

**PLANO CITY COUNCIL
REGULAR SESSION
October 12, 2015**

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
Jack Carr, Assistant City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Monday, October 12, 2015, 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 Cadette Girl Scouts, Service Unit #155 with Haggard Middle School led the Pledge of Allegiance and Texas Pledge.

Mayor LaRosiliere proclaimed October 24 as Food Day in Plano and recognized the Tom Scott, Gold Medal Winner at the Pan American Games and the Parks and Recreation Department receiving the 2015 NRPA Gold Medal of Excellence in Parks and Recreation Management. He further administered oaths of office to incoming board and commission members.

COMMENTS OF PUBLIC INTEREST

Geraldene Areghini suggested using a variety of methods of notification to citizens and supports the Council to act in the best interest of the citizens.

Jack Lagos stated he is happy to see citizen involvement and requested the Council listen to the citizens.

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

September 28, 2015

(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. 2015-400-B for the Joint Use Facility Neighborhood Services Renovation to Criterion Contractors, Inc. in the amount of \$345,030; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

Bid No. 2015-427-B for the Rowlett Creek Cured in Place Pipe Project No. 6508, to Insituform Technologies, LLC in the amount of \$7,728,472; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

Rejection of RFP No. 2015-252-C for a Meeting Management Solution from all proposers. (Consent Agenda Item "D")

Purchase from an Existing Contract

To approve the purchase of one (1) Horton Type I, Ford F550 623 Med Unit, for Fleet Services to be utilized by the Fire Department, in the amount of \$241,043 from Professional Ambulance through an existing HGAC contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. AM10-14) (Consent Agenda Item "E")

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

To approve a Landscape Architect Professional Services Agreement by and between the City of Plano and Michael Kendall d/b/a KENDALL + Landscape Architecture, in the amount of \$72,500 for design services for multiple park and public building landscape and irrigation renovations and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "F")

To approve an Engineering Services Agreement by and between the City of Plano and Adams Consulting Engineers, Inc. in the amount of \$67,950 for floodplain analysis and FEMA Conditional Letter of Map Revision services for the Cottonwood Creek Trail Extension: Cottonwood Creek Greenbelt to Stoney Hollow Park project and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "G")

To approve a Professional Services Agreement by and between the City of Plano and Stantec Consulting Services, Inc. in the amount of \$153,000 for the Transportation Management Center Study, Project No. 6665; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

Approval of Expenditure

To approve expenditures for Major Arts Grants in the total amount of \$800,000 for support of arts and culture within the City of Plano. (Consent Agenda Item “I”)

Adoption of Resolutions

Resolution No. 2015-10-1(R): To approve the terms and conditions of an Interlocal Agreement for Back-up 9-1-1 Service and Communications Support by and between the City of Plano, Texas and the City of Richardson, Texas, authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “J”)

Resolution No. 2015-10-2(R): To approve the Second Amendment to the Interlocal Cooperation Agreement between the North Texas Municipal Water District and the City of Plano, Texas, for the Regional Composting Program for one (1) ninety (90) day term as permitted by Article II of the Agreement; authorizing the City Manager to execute any and all documents in connection therewith; and providing an effective date. (Consent Agenda Item “K”)

Resolution No. 2015-10-3(R): To authorize a modification of the Construction Manager at Risk (CMAR) contract between the City of Plano and Turner Construction Company for Jack Carter Pool Phases 2 and 3 construction for a Guaranteed Maximum Price (GMP) of \$10,375,182; authorizing the City Manager to execute the necessary contract documents; and providing an effective date. (Consent Agenda Item “L”)

Resolution No. 2015-10-4(R): To approve the terms and conditions of a Waiver and Release of all of the City’s rights and options to reacquire the “Skaggs Buildings”, authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “M”)

Adoption of Ordinances

Ordinance No. 2015-10-5: To transfer the sum of \$1,500,000 from the Recreation Revolving Fund Unappropriated fund balance to the Recreation Revolving Fund Operating Appropriation for fiscal year 2015-16 for the purpose of providing funding for capital expenditures related to the Jack Carter Pool project, amending the Budget of the City and Ordinance No. 2015-9-10, Section 1, Item “CC” to reflect the actions taken herein; declaring this action to be a case of public necessity; and providing an effective date. (Consent Agenda Item “N”)

Ordinance No. 2015-10-6: To amend Ordinance No. 2014-10-19; codified as Sections 21-135, 21-136 and 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, to reflect new rates and increase the fee schedules for water and sewer services effective November 1, 2015, and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Consent Agenda Item “O”)

END OF CONSENT

Public Hearing and adoption of Ordinance No. 2015-10-7 as requested in Zoning Case 2015-22 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 5 so as to allow the additional use of Trade School on 0.1± acre of land out of the Sanford Beck Survey, Abstract No. 73, located on the south side of 14th Street, 175± feet west of N Avenue, in the City of Plano, Collin County, Texas, presently zoned 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: Barikuna Oqundipe (Regular Item “1”)

Development Review Manager Hill stated the special use permit is for a trade school and that the property in the request is lease space in an office building surrounded by non-residential uses. He added staff and the Planning and Zoning Commission recommends approval as submitted.

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

Upon a motion made by Council Member Grady and seconded by Council Member Downs, the Council voted 8-0, to grant Specific Use Permit No. 5 so as to allow the additional use of Trade School on 0.1± acre of land out of the Sanford Beck Survey, Abstract No. 73, located on the south side of 14th Street, 175± feet west of N Avenue, in the City of Plano, Collin County, Texas, presently zoned Retail; as requested in Zoning Case 2015-22; and further to adopt Ordinance No. 2015-10-7.

Public Hearing and adoption of Ordinance No. 2015-10-8 as requested in Zoning Case 2015-23 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 31.0± acres of land out of the Mary Scott Survey, Abstract No. 859, located at the southeast corner of 14th Street and Park Vista Road in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-6; 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: Nancy Baker Higdon (Regular Item “2”)

Development Review Manager Hill stated the purpose of this zoning request is to allow for a single family residential subdivision on the property and is consistent with adjacent residential properties. He provided details and photographs of the surrounding area. Mr. Hill added staff and the Planning and Zoning Commission recommends approval as submitted.

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

Upon a motion made by Council Member Grady and seconded by Mayor Pro Tem Smith, the Council voted 8-0, to rezone 31.0± acres of land out of the Mary Scott Survey, Abstract No. 859, located at the southeast corner of 14th Street and Park Vista Road in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-6; as requested in Zoning Case 2015-23; and further to adopt Ordinance No. 2015-10-8.

Public Hearing and adoption of Ordinance No. 2015-10-9 to adopt the Plano Tomorrow Comprehensive Plan, providing the vision statements, policies, action statements, and maps as developed for the purpose of guiding future development within the City of Plano, Texas; repealing the current Comprehensive Plan, including Resolution No. 86-11-22(R), Resolution No. 87-2-21(R), Resolution No. 87-9-4(R), Resolution No. 88-1-18(R), Ordinance No. 2002-12-6, elements, maps, policy statements, and all additions and amendments thereto; and providing an effective date. Applicant: City of Plano

Director of Planning Day spoke to the purpose of a comprehensive plan as a guide for long-range development incorporating a 20 – 30 year vision for the City. She stated it is a road map for the community and establishes a policy for development. Ms. Day provided the history of the plan and its amendments and the importance of successfully managing a mature city. She spoke to the changing demographics of the City, the emerging challenges of redevelopment, regional issues such as population and job growth, as well as mobility challenges. Ms. Day also discussed the change in population growth trends, aging population, and diversity demographics.

Ms. Day stated the plan was drafted over 26 months, 4,000 people participated, the Planning and Zoning Commission held 9 open houses and public hearings and 22 work sessions, three drafts with revisions were written, and 40 organizations participated. She spoke to the plan structure and the five pillars of Built Environment, Social Environment, Economic Environment, Natural Environment, and Regionalism. She provided the proposed future land use map and discussed the land uses, the percentage of each type of use, proposed growth and use map, proposed thoroughfare map, where residential uses are appropriate, and proposed park and bike trail maps.

Ms. Day discussed the similarities and differences of the proposed plan with the existing plan, how the plan will be implemented, and that the plan is web-based for ease of use and transparency. She advised limiting the number of multi-family units in the plan is not advisable but may be an option in a planned development. Ms. Day stated Staff and the Planning and Zoning Commission recommend approval as submitted.

Mayor LaRosiliere opened the public hearing. Speaking in opposition – Will Stokes, Kyle Collins, Judy Kendler, Lisa Torrey, Beth Carruth, Holland Hernandez, Steven Magee, Rick Smith, Dennis Miklosh, Claudia Brown, Jim Dillavou, Mark Meyers, Sergio Espinosa, Dennis Rosini, Claire Holmes, Joyce Ieni, Eric Knipp, Don Runge, Rafael Tallada, Colleen Epstein, David Baertsch, Camille Hall, Valerie Fischer, Paul Guta, Matt Dixon, George Farr, Gary Henkel, Joseph Morales, Greg Knapp, Matt Tietz, Mark Bina, Carol Mantasoot, Rene Elgersma, Karen Dubrow, Sharon Tipping, Eldon Tipping, Terry Thomas, Denise Midgley, Mark Reid, Lusiné Meeks, Dale Strimple, Denise Huber, Robert Canright, Elizabeth Goldman, David Brown, Richard DeWitt, Bob Healy, Mike Lieser, Monique St. Laurent, Jennifer Groysman, Bill Drexel, and Jack Lagos. Speaking in support – Jamee Jolly, Larry Flannery, Jeff Beckley, Dawn Wolverton, Gerald Vokolek, Michael Thomas, Randy Wright, Kate Garrison, Richard “Larry” Howe, Zachary Kolodny, Robert Miller, Connor Chaddick, Florence Shapiro, Pat Evans, Denise Hamilton, Phil Dyer, Mohammad Qasim, Warren Casteel, Fred Frawley, David M. Smith, Neal Bert, and Colin Chopin. Speaking in a neutral position – Ken Gagliano. Persons registering an opinion but not speaking at the meeting; in opposition – 85, in support – 27. Mayor LaRosiliere closed the public hearing. During the public hearing, the City Council recessed at 8:38 p.m. and reconvened at 8:46 p.m. and recessed a second time at 10:12 p.m. and reconvened at 10:21 p.m.

Public Hearing and adoption of Ordinance No. 2015-10-9 (Cont'd.)

Mayor LaRosiliere spoke to the quality of Plano and with only seven percent of the City's land available, planning is required for it to continue to be a vibrant city. He added the plan includes a blend of development, all zoning issues will be vetted, and the plan does not grant zoning decisions. Council Member Miner thanked everyone for participation in the process. She stated the plan maintains the City's vitality and that it is a guideline, not a blanket zoning decision. Council Member Harrison stated Plano is an excellent suburban city. He expressed concern the plan is not complete, is too broadly defined and suggested tabling the item.

Council Member Grady suggested sending the plan to the American Planner Association for an unbiased opinion and third party review and added he was in favor of the plan. Council Member Downs advised he is not in favor of capping apartments and is concerned there would be a rush to build. He stated the plan is a simple framework for planning and that concerns would be addressed individually through zoning cases. Council Member Kelley spoke to the concerns of many citizens and although the plan has many positives, due to the citizen's hypersensitivity to apartments and other refinement of data points, he is in favor of tabling the item.

Deputy Mayor Pro Tem Harris stated he has lived here all of his life and that the Plano of today is different than Plano of twenty-five years ago and Plano of the future will be different as well. He advised each zoning case is approved on its own merits and encouraged citizen engagement during zoning cases. Mayor Pro Tem Smith stated it was good to see the community involvement and that the plan is a good framework for the future. She encouraged citizens to remain involved and come to meetings in the future. In response to Mayor LaRosiliere, Ms. Day stated with only seven percent of land available it is unlikely 40,000 apartments would be constructed since the majority of the land is earmarked for economic development.

Upon a motion made by Mayor LaRosiliere and seconded by Council Member Downs, the Council voted 6-2, with Council Members Kelley and Harrison voting in opposition, to adopt the Plano Tomorrow Comprehensive Plan, providing the vision statements, policies, action statements, and maps as developed for the purpose of guiding future development within the City of Plano, Texas; repealing the current Comprehensive Plan, including Resolution No. 86-11-22(R), Resolution No. 87-2-21(R), Resolution No. 87-9-4(R), Resolution No. 88-1-18(R), Ordinance No. 2002-12-6, elements, maps, policy statements, and all additions and amendments thereto; and further to adopt Ordinance No. 2015-10-9.

With no further business, Mayor LaRosiliere adjourned the meeting at 11:21 p.m.

Harry LaRosiliere, Mayor

ATTEST

Lisa C. Henderson, City Secretary