

# CITY COUNCIL

1520 AVENUE K



DATE: 5/12/2014  
 CALL TO ORDER: 7:00 p.m.  
 INVOCATION: Fr. Wesley Evans  
 Holy Nativity Episcopal Church  
 PLEDGE OF ALLEGIANCE: Cub Scout Pack 480  
 Haggar Elementary

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>OUR MISSION - THE CITY OF PLANO IS A REGIONAL AND NATIONAL LEADER, PROVIDING OUTSTANDING SERVICES AND FACILITIES THROUGH COOPERATIVE EFFORTS THAT ENGAGE OUR CITIZENS AND THAT CONTRIBUTE TO THE QUALITY OF LIFE IN OUR COMMUNITY.</p> <p><b>The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.</b></p> <p><b><u>PROCLAMATIONS &amp; SPECIAL RECOGNITION</u></b></p> <p>PRESENTATION: Standberry Scholarships, honoring former Plano employee Paul Standberry, are being awarded to two Plano students</p> <p>PROCLAMATION: Motorcycle Safety and Awareness Month reminds us to be attentive to other vehicles on the road</p> <p>PROCLAMATION: National Historic Preservation Month encourages the saving of American historic treasures</p> <p>PROCLAMATION: During the week of May 12 Plano will celebrate Bike to Work Week and Bike to Work Day</p> <p><b><u>OATHS OF OFFICE</u></b></p> <p><b><u>North Texas Municipal Water District Board</u></b></p> <p>Shep Stahel</p> <p><b><u>Tax Increment Financing Reinvestment Zone No. 2 Board</u></b></p> <p>Farrah Ahmed</p>	<p>Presented</p> <p>Presented</p> <p>Presented</p> <p>Presented</p>

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	<p><b><u>CERTIFICATES OF APPRECIATION</u></b></p> <p><b><u>Photographic Traffic Signal Advisory Committee</u></b></p> <p>Alyse Ferguson-Evans</p> <p><b><u>Self Sufficiency Committee</u></b></p> <p>Dr. Emmanuel Umoh</p> <p><b><u>Tax Increment Financing Reinvestment Zone No. 2 Board</u></b></p> <p>Thomas Buning</p> <p><b><u>COMMENTS OF PUBLIC INTEREST</u></b></p> <p><b><u>This portion of the meeting is to allow up to five (5) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.</u></b></p> <p><b><u>CONSENT AGENDA</u></b></p> <p><b><u>The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. Citizens are limited to two (2) items and discussion time of three (3) minutes each.</u></b></p>	
(a)	<p><b><u>Approval of Minutes</u></b></p> <p>April 28, 2014</p>	Approved
(b)	<p><b><u>Approval of Expenditures</u></b></p> <p><b><u>Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)</u></b></p> <p>CSP 2014-111-C for a five (5) year contract with two (2) City optional two (2) year renewals, for Print Management Services to NovaCopy, Inc. in the estimated annual amount of \$162,444 or an estimated amount of \$812,220 over a five year period, and authorizing the City Manager to execute all necessary documents.</p>	Approved
(c)	<p>CSP 2014-139-C for a three (3) year contract with two (2) City optional one (1) year renewals, for Camera Installation Services, Software and Maintenance to Sigma Surveillance, Inc. d/b/a STS360 in the estimated amount of \$546,725 and authorizing the City Manager to execute all necessary documents.</p>	Approved

ITEM NO.	EXPLANATION	ACTION TAKEN
(d)	<p><b>Purchase from an Existing Contract</b></p> <p>To approve the purchase of Software Maintenance and Support Services, for one (1) year with three (3) City optional one (1) year renewals, for JD Edwards and PeopleSoft Software, in the estimated annual amount of \$375,515 from Oracle America, Inc. through an existing DIR (Department of Information Resources) contract and authorizing the City Manager to execute all necessary documents. (DIR-TSO-2539)</p>	Approved
(e)	<p><b>Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)</b></p> <p>To approve an Engineering Services Agreement by and between the City of Plano and Half Associates, Inc., in the amount of \$398,095 for the White Rock Creek &amp; Prairie Creek Sewer Mains Rehabilitation project and authorizing the City Manager to execute all necessary documents.</p>	Approved
(f)	<p>To approve a Landscape Architecture Services Agreement by and between the City of Plano and David McCaskill Design Group in the amount of \$759,800 for design services for Jack Carter Pool Replacement and authorizing the City Manager to execute all necessary documents.</p>	Approved
(g)	<p><b>Adoption of Resolutions</b></p> <p>Resolution No. 2014-5-1(R): To approve the terms and conditions of a First Amendment to the Economic Development Incentive Agreement between the City of Plano, Texas and FedEx Office and Print Services, Inc., a Texas corporation; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(h)	<p>Resolution No. 2014-5-2(R): To approve the terms and conditions of an Economic Development Incentive Agreement by and between Toyota Motor North America, Inc., a California corporation, and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(i)	<p>Resolution No. 2014-5-3(R): To approve the terms and conditions of an Economic Development Incentive Agreement for Tax Rebate for calendar years 2028-2037 by and between Toyota Motor North America, Inc., a California corporation, and the City of Plano, Texas; authorizing its execution by the City Manager; and providing an effective date.</p>	Adopted
(j)	<p>Resolution No. 2014-5-4(R): To deny the rate increase requested by Atmos Energy Corp., Mid-Tex Division under the Company's 2014 annual Rate Review Mechanism filing in all cities exercising original jurisdiction; requiring the Company to reimburse cities' reasonable ratemaking expenses pertaining to review of the RRM; authorizing the City's participation with Atmos Cities Steering Committee in any appeal filed at the Railroad Commission of Texas by the Company; requiring the Company to reimburse cities' reasonable ratemaking expenses in any such appeal to the Railroad Commission; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; requiring delivery of this resolution to the Company and the Steering Committee's legal counsel; and providing an effective date.</p>	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(k)	Resolution No. 2014-5-5(R): To approve the terms and conditions of a Restated and Amended Development Agreement between the City of Plano and Southern Land Company, LLC for development of Junction15 Plano; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(l)	Resolution No. 2014-5-6(R): To approve the hiring of Brandi Youngkin as Assistant City Attorney II by the City Attorney; and providing an effective date.	Adopted
(m)	<p><b><u>Adoption of Ordinances</u></b></p> <p>Ordinance No. 2014-5-7: To amend Section 11-141 Definitions and Section 11-156 Itinerant Vendors, of Article IV Peddlers and Solicitors, of Chapter 11 Licenses and Business Regulations, of the Code of Ordinances of the City of Plano to amend the definition for itinerant vendor, to establish definitions for carnival and carnival operator, to increase the permit fee for itinerant vendors, and to establish regulations for temporary carnivals on private property within the City of Plano; and providing a repealer clause, a severability clause; a savings clause, a penalty clause, a publication clause and an effective date.</p>	Adopted
<p><b><u>ITEMS FOR INDIVIDUAL CONSIDERATION:</u></b></p>		
<p><b><u>Public Hearing Items: Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.</u></b></p>		
<p><b><u>Non-Public Hearing Items: The Presiding Officer may permit limited public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.</u></b></p>		

ITEM NO.	EXPLANATION	ACTION TAKEN
(1)	Public Hearing and adoption of Ordinance 2014-5-8 to amend Ordinance No. 2014-2-2 to designate a new geographic area within the City of Plano, Texas, as Reinvestment Zone No. 137 for tax abatement consisting of a 21.000 acre tract of land located in the J.C. Barrow Survey, Abstract No. 91, City of Plano, Collin County, Texas and, being part of Lot 1, Block B of J.C. Penney Headquarters, an addition to the City of Plano according to the plat thereof recorded in Cabinet G, Slide 783 of the Map records of Collin County, Texas, being part of a tract of land described as Tract II in Limited General Warranty Deed to SWC Tollway & 121 LLC, recorded in Instrument No. 2014-10254, Deed Records of Denton County, Texas and described in Exhibit "A", attached hereto, in the City of Plano, Texas, establishing the boundaries of such zone; ordaining other matters related thereto; and providing an effective date.	Conducted and Adopted
(2)	Resolution No. 2014-5-9(R): To approve the terms and conditions of a First Amendment to the Tax Abatement Agreement between the City of Plano, Texas, FedEx Office and Print Services, Inc., a Texas corporation, and KDC Legacy HQ Investments One, LP, a Texas limited partnership; authorizing its execution by the City Manager; and providing an effective date.	Adopted
(3)	Public Hearing and adoption of Ordinance No. 2014-5-10 to designate a certain area within the City of Plano, Texas, as Reinvestment Zone No. 138 for tax abatement consisting of a 99.816 acre tract of land located in the J.C. Barrow Survey, Abstract No. 91, the J.W. Haynes Survey, Abstract No. 458 and the William G. Garvin Survey, Abstract No. 1103, City of Plano, Collin County, Texas, being part of the R.P. Harding Survey, Abstract No. 611, the William Garvin Survey, Abstract No. 453 in the City of Plano, Denton County, Texas, and being part of a tract of land described in Limited General Warranty Deed to SWC Tollway & 121 LLC, recorded in Instrument No. 2014-10254, Deed Records of Denton County, Texas and all of a tract of land described in Special Warranty Deed to KDC Legacy HQ Investments One LP, recorded in Instrument No. 20140225000175910, Land Records of Collin County, Texas, being all of a tract of land described in deed to 121 Epic Commercial, Ltd., recorded in Document No. 2005-60189 of the Official Records of Denton County, Texas, being all of Lots 2 and 3, Block 1 of Lots 1, 2, 3, & 4, Palomino Crossing Addition, an addition to the City of Plano according to the plat recorded in Document 2012-134 of the Official Records of Denton County, Texas and described in Exhibit "A", attached hereto, in the City of Plano, Texas, establishing the boundaries of such zone; ordaining other matters related thereto; and providing an effective date.	Conducted and Adopted
(4)	Resolution No. 2014-5-11(R): To approve the terms and conditions of an agreement by and between the City of Plano, Texas and Toyota Motor North America, Inc., a California corporation, providing for real and business personal property tax abatement; and authorizing its execution by the City Manager; and providing an effective date.	Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(5)	Public Hearing and consideration of an Ordinance as requested in Zoning Case 2014-03 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 644 so as to allow the additional use of Hospital and Specific Use Permit No. 645 so as to allow the additional use of Helistop on 30.4± acres of land located at the southeast corner of Preston Road and Rasor Boulevard, in the City of Plano, Collin County, Texas, presently zoned Planned Development-159-General Office; 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: Commodore Partners, Ltd. (Tabled April 14, 2014)	Conducted and Withdrawal Request Approved
(6)	Public Hearing and adoption of Ordinance 2014-5-12 as requested in Zoning Case 2014-09 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 649 so as to allow the additional use of Private Club on 0.2± acre of land located 550± feet east of Preston Road, 66± feet south of Park Boulevard, in the City of Plano, Collin County, Texas, presently zoned Planned Development-189-Retail/General Office; 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: BHTT Entertainment, Inc.	Conducted and Adopted
(7)	Ordinance No. 2014-5-13: To determine a public necessity to acquire the easement property as described in the attached Exhibit "A", also known as 801 W. Park Blvd., for the public use of the Park Boulevard and US 75 Pedestrian Crossing Project; authorizing the use of the power of eminent domain to condemn the easement property; authorizing the City Manager and City Attorney, or their respective designees, to acquire the property including making initial and bona fide offers, and authorizing the City Attorney to file eminent domain proceedings, if necessary, and providing an effective date.	Adopted
(8)	Ordinance No. 2014-5-14: To determine a public necessity to acquire the easement property as described in the attached Exhibit "A", also known as a portion of 1017 E. 15th Street, of the City of Plano, for the public use of the construction of the Centralized Waste Collection Station on 15th Place Project; authorizing the use of the power of eminent domain to condemn the easement property; authorizing the City Manager and City Attorney, or their respective designees, to acquire the property including making initial and bona fide offers, and authorizing the City Attorney to file eminent domain proceedings, if necessary, and providing an effective date.	Adopted
(9)	Public Hearing and adoption of Ordinance No. 2014-5-15 to amend the Project and Finance Plan for Tax Increment Financing District Reinvestment Zone Number Two; expanding the boundaries of such Zone; extending the term of the Zone for an additional 15 years; and providing a severability clause and an effective date.	Conducted and Adopted

ITEM NO.	EXPLANATION	ACTION TAKEN
(10)	<p>First Reading and consideration of an Ordinance to grant to CoServ Gas, Ltd., d/b/a CoServ Gas, a franchise to furnish and supply gas to the general public in the City of Plano, Collin and Denton Counties, Texas, for the transporting, delivery, sale, and distribution of gas in and out of, and through said municipality for all purposes; providing for the payment of a fee or charge for the use of the streets, alleys, and public ways; providing a severability clause, and an effective date.</p> <p><u>Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal/L Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Senator Florence Shapiro Council Chambers is accessible by elevator to the lower level. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.</u></p>	Approved at first reading