

**PLANO CITY COUNCIL
REGULAR SESSION
September 11, 2023**

COUNCIL MEMBERS PRESENT

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

STAFF PRESENT

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

Mayor Muns convened the Council into the Regular Session on Monday, September 11, 2023, at 7:03 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 Sam Fenceroy with Mt. Olive Church of Plano led the invocation and Girl Scout Troop 8861 led the Pledge of Allegiance and Texas Pledge.

Proclamations and Special Recognitions

Proclamation: September is National Preparedness Month.

Proclamation: September 21 - 24, 2023, is the H-E-B 1 Central Market Plano Balloon Festival.

Presentation: Plano Citizens Academy honored the 2022-2023 graduates.

Comments of Public Interest

Darrell Rodenbaugh spoke to the 2023 StarDust Community Awards and upcoming arts events. Alexander Stein addressed the Council.

Consent Agenda

MOTION: Upon a motion made by Council Member Ricciardelli and seconded by Council Member Horne, the Council voted 8-0 to approve all items on the Consent Agenda, except Item “H”, as follows:

Approval of Minutes

August 28, 2023
(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. 2023-0412-AC for an initial term of \$292,992 or one (1) year, whichever comes first, with one (1) City optional renewal for Construction Debris Hauling for the Public Works Department to Braxton Transportation, LLC; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

RFB No. 2023-0475-B for Building 062 Plano Event Center Door and Access Control, Project No. FAC-F-7462, for the Engineering Department to Native Consolidated Management LLC in the amount of \$898,323; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Purchase from an Existing Contract

To approve the purchase of Motorola APX Portable Radios, charging banks, and mobile radios for the Animal Services Department in the amount of \$110,123 from Motorola Solutions, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR Contract No. DIR-TSO-4101) (Consent Agenda Item “D”)

To rescind the purchase of Traffic Signal Maintenance from Mel’s Electric, LP and approve the purchase of Traffic Signal Maintenance for a one (1) year contract with two (2) one-year City optional renewals for the Public Works Department in the estimated annual amount of \$600,000 from Mel's Electric, LLC through an existing contract; and authorizing the City Manager to execute all necessary documents. (City of Garland Contract BL-9278 and City of Plano Internal Contract No. 2023-0402-I). (Consent Agenda Item “E”)

Rescind awards of RFB No. 2021-0344-O and RFB No. 2021-0433-O for two (2) Haul Trucks and two (2) Kenworth T370 12-14 Dump Trucks with Ox Bodies Dump Body to MCH Kenworth and to approve the purchase of three (3) Dump Trucks and two (2) Haul Trucks for Fleet Services to be used by various departments in the amount of \$680,591 from Southwest International Trucks through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 601-19) (Consent Agenda Item “F”)

Approval of Change Order

To approve an increase to the current awarded contract amount of \$3,454,350 by \$302,000, for a total contract amount of \$3,756,350, for Alley Concrete Pavement Repairs Zones L2 and L3, Project No. 7569, from Cam-Crete Contracting, Inc. for the Public Works Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2023-0077-B; Change Order No. 1) (Consent Agenda Item “G”)

Approval of Expenditure

To approve an expenditure for Professional Services Data Migration Engagement for a two (2) year, three (3) month contract in the estimated amount of \$150,320 from Girikon, Inc. for the Technology Solutions Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

To approve an expenditure for integration development services in the estimated amount of \$197,000 from Apisero, Inc. for the Technology Solutions Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “J”)

Adoption of Resolutions

Resolution No. 2023-9-1(R): To repeal Resolution No. 2015-1-1(R) and approve an updated Fire Department Fee Schedule for inspection services; and providing a repealer clause, a severability clause, a savings clause and an effective date. (Consent Agenda Item “K”)

Resolution No. 2023-9-2(R): To authorize the City of Plano to participate in and receive funding through the Texas Highway Traffic Safety Program for the Intersection Traffic Control Project, PIN 17560006409000, targeting intersections regulated by a signal light; authorizing the City Manager or his authorized designee to execute the grant agreement and any other documents necessary to effectuate the action taken; and providing an effective date. (Consent Agenda Item “L”)

Resolution No. 2023-9-3(R): To authorize the filing of application for federal funds in an amount not to exceed \$164,105.00 under the Fiscal Year 2023 Homeland Security Grant Program through the Office of the Governor of Texas; designating the Director of Emergency Management as authorized representative of the City of Plano for the purpose of giving required assurances and acting in connection with said application and providing required information; and declaring an effective date. (Consent Agenda Item “M”)

Adoption of Ordinances

Ordinance No. 2023-9-4: To amend Section 8-19, of Article III, of Chapter 8, Fire Prevention and Protection, of the City of Plano Code of Ordinances, to remove the authority to assess certain occupancy inspection fees; and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Consent Agenda Item “N”)

End of Consent

To ratify an expenditure in the amount of \$185,000 for one (1) 4x4 Crew Cab Bucket Truck from Ring Power for Fleet Services; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

Due to a potential conflict of interest, Council Member Ricciardelli stepped away from dais during the item.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Council Member Horne, the Council voted 7-0 to ratify an expenditure in the amount of \$185,000 for one (1) 4x4 Crew Cab Bucket Truck from Ring Power for Fleet Services; and authorizing the City Manager to execute all necessary documents.

Council Member Ricciardelli returned to the dais.

Public Hearing on the proposed tax rate of \$0.4176 per \$100 of taxable value for Fiscal Year 2023-24. (The first Public Hearing was held on August 28, 2023.) (Regular Agenda Item “1”)

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

Ordinance No. 2023-9-5: To approve and adopt the Tax Rate for the fiscal year beginning October 1, 2023 and terminating September 30, 2024; and providing an effective date. (The first Public Hearing was held on August 28, 2023. The second Public Hearing is being held on September 11, 2023, prior to the adoption of this Ordinance.) (Regular Agenda Item “2”)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Council Member Smith, the Council voted 7-0-1, with Council Member Ricciardelli abstaining, that the property tax rate be increased by the adoption of a tax rate of \$0.4176, which is effectively an 8.05 percent increase in the tax rate; and further to adopt Ordinance No. 2023-9-5.

Ordinance No. 2023-9-6: To ratify the property tax revenue in the 2023-24 Budget as a result of the City receiving more revenues from property taxes in the 2023-24 Budget than in the previous fiscal year; and providing an effective date. (The first Public Hearing was held on August 28, 2023. The second Public Hearing is being held on September 11, 2023, prior to the adoption of this Ordinance.) (Regular Agenda Item “3”)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Council Member Williams, the Council voted 7-0-1, with Council Member Ricciardelli abstaining, to ratify the property tax increase reflected in the budget adopted for the fiscal year beginning October 1, 2023 and ending September 30, 2024; and further to adopt Ordinance No. 2023-9-6.

Ordinance No. 2023-9-7: To approve and adopt the Operating Budget and setting the appropriations for the fiscal year beginning October 1, 2023, and terminating September 30, 2024; and providing an effective date. (Public Hearings held on August 14, 2023, August 17, 2023, and August 28, 2023.) (Regular Agenda Item “4”)

Ordinance No. 2023-9-7 (Cont'd.)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Council Member Horne, the Council voted 7-0-1, with Council Member Ricciardelli abstaining, to approve and adopt the Operating Budget and setting the appropriations for the fiscal year beginning October 1, 2023, and terminating September 30, 2024; and further to adopt Ordinance No. 2023-9-7.

Ordinance No. 2023-9-8: To approve and adopt the Community Investment Program and setting the appropriations for the fiscal year beginning October 1, 2023, and ending September 30, 2024; and providing an effective date. (Public Hearings held on August 14, 2023, August 17, 2023, and August 28, 2023.) (Regular Agenda Item “5”)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Council Member Ricciardelli, the Council voted 8-0 to approve and adopt the Community Investment Program and setting the appropriations for the fiscal year beginning October 1, 2023, and ending September 30, 2024; and further to adopt Ordinance No. 2023-9-8.

Ordinance No. 2023-9-9: To repeal Ordinance No. 2022-9-7; establishing the classifications and Compensation Plan for the civil service members of the Plano Fire Department for fiscal year 2023-24 with the effective date of September 25, 2023; establishing the number of positions and Certification and Assignment Pay Plans for the civil service members of the Plano Fire Department for fiscal year 2023-24 with the effective date of October 1, 2023; and providing a repealer clause, a severability clause and an effective date. (Regular Agenda Item “6”)

MOTION: Upon a motion made by Council Member Ricciardelli and seconded by Deputy Mayor Pro Tem Tu, the Council voted 8-0 to repeal Ordinance No. 2022-9-7; establishing the classifications and Compensation Plan for the civil service members of the Plano Fire Department for fiscal year 2023-24 with the effective date of September 25, 2023; establishing the number of positions and Certification and Assignment Pay Plans for the civil service members of the Plano Fire Department for fiscal year 2023-24 with the effective date of October 1, 2023; and further to adopt Ordinance No. 2023-9-9.

Ordinance No. 2023-9-10: To repeal Ordinance No. 2022-9-8; establishing the classifications and Compensation Plan for the civil service members of the Plano Police Department for fiscal year 2023-24 with the effective date of September 25, 2023; establishing the number of positions and Certification and Assignment Pay Plans for the civil service members of the Plano Police Department for fiscal year 2023-24 with the effective date of October 1, 2023; and providing a repealer clause, a severability clause and an effective date. (Regular Agenda Item “7”)

MOTION: Upon a motion made by Council Member Ricciardelli and seconded by Deputy Mayor Pro Tem Tu, the Council voted 8-0 to repeal Ordinance No. 2022-9-8; establishing the classifications and Compensation Plan for the civil service members of the Plano Police Department for fiscal year 2023-24 with the effective date of September 25, 2023; establishing the number of positions and Certification and Assignment Pay Plans for the civil service members of the Plano Police Department for fiscal year 2023-24 with the effective date of October 1, 2023; and further to adopt Ordinance No. 2023-9-10.

Mayor Pro Tem Prince left the meeting at 8:18 p.m.

Ordinance No. 2023-9-11: To adopt the Street Design Standards, which are minimum standards to be followed in the design and development of streets, thoroughfares, sidewalks, and appurtenances within the city, and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. (Regular Agenda Item “8”)

Nathan Shea spoke to concerns regarding reducing the number of lanes on downtown area streets.

MOTION: Upon a motion made by Council Member Williams and seconded by Deputy Mayor Pro Tem Tu, the Council voted 7-0 to adopt the Street Design Standards, which are minimum standards to be followed in the design and development of streets, thoroughfares, sidewalks, and appurtenances within the city with a stipulation to that no permanent changes to the physical travel lanes may be implemented until after the City Council has had an opportunity to evaluate the results of a six-month downtown pilot program with prototype installation; and further to adopt Ordinance No. 2023-9-11.

Public Hearing and adoption of Ordinance No. 2023-9-12 as requested in Comprehensive Plan Amendment 2023-001 to amend the Thoroughfare Plan Map and Cross Sections of the Comprehensive Plan, originally adopted by Ordinance No. 2021-11-1, incorporating amendments associated with adoption of the Street Design Standards; and providing an effective date. Petitioner: City of Plano (Regular Agenda 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 Horne and seconded by Council Member Smith, the Council voted 7-0 to amend the Thoroughfare Plan Map and Cross Sections of the Comprehensive Plan, originally adopted by Ordinance No. 2021-11-1, incorporating amendments associated with adoption of the Street Design Standards; as requested in Comprehensive Plan Amendment 2023-001; and further to adopt Ordinance No. 2023-9-12.

Public Hearing and adoption of Ordinance No. 2023-9-13 as requested in Zoning Case 2023-002 to amend Article 1 (Legal Framework), Article 3 (Site Plan Review), Article 9 (Residential Districts), Article 10 (Nonresidential Districts), Article 11 (Overlay Districts), Article 12 (Planned Development District), Article 13 (Lot and Building Standards), Article 15 (Use-specific Regulations), Article 17 (Landscaping and Tree Preservation), Article 21 (Residential Adjacency Standards), Article 22 (Signs), and Article 25 (Traffic Impact Analysis) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to incorporate and align with the Street Design Standards; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Petitioner: City of Plano (Regular Agenda Item “10”)

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

Public Hearing and adoption of Ordinance No. 2023-9-13 (Cont'd.)

MOTION: Upon a motion made by Council Member Williams and seconded by Deputy Mayor Pro Tem Tu, the Council voted 7-0 to amend Article 1 (Legal Framework), Article 3 (Site Plan Review), Article 9 (Residential Districts), Article 10 (Nonresidential Districts), Article 11 (Overlay Districts), Article 12 (Planned Development District), Article 13 (Lot and Building Standards), Article 15 (Use-specific Regulations), Article 17 (Landscaping and Tree Preservation), Article 21 (Residential Adjacency Standards), Article 22 (Signs), and Article 25 (Traffic Impact Analysis) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to incorporate and align with the Street Design Standards; as requested in Zoning Case 2023-002; and further to adopt Ordinance No. 2023-9-13.

Public Hearing and adoption of Ordinance No. 2023-9-14 as requested in Subdivision Ordinance Amendment 2023-001 to amend Article I (General Provisions), Article II (Definitions), Article III (Platting Process), Article V (Requirements for Public Improvements, Reservations and Design), and Article VI (Participation and Escrow Policies) of the Subdivision Ordinance of the City, Ordinance No. 2017-11-4, as heretofore amended, to incorporate and align with the Street Design Standards; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Petitioner: City of Plano (Regular Agenda Item “11”)

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 Horne and seconded by Council Member Ricciardelli, the Council voted 7-0 to amend Article I (General Provisions), Article II (Definitions), Article III (Platting Process), Article V (Requirements for Public Improvements, Reservations and Design), and Article VI (Participation and Escrow Policies) of the Subdivision Ordinance of the City, Ordinance No. 2017-11-4, as heretofore amended, to incorporate and align with the Street Design Standards; as requested in Subdivision Ordinance Amendment 2023-001; and further to adopt Ordinance No. 2023-9-14.

Ordinance No. 2023-9-15: To repeal obsolete transportation planning and design documents including Ordinance Nos. 2009-6-10 and 2009-9-12, which adopted the Thoroughfare Standards Rules and Regulations, Resolution No. 89-8-15(R), which adopted the Traffic Island Guidelines, and Resolution No. 94-6-10(R), which adopted the Private Street Subdivision Guidelines; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. (Regular Agenda Item “12”)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Council Member Ricciardelli, the Council voted 7-0 to repeal obsolete transportation planning and design documents including Ordinance Nos. 2009-6-10 and 2009-9-12, which adopted the Thoroughfare Standards Rules and Regulations, Resolution No. 89-8-15(R), which adopted the Traffic Island Guidelines, and Resolution No. 94-6-10(R), which adopted the Private Street Subdivision Guidelines; and further to adopt Ordinance No. 2023-9-15.

Ordinance No. 2023-9-16: To repeal Article V (Building Lines on Specific Streets) of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, to repeal Section 19-21 (Rules and Regulations Adopted) of Article II, Design and Construction, of Chapter 19, Streets and Sidewalks, of the Code of Ordinances of the City of Plano, to amend Section 19-91 (Definitions) of Division 2, Street Closure for Neighborhood Event, of Article V, Street and Thoroughfare Closures, of Chapter 19, Streets and Sidewalks, of the Code of Ordinances of the City of Plano, and to amend Section 11-302 (Application of Article; Exceptions) of Division 1, Generally, of Article VIII, Special Events, of Chapter 11, Licenses and Business Regulations, of the Code of Ordinances of the City of Plano; providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Regular Agenda Item “13”)

MOTION: Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Council Member Ricciardelli, the Council voted 7-0 to repeal Article V (Building Lines on Specific Streets) of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, to repeal Section 19-21 (Rules and Regulations Adopted) of Article II, Design and Construction, of Chapter 19, Streets and Sidewalks, of the Code of Ordinances of the City of Plano, to amend Section 19-91 (Definitions) of Division 2, Street Closure for Neighborhood Event, of Article V, Street and Thoroughfare Closures, of Chapter 19, Streets and Sidewalks, of the Code of Ordinances of the City of Plano, and to amend Section 11-302 (Application of Article; Exceptions) of Division 1, Generally, of Article VIII, Special Events, of Chapter 11, Licenses and Business Regulations, of the Code of Ordinances of the City of Plano; and further to adopt Ordinance No. 2023-9-16.

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2023-003 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 99.0 acres of land located at the southeast corner of Legacy Drive and Parkwood Boulevard in the City of Plano, Collin County, Texas, from Commercial Employment to Planned Development-62-Commercial Employment; 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. Petitioner: EDS Legacy Partners, LLC (Tabled at the August 14, 2023, City Council meeting. Request to table to the October 23, 2023, City Council meeting.) (Regular Agenda Item “14”)

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 Holmer and seconded by Council Member Ricciardelli, the Council voted 7-0 to table the item to the October 23, 2023, Council meeting.

Public Hearing and adoption of Ordinance No. 2023-9-17 as requested in Zoning Case 2023-016 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 47 for Day Care Center on 5.2 acres of land located at the northeast corner of Cross Bend Road and Branch Hollow Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7, 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. Petitioner: Cross Bend Christian Church (Regular Agenda Item “15”)

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 Horne and seconded by Council Member Smith, the Council voted 7-0 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 47 for Day Care Center on 5.2 acres of land located at the northeast corner of Cross Bend Road and Branch Hollow Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7, directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2023-016; and further to adopt Ordinance No. 2023-9-17.

With no further discussion, the Regular City Council Meeting adjourned at 8:57 p.m.

John B. Muns, Mayor

ATTEST:

Lisa C. Henderson, City Secretary