Plano Public Library. He further recognized the Finance Department receiving the Certificate of Achievement for Excellence in Financial Reporting, the Award for Financial Transparency, and the Achievement of Excellence in Procurement Award.

COMMENTS OF PUBLIC INTEREST

Connor Chaddick discussed limited parking in the downtown area. Jay Cooper spoke to a dangerous dog issue and the reporting process with the Animal Services department.

CONSENT AGENDA

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

Approval of Minutes

November 23, 2015

(Consent Agenda Item “A”)

Approval of Expenditures

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

Bid No. 2015-375-B for the Douglass Neighborhood Park to 2L Construction, LLC in the amount of \$430,300; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

Rejection of Bid No. 2015-37-B for Rugged Tablets for the Police Department from all proposers. (Consent Agenda Item “C”)

Purchase from an Existing Contract

To approve the purchase of new furniture for the Neighborhood Services Remodel at the Joint Use Facility from Texas Furniture Source in the amount of \$110,463 through an existing contract/agreement with TXMAS (Texas Multiple Award Schedule); and authorizing the City Manager to execute all necessary documents. (TXMAS 6-71111060) (Consent Agenda Item “D”)

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

To approve a Professional Services Agreement by and between the City of Plano and Urban Engineers Group, Inc. in the amount of \$252,750 for Dallas North Estates No. 5 – Streets Reconstruction; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Approval of Expenditure

To approve an expenditure for a contract extension for a 60 day period in the amount of \$144,467 for the Microsoft Enterprise Agreement from SHI Government Solutions, Inc. for City of Plano Microsoft Software users; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

Adoption of Resolutions

Resolution No. 2015-12-1(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and the City of Garland, 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 “G”)

Resolution No. 2015-12-2(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 Optimal Blue, LLC, a Texas limited liability company; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “H”)

Resolution No. 2015-12-3(R): To authorize a modification of the Construction Manager At Risk (CMAR) contract between the City of Plano and Phoenix 1 Restoration and Construction, Ltd. for Saigling House Renovation Phase 3 Construction for a Guaranteed Maximum Price (GMP) of \$2,993,436; authorizing the City Manager to execute the necessary contract documents; and providing an effective date. (Consent Agenda Item “I”)

Resolution No. 2015-12-4(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between the City of Plano and SWC Tollway & 121, LLC, a Delaware limited liability company for the construction and installation of certain public infrastructure and improvements within the public rights-of way within and near the Legacy West development; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “J”)

Resolution No. 2015-12-5(R): To approve the amended terms and conditions of a development agreement by and between the City of Plano and 14th and J, LLC for development of Municipal Center South; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “K”)

Resolution No. 2015-12-6(R): To establish a Housing Tax Credit (HTC) resolution application and evaluation process for applicants submitting an application for housing tax credit financing to the Texas Department of Housing and Community Affairs (TDHCA); and designating the City Manager to implement the process; and declaring an effective date. (Consent Agenda Item “L”)

Resolution No. 2015-12-7(R): To approve the Policy Statement for Tax Abatement of the City of Plano thereby establishing criteria for evaluating incentive applications; establishing procedural guidelines and criteria governing tax abatement agreements; and providing an effective date. (Consent Agenda Item “M”)

Adoption of Ordinances

Ordinance No. 2015-12-8: To amend Section 2-12(c) of the City Code of Ordinances of the City of Plano, Texas to clarify the City Manager’s authority for City contracts in accordance with state law; providing a severability clause, a repealer clause, a savings clause, and an effective date. (Consent Agenda Item “N”)

Ordinance No. 2015-12-9: To abandon all right, title and interest of the City, in and to a portion of that certain 50’ Street Easement, situated in the C. Luttrell Survey, Abstract No. 522, 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 owners of the property underlying the easement, Haggard Enterprises, Limited, Windhaven Development, Ltd., and Acres of Sunshine, Ltd., 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. 2015-12-10: To abandon all right, title and interest of the City, in and to a portion of that certain 10-foot Sanitary Sewer Easement, recorded in Volume N, Page 538 - 539, of the Plat Records of Collin County, Texas and being situated in the Martha McBride Survey, Abstract No. 553, 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 owner of the property underlying the Easement, Columbia Medical Center of Plano Subsidiary, LP, to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item "P")

END OF CONSENT

Public Hearing and adoption of Ordinance No. 2015-12-11 as requested in Zoning Case 2015-25 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 0.3± acre of land out of the Sanford Beck Survey, Abstract No. 73, located on the north side of 12th Street, 240± feet east of Municipal Avenue in the City of Plano, Collin County, Texas, from Light Industrial-1 to 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: Lorie Jones (Regular Item "1")

Director of Planning Day stated the property is currently being used as a residence and has been for several years. She spoke to the residential and commercial uses of the surrounding properties. Ms. Day reported Staff and the Planning and Zoning Commission recommend the request for approval. In response to Council, she advised the request was initiated due to the sale of the property and the Planning and Zoning Commission will hear a similar request for the adjacent property in January, 2016.

Mayor LaRosiliere opened the public hearing. No one appeared to speak. Mayor LaRosiliere closed the public hearing.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Downs, the Council voted 8-0 to rezone 0.3± acre of land out of the Sanford Beck Survey, Abstract No. 73, located on the north side of 12th Street, 240± feet east of Municipal Avenue in the City of Plano, Collin County, Texas, from Light Industrial-1 to Single-Family Residence-6 as recommended by the Planning and Zoning Commission and as requested by Zoning Case 2015-25; and further to adopt Ordinance No. 2015-12-11.

Public Hearing and adoption of Ordinance No. 2015-12-12 to approve the levy of a special assessment for the Downtown Plano Public Improvement District; approving an assessment roll and levying an assessment for 2015-2016 at a rate of \$0.15 per \$100 of appraised value on real property in the Public Improvement District; and providing an effective date. (Regular Item "2")

Director of Special Projects Jarrell stated the ordinance approves the levying of the assessment, the assessment roll for the public improvement district, and approves the service and assessment plan as proposed by the Public Improvement District Board at a previous Council meeting. She advised the assessment notices would be mailed to property owners, with payment due by the end of February.

Public Hearing and adoption of Ordinance No. 2015-12-12(Cont'd.)

Mayor LaRosiliere opened the public hearing. No one appeared to speak. Mayor LaRosiliere closed the public hearing.

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 8-0, to approve the levy of a special assessment for the Downtown Plano Public Improvement District, approving an assessment roll and levying an assessment for 2015-2016 at a rate of \$0.15 per \$100 of appraised value on real property in the Public Improvement District; and further to adopt Ordinance No. 2015-12-12.

Public Hearing and Comment: Review of the Consolidated Annual Performance Evaluation Report describing the use of federal funds. This report details how the City used U.S. Department of Housing and Urban Development funds during the 2014-2015 grant year. The public will be given an opportunity to speak on the report during the public hearing. (Regular Item "3")

Due to a conflict of interest, Mayor Pro Tem Smith stepped away from the dais and did not return to the meeting.

Community Services Manager Brown spoke to the Consolidated Annual Performance Evaluation Report detailing the use of federal funds. She stated 100 percent of the U.S. Department of Housing and Urban Development (HUD) funds received were spent on low income residents of Plano and 11,673 individuals and households were assisted with the HUD funds and Buffington Community Service Grant funds. Ms. Brown spoke to the goals outlined in the report.

Mayor LaRosiliere opened the public hearing. No one appeared to speak. Mayor LaRosiliere closed the public hearing.

Upon a motion made by Council Member Grady and seconded by Council Member Miner, the Council voted 6-1, with Council Member Harrison abstaining, to accept the Consolidated Annual Performance Evaluation Report describing the use of federal funds as presented.

With no further business, Mayor LaRosiliere adjourned the meeting at 7:54 p.m.

Harry LaRosiliere, Mayor

ATTEST

Lisa C. Henderson, City Secretary