

**PLANO CITY COUNCIL  
REGULAR SESSION  
February 22, 2016**

**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**

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, February 22, 2016, at 7:02 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Father Cloherty with Prince of Peace Catholic Community led the invocation and Delaney Moon, 2015 National American Miss Texas Jr. Pre-Teen led the Pledge of Allegiance and Texas Pledge.

Mayor LaRosiliere presented proclamations recognizing February as National LULAC month and the 20th Anniversary of Collin County LULAC Youth Council #298. LegacyTexas Bank presented a donation to the Plano Neighborhood Services Department. Mayor LaRosiliere recognized the receipt of the Achievement of Library Excellence Award from the Texas Municipal Library Directors Association and the 2015 National Community Improvement Award from Keep America Beautiful, based on Plano's Litter Prevention programs.

**COMMENTS OF PUBLIC INTEREST**

Patti Snell and Sean Moothart spoke to the Council reconsidering the Collinwood House deconstruction.

**CONSENT AGENDA**

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

## **Approval of Minutes**

February 8, 2016  
(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. 2016-0106-B** for the Pecan Hollow Golf Course Cart Path Improvements to Brownstone Companies, LLC in the amount of \$68,925; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**Bid No. 2016-0094-B** for Audio Visual Equipment for Municipal Center Third Floor to 32 Degree Tec., Inc., in the amount of \$91,830; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

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

To approve the purchase of Dell Server Maintenance and Support for Technology Services in the estimated amount of \$65,732 from Dell Marketing, LP through an existing State of Texas Department of Information Resources contract; and authorizing the City Manager to execute all necessary documents. (DIR-SDD-1951) (Consent Agenda Item “D”)

To approve the purchase of Microsoft software licenses for one year with two City optional one-year renewals, through a Microsoft Enterprise Agreement in the estimated first year amount of \$1,022,974 and estimated amount for each of years two and three of \$1,096,966, for a total estimated three year amount of \$3,216,905 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 “E”)

To approve the purchase of rifle ammunition for the Police Department in the amount of \$73,200 from Precision Delta Corporation through an existing TxSmartBuy contract; and authorizing the City Manager to execute all necessary documents. (TxSmartBuy Contract No. 680-A1) (Consent Agenda Item “F”)

### **Approval of Expenditure**

To approve an expenditure for an agreement for planimetric data in the estimated amount of \$70,748 from North Central Texas Council of Governments (NCTCOG) for the Planning Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

To approve an expenditure for an annual contract with three (3) City optional renewals for a centralized irrigation control supply contract to Interspec, LLC in the amount of \$150,000 for Parks and Recreation; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

To approve an expenditure for InterAct Public Safety Systems maintenance in the amount of \$60,832 from Colossus, Incorporated d/b/a Interact Public Safety Systems for Technology Services in support of Police and Fire Departments; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

To approve an expenditure for Interim Portfolio and Project Management PMO Support resources in the estimated amount of \$347,200 for an estimated seven month period from Thinkbox Technology Group LLC for the Procurement and Project Management Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “J”)

### **Adoption of Resolutions**

**Resolution No. 2016-2-6(R):** To grant to the ArtCentre of Plano, Inc. (ArtCentre) the authority to bestow naming rights of rooms and spaces at the Saigling House, located at 902 East 16th Street (Property), for sponsorship purposes for the duration of their lease of the Property; and providing an effective date. (Consent Agenda Item “K”)

### **Adoption of Ordinances**

**Ordinance No. 2016-2-7:** To amend and delete various sections of Articles I, V and VI, Chapter 12, Motor Vehicles and Traffic, of the Code of Ordinances of the City of Plano; providing new and revised definitions, revising prohibited and permitted parking activities in residential and other zoning districts, updating the penalty provisions for commercial vehicle violations; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date. (Consent Agenda Item “L”)

**Ordinance No. 2016-2-8:** To abandon all right, title and interest of the City, in and to that certain Right-of-Way, situated in the H. N. Thompson Survey, Abstract No. 896, which is located within the City limits of Plano, Texas, retaining a 15’ Utility easement; quitclaiming all right, title and interest of the City in such Right-of-Way to the property owner of Lot 1, Block B, Legacy West Addition, SWC Tollway & 121, LLC, to the extent of its interest; authorizing the City Manager to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “M”)

### **END OF CONSENT**

**Public Hearing and approval to continue the City of Plano's Juvenile Curfew Ordinance (Ordinance No. 94-11-11);** to receive a city staff report on the effectiveness of the Juvenile Curfew Ordinance; and to determine whether the ordinance should be abolished, continued, or modified. (Regular Agenda Item “1”)

Chief Rushin spoke to the requirement to hold a Public Hearing to review the curfew ordinance, reviewed its history and spoke to defenses to prosecution and enforcement. He discussed the small decrease in the juvenile population with the overall number of offenses committed by minors during curfew hours decreasing 31% in the last three years. Chief Rushin advised the ordinance is an effective tool and recommended its continuation

**Public Hearing and approval to continue the City of Plano's Juvenile Curfew Ordinance (Ordinance No. 94-11-11) (Cont'd.)**

Mayor LaRoiliere 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 Grady, the Council voted 8-0 to continue the City of Plano's Juvenile Curfew Ordinance (Ordinance No. 94-11-11).

**Public Hearing and adoption of Resolution No. 2016-2-9(R)** to repeal Resolution No. 2016-1-10(R) supporting an application for nine percent (9%) housing tax credit (HTC) financing to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed affordable residential development project located on 4.8± acres bounded by 14<sup>th</sup> Street on the north, G Avenue on the east, 13th/14th Connector on the south and F Avenue on the west (Development); supporting an application for four percent (4%) HTC financing to the TDHCA for the same proposed Development; waiving the Certificate of Occupancy fee for the proposed Development; authorizing the City Manager to certify this resolution and the waiver of the fee to TDHCA; and declaring an effective date. (Regular Agenda Item "2")

Community Services Manager Brown stated this item, at the developer's request, is for repeal of the original Resolution of Support of a nine percent tax financing credit and replacing it with Council's support of a four percent tax financing credit. She added staff recommends waiving the \$100 Certificate of Occupancy fee, as a mechanism for additional support for this application and will be included as a part of the resolution of support process in the future.

Mayor LaRoiliere 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 Council Member Miner, the Council voted 8-0 to repeal Resolution No. 2016-1-10(R) supporting an application for nine percent (9%) housing tax credit (HTC) financing to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed affordable residential development project located on 4.8± acres bounded by 14<sup>th</sup> Street on the north, G Avenue on the east, 13th/14th Connector on the south and F Avenue on the west (Development); supporting an application for four percent (4%) HTC financing to the TDHCA for the same proposed Development; waiving the Certificate of Occupancy fee for the proposed Development; and further to adopt Resolution No. 2016-2-9(R).

**Resolution No. 2016-2-10(R):** To waive the Certificate of Occupancy fee for applications seeking nine percent housing tax credit (HTC) financing to the Texas Department of Housing and Community Affairs (TDHCA) that received a Resolution of Support from the City Council; authorizing the City Manager to certify the waiver of the fee; and declaring an effective date. (Regular Agenda Item "3")

Community Services Manager Brown stated this is to waive the \$100 Certificate of Occupancy fee for the three projects that Council had provided a Resolution of Support in January. Ms. Brown advised an updated policy for housing tax credit projects will be brought forward in the future for Council approval. In response to Deputy Mayor Pro Tem Harris,

Ms. Brown stated other cities waive fees for this type of project and with this being a new process, updates are required.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Mayor Pro Tem Smith, the Council voted 8-0 to waive the Certificate of Occupancy fee for applications seeking nine percent housing tax credit (HTC) financing to the Texas Department of Housing and Community Affairs (TDHCA) that received a Resolution of Support from the City Council; and further to adopt Resolution No. 2016-2-10(R).

**Public Hearing and adoption of Ordinance No. 2016-2-11** as requested in Zoning Case 2015-28 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 6 so as to allow the additional use of a 120-foot Commercial Antenna Support Structure on 0.1± acre of land located on the west side of Custer Road, 184± feet north of Park Boulevard, in the City of Plano, Collin County, Texas, presently zoned Planned Development-316-Retail; 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: LegacyTexas Bank(Regular Agenda Item “4”)

Director of Planning Day spoke to the request providing surrounding area uses, site photos, and a location map of all other antenna support structures. She stated staff and the Planning and Zoning Commission recommended approval with the following stipulations:

1. Monopole design is required and must accommodate collocation within the structure.
2. A maximum of three microwave dishes, each not to exceed three feet in diameter, are permitted and are not required to be screened. All other antennas or other equipment attached to the support structure must be screened from view.

In response to Council Member Grady, Ms. Day stated no other organizations plan to use the antenna at this time, but the pole will be designed to accommodate future use. In response to Council Member Kelley, Paul Larson, project engineer for LegacyTexas Bank, stated the tower is needed for redundancy and to accommodate terrain challenges in providing service to the new facility. Mr. Carl Crawley, representing LegacyTexas Bank, was available to answer questions.

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

Deputy Mayor Pro Tem Harris requested additional information regarding the pole height and size. Mr. Crawley spoke to the tower and the inability to create a stealth tower. In response to Deputy Mayor Pro tem Harris, Ms. Day advised notices went out to property owners within 500 feet of the project and three area homeowner associations and provided a map of the notice area. In response to Council Member Grady, Mr. Larson stated the Pittman location will be closed.

**Public Hearing and adoption of Ordinance No. 2016-2-11 (Cont'd.)**

Upon a motion made by Council Member Downs and seconded by Mayor LaRosilieri, the Council voted 6-2, with Mayor Pro Tem Smith and Deputy Mayor Pro Tem Harris voting in opposition, to grant Specific Use Permit No. 6 so as to allow the additional use of a 120-foot Commercial Antenna Support Structure, on 0.1± acre of land located on the west side of Custer Road, 184± feet north of Park Boulevard, in the City of Plano, Collin County, Texas, as requested in Zoning Case 2015-28; and further to adopt Ordinance No. 2016-2-11.

**Public Hearing and adoption of Ordinance No. 2016-2-12** as requested in Zoning Case 2015-30 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-65-Central Business-1 on 275.1± acres of land located at the northeast corner of the Dallas North Tollway and Tennyson Parkway, in the City of Plano, Collin County, Texas, to modify development standards related to multipurpose wall signs, zoned Planned Development-65-Central Business-1 with Specific Use Permit No. 265 for Day Care Center and Specific Use Permit No. 394 for Cemetery/Mausoleum; 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: SWC Tollway & 121, LLC (Regular Agenda Item “5”)

Director of Planning Day spoke to the project, notification area, and the location of the request for an increase in size for signage. She stated staff and the Planning and Zoning Commission recommended approval. In response to Council Member Downs, Ms. Day stated all property owners within a planned development are notified of any zoning changes requested.

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

Upon a motion made by Council Member Downs and seconded by Council Member Grady, the Council voted 8-0 to amend Planned Development-65-Central Business-1 on 275.1± acres of land located at the northeast corner of the Dallas North Tollway and Tennyson Parkway, in the City of Plano, Collin County, Texas, to modify development standards related to multipurpose wall signs as requested in Zoning Case 2015-30; and further to adopt Ordinance No. 2016-2-12.

With no further business, Mayor LaRosilieri adjourned the meeting at 8:10 p.m.

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**Harry LaRosilieri, Mayor**

ATTEST

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Lisa C. Henderson, City Secretary