

**PLANO CITY COUNCIL
REGULAR SESSION
September 8, 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
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, September 8, 2014, at 7:01 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Minister Crawford from Meadows Baptist Church led the invocation and Cub Scout Pack 18 from Saigling Elementary led the Pledge of Allegiance.

Mayor LaRosiliere presented a proclamation recognizing the InTouch Credit Union Plano Hot Air Balloon Festival, recognized Selso Mata for being named Building Official of the Year, and recognized the Planning Department for receiving a Certificate of Planning Excellence.

Comments of Public Interest

No one appeared to speak.

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 as recommended and as follows:

Approval of Minutes (Consent Agenda Item “A”)

August 25, 2014
September 3, 2014

Approval of Expenditures

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

Bid No. 2014-260-B for maintenance and cosmetic upgrades at the Carpenter Park Recreation Center from Criterion Contractors, Inc., in the amount of \$172,500 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

Bid No. 2014-311-B for the purchase of two (2) Ford F250 4X4 Crew Cab Pickups for the Fleet Services Department, to be utilized by the Fire Department from Sam Pack’s Five Star Ford in the amount of \$55,090 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Bid No. 2014-301-B for the purchase of three (3) Ford F350 Extended Cab, 1-Ton Trucks with Utility Bodies and one (1) Ford F350 Crew Cab, 1-Ton Truck with Utility Body for the Fleet Services Department, to be utilized by the Parks and Recreation Department and Public Works Department from Sam Pack’s Five Star Ford in the amount of \$123,578 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

CSP No. 2014-142-C for the purchase, installation and maintenance of an Interview Room Audiovisual Recording and Content Management System for the Police Department to MediaSolv Solutions Corporation in the amount of \$198,054 and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Purchase from an Existing Contract

To approve a contract to purchase new furniture for the remodeled Technology Services Center from Facilitatech dba Business Interiors in the amount of \$303,153 and Texas Furniture Source, Inc., in the amount of \$44,190 for a total amount of \$347,343 through an existing contract/agreement with TXMAS (Texas Multiple Award Schedule) and authorizing the City Manager to execute all necessary documents. (TXMAS 3-7110160, 3-711110209, 4-7110240, 6-7110140, 6-71111060, 7-110180, 7-7110170-3, 9-711020, 11-71050, 11-73050, 13-71070) (Consent Agenda Item “F”)

To approve the purchase of Chisholm Trail Drainage Improvements at Spring Creek Parkway for the Parks and Recreation Department in the amount of \$130,595 from Kellogg Brown and Root LLC through an existing contract and authorizing the City Manager to execute all necessary documents. (TCPN Contract Number R5087) (Consent Agenda Item “G”)

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

To approve an Engineering Services Agreement by and between the City of Plano and Half Associates, Inc., in the amount of \$132,000 for the Legacy Drive U-Turn Bridge at Dallas North Tollway, Project No. 6491; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "H")

Adoption of Resolutions

Resolution No. 2014-9-1(R): To approve the Third Amended Bylaws of the Plano Health Facilities Development Corporation to change the term of the officers on the Board of Directors to two (2) years and authorize the Board to hold an election within six (6) months of an office being vacated; and providing an effective date (Consent Agenda Item "I")

Adoption of Ordinances

Ordinance No. 2014-9-2: To authorize a one-time three percent (3%) lump sum payment for Battalion Chiefs for the 2014-2015 fiscal year in lieu of the three percent (3%) across-the-board increase for other employees; establishing a salary plan for the Fire Department effective September 22, 2014 and providing a repealer clause, a severability clause and an effective date. (Consent Agenda Item "J")

Ordinance No. 2014-9-3: To amend Section 2-1(e) of the City Code of Ordinances of the City of Plano, Texas to allow non-profit organizations to use the City logos and/or brand upon written approval of the City Manager; providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item "K")

Ordinance No. 2014-9-4: To amend Section 21-2(f) of Article I, Chapter 21, Utilities, of the Code of Ordinances of the City of Plano to modify the fees for residential customers of Municipal Drainage Utility System; providing a severability clause, a repealer clause, a savings clause, and an effective date. (Consent Agenda Item "L")

END OF CONSENT

Ordinance No. 2014-9-5 to approve and adopt the Operating Budget and setting the appropriations for the fiscal year beginning October 1, 2014, and terminating September 30, 2015; and providing an effective date. (Public Hearing held on August 11, 2014.) (Regular Item "1")

Director of Budget and Research Rhodes-Whitley stated this item is to adopt the Operating Budget for Fiscal Year 2014-2015 in the amount of \$469 million and that updated fund summaries were included in the packet.

Upon a motion made by Council Member Downs and seconded by Council Member Davidson, the Council voted 8-0, to adopt the Operating Budget and setting the appropriations for the fiscal year beginning October 1, 2014, and terminating September 30, 2015; and further to adopt Ordinance No. 2014-9-5.

Ordinance No. 2014-9-6 to approve and adopt the Community Investment Program and setting the appropriations for 2014-15; and providing an effective date. (Public Hearing held on August 11, 2014.) (Regular Item “2”)

Director of Budget and Research Rhodes-Whitley stated this item approves the Community Investment portion of the budget for Fiscal Year 2014-2015 in the amount of \$158 million.

Upon a motion made by Council Member Davidson and seconded by Mayor Pro Tem Smith, the Council voted 8-0, to adopt the Operating Budget and setting the appropriations for the fiscal year beginning October 1, 2014, and terminating September 30, 2015; and further to adopt Ordinance No. 2014-9-6.

Ordinance No. 2014-9-7 to approve and adopt the Tax Rate for the fiscal year beginning October 1, 2014, and terminating September 30, 2015, and providing an effective date. (Public Hearings were held on August 25, 2014 and September 3, 2014.) (Regular Item “3”)

Director of Budget and Research Rhodes-Whitley stated this item is adopt the proposed tax rate of 48.86 cents per \$100 of assessed property valuation and the tax rate has been the same since Fiscal Year 2009-2010.

Council Member Miner made a motion stating that the property tax rate will be increased by the adoption of a tax rate of 48.86 cents, which is effectively a 4.046 percent increase on the tax rate and to ratify the property tax increase reflected in the budget adopted for the fiscal year beginning October 1, 2014 and ending September 30, 2015; Council Member Davidson seconded the motion and the Council voted 8-0 to approve and adopt the Tax Rate for the fiscal year beginning October 1, 2014, and terminating September 30, 2015; and further to adopt Ordinance No. 2014-9-7.

Ordinance No. 2014-9-8 to ratify the property tax revenue increase in the 2014-15 Budget as a result of the City receiving more revenues from property taxes in the 2014-15 Budget than in the previous fiscal year; and providing an effective date. (Public Hearings held on August 25, 2014 and September 3, 2014.) (Regular Item “4”)

Director of Budget and Research Rhodes-Whitley stated this item ratifies the tax revenue increase by acknowledging the tax rate revenue is increased by 4.046 percent from last year.

Upon a motion made by Council Member Miner and seconded by Council Member Duggan, the Council voted 8-0, to ratify the property tax rate increase reflected in the budget adopted for the fiscal year beginning October 1, 2014, and terminating September 30, 2015 as a result of the City receiving more revenues from property taxes in the 2014-15 Budget; and further to adopt Ordinance No. 2014-9-8.

Public Hearing and adoption of Resolution No. 2014-9-9(R) to approve the use or taking of a portion of City of Plano public Park Land, known as Haggard Park pursuant to Chapter 26 of the Texas Parks and Wildlife Code and Section 4(f) of the Department of Transportation Act (49 U.S.C. §303) to approve using a portion of dedicated Park Land as a permanent easement for purposes of relocating Dallas Area Rapid Transit (DART) owned 15th Street Signal Equipment to a Central Instrumentation House (CIH); authorizing the City Manager to execute all necessary documents; and providing an effective date. (Regular Item “5”)

Director of Parks and Recreation Fortenberry stated this public hearing satisfies legal requirements for allocating a portion of public park land as an easement for relocation of the Dallas Area Rapid Transit Centralized Instrumentation House (CIH). She spoke to the current equipment location blocking pedestrian traffic and the proposed new location for the CIH is in the Haggard Park parking lot. Ms. Fortenberry discussed the parking lot improvements, including moving handicapped parking spaces and a new planter; and the dimensions of the CIH structure. She spoke to the necessity of the project and the alternate locations reviewed, but found not feasible. Ms. Fortenberry stated the project was reviewed by staff and was not found to have a negative impact on the park.

Mayor LaRosiliere opened the Public Hearing. No one spoke for or against. Mayor LaRosiliere closed the Public Hearing. Mayor LaRosiliere stated the Council as a group must acknowledge there is no feasible and prudent alternative as proposed, project planning minimizes harm to the park land resulting from the project, and the project does not adversely affect the park land. The Council stated concurrence.

Upon a motion made by Council Member Downs and seconded by Council Member Gallagher, the Council voted 8-0, to approve the use or taking of a portion of City of Plano public Park Land, known as Haggard Park pursuant to Chapter 26 of the Texas Parks and Wildlife Code and Section 4(f) of the Department of Transportation Act (49 U.S.C. §303) to approve using a portion of dedicated Park Land as a permanent easement for purposes of relocating Dallas Area Rapid Transit (DART) owned 15th Street Signal Equipment to a Central Instrumentation House (CIH); and further to adopt Resolution No. 2014-9-9(R).

Approval a Professional Services Agreement by and between the City of Plano and Arredondo, Zepeda & Brunz, LLC. in the amount of \$65,679 for the 14th/15th Street DART Signal Cabinet Relocation project and authorizing the City Manager to execute all necessary documents. (Regular Item “6”)

Director of Engineering Carr stated this agreement is in conjunction with the previous item and is for the design portion of the project to move the Centralized Instrumentation House and that the construction contract will be brought back to the Council for approval. He reported the project costs will be reimbursed by DART using local assistance payment funds.

Upon a motion made by Deputy Mayor Pro Tem Harris and seconded by Council Member Downs, the Council voted 8-0, to approve a Professional Services Agreement by and between the City of Plano and Arredondo, Zepeda & Brunz, LLC. in the amount of \$65,679 for the 14th/15th Street DART Signal Cabinet Relocation project.

Public Hearing and Ordinance No. 2014-9-10 as requested in Zoning Case 2014-21, to repeal in its entirety Ordinance No. 81-5-7; thereby rescinding Specific Use Permit No. 74 for the additional use of a Private Club on 0.4± acre of land located on the south side of 14th Street, 165± feet east of U.S. 75 in the City of Plano, Collin County, Texas, currently zoned Corridor Commercial with Specific Use Permit No. 74 for Private Club, and amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to reflect such action; 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: City of Plano (Regular Item “7”)

Director of Planning Day stated staff is continuing to rescind underutilized specific use permits for private clubs to clean-up the zoning map. She advised the restaurant at the location is applying for a mixed beverage alcohol permit and no longer needs the specific use permit and that no letters were received in support or against the proposed change.

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

Upon a motion made by Council Member Downs and seconded by Council Member Davidson, the Council voted 8-0, to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, rescinding Specific Use Permit No. 74 for the additional use of a Private Club on 0.4± acre of land located on the south side of 14th Street, 165± feet east of U.S. 75 in the City of Plano, Collin County, Texas; directing a change accordingly in the official zoning map of the City; as recommended by the Planning and Zoning Commission and as requested in Zoning Case 2014-21; and further to adopt Ordinance No. 2014-9-10.

Mayor LaRosiliere stated he was pleased to see the budget passed with \$57 million allocated for street improvements. Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 7:35 p.m.

Harry LaRosiliere, MAYOR

ATTEST

Lisa C. Henderson, City Secretary