

PLANO CITY COUNCIL
January 27, 2014

COUNCIL MEMBERS PRESENT

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

STAFF PRESENT

Bruce Glasscock, City Manager
Frank Turner, Deputy City Manager
LaShon Ross, Deputy City Manager
Paige Mims, City Attorney
Diane Zucco, City Secretary
Alice D. Snyder, Assistant City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Monday, January 27, 2014, at 7:07 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Dr. Leslie Smith, Senior Pastor of North Dallas Community Bible Fellowship led the invocation and representatives from the Boys & Girls Clubs of Collin County led the Pledge of Allegiance.

Mayor LaRosiliere administered the Oath of Office to City Attorney Paige Mims, presented a proclamation to The Medical Center of Plano and the American Heart Association proclaiming February as Heart Disease Awareness Month and recognized the Plano Table Tennis Club in their participation in the 2013 Joola North American Team Tournament.

Comments of Public Interest

No one appeared to speak.

Comprehensive Monthly Financial Report

Finance Director Tacke advised that the December 2013 report finds General Fund revenues up slightly as a percentage of budget as compared to last year while Water and Sewer revenues are down. She stated that actual General Fund revenues are up \$10.2 million, primarily due to an increase in collection of ad valorem taxes of \$8.9 million, due to the timing of payments, as well as an increase in the portion of the City's tax rate that goes towards the General Fund versus Debt Service. She spoke to an increase in sales tax of \$1.5 million primarily due to an increase in business to business sales.

Comprehensive Monthly Financial Report (cont'd)

Ms. Tacke advised that General Fund expenditures are up compared to the last fiscal year due to a 3% non-civil and 2% civil service pay increase effective in October 2013, professional contract services for the Facilities Department, and park field support services due to the need for tree and forest services. She stated that the unemployment rate is at 5.1%. Ms. Tacke advised that actual Water and Sewer revenues are down as compared to the prior year primarily due to more stringent water restrictions, that expenses are up due to a North Texas Municipal Water District 12% rate increase effective October 1, 2013.

CONSENT AGENDA

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

Approval of Minutes (Consent Agenda Item "A")
January 13, 2014

Approval of Expenditures

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

Bid No. 2014-61-B for the Sanitary Sewer Relocation - Legacy at US 75 Project to Dowager Utility Construction, Ltd., in the amount of \$135,303 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

Bid No. 2014-63-B for the Big Lake Park and Chisholm Trail Improvements to Gilbert May Inc., dba Phillips/May Corporation in the amount of \$2,766,633 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

Purchase from an Existing Contract

To approve the purchase of six (6) Crane Carrier Refuse Truck Chassis from Bond Equipment Company, Inc., in the amount of \$957,952 and six (6) Heil Automated Single Arm Bodies from Heil of Texas, in the amount of \$672,800, totaling \$1,630,752 for the Fleet Department, to be utilized by Environmental Waste Collections, through an existing contract/agreement with TASB/Buyboard, and authorizing the City Manager to execute all necessary documents. (TASB/Buyboard Contract No. 430-13 & 425-13) (Consent Agenda Item "D")

To approve the purchase of Wireless Network Upgrade for Jack Carter Maintenance Facility in the amount of \$59,664 from Scientel Wireless LLC, through an existing H-GAC (Houston-Galveston Area Council) contract and authorizing the City Manager to execute all necessary documents. (H-GAC CW10-09) (Consent Agenda Item "E")

To approve the purchase of Consulting Services for PeopleSoft Human Capital Management System Software Upgrade (HCM v9.2) in the estimated amount of \$123,250 from eVerge Group, LLC, through an existing U.S. General Services Administration contract and authorizing the City Manager to execute all necessary documents. (GS-35F-0324Y) (Consent Agenda Item "F")

Approval of Change Order

To Jerusalem Corporation, increasing the contract by \$130,351 for the Pavement Rehab - Plano Parkway, Old Orchard Drive, Maumelle Drive and Hearst Castle Way, Project No. 6240, Change Order No. 1, Bid No. 2013- 238-B. (Consent Agenda Item “G”)

Approval of Expenditure

To approve the purchase of a new message and voting display for the Senator Florence Shapiro Council Chamber from International Roll-Call Corporation, the sole source provider in the amount of \$162,450 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

Adoption of Resolutions

Resolution No. 2014-1-14(R): To approve the hiring of Alan C. Wayland as Senior Assistant City Attorney by the City Attorney; and providing an effective date. (Consent Agenda Item “I”)

Resolution No. 2014-1-15(R): To approve the terms and conditions of a Fourth Amended and Restated Police Training Center Operating Agreement by and between the City of Richardson and the City of Plano; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “J”)

Resolution No. 2014-1-16(R): To accept the findings and opinions of the Annual Audit; authorizing the City Manager, or in his absence the Director of Finance, to publish the results thereof; and providing an effective date. (Consent Agenda Item “K”)

Adoption of Ordinances

Ordinance No. 2014-1-17: To abandon all right, title and interest of the City, in and to a portion of a certain Drainage Easement recorded in Document No. 95-0066420, and a 30’ Sanitary Sewer & Water Easement recorded in Document No. 96-0095464, of the Deed Records of Collin County, Texas and being situated in the M. Taylor Survey, Abstract No. 897, which are located within the city limits of Plano, Collin County, Texas; quitclaiming all right, title and interest of the City in such easements to the owner of the property underlying the easements, IBP 16 LAND, 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 “L”)

Ordinance No. 2014-1-18: To approve the use of a portion of City of Plano public Park Land, known as Moore Park for a permanent sanitary sewer easement along with a temporary construction easement to the North Texas Municipal Water District; and providing an effective date. (Consent Agenda Item “M”)

Ordinance No. 2014-1-19: To amend Ordinance No. 2012-12-16, codified as Chapter 9, Food Code of the Code of Ordinances of the City of Plano, to update definitions, update mobile food establishment commissary requirements, and add guidelines for annual temporary food establishment permits; providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause and an effective date. (Consent Agenda Item “N”)

Ordinance No. 2014-1-20: To repeal Ordinance Nos. 2013-12-11, 2012-12-17 and 2012-11-24, and replacing them with this Ordinance, to be entitled “Health Categories and Fees,” to amend Animal Services and Environmental Health fees; providing a repealer clause, a severability clause, and an effective date. (Consent Agenda Item “O”)

Ordinance No. 2014-1-21: To adopt and enact Supplement Number 105 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date. (Consent Agenda Item “P”)

END OF CONSENT

Public Hearing and adoption of Ordinance No. 2014-1-22 as requested in Zoning Case 2013-35 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend Planned Development-112-Retail on 72.3± acres of land located at the northeast and southeast corners of Plano Parkway and Midway Road, in the City of Plano, Collin County, Texas, to allow for Automobile Repair-Major by Specific Use Permit; 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: Plano Development, LLC (Regular Agenda Item “1”)

Director of Planning Jarrell spoke to the planned development district being created in 2001 as Light Industrial-1 and stated that the City initiated rezoning to bring it into conformance to the type of development occurring in the area at that time. She stated that a number of uses were kept that were not allowed in the base zoning retail but allowed by specific use permit and stated this request is to add Automobile Repair-Major. Ms. Jarrell advised that the Planning & Zoning Commission recommended the item for approval as follows: (Additions are indicated in underlined text.)

Restrictions:

1. Adding the following uses by specific use permit to the PD-112-R district as follows:
 - a. Mini-warehouse/Public storage
 - b. Light-intensity manufacturing
 - c. New car dealer and used car dealer
 - d. Office - Showroom/Warehouse
 - e. Automobile repair-major
2. Establishing a building height of 10 stories (175 feet):
 - a. Structured parking garages limited to three stories at or above grade.
 - b. Residential setback slope of 3 times the height up to a maximum of 8 stories or 140 feet, whichever is more restrictive for a minimum distance of 1,000 feet. Beyond 1,000 feet, the setback shall be increased at 1 time the height above 8 stories or 140 feet, whichever is more restrictive, up to 10 stories or 175 feet in height, whichever is more restrictive.

Ordinance No. 2014-1-22 (cont'd)

3. Establishing the following Floor Area Ratio (FAR) and lot coverage standards:

- a. Lot Coverage: 50%, 70% if structured parking facilities are included in the calculation
- b. Floor Area Ratio: 1:1

Mayor LaRosiliere opened the Public Hearing. Robert Vann with Cross Development, representing the applicant, provided an overview of Calliber Collision Centers and requested approval. No one else appeared to speak for or against the request. The Public Hearing was closed.

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 8-0 to amend Planned Development-112-Retail on 72.3± acres of land located at the northeast and southeast corners of Plano Parkway and Midway Road, in the City of Plano, Collin County, Texas, to allow for Automobile Repair-Major by Specific Use Permit; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2013-35; and further to adopt Ordinance No. 2014-1-22.

Public Hearing and adoption of Ordinance No. 2014-1-23 as requested in Zoning Case 2013-36 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 643 so as to allow the additional use of Automobile Repair-Major on 2.4± acres of land located on the north side of Park Boulevard, 1,100± feet east of Midway Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-112-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: Plano Development, LLC (Regular Agenda Item "2")

Director of Planning Jarrell advised that the Planning & Zoning Commission recommended the item for approval subject to City Council approval of Zoning Case 2013-35.

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 Council Member Miner and seconded by Mayor Pro Tem Smith, the Council voted 8-0 to grant Specific Use Permit No. 643 so as to allow the additional use of Automobile Repair-Major on 2.4± acres of land located on the north side of Park Boulevard, 1,100± feet east of Midway Road, in the City of Plano, Collin County, Texas, presently zoned Planned Development-112-Retail; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2013-36; and further to adopt Ordinance No. 2014-1-23.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:45 p.m.

Harry LaRosiliere, MAYOR

ATTEST

Diane Zucco, City Secretary