

**PLANO CITY COUNCIL  
WORK SESSION, PRELIMINARY OPEN MEETING,  
& REGULAR SESSION  
April 22, 2024**

**COUNCIL MEMBERS PRESENT**

John B. Muns, Mayor – left at 5:02 p.m., returned at 10:24 p.m.  
Kayci Prince, Mayor Pro Tem  
Maria Tu, Deputy Mayor Pro Tem – arrived at 5:43 p.m., left at 9:52 p.m.  
Anthony Ricciardelli  
Rick Horne  
Shelby Williams  
Julie Holmer  
Rick Smith – left at 10:00 p.m.

**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 called the Work Session to order at 4:07 p.m. on Monday, April 22, 2024, in the Wes Hardy Room of the Joint Use Facility, 7501-A Independence Parkway, Plano, Texas. A quorum was present.

**Discussion and Direction regarding City of Plano Council and Council Appointee Roles, Interactions and Responsibilities; including liaison interaction with Council and Board Members.**

The City Council discussed the need to communicate better with each other; managing staff time and resources; the importance of the future agenda item policy; being respectful and not speaking for each other; being accountable to each other; and discussion of a policy addressing processes to evaluate possible code of conduct violations by city officials at the retreat in June.

**To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, re: Planning & Zoning Commissioner Bill Lisle III**

The Council recessed to convene into Executive Session at 4:41 p.m. and reconvened into the Work Session at 5:02 p.m. Mayor Muns left the meeting. Mayor Pro Tem Prince assumed his duties presiding over the meeting. Council expressed concern with Commissioner Lisle's activities including betrayal of trust by recording staff and Council without disclosing it to the person(s) being recorded; disrespecting staff; potential financial conflicts; unauthorized release of city records; defamatory comments about the City and staff; and failure to follow the Items for Future Agenda process to review zoning concerns. Commissioner Lisle provided response to the concerns.

Mayor Pro Tem Prince recessed the Work Session at 5:32 p.m. to call the Preliminary Open Meeting to order.

Mayor Pro Tem Prince called the Preliminary Open Meeting to order at 5:34 p.m. in the Program Room of the Davis Library, 7501-B Independence Parkway and via videoconference. A quorum was present. Mayor Pro Tem Prince then stated the Council would retire into Executive Session, in the Wes Hardy Room of the Joint Use Facility, in compliance with Chapter 551, Government Code, Vernon's Texas Codes Annotated in order to consult with an attorney to receive Legal Advice, Section 551.071; discuss Real Estate matters, Section 551.072; and Personnel matters, Section 551.074; for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required. Mayor Pro Tem Prince recessed the Preliminary Open Meeting and reconvened the Work Session at 5:36 p.m. to continue the discussion.

The Council convened into Executive Session at 6:16 p.m. and reconvened into open session at 6:43 p.m. Deputy Mayor Pro Tem Tu made a motion to remove Planning & Zoning Commissioner Lisle for cause. The motion was seconded by Councilmember Horne. Prior to the vote, Councilmember Holmer made a 1st amending motion to table the item to a future meeting, seconded by Councilmember Ricciardelli. Councilmember Ricciardelli made a 2<sup>nd</sup> amending motion to initiate an investigation, seconded by Councilmember Williams. Councilmember Williams made a 3<sup>rd</sup> amending motion to censure Commissioner Lisle, seconded by Councilmember Ricciardelli.

**MOTION:** Upon a 3<sup>rd</sup> amending motion made by Councilmember Williams and seconded by Councilmember Ricciardelli, the Council voted 3-4 with Councilmembers Ricciardelli, Williams and Holmer in support and Mayor Pro Tem Prince, Deputy Mayor Pro Tem Tu, and Councilmembers Smith and Horne opposed. Motion failed.

**MOTION:** Upon a 2<sup>nd</sup> amending motion made by Councilmember Ricciardelli and seconded by Councilmember Williams, the motion was withdrawn.

**MOTION:** Upon a 1<sup>st</sup> amending motion made by Councilmember Holmer and seconded by Councilmember Ricciardelli, the Council voted 3-4 with Councilmembers Ricciardelli, Williams and Holmer in support and Mayor Pro Tem Prince, Deputy Mayor Pro Tem Tu, and Councilmembers Smith and Horne opposed. Motion failed.

**MOTION:** Upon a motion made by Deputy Mayor Pro Tem Tu and seconded by Councilmember Horne, the Council voted 5-2, with Mayor Pro Tem Prince, Deputy Mayor Pro Tem Tu, and Councilmembers Horne, Holmer and Smith in support and Councilmembers Ricciardelli and Williams opposed, to remove Planning & Zoning Commissioner Lisle for cause. Motion carried.

The Work Session adjourned at 6:51 p.m. Council took a brief recess.

Mayor Pro Tem Prince convened the Council into the Regular Session at 7:15 p.m. in the Program Room of the Davis Library, 7501-B Independence Parkway and via videoconference. A quorum was present.

### **Invocation and Pledge**

Father Jason Cargo, Pastor with St. Mark the Evangelist Catholic Church led the invocation and the City Council led the Pledge of Allegiance and Texas Pledge.

Mayor Pro Tem Prince recessed the Regular meeting and reconvened into the Preliminary Open Meeting at 7:17 p.m. Mayor Pro Tem Prince then recessed the meeting to move to the Wes Hardy Room of the Joint Use Facility to continue the Executive Session. The Council convened into Executive Session at 7:19 p.m. The Preliminary Open Meeting reconvened into open session at 8:02 p.m. and recessed to move to the Program Room at Davis Library. Mayor Pro Tem Prince reconvened the meeting back into the Preliminary Open Meeting at 8:08 p.m. Councilmembers Ricciardelli and Holmer were away from the dais.

- **Consideration and action resulting from Executive Session discussion**
  - a) Appointment/Reappointment: North Texas Municipal Water District Board – Member  
Upon a motion made by Councilmember Horne and seconded by Councilmember Smith, the Council voted 5-0 to reappoint Ron Kelley.
- **Collin Creek Culvert, Phase 2 Update** – this item was not discussed.
- **Consent and Regular Agendas**
- **Council items for discussion/action on future agendas**

The regular meeting reconvened into open session 8:10 p.m.

### **Proclamation**

Proclamation: April is National Volunteer Month, recognizing the impact volunteers have on their communities.

Councilmembers Ricciardelli and Holmer return to the dais.

### **Consent Agenda**

**MOTION:** Upon a motion made by Councilmember Horne and seconded by Councilmember Smith, the Council voted 7-0 to approve all items on the Consent Agenda, as follows:

### **Approval of Minutes**

April 8, 2024  
(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. 2024-0209-ER** for an initial term of \$1,632,000 or two (2) years, whichever occurs first, with two (2) City optional renewals for Sidewalk Requirements East - 2024, Project No. PW-S-00055, for the Public Works Department to Garret Shields Infrastructure, LLC in the amount of \$1,632,000 for each term; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**RFB No. 2024-0069-AC** for a one (1) year contract with four (4) one-year automatic renewals for Small Water Meter Boxes for the Inventory Control & Asset Disposal (ICAD) Division to North Texas Winwater in the estimated annual amount of \$112,200; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

**RFB No. 2024-0274-B** for Fire Station 11 HVAC Replacement, Project No. FAC-F-00012, for the Engineering Department to Air Conditioning Innovative Solutions, Inc. in the amount of \$124,055; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

### **Purchase from an Existing Contract**

To approve the purchase of street sweeping services for an initial term of six (6) months and one (1) one-year automatic renewal for the Public Works Department in the estimated total amount of \$647,129 from Mister Sweeper, LP through an existing contract; and authorizing the City Manager to execute all necessary documents. (City of Frisco Contract No. 2008-083) (Consent Agenda Item “E”)

To approve the purchase of Office Furniture for Utility Billing for the Facilities Division of the Engineering Department in the estimated amount of \$111,436 from Texas Furniture Source, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (Omnia Contract No. R191804) (Consent Agenda Item “F”)

To approve the purchase of a Spider Lift for the Facilities Division of the Engineering Department in the estimated amount of \$183,563 from H&E Equipment Services, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (Equalis Contract No. COG-2126A) (Consent Agenda Item “G”)

### **Approval of Change Order**

To approve an increase to the current awarded contract amount of \$2,362,497 by \$515,533, for a total contract amount of \$2,878,030, for Bridge Repairs Phase III, Project No. 7056, from A & B Construction, LLC for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2022-0433-B; Change Order No. 1) (Consent Agenda Item “H”)

### **Approval of Expenditure**

To approve an expenditure for engineering professional services for Alley Reconstruction - Duke Court, Kentucky Drive, Versailles Lane, and Wyvonnnes Way (Project No. ENG-S-00009) in the amount of \$211,000 from Johnson Volk Consulting, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

To approve an expenditure for engineering professional services for Screening Wall Replacement - Hickory Ridge, The Woods of Suncreek, and Independence Parkway (Project No. ENG-S-00010) in the amount of \$816,250 from Huitt-Zollars, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “J”)

To approve an expenditure for City of Plano US - JDE R24 Upgrade & 64-bit Migration of JDE in the amount of \$258,874 from Quistor Enterprises B.V. for Technology Solutions; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “K”)

### **Approval of Contract / Agreement**

To ratify approval of the terms and conditions of a Rebate Agreement between the City of Plano and North Central Texas Council of Governments (NCTCOG) for the North Texas Clean Diesel Project 2021 Call for Projects in the amount of \$412,858 (\$185,786 Federal Rebate Amount + \$227,072 Local Match), and to approve the terms and conditions of Amendment #1; and authorizing the City Manager to execute all necessary documents; and providing an effective date. (Consent Agenda Item “L”)

### **Adoption of Resolutions**

**Resolution No. 2024-4-8(R):** To repeal Resolution No. 2019-4-4(R) and replace it with a new Water Management Plan for the City of Plano, Texas, to promote responsible use of water and to provide for best management practices resulting in on-going, long term water savings; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item “M”)

### **Adoption of Ordinances**

**Ordinance No. 2024-4-9:** To repeal and replace Sections 21-53 through 21-60.2 of Article II, Division 4, Drought and Emergency Response Plan, of Chapter 21, Utilities of the Code of Ordinances of the City of Plano to identify the authority of the City to declare drought and emergency stages and applicable requirements, and providing a penalty clause, a repealer clause, a severability clause, a savings clause, a publication clause and an effective date. (Consent Agenda Item “N”)

**Ordinance No. 2024-4-10:** To authorize the issuance of "City of Plano, Texas, General Obligation Refunding and Improvement Bonds, Series 2024"; levying a continuing direct annual ad valorem tax for the payment of said Bonds; resolving other matters incident and related to the issuance, sale, payment and delivery of said Bonds; establishing procedures for the sale and delivery of said Bonds; and delegating matters relating to the sale and issuance of said Bonds to an authorized City Official; and providing a severability clause and an effective date. (Consent Agenda Item “O”)

**Ordinance No. 2024-4-11:** To authorize the issuance of "City of Plano, Texas Tax Notes, Series 2024"; levying a continuing direct annual ad valorem tax for the payment of said Notes; resolving other matters incident and related to the issuance, sale, payment and delivery of said Notes; establishing procedures for the sale and delivery of said Notes; and delegating matters relating to the sale and issuance of said Notes to an authorized City Official; enacting provisions incident and related to the purposes and subject of this Ordinance; and providing a severability clause and an effective date. (Consent Agenda Item “P”)

**Ordinance No. 2024-4-12:** To authorize the issuance of "City of Plano, Texas, Municipal Drainage Utility System Revenue Bonds, Series 2024"; resolving other matters incident and related to the issuance, sale, payment and delivery of said Bonds; establishing procedures for the sale and delivery of said Bonds, and delegating matters relating to the sale and issuance of said Bonds to an authorized City Official. (Consent Agenda Item “Q”)

**End of Consent**

**Public Hearing and adoption of Ordinance No. 2024-4-13** as requested in Zoning Case 2024-008 to amend Article 8 (Definitions), Article 14 (Allowed Uses and Use Classifications), Article 15 (Use-specific Regulations), and related sections of the Zoning Ordinance of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to extend or repeal the interim ban of short-term rentals and permanently regulate short-term rentals and related land uses, including associated development regulations; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. (Regular Item “1”)

Staff presented several options of the ordinance for Council to consider, including a fourth option of the zoning ordinance in an effort to balance resident concerns and rights of short-term rental owners.

Mayor Pro Tem Prince opened the public hearing. Those speaking in support of an ordinance regulating short-term rentals by adopting option four of the ordinance, encouraging neighborhood community and security, and opposing the version presented by Planning & Zoning Commission - Bill France representing Plano Texas Neighborhood Coalition, Elena Bourke, Stephen Kyriakos, Catherine Parker, John Bourke, Marla Kyriakos, Mark Pulliam, Lori Green, Glen Smith, Melissa Pulliam, Anne Hill, Cindy Pattillo, John Green, Suzanne Pappas, Mark Bower, Bill Baker, Barbara France, Tatiana Ramirez, Enrique Ramirez, Christy Davidson, Paige Palmer, Arn Parker, Pat Morgan, Efrain Girardot, Greg Patillo, Carolyn Kalchthaler, Pamela Barbera, Sharon Overall, Lynn McClimon, James Fontaine, John Arbuckle, Scott Goebel, Pam Holland, Lisa Williams, Eric Killingstadt, and Gene Goodwin. Those speaking in opposition of adopting an ordinance regulating short-term rentals, citing property rights and unequal impact to short-term rental owners – Kristin Reinaker, Corey Reinaker and Will Tarrant. Mayor Pro Tem Prince closed the public hearing. Councilmember Ricciardelli made a motion to adopt option 4 of the ordinance, seconded by Deputy Mayor Pro Tem Tu. Councilmember Ricciardelli modified the motion to allow live in management in Heritage Resource Overly Districts. Deputy Mayor Pro Tem Tu withdrew her original second and seconded the modified motion as noted below.

**MOTION:** Upon a motion made by Councilmember Ricciardelli and seconded by Deputy Mayor Pro Tem Tu, the Council voted 7-0 to amend Article 8 (Definitions), Article 10 (Nonresidential Districts), Article 14 (Allowed Uses and Use Classifications), Article 15 (Use-specific Regulations), and Article 16 (Parking and Loading) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to repeal the interim ban of new short-term rentals and to permanently regulate short-term rentals (STRs) and related land uses, including associated development regulations; as requested in Zoning Case 2024-008; with changes outlined in option four as modified; and further to adopt Ordinance No. 2024-4-13.

Council took a brief recess at 9:52 p.m. and reconvened at 10:00 p.m. Deputy Mayor Pro Tem Tu left the meeting at 9:52 p.m. and Councilmember Smith left the meeting at 10:00 p.m. Mayor Muns returned to the meeting at 10:24 p.m.

**Ordinance No. 2024-4-14:** To amend Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano by adding Article XXIV, Registration of Short-term Rental Properties; providing for procedures for the registration of short-term rentals for operation; providing for procedures for approval, denial, suspension, and revocation of registration of short-term rentals; and providing a penalty clause, a severability clause, a repealer clause, a savings clause, a publication clause and an effective date. (Regular Item “2”)

## **Ordinance No. 2024-4-14 (Cont'd.)**

Curtis Howard presented the proposed registration program. Those speaking in support of a strong registration ordinance – Bill France, Stephen Kyriakos, Catherine Parker, Mark Pulliam, John Bourke, Anne Hill, Cindy Pattillo, Maria Bower, Bill Baker, Barbara France, Greg Pattillo, Sharon Overall, Tatiana Ramirez, and Enrique Ramirez. Those who spoke in opposition citing the proposed ordinance is too restrictive and unfair to short-term rental owners – Antonio Molina Bendeck, Marc Asher (Zoom), Jennifer Asher (Zoom), Jeanna Morey, Matt Bingham, and Corey Reinaker. Danella Santana Lederer spoke to the zoning ordinance (Item 1) during this time and Eddie Lederer spoke to the zoning ordinance (Item 1) and implementing reasonable registration rules.

After the staff presentation and comments by the public the following changes to the ordinance were suggested:

Sec. 6-735. – Registration required. Amend (c) to reduce number of days to thirty (30).

Sec. 6-737 – Expiration of registration; renewals. Add (g) A renewal application must include prior self-inspection report.

Sec. 6-742 – Noise and video monitoring. Amend the first paragraph to strike “and made available to the city upon request.”

Sec. 6-745 – Denial, suspension or revocation of short-term rental registration. Amend (g) Nuisance Incident or Serious Incident Reported by Owner to read:

In a determination or proceeding to deny, suspend or revoke a short-term rental registration based on a Nuisance Incident or Serious Nuisance Incident, in order to encourage voluntary and prompt reporting of criminal conduct, the Director may disregard such Incident if the following criteria is met:

1. an owner, operator, or manager of the STR reported such Incident immediately to law enforcement and/or code enforcement agents responsible for investigating such Incident; and
2. the reporting person and STR owner were fully cooperative in the investigation of such Incident by law enforcement and code enforcement; and
3. the reporting person was not criminally responsible for the conduct reported and was not reckless in the rental of the STR.

**MOTION:** Upon a motion made by Mayor Pro Tem Prince and seconded by Councilmember Horne, the Council voted 6-0 to amend Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano by adding Article XXIV, Registration of Short-term Rental Properties; providing for procedures for the registration of short-term rentals for operation; providing for procedures for approval, denial, suspension, and revocation of registration of short-term rentals; as amended above; and further to adopt Ordinance No. 2024-4-14.

## **Comments of Public Interest**

Brett Cooper spoke to the Great Update Rebate Program.

Councilmember Ricciardelli made a motion, seconded by Councilmember Holmer, to put the Great Update Rebate Program on a future agenda.

With no further discussion, the Meeting adjourned at 11:25 p.m.

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John B. Muns, MAYOR

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Kayci Prince, MAYOR PRO TEM

ATTEST:

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Lisa C. Henderson, CITY SECRETARY