

**PLANO CITY COUNCIL
REGULAR SESSION
May 23, 2022**

COUNCIL MEMBERS PRESENT

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

STAFF PRESENT

Mark Israelson, City Manager – via Zoom
Shelli Siemer, Deputy City Manager
Sam Greif, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary
Andrew Fortune, Director of Policy and Government Relations

Mayor Muns convened the Council into the Regular Session on Monday, May 23, 2022 at 7:00 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

Pastor Peter Park with Chase Oaks Church – Legacy Campus led the invocation and Cub Scout Pack 4380 with Bethany and Mathews Elementary Schools led the Pledge of Allegiance and Texas Pledge.

Proclamations and Special Recognitions

Presentation: Plano Public Library has earned the Texas Library Association Texas Youth Creators Award, the Texas Library Association Branding Iron Award, and the Demco/Upstart Innovation Programming Award.

Comments of Public Interest

Joli Robinson spoke to homelessness.
Catherine Quagiliana Parker spoke to short-term rental concerns.
Bill France spoke to short-term rental concerns.
Irene Yeh spoke to short-term rental concerns.
Glen Middleton spoke to short-term rental concerns.
Sharon Overall spoke to second hand smoke concerns.
James Lockridge spoke to code compliance issues.

Comments of Public Interest (Cont'd)

Willie Clarence addressed the Council.

Dave Schwarte spoke to short-term rental concerns.

Mark Tuttle spoke to lack of public restrooms at DART stations.

Consent Agenda

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Council Member Ricciardelli, the Council voted 8-0 to approve all items on the Consent Agenda, except Consent Items “C”, “D”, L, “M” and “N”; as follows:

Approval of Minutes

April 28, 2022 Retreat

May 3, 2022 Special Called

May 9, 2022 Special Called

May 9, 2022

(Consent Agenda Item “A”)

Approval of Expenditures

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

RFP No. 2022-0030-AC for a three (3) year contract with two (2) one-year automatic renewals for Household Hazardous Waste Collection for Environmental Waste Services to Clean Earth Environmental Solutions, Inc. in the estimated amount of \$443,372 for the first term, and a total estimated amount of \$738,952 for the total contract; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

RFB No. 2022-0410-B for Arterial Concrete Repair Plano Parkway - US 75 to East City Limit, Project No. 7432, for the Public Works Department to Alvand Construction Inc. dba Advance Contracting Group in the amount of \$6,776,100; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

RFB No. 2022-0401-B for Alley Reconstruction – Armstrong Drive, Early Morn Drive, Fremont Lane, Elmcrest Circle, N Avenue to Concord Circle, Bosque Drive, Project No. 7291, for the Engineering Department to Austin Raymond Construction, LLC dba Texas Civil Construction in the amount of \$1,081,658; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

RFB No. 2022-0311-B for Japonica Lane, R Avenue, Puma Road and Felix Drive – Paving & Water Reconstruction, Project No. 7240, for the Engineering Department to KIK Underground, LLC in the amount of \$2,401,463; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

Purchase from an Existing Contract

To approve the purchase of bulk fuels for a period of one (1) year with an option of three (3) one-year renewals for Fleet Services in the estimated annual amount of \$500,000, for an estimated total amount of \$1,917,667, from Jack Ray Oil Company through an existing contract; and authorizing the City Manager to execute all necessary documents. (Tarrant County Contract No. 2022-063) (Consent Agenda Item “H”)

To approve the purchase of Schimelpfenig Library Dumpster Enclosure and ADA Upgrades to Parking Lot and Sidewalks for the Facilities Department in the amount of \$135,894 from RS Commercial Construction, LLC through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 581-19) (Consent Agenda Item “I”)

To ratify the purchase of generators for the Facilities division in the estimated amount of \$337,402 from Loftin Equipment Co. through an existing contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. GE02-20) (Consent Agenda Item “J”)

Approval of Expenditure

To approve the expenditure of additional Brush and Wood Grinding Services in the annual amount of \$210,000 from Lawn Connection LLC and The Organic Recycler, LLC for the Compost Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2022-0144-AC) (Consent Agenda Item “K”)

Adoption of Resolutions

Resolution No. 2022-5-8(R): To approve the Investment Portfolio Summary for the quarter ended March 31, 2022 and providing an effective date. (Consent Agenda Item “O”)

Resolution No. 2022-5-9(R): To approve the terms and conditions of a Local Project Advance Funding Agreement (LPAFA) between the City of Plano and the Texas Department of Transportation (TxDOT) for the bridge replacement on W. Parker Road at Pittman Creek; authorizing the City Manager to take such action and execute such documents as necessary to effectuate the agreement herein; and providing an effective date. (Consent Agenda Item “P”)

End of Consent

Council Member Ricciardelli stepped away from the dais.

RFB No. 2022-0396-B for Arterial Overlay Repair Legacy Drive - Custer Road to US 75, Project No. 7431, for the Public Works Department to Austin Bridge & Road, LP in the amount of \$1,272,973; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Council Member Williams, the Council voted 7-0, with Council Member Ricciardelli abstaining, to approve RFB No. 2022-0396-B for Arterial Overlay Repair Legacy Drive - Custer Road to US 75, Project No. 7431, for the Public Works Department to Austin Bridge & Road, LP in the amount of \$1,272,973; and authorizing the City Manager to execute all necessary documents.

RFB No. 2022-0422-B for Arterial Overlay - Coit Road and Plano Parkway, Project No. 7145.1, for the Public Works Department to Austin Bridge & Road, LP in the amount of \$4,634,812; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Mayor Pro Tem Prince, the Council voted 7-0, with Council Member Ricciardelli abstaining, to approve RFB No. 2022-0422-B for Arterial Overlay - Coit Road and Plano Parkway, Project No. 7145.1, for the Public Works Department to Austin Bridge & Road, LP in the amount of \$4,634,812; and authorizing the City Manager to execute all necessary documents.

Council Member Ricciardelli returned to the dais.

To approve an expenditure for Management Services at the Pecan Hollow Golf Course for a four (4) year contract with two (2) four-year automatic renewals from Plano Golf Course, Inc., dba Pecan Hollow Golf; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “L”)

MOTION: Upon a motion made by Council Member Ricciardelli and seconded by Council Member Williams, the Council voted 8-0 to table the item to the June 13, 2022 City Council meeting.

To approve an expenditure in the amount of \$282,958 for the purchase of a Sanitary Sewer Easement and a Temporary Construction Easement located along President George Bush Turnpike access road from Custer Road to the western property line with 2300 Plano Parkway from Custer Highway 190 Joint Venture; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “M”) **This item was not considered.**

To approve an expenditure in the amount of \$437,460 for the purchase of a Sanitary Sewer Easement and a Temporary Construction Easement located along President George Bush Turnpike access road from west of McKittrick Road to Custer Road from RPC Walnut, LLC; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “N”) **This item was not considered.**

Consideration and action to rename the North Courtroom at the Raymond Robinson Justice Center. (Regular Item “1”)

MOTION: Upon a motion made by Council Member Smith and seconded by Council Member Holmer, the Council voted 8-0 to rename the North Courtroom at the Raymond Robinson Justice Center the Hon. Donald J. Stevenson Courtroom.

Deputy Mayor Pro Tem Tu stepped away from the dais.

Resolution No. 2022-5-10(R): To appoint Paul Francis McNulty as the Chief Judge of the Municipal Court of the City of Plano, Texas; setting the term of office and compensation for the Judge; and providing an effective date. (Regular Item “2”)

Jamar Osborne spoke in opposition of the resolution.

MOTION: Upon a motion made by Council Member Williams and seconded by Council Member Smith, the Council voted 7-0, with Deputy Mayor Pro Tem Tu abstaining, to appoint Paul Francis McNulty as the Chief Judge of the Municipal Court of the City of Plano, Texas; setting the term of office and compensation for the Judge; and providing an effective date; and further to adopt Resolution No. 2022-5-10(R).

Deputy Mayor Pro Tem Tu returned to the dais.

Recognition of Outgoing Chief Municipal Judge Stevenson and Oath of Office for Incoming Chief Municipal Judge McNulty. (Regular Item “3”)

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2022-001 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-64-Central Business-1 on 137.3 acres of land located at the southwest corner of State Highway 121 and the Dallas North Tollway in the City of Plano, Collin County, Texas, to modify the location and development standards for mid-rise residential and the requirements for open space; 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: Columbus Realty Partners (Request to table to June 13, 2022, City Council Meeting.) (Regular Item “4”)

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 Council Member Ricciardelli, the Council voted 8-0 to table the item to the June 13, 2022 City Council meeting.

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2022-008 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-65-Central Business-1 on 275.1 acres of land located at the northeast corner of the Dallas North Tollway and Tennyson Parkway in the City of Plano, Collin County, Texas, to amend the design guidelines for open space for Tracts C and D in Planned Development-65-Central Business-1; 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 (Request to table to June 13, 2022, City Council meeting.) (Regular Item “5”)

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 Ricciardelli and seconded by Council Member Williams, the Council voted 8-0 to table the item to the June 13, 2022 City Council meeting.

Public Hearing and adoption of Ordinance No. 2022-5-11 as requested in Zoning Case 2022-004 to amend Article 14 (Allowed Uses and Use Classifications), Article 15 (Use-Specific Regulations), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to Tattooing and Permanent (or Intradermal) Cosmetics and related land uses in the Downtown Business/Government (BG) zoning district; 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 “6”)

Mayor Muns opened the public hearing. Jennifer Bailey spoke in support of the request. Mayor Muns closed the public hearing.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Council Member Smith, the Council voted 5-3, with Mayor Pro Tem Prince and Council Members Ricciardelli and Williams in opposition, to amend Article 14 (Allowed Uses and Use Classifications), Article 15 (Use-Specific Regulations), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to Tattooing and Permanent (or Intradermal) Cosmetics and related land uses in the Downtown Business/Government (BG) zoning district; as requested in Zoning Case 2022-004; and further to adopt Ordinance No. 2022-5-11.

With no further discussion, the Regular City Council Meeting adjourned at 8:30 p.m.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary