

**PLANO CITY COUNCIL**  
**March 18, 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  
Jim Parrish, Deputy City Manager  
Paige Mims, City Attorney  
Lisa C. Henderson, City Secretary  
Alice D. Snyder, Assistant City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Tuesday, March 18, 2014, at 7:17 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

John Chen, Children's Pastor of Plano Chinese Alliance Church led the invocation and Girl Scout Troop 3357 with Aldridge and Sigler Elementary Schools led the Pledge of Allegiance.

Mayor LaRosiliere administered the Oath of Office to City Secretary Lisa Henderson and recognized graduates of the Management Preparation Program of Plano.

**Comments of Public Interest**

No one appeared to speak.

**CONSENT AGENDA**

Staff requested that Consent Agenda Items "N" and "P" be pulled for individual consideration.

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

**Approval of Minutes** (Consent Agenda Item "A")  
February 24, 2014

### **Approval of Expenditures**

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

**CSP No. 2014-8-B** for the construction of the Technology Services Data Center Phase II to Turner Construction Company, in the amount of \$2,959,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**Bid No. 2014-99-B** for the purchase of a Chevrolet 1-Ton Utility Truck with a Valve Turner Machine for Fleet Services to be utilized by the Public Works Department from Reliable Chevrolet in the amount of \$62,945 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

**Bid No. 2014-81-C** for a one (1) year contract with three (3) optional one year renewals for Athletic Field Fertilizer for the Parks and Recreation Department to 4C Lonestar Ranch and Outdoors in the estimated annual amount of \$93,675 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

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

To approve the purchase of six (6) Kubota Z300 Zero Turn Mowers from Kubota Tractor Corporation utilizing TASB/BuyBoard Contract No. 373-11 in the amount of \$85,691 for the Fleet Department to be utilized by Parks and Recreation and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

To approve the purchase of plaster replacement at the Rowlinson Natatorium in the amount of \$89,900 from Sunbelt Pools through an existing contract/agreement with Buyboard; and authorizing the City Manager to execute all necessary documents. (Buyboard Contract No. 423-13) (Consent Agenda Item “F”)

To approve the purchase of Municipal Center South Fiber Optic By-pass in the amount of \$94,189 from Able Communications, Inc. through an existing City of Plano contract and authorizing the City Manager to execute all necessary documents. (2011-195-C). (Consent Agenda Item “G”)

To approve the purchase of additional CommVault Backup Software Licensing Capacity in the amount of \$143,200 from CDW Government LLC (CDW-G) through an existing contract with TCPN (The Cooperative Purchasing Network) and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

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

To approve a Landscape Architecture Services Agreement by and between the City of Plano and David C. Baldwin, Inc. in the amount of \$113,262 for design services for Willowcreek Park Renovation and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

### **Adoption of Resolutions**

**Resolution No. 2014-3-1(R):** To authorize the City Manager to execute a Grade Crossing Improvements Agreement with The Kansas City Southern Railway Company; and authorizing the City Manager to execute all necessary documents; and providing an effective date. (Consent Agenda Item “J”)

**Resolution No. 2014-3-2(R):** To authorize the filing of application for federal funds in an amount not to exceed \$80,000 under the Edward Byrne Memorial Justice Assistance Grant (JAG) State Formula Program through the Office of the Governor of Texas, Criminal Justice Division; designating Gregory W. Rushin as authorized representative of the City of Plano for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date. (Consent Agenda Item “K”)

### **Adoption of Ordinances**

**Ordinance No. 2014-3-3:** To abandon all right, title and interest of the City, being a portion of that certain tract of land in the George Perrin Survey, Abstract No. 722, and being a portion of a 15-foot wide Utility Easement, as recorded in Volume 1036, Page 137, Deed Records of Collin County, Texas, and being a portion of Lot 1R, Block A, Stone Beeson Addition No. 1, an addition to the City of Plano, Collin County, Texas, as recorded in Volume 2012, Page 414 of the Map Records of Collin County, Texas; a portion of said Lot 1R, Stone Beeson Addition No. 1 being described in a Special Warranty deed to WC Custer Creek Center, L.P., as recorded in Document Number 20110623000649 of the Official Public Records of Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the owner of the property underlying the easement, WC Custer Creek Center, L.P., 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. 2014-3-4:** To abandon all right, title and interest of the City, being a portion of that certain tract of land in the George Perrin Survey, Abstract No. 722, and being a portion of a 15-foot wide Utility Easement, as recorded in Volume 1036, Page 137, Deed Records of Collin County, Texas, and being a portion of Lot 1R, Block A, Stone Beeson Addition No. 1, an addition to the City of Plano, Collin County, Texas, as recorded in Volume 2012, Page 414 of the Map Records of Collin County, Texas; a portion of said Lot 1R, Stone Beeson Addition No. 1 being described in a Special Warranty deed to Plano Spring Creek Partners, L.P., as recorded in Document Number 20130402000434070 of the Official Public Records of Collin County, Texas; quitclaiming all right, title and interest of the City in such easement to the owner of the property underlying the easement, Plano Spring Creek Partners, L.P., 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”)

**Ordinance No. 2014-3-5:** To transfer the sum of \$100,000 from the Police & Court Facilities CIP Fund Unappropriated fund balance to the Police & Court Facilities CIP Fund for fiscal year 2013-14 for the purpose of providing funding for the Municipal Center South Fiber Optic By-pass project, amending the Community Investment Program of the City and Ordinance No. 2013-9-9, Section 1, Item “C” to reflect the actions taken herein; declaring this action to be a case of public necessity; and providing an effective date. (Consent Agenda Item “O”)

#### **END OF CONSENT**

**Ordinance No. 2014-3-6:** To authorize the City of Plano’s Housing Rehabilitation Program to acquire, rehabilitate, and resell single family homes; authorizing the City Manager to execute all necessary documents; and providing a severability clause, a savings clause, and an effective date. (Consent Agenda Item “N”)

Community Services Manager Brown spoke to the expansion of the Housing Rehabilitation program which would allow the purchase, rehabilitation and resale of distressed, affordable housing. She stated the benefits include providing the City with a mechanism to refurbish homes that are detrimental to neighborhoods and preserves and enhances our existing housing stock. Ms. Brown advised two to four, dilapidated, foreclosed, and/or struck-back properties would be purchased, rehabilitated and sold annually which would be faster and more cost efficient on unoccupied homes. She stated this will increase the affordable housing stock within the City.

Ms. Brown responded to Council regarding the use of grant funds for other projects, funds from profits and/or loss on the sale of the homes, not being penalized by HUD for program income, usage of a broker, homes initially offered to first-time buyers currently in the program and utilization of current staff. City Attorney Mims confirmed the properties would be covered by separate insurance policies and maintained by a property management company, with the costs covered by the program.

Upon a motion made by Council Member Downs and seconded by Mayor Pro Tem Smith, the Council voted 8-0 to authorize the City of Plano’s Housing Rehabilitation Program to acquire, rehabilitate, and resell single family homes; and further to adopt Ordinance No. 2014-3-6.

**Ordinance No. 2014-3-7:** To amend a section of Ordinance No. 2013-8-7, codified as Section 16-82 of Article V, Chapter 16, of the Code of Ordinances, of the City of Plano, Texas, and adding a new section to reinstate alternate members to the Board of Adjustment; and providing a repealer clause, a severability clause; a savings clause, and an effective date. (Consent Agenda Item “P”)

Chief Building Official Mata spoke to the request of adding two alternates to the Board of Adjustment and applicants requesting a full eight member board for variance requests due to the requirement of a super majority vote, six out of eight members. Board of Adjustment Chair Kalchthaler spoke to the state requirement of a super majority vote, the meeting time, learning curve for new members, and the process of the appeal going to district court instead of Council. She stated if the Board of Adjustment denies the variance, the applicant must wait two years before reapplying and that a variance runs with the land forever.

Upon a motion made by Mayor Pro Tem Smith and seconded by Council Member Duggan, the Council voted 8-0 to amend a section of Ordinance No. 2013-8-7, codified as Section 16-82 of Article V, Chapter 16, of the Code of Ordinances, of the City of Plano, Texas, and adding a new section to reinstate alternate members to the Board of Adjustment; and further to adopt Ordinance No. 2014-3-7.

Mayor LaRosiliere recessed the Regular Meeting and reconvened into the Preliminary Open Meeting at 7:47 p.m. to address the remaining Preliminary Open Meeting items. Mayor LaRosiliere adjourned the Preliminary Open Meeting and reconvened the Regular Meeting at 8:12 p.m.

**Public Hearing and consideration of Annexation Case 2014-01** - Request to annex 1.035± acres located within the right-of-way of W. Park Boulevard, approximately 750 feet west of Plano Parkway. The right-of-way is located in the J. Myers Survey, Abstract No. 619, the J.W. Haynes Survey, Abstract No. 458, and the Mary Ann Taylor Survey, Abstract No. 897, all in Collin County. Applicant: City of Plano (Regular Agenda Item “1”)

Director of Planning Day spoke to the annexation of unincorporated land located in the median of Park Boulevard and the land was missed on a previous survey. She stated this is the first of two required public hearings.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against. Mayor LaRosiliere closed the Public Hearing.

**Resolution No. 2014-3-8(R):** To authorize the City Manager to take such action and execute such documents as necessary to effectuate a partnership with the ArtCentre of Plano, Inc. for the restoration and use of the Saigling House; and providing an effective date. (Regular Agenda Item “2”)

Deputy City Manager for Development Turner spoke to the history and background of the Saigling House and stated the restored facility would be used as a meeting, event and art center, complimenting existing features of the park. He spoke to a partnership with the ArtCentre of Plano, Inc. for the restoration and use of the Saigling House. Howard Greisdorf, board member of the ArtCentre of Plano, Inc. spoke in favor of the partnership. Mr. Turner responded to the Council regarding funding, timeline of the restoration and the resolution setting forth the framework for the process.

Upon a motion made by Council Member Downs and seconded by Deputy Mayor Pro Tem Harris, the Council voted 8-0 to authorize the City Manager to take such action and execute such documents as necessary to effectuate a partnership with the ArtCentre of Plano, Inc. for the restoration and use of the Saigling House; and further to adopt Resolution No. 2014-3-8(R).

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 8:27 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST

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Lisa C. Henderson, City Secretary