

**PLANO CITY COUNCIL
REGULAR SESSION
January 9, 2023**

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
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, January 9, 2023 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

Minister Peyton Coker with Prestonwood Baptist Church led the invocation and Boys and Girls Clubs of Collin County – Plano led the Pledge of Allegiance and Texas Pledge.

Oaths of Office

Mansoor Karimi - Board of Adjustment

Comments of Public Interest

Shanon Hawkins spoke to community concerns.
James Lockridge spoke to code compliance matters.

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

December 6, 2022
December 12, 2022
(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. 2023-0077-B for the Alley Concrete Pavement Repair Zones L2 & L3, Project No. 7569, for the Public Works Department to Cam-Crete Contracting, Inc. in the amount of \$3,454,350; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

RFP No. 2022-0299-B for a one-time contract for Tree Inventory and Risk Assessment for Parks and Recreation Department to PlanIT Geo, Inc. in the estimated amount of \$145,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

RFB No. 2022-0698-B for Alley Reconstruction - Chandler Drive, Piedra Drive, Brunchberry Lane, Northcrest Drive & Karen Court, Project No. 7305, for the Engineering Department to Jim Bowman Construction Company, L.P. in the amount of \$1,290,997; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

RFP No. 2022-0588-AC for a one (1) year contract with five (5) automatic one-year renewals for Parks Litter Removal for Parks and Recreation Department to Lawn Star Landscape in the estimated annual amount of \$625,330; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

RFB No. 2022-0725-B for Erosion Control Improvements at Two Aerial Crossings and Hedgcoxe Undercrossing Trail Phase 1 – 6039.1, Project No. 6913, for the Engineering Department to Ragle Construction, Inc. in the amount of \$2,586,341; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

Purchase from an Existing Contract

To approve the purchase of five (5) Half-ton Pickup Trucks for Fleet Services to be used by various departments in the amount of \$147,506 from Randall Reed's Planet Ford 635 through an existing contract; and authorizing the City Manager to execute all necessary documents. (SAT Contract No. 22-03-1008) (Consent Agenda Item “G”)

To approve the purchase of MasterSeal Infield Mix for the Parks and Recreation Department in the estimated amount of \$132,415 from MasterTurf Products and Services, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 611-20) (Consent Agenda Item “H”)

To approve the purchase of EMS Billing and Collection Services for a one (1) year contract with three (3) one-year City optional renewals for Plano Fire-Rescue in the estimated annual amount of \$270,000 from Digitech Computer, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (City of Mesquite Contract No. 2022-001) (Consent Agenda Item “I”)

Approval of Contract Modification

To approve an increase to the current awarded contract amount of \$93,500 by \$31,000, for a total contract amount of \$124,500, for Renner Loop Trail Connection Feasibility Study, Project No. 7421, from Kimley-Horn and Associates, Inc. for Parks and Recreation Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2022-0282-X; Modification No. 1) (Consent Agenda Item “J”)

To approve an increase to the current awarded contract amount of \$1,076,600 by \$125,253, for a total annual contract amount of \$1,201,853, for the purchase of additional advertising for Visit Plano from Atkins International, LLC; and authorizing the City Manager to execute all necessary documents. (Contract No. 2017-0400-C, Modification No. 3) (Consent Agenda Item “K”)

To approve an increase to the current awarded contract amount of \$578,628 by \$392,388, for a total contract amount of \$971,016, for four (4) additional MCC 7500E OP positions and related equipment to the City of Plano EOC Backup Dispatch Site, also includes an additional firewall for Public Safety Communications from Motorola Solutions; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. RA05-21; Change Order No. 1) (Consent Agenda Item “L”)

Approval of Change Order

To approve an increase to the current awarded contract amount of \$4,716,481 by \$450,324, for a total contract amount of \$5,166,805, for Arterial Overlay Coit Road and Plano Parkway project from Austin Bridge & Road, LP for the Public Works Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2022-0422-B; Change Order No. 3) (Consent Agenda Item “M”)

Approval of Expenditure

To approve an expenditure for engineering professional services for Emerson Drive Widening - Preston Meadow Drive to Virginia Drive, Project No. 7587, in the amount of \$163,630 from Schaumburg & Polk, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “N”)

To approve an expenditure for Plano Mayor's Summer Internship Program for a term ending September 30, 2024 with one (1) one-year City optional renewal in the estimated annual amount of \$120,000 from VWait Group, LLC for Policy and Government Relations Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “O”)

To approve an expenditure for engineering professional services for Water Rehabilitation - Park Boulevard Phase 2 (US75 to East City Limits), Project No. 7592, in the amount of \$423,434 from Raymond L. Goodson Jr. Inc., dba RLG Consulting Engineers for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “P”)

To approve the expenditure for RAVE Smart 911 Software for a five (5) year contract in the total amount of \$287,299 from RAVE Mobile Safety for Public Safety Communications; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “Q”)

To approve an expenditure for the purchase of Lifepack 15, Power-PRO 2 Cots, and LUCAS devices in the estimated amount of \$563,391 from Stryker Corporation for Plano Fire-Rescue; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “R”)

Approval of Contract / Agreement

To approve a Development Agreement by and between the City of Plano, Texas and TWCP Westheimer Wilcrest, Ltd., a Texas Limited Partnership; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “S”)

To approve an Interlocal Cooperation Contract by and between the City of Plano, Texas and University of Texas at Dallas in the amount of \$91,544 for providing education services as 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 “T”)

To approve an Economic Development Incentive Agreement between the City of Plano, Texas, and Plano Acquisitions, LLC, DBA: Virtex, a Delaware limited liability company (“Company”), providing an economic development grant to the Company; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “U”)

Adoption of Resolutions

Resolution No. 2023-1-1(R): To reappoint Kimberly S. Moore, licensed attorney, to serve a two year term as ethics investigator as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date. (Consent Agenda Item “V”)

Resolution No. 2023-1-2(R): To reappoint Taylor Holcomb, licensed attorney, to serve a two year term as ethics investigator as required by Section 2-104 of the Code of Conduct of the City of Plano; and providing an effective date. (Consent Agenda Item “W”)

Resolution No. 2023-1-3(R): To certify the terms and conditions of an Advance Funding Agreement for a Congestion Mitigation and Air Quality (CMAQ) improvement project for the construction of a continuous bicycle and pedestrian trail from Bradshaw Drive to the future Shiloh Road Silver Line DART Station; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “X”)

End of Consent

Public Hearing and adoption of Ordinance No. 2023-1-4 as requested in Zoning Case 2022-012 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 2.8 acres of land located on the south side of Los Rios Boulevard, 224 feet east of Flintstone Drive in the City of Plano, Collin County, Texas, from Planned Development-320-Estate Development to Single-Family Residence-9 and to amend Ordinance No. 2009-5-17 and Specific Use Permit No. 598 for Day Care Center to reduce the area covered by the permit from 3.9 acres to 1.8 acres due to the removal of the affected portion of the subject property from the permit area; directing changes 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: 3411 Los Rios Blvd, LLC (Regular Item “1”)

Mayor Muns opened the public hearing. Scott Remphrey, partner on the project and president of Brytar Companies, and Robert Baldwin with Baldwin Associates, LLC spoke in support of the project. Mayor Muns closed the public hearing.

MOTION: Upon a motion made by Council Member Grady and seconded by Mayor Pro Tem Prince, the Council voted 8-0 to rezone 2.8 acres of land located on the south side of Los Rios Boulevard, 224 feet east of Flintstone Drive in the City of Plano, Collin County, Texas, from Planned Development-320-Estate Development to Single-Family Residence-9 and to amend Ordinance No. 2009-5-17 and Specific Use Permit No. 598 for Day Care Center to reduce the area covered by the permit from 3.9 acres to 1.8 acres due to the removal of the affected portion of the subject property from the permit area; directing changes accordingly in the official zoning map of the City; as requested in Zoning Case 2022-012; and further to adopt Ordinance No. 2023-1-4.

Public Hearing and adoption of Resolution No. 2023-1-5(R) to adopt the 2022-2023 HOME-American Rescue Plan allocation and proposed use of funds for program year 2022-2023; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of executing the contract consistent with this resolution, giving required assurances, acting in connection with said contract, and providing required information; providing an effective date; and authorizing the City Manager to execute all necessary documents. (Regular Item “2”)

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 Smith and seconded by Deputy Mayor Pro Tem Tu, the Council voted 8-0 to adopt the 2022-2023 HOME-American Rescue Plan allocation and proposed use of funds for program year 2022-2023; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of executing the contract consistent with this resolution, giving required assurances, acting in connection with said contract, and providing required information; providing an effective date; and authorizing the City Manager to execute all necessary documents; and further to adopt Resolution No. 2023-1-5(R).

Public Hearing and adoption of Resolution No. 2023-1-6(R) to authorize the establishment of the Downtown Plano Public Improvement District within the City of Plano, Texas, in accordance with Chapter 372 of the Texas Local Government Code, and authorizing and directing the filing of this Resolution; providing for related matters and providing an effective date. (Regular Item “3”)

Mayor Muns opened the public hearing. Mirna Lynch, William Cravens, Bill Lisle and Bonnie Shea spoke in support of the Downtown Plano Public Improvement District. Mayor Muns closed the public hearing.

MOTION: Upon a motion made by Council Member Grady and seconded by Council Member Smith, the Council voted 8-0 to authorize the establishment of the Downtown Plano Public Improvement District within the City of Plano, Texas, in accordance with Chapter 372 of the Texas Local Government Code, and authorizing and directing the filing of this Resolution; providing for related matters; and further to adopt Resolution No. 2023-1-6(R).

Public Hearing and adoption of Resolution No. 2023-1-7(R) to authorize the establishment of the Haggard Farm Public Improvement District within the City of Plano, Texas, in accordance with Chapter 372 of the Texas Local Government Code, and authorizing and directing the filing of this Resolution; providing for related matters and providing an effective date. (Regular Item “4”)

Mayor Muns opened the public hearing. No one requested to speak. Mayor Muns closed the public hearing. Council took a brief recess at 8:38 p.m. and reconvened at 8:43 p.m.

MOTION: Upon a motion made by Council Member Ricciardelli and seconded by Council Member Holmer, the Council voted 8-0 to authorize the establishment of the Haggard Farm Public Improvement District within the City of Plano, Texas, in accordance with Chapter 372 of the Texas Local Government Code, and authorizing and directing the filing of this Resolution; providing for related matters; and further to adopt Resolution No. 2023-1-7(R).

Resolution No. 2023-1-8(R): To approve and authorize the City Manager to execute an Escrow Agreement relating to the Haggard Farm Public Improvement District; and resolving other matters related thereto. (Regular Item “5”)

MOTION: Upon a motion made by Council Member Ricciardelli and seconded by Mayor Pro Tem Prince, the Council voted 8-0 to approve and authorize the City Manager to execute an Escrow Agreement relating to the Haggard Farm Public Improvement District; and resolving other matters related thereto; and further to adopt Resolution No. 2023-1-8(R).

Council Member Ricciardelli stepped away from the dais.

Consideration to approve a Public Infrastructure Easement Acquisition Agreement by and between the City of Plano, Texas and Plano Mall Owner LP, a Delaware limited partnership; and authorizing the City Manager to execute all necessary documents. (Regular Item “6”)

MOTION: Upon a motion made by Council Member Smith and seconded by Council Member Grady, the Council voted 7-0, with Council Member Ricciardelli abstaining, to approve a Public Infrastructure Easement Acquisition Agreement by and between the City of Plano, Texas and Plano Mall Owner LP, a Delaware limited partnership; and authorizing the City Manager to execute all necessary documents.

With no further discussion, the Regular City Council Meeting adjourned at 8:48 p.m.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary