

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

**COUNCIL MEMBERS PRESENT**

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

**COUNCIL MEMBERS ABSENT**

Harry LaRosiliere, Mayor  
Lissa Smith, Mayor Pro Tem

**STAFF PRESENT**

Bruce Glasscock, City Manager  
Jim Parrish, Deputy City Manager  
Jack Carr, Deputy City Manager  
Mark Israelson, Deputy City Manager  
Paige Mims, City Attorney  
Lisa C. Henderson, City Secretary

Deputy Mayor Pro Tem Harris convened the Council into the Regular Session on Monday, August 22, 2016, at 7:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Dr. Joseph Parker, with First Presbyterian Church of Plano led the invocation and Council member Kelley led the Pledge of Allegiance and Texas Pledge.

Deputy Mayor Pro Tem Harris proclaimed September as Hunger Action Month and recognized the Plano Public Library System's receipt of \$85,000 in Texas State Library Grants.

**COMMENTS OF PUBLIC INTEREST**

No one appeared to speak.

**CONSENT AGENDA**

Upon a motion made by Council Member Downs and seconded by Council Member Grady, the Council voted 6-0 to approve and adopt all items on the Consent Agenda with the exception of Item M, as follows:

**Approval of Minutes**

August 3, 2016  
August 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)**

**RFP No. 2016-0258-C** for three (3) year revenue generating contract with two (2) three-year City optional renewals for Collection and Recycling of Residential Textiles, for Environmental Waste Services Division of Public Works Department to Great Lakes Recycling, Inc. dba Simple Recycling, in the estimated amount of \$139,257; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**Bid No. 2016-0446-B** for the Painting of Concrete Screening Walls – Phase III, Project No. 6752 for Public Works to Myelyn Contractors, LLC., in the amount of \$191,909; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

**Bid No. 2016-0445-B** for the Manhole Sanitary Sewer Lining Contract II, Project No. 6743 for Public Works Department to Infrastructure Rehabilitation USA, Inc., in the amount of \$928,850; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

**Bid No. 2016-0392-B** for the Animal Shelter Site Renovations & Hackberry Park Site Improvements, Project No. 6666 to Wall Enterprises, in the amount of \$110,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

**Bid No. 2016-0326-B** for the purchase of Mobile Officer Assistants (Rugged Android Touch Computers), for the Police Department from MSA Systems, Inc., in the amount of \$168,406; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

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

To approve the purchase of two (2) radio consoles, inclusive of hardware, software, and programming services in the amount of \$66,911 from Motorola Solutions, Inc., through an existing HGAC contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. RA05-15) (Consent Agenda Item “G”)

To approve the purchase of one (1) 2017 Kenworth Model T880 Water Tank Truck for Fleet Services, to be utilized by Compost Operations in the amount of \$191,866 from MHC Kenworth, through an existing TASB/BuyBoard contract; and authorizing the City Manager to execute all necessary documents. (TASB/BuyBoard Contract No. 430-13) (Consent Agenda Item “H”)

To approve the purchase of one (1) Rosenbauer Commander 109’ Aerial Ladder Truck for Fleet Services, to be utilized by Fire-Rescue in the amount of \$995,868 from Daco Fire Equipment, through an existing HGAC contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. FS12-15) (Consent Agenda Item “I”)

### **Approval of Change Order**

To Jerusalem Corporation, increasing the contract by \$60,800 for the Public Works Department's Arterial Pavement Repair Parker Road & Plano Parkway, Project No. 6484, Change Order No. 1; and authorizing the City Manager to execute all necessary documents. (Bid No. 2016-0055-B) (Consent Agenda Item "J")

To Jim Bowman Construction Company, L.P., increasing the contract by \$78,750 for the Public Works Department's Independence Parkway Paving Repairs Contract, Project No. 6359, Change Order No. 1; and authorizing the City Manager to execute all necessary documents. (Bid No. 2015-179- B) (Consent Agenda Item "K")

### **Adoption of Resolutions**

**Resolution No. 2016-8-7(R):** To approve the terms and conditions of a Sponsorship Agreement by and between the City of Plano and Urban Land Institute, a 501(c)(3) nonprofit research and education organization, for sponsorship of the 2016 Urban Land Institute Fall Meeting at the Icon Level; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "L")

**Resolution No. 2016-8-8(R):** To approve the terms and conditions of a Funding Agreement by and between the City of Plano and the Historic Downtown Plano Association, a Texas non-profit corporation, through the Downtown Plano Public Improvement District governing the use of funds from the City to the Historic Downtown Plano Association through the Downtown Plano Public Improvement District in an amount not to exceed \$62,000; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "N")

**Resolution No. 2016-8-9(R):** To approve the terms and conditions of a First Amendment to the Subdivision Improvement Agreement (For Final Plat Approval) between the City of Plano, Texas, a home-rule municipal corporation ("City") and SWC Tollway & 121, LLC, a Delaware limited liability company ("Developer"); authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "O")

**Resolution No. 2016-8-10(R):** To approve the terms and conditions of an Interlocal Agreement by and between City of Plano and the City of Allen, Texas, and the Collin County Community College District for the use of a shared radio frequency; 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 "P")

**Resolution No. 2016-8-11(R):** To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas, and the City of Richardson, Texas, to allow Plano Fire-Rescue to use, on a temporary basis, the Fire Training Center owned and operated by the City of Richardson; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "Q")

**Resolution No. 2016-8-12(R):** To nominate J. C. Penney Corporation, Inc. to the Office of the Governor Economic Development and Tourism ("OOGEDT") through the Economic Development Bank ("Bank") for designation as a qualified business and an enterprise project ("Project") under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code ("Act"); and providing an effective date. (Consent Agenda Item "R")

**Resolution No. 2016-8-13(R):** To approve the Investment Portfolio Summary for the quarter ending June 30, 2016 and providing an effective date. (Consent Agenda Item "S")

**Resolution No. 2016-8-14(R):** To ratify the expenditure of funds in the amount of \$98,626 to TYR Tactical, LLC for body armor kits for the Police Department's SWAT Team; approving the execution of all necessary documents by the City Manager; and providing an effective date. (Consent Agenda Item "T")

### **Adoption of Ordinances**

**Ordinance No. 2016-8-15:** To repeal in its entirety Ordinance No. 2009-4-21 providing that roller skates and similar devices are prohibited within certain public areas of designated places; adopting a new Section 14-7 of Chapter 14 Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas to allow the operation of certain devices on public streets, adding to the designated places where roller skates and similar devices are prohibited, adding a definition section and a law enforcement exception; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date. (Consent Agenda Item "U")

**Ordinance No. 2016-8-16:** To repeal in its entirety Ordinance No. 2002-6-10 to redefine areas where bicycle riding is prohibited to be consistent with the new Section 14-7 of Chapter 14 Offenses – Miscellaneous of the Code of Ordinances of the City of Plano, Texas; adopting a new Section 12- 169(a) of Chapter 12 Motor Vehicles and Traffic of the Code of Ordinances of the City of Plano, Texas; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date. (Consent Agenda Item "V")

### **END OF CONSENT**

### **Consent Agenda Item M**

**Resolution No. 2016-8-17(R):** To approve the terms and conditions of a Development Agreement by and between the City of Plano, Texas and Plano Housing Corporation, a 501(c)(3) nonprofit charitable organization, for the construction and installation of certain public infrastructure and improvements within the public rights-of-way and private property near 13<sup>th</sup> – 14<sup>th</sup> Connector and F Avenue; authorizing its execution by the City Manager; and providing an effective date.

In response to Council Member Harrison, Director of Special Projects Braster clarified the agreement is for improvements on public land and paid for with TIF funds, not general tax revenues.

**Resolution No. 2016-8-17(R) (Cont'd.)**

Upon a motion made by Council Member Downs and seconded by Council Member Grady, the Council voted 5-1, with Council Member Harrison voting in opposition, to approve the terms and conditions of a Development Agreement by and between the City of Plano, Texas and Plano Housing Corporation, a 501(c)(3) nonprofit charitable organization, for the construction and installation of certain public infrastructure and improvements within the public rights-of-way and private property near 13<sup>th</sup> – 14<sup>th</sup> Connector and F Avenue; and further to adopt Resolution No. 2016-8-17(R).

**Public Hearing on a proposal to increase total tax revenues** from properties on the tax roll in the preceding tax year by 5.39 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax rate calculated under Chapter 26, Tax Code). (Regular Item “1”)

Deputy Mayor Pro Tem Harris opened the public hearing. Jim Dillavou spoke in opposition of the tax increase. Deputy Mayor Pro Tem Harris closed the public hearing.

**Public Hearing and adoption of Ordinance No. 2016-8-18** as requested in Zoning Case 2016-024 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 7.9 acres of land located at the northeast corner of Jupiter Road and Los Rios Boulevard in the City of Plano, Collin County, Texas, from Agricultural to Planned Development-12-Single-Family Residence-7; 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: Shahid Rasul (Regular Item “2”)

Director of Planning Day spoke to the property, its existing zoning, and the drainage and floodway easement. She provided information about the surrounding properties. Ms. Day advised the project proposed is a planned development and the developer has requested 5-foot side yard setbacks, a 6-foot masonry screening wall, and minimum lot depths and widths be adjusted on lots east of the drainage and floodway easement. She stated Staff and the Planning and Zoning Commission recommend approval as follows:

Restrictions:

The permitted uses and standards shall be in accordance with the Single-Family Residence-7 (SF-7) zoning district unless otherwise specified herein.

1. Minimum Interior Lot Side Yard: 5 feet
2. A 6-foot masonry screening wall to be owned and maintained by the homeowner’s association shall be constructed along Los Rios Boulevard and Jupiter Road rights-of-way.
3. The following standards shall apply to lots located east of the drainage and floodway easement:
  - a. Minimum Lot Width: 50 feet
  - b. Minimum Lot Depth: 90 feet

**Public Hearing and adoption of Ordinance No. 2016-8-18 (Cont'd.)**

Jim Dewey with JDJR Engineers, representing the applicant, explained the request is not to reduce the lot size, but to reconfigure the lots to accommodate for the drainage and floodway easement and requested the Council approve the project as presented.

Deputy Mayor Pro Tem Harris opened the public hearing. James Blois spoke in opposition of the project. Deputy Mayor Pro Tem Harris closed the public hearing.

Upon a motion made by Council Member Downs and seconded by Council Member Miner, the Council voted 6-0, to rezone 7.9 acres of land located at the northeast corner of Jupiter Road and Los Rios Boulevard in the City of Plano, Collin County, Texas, from Agricultural to Planned Development-12-Single-Family Residence-7, as requested in Zoning Case 2016-024; and further to adopt Ordinance No. 2016-8-18.

Nothing further was discussed. Deputy Mayor Pro Tem Harris adjourned the meeting at 7:35 p.m.

---

**Ben Harris, DEPUTY MAYOR PRO TEM**

ATTEST

---

Lisa C. Henderson, City Secretary