

**PLANO CITY COUNCIL
REGULAR SESSION
July 26, 2021**

COUNCIL MEMBERS PRESENT

John B. Muns, Mayor
Kayci Prince, Mayor Pro Tem
Maria Tu, Deputy Mayor Pro Tem
Anthony Ricciardelli
Rick Grady
Shelby Williams
Julie Holmer
Rick Smith

STAFF PRESENT

Mark Israelson, City Manager
Jack Carr, Deputy City Manager
Shelli Siemer, Deputy City Manager
Greg Rushin, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor Muns convened the Council into the Regular Session on Monday, July 26, 2021 at 7:26 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue and via videoconference. A quorum was present.

Invocation and Pledge

Mayor Pro Tem Prince led the invocation and Council Member Grady led the Pledge of Allegiance and Texas Pledge.

Proclamations and Special Recognitions

Certificates of Commendation: Graduates of the Texas Certified Public Manager Program were recognized.

- **Consent and Regular Agendas**

Comments of Public Interest

Joshua Adair spoke to resources for the homeless.
Jim Kontaratos spoke to homelessness and panhandlers.
Dylan Rafaty spoke to the 31st anniversary of Americans with Disabilities Act.
Kate Garrison spoke to the Americans with Disabilities Act.
Donna Cormier spoke to the police response to a break-in and robbery.

Consent Agenda

MOTION: Upon a motion made by Council Member Grady and seconded by Council Member Ricciardelli, the Council voted 8-0 to approve all items on the Consent Agenda, as follows:

Approval of Minutes

June 26, 2021 Retreat
June 28, 2021
(Consent Agenda Item “A”)

Approval of Expenditures

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

RFB No. 2021-0299-B for a one (1) year contract for Mueller HG-6 Portable Flushing Units for the Public Works Department to Core & Main LP in the estimated annual amount of \$51,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

RFB No. 2021-0421-B for One-ton SRW Utility Body Pickup Trucks for Fleet Services to be used by various departments to Randall Reed Prestige Ford in the amount of \$168,660; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

RFB No. 2021-0408-B for the Cartograph Concrete Sidewalk Repairs - 2021, Project 7355, for the Public Works Department to Alvand Construction, Inc., dba Advance Contracting Group, in the amount of \$792,700; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

RFB No. 2021-0398-ER for the initial term of \$1,789,700 or two (2) years, whichever occurs first, with two (2) City optional renewals for Residential Concrete Pavement Maintenance Requirements Contract - 2021, Project 7350, for Public Works Department to Alvand Construction, Inc., dba Advance Contracting Group in the amount of \$1,789,700 for each term; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

RFB No. 2021-0348-AC for a one (1) year contract with four (4) automatic one-year renewals for Public Grounds Fertilization and Weed Control Service for the Parks and Recreation Department to GroGreen, Inc. in the estimated annual contract amount of \$99,921; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

RFB No. 2021-0194-B for 15th Place Utility Relocation, Project No. 6868, for Engineering to Fast General Contracting, LLC in the amount of \$268,500; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

RFP No. 2020-0601-BR for a one (1) year contract with four (4) automatic one-year renewals for a Traffic Management Center Audiovisual System for Traffic Engineering to AVI-SPL, LLC in the total amount of \$368,289; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

CSP No. 2021-0178-B for Joint Use Police Substation Remodel, Project No. 7281, for the Facilities Department to Pogue Construction Co., LP in the amount of \$1,159,615; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

RFB No. 2021-0318-B for 2019 Drainage Improvements, Project No. 7156, for the Engineering Department to Joel Brown & Co. LLC dba J.B. & Co. LLC in the amount of \$1,997,742; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “J”)

RFP No. 2020-0706-AC for a five (5) year contract with five (5) automatic one-year renewals for Security Camera Supplier and Installation Services for Technology Services to Securadyne Systems Texas LLC dba Allied Universal Technology Services in the total estimated amount of \$2,366,895; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “K”)

Purchase from an Existing Contract

To approve the purchase of one (1) Six Yard Dump Truck for Fleet Services to be used by Streets in the amount of \$99,269 from MHC Kenworth through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 601-19) (Consent Agenda Item “L”)

To approve the purchase of two (2) Kenworth T370 12-14 Yard Dump Trucks with Ox Bodies Dump Body for Fleet Services to be used by various departments in the amount of \$234,402 from MHC Kenworth through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 601-19) (Consent Agenda Item “M”)

Approval of Expenditure

To approve an expenditure for a Professional Services Agreement for Water System Leak Detection Program, Project No. 7357, in the amount of \$196,400 from Utilis, Inc. for the Public Works Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “N”)

To ratify an expenditure in the amount of \$253,125 for grinding and hauling services generated by the February winter storm emergency from The Organic Recycler; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “O”)

To ratify an expenditure in the amount of \$99,977 for Erosion Control - Prairie Creek at Independence Parkway, Project No. 7051, from TREG Erosion Control Specialist, LLC for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “P”)

To approve an expenditure for engineering professional services for Water Rehab - Parker Road Estates Phase 1, Project No. 7356, in the amount of \$306,727 from Raymond L. Goodson, Jr., Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “Q”)

Approval of Contract / Agreement

To approve an Interlocal Agreement by and between the City of Plano, Texas and University of Texas at Dallas in the amount of \$97,000 for providing education services as a part of the City’s Professional Development program for the Human Resources Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “R”)

To approve an Interlocal Agreement by and between the City of Plano and the North Central Texas Council of Governments (NCTCOG) in the amount of \$52,506 for the acquisition of 2021 digital orthophotography and planimetric data for Technology Services; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “S”)

Adoption of Resolutions

Resolution No. 2021-7-1(R): To call for a public hearing on the creation of a public improvement district, the Collin Creek Garage Public Improvement District, being located within the corporate limits of the City of Plano; and providing an effective date. (Consent Agenda Item “T”)

Adoption of Ordinances

Ordinance No. 2021-7-2: To amend and restate the Retirement Security Plan generally effective as of January 1, 2022; authorizing its execution by the City Manager; providing a repealer clause, a severability clause, a savings clause, and an effective date. (Consent Agenda Item “U”)

Ordinance No. 2021-7-3: To amend Section 15-3 of Article 1, Chapter 15, Parks and Recreation, of the Code of Ordinances of the City of Plano; revising the prohibited activities; and providing a repealer clause, a severability clause, a penalty clause, a savings clause, a publication clause and an effective date. (Consent Agenda Item “V”)

End of Consent

Items from the Preliminary Open Meeting

- **Noise Ordinance Update (continued from Preliminary Open Meeting)**
The Council expressed concurrence to move forward with a permitting process for music/entertainment venues. An ordinance will be brought back for consideration at a future meeting. Council Member Williams requested a discussion regarding a sound proofing requirement for new construction next to a music/entertainment venue.
- **Residential Lighting Update**
The Council expressed concurrence for staff to review and bring an updated ordinance for consideration at future meeting.

- **Council items for discussion/action on future agendas**

Council member Smith, seconded by Council Member Ricciardelli, requested an operations update for Rowlett Creek Treatment Plant from North Texas Municipal Water District at the August 9th meeting. At the end of the regular meeting Council Member Williams requested Council charitable fund raising be discussed at a future meeting.

Regular Agenda Items

Public Hearing and adoption of Ordinance No. 2021-7-4 as requested in Zoning Case 2021-008 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-94-Retail on 2.2 acres of land located at the northeast corner of 15th Street and Greenway Drive in the City of Plano, Collin County, Texas, to allow restaurant/cafeteria as permitted uses and to modify development standards which may include but are not limited to parking; 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: Greenway Village, Ltd. (Tabled at the June 28, 2021, City Council meeting.) (Regular Item “1”)

Mayor Muns opened the public hearing. Peter Kavanagh, representing the applicant, was available for questions. No one requested to speak. Mayor Muns closed the public hearing.

MOTION: Upon a motion made by Council Member Ricciardelli and seconded by Council Member Williams, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-94-Retail on 2.2 acres of land located at the northeast corner of 15th Street and Greenway Drive in the City of Plano, Collin County, Texas, to allow restaurant/cafeteria as permitted uses and to modify development standards which may include but are not limited to parking; directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2021-008; with the stipulation of drive-through services are only allowed with approval of a specific use permit; and further to adopt Ordinance No. 2021-7-4.

Public Hearing and adoption of Ordinance No. 2021-7-5 as requested in Zoning Case 2021-009 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 29 for Used Vehicle Dealer on 5.8 acres of land located on the west side of Preston Road, 142 feet north of State Highway 190, in the City of Plano, Collin County, Texas, presently zoned Planned Development-201-Light Commercial; 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: Prestige Posh, LLC. (Regular Item “2”)

Mayor Muns opened the public hearing. Applicant Jake Hertz and Barry Knight, representing the developer of the site, were available for questions. No one requested to speak. Mayor Muns closed the public hearing.

Public Hearing and adoption of Ordinance No. 2021-7-5 (Cont'd.)

MOTION: Upon a motion made by Council Member Smith and seconded by Mayor Pro Tem Prince, the Council voted 8-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 29 for Used Vehicle Dealer on 5.8 acres of land located on the west side of Preston Road, 142 feet north of State Highway 190, in the City of Plano, Collin County, Texas, presently zoned Planned Development-201-Light Commercial; directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2021-009; and further to adopt Ordinance No. 2021-7-5.

Public Hearing and adoption of Ordinance No. 2021-7-6 as requested in Zoning Case 2021-011 to amend Article 8 (Definitions), Article 13 (Lot and Building Standards), Article 14 (Allowed Uses and Use Classifications), Article 16 (Parking and Loading), Article 22 (Signs), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to community center, public building, library, and related uses; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. (Regular Item “3”)

Mayor Muns opened the public hearing. No one requested to speak. Mayor Muns closed the public hearing.

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Deputy Mayor Pro Tem Tu, the Council voted 8-0 to amend Article 8 (Definitions), Article 13 (Lot and Building Standards), Article 14 (Allowed Uses and Use Classifications), Article 16 (Parking and Loading), Article 22 (Signs), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to community center, public building, library, and related uses; directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2021-011; and further to adopt Ordinance No. 2021-7-6.

Mayor Pro Tem Prince left the meeting at 8:30 p.m.

Public Hearing and consideration of an Ordinance to accept and approve a Service and Assessment Plan and Assessment Roll for the Collin Creek East Public Improvement District; making a finding of special benefit to the property in the District; levying Assessments against property within the District and establishing a lien on such property; providing for the method of assessment and the payment of the Assessments in accordance with Chapter 372, Texas Local Government Code, as amended; providing penalties and interest on delinquent Assessments; providing for severability; resolving matters incident and related thereto; and providing an effective date. (Opened and Tabled at the June 28, 2021, City Council meeting.) (Regular Item “4”)

Mayor Muns opened the public hearing.

Public Hearing and consideration of an Ordinance to accept and approve a Service and Assessment Plan and Assessment Roll for the Collin Creek East Public Improvement District (Cont'd.)

MOTION: Upon a motion made by Council Member Ricciardelli and seconded by Council Member Grady, the Council voted 7-0 to table the item to the August 23, 2021, City Council meeting.

Public Hearing and consideration of an Ordinance to accept and approve a Service and Assessment Plan and Assessment Roll for the Collin Creek West Public Improvement District; making a finding of special benefit to the property in the District; levying Assessments against property within the District and establishing a lien on such property; providing for the method of assessment and the payment of the Assessments in accordance with Chapter 372, Texas Local Government Code, as amended; providing penalties and interest on delinquent Assessments; providing for severability; resolving matters incident and related thereto; and providing an effective date. (Opened and Tabled at the June 28, 2021, City Council meeting.) (Regular Item “5”)

Mayor Muns opened the public hearing.

MOTION: Upon a motion made by Council Member Grady and seconded by Deputy Mayor Pro Tem Tu, the Council voted 7-0 to table the item to the August 23, 2021, City Council meeting.

Public Hearing and adoption of Resolution No. 2021-7-7(R) to adopt the 2021-2022 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2021-2022; and providing an effective date. (Regular Item “6”)

Mayor Muns opened the public hearing. No one requested to speak. Mayor Muns closed the public hearing.

MOTION: Upon a motion made by Council Member Grady and seconded by Deputy Mayor Pro Tem Tu, the Council voted 7-0 to adopt the 2021-2022 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2021-2022; and further to adopt Resolution No. 2021-7-7(R).

Resolution No. 2021-7-8(R): To approve Dallas Area Rapid Transit (“DART”) Resolution No. 210036 for the acquisition of Parcel CB3-013 at 910 10th Street in the City of Plano, Texas for the purpose of construction, improvement, and operation of DART’s Silver Line Regional Rail Project and other public improvements and projects related hereto; and providing an effective date. (Tabled at April 26, 2021, City Council meeting.) (Regular Item “7”)

Greg Althoff, representing DART, responded to Council’s questions.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tu and seconded Council Member Grady, the Council voted 7-0 to approve Dallas Area Rapid Transit (“DART”) Resolution No. 210036 for the acquisition of Parcel CB3-013 at 910 10th Street in the City of Plano, Texas for the purpose of construction, improvement, and operation of DART’s Silver Line Regional Rail Project and other public improvements and projects related hereto; and further to adopt Resolution No. 2021-7-8(R).

Consideration of a Resolution to approve Dallas Area Rapid Transit (“DART”) Resolution No. 210036 for the acquisition of Parcel CB3-014 at 901 10th Street in the City of Plano, Texas for the purpose of construction, improvement, and operation of DART’s Silver Line Regional Rail Project and other public improvements and projects related hereto; and providing an effective date. (Tabled at April 26, 2021, City Council meeting.) (Regular Item “8”)

Clint Schumacher, representing the property owner, spoke to the request. Greg Althoff, representing DART, responded to Council’s questions.

MOTION: Upon a motion made by Council Member Grady and seconded by Council Member Williams, the Council voted 7-0 to table the item to the September 27, 2021, City Council meeting.

Public Hearing and adoption of Resolution No. 2021-7-9(R) to approve the use or taking of a portion of City of Plano public park land, known as Hoblitzelle Trail, pursuant to Chapter 26 of the Texas Parks and Wildlife Code to approve using a portion of dedicated park land as permanent utility easements, permanent access easements and temporary construction easements for the purpose of improvements to the Hoblitzelle Trail located adjacent to the park and extending east to Vineyard Drive; authorizing the City Manager to execute all necessary documents; and providing an effective date. (Regular Item “9”)

Mayor Muns opened the public hearing. No one requested to speak. Mayor Muns closed the public hearing.

MOTION: Upon a motion made by Council Member Grady and seconded Council Member Ricciardelli, the Council voted 7-0 to approve the use or taking of a portion of City of Plano public park land, known as Hoblitzelle Trail, pursuant to Chapter 26 of the Texas Parks and Wildlife Code to approve using a portion of dedicated park land as permanent utility easements, permanent access easements and temporary construction easements for the purpose of improvements to the Hoblitzelle Trail located adjacent to the park and extending east to Vineyard Drive; authorizing the City Manager to execute all necessary documents; and further to adopt Resolution No. 2021-7-9(R).

With no further discussion, the Regular City Council Meeting adjourned at 9:19 p.m.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary