

**PLANO CITY COUNCIL
REGULAR SESSION
June 28, 2017**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Rick Grady, Mayor Pro Tem
Ron Kelley, Deputy Mayor Pro Tem
Anthony Ricciardelli
Kayci Prince
Tom Harrison
Rick Smith

COUNCIL MEMBERS ABSENT

Angela Miner

STAFF PRESENT

Mark Israelson, Deputy City Manager
Jim Parrish, Deputy City Manager
Jack Carr, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Wednesday, June 28, 2017 at 7:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Invocation and Pledge

Pastor Jackie Linden-Schade with Preston Meadow Lutheran Church led the invocation and Law Enforcement Explorer Post 911 led the Pledge of Allegiance and Texas Pledge.

Proclamations and Special Recognitions

Presentation – Plano Fire-Rescue honored Texas Health Presbyterian for their Community Paramedicine Donation.

Proclamation – July is Parks and Recreation Month.

Comments of Public Interest

- Zachary Kolodney spoke in support of the Equal Rights Ordinance.
- Vickie Harper spoke to front of house trash collection concerns.
- Tara Hands spoke to slow service at the driver's license office.

Consent Agenda

MOTION: Upon a motion made by Mayor Pro Tem Grady and seconded by Council Member Harrison, the Council voted 7-0, to approve and adopt all items on the Consent Agenda with the exception of Item “U” and Item “V”, as follows:

Approval of Minutes

June 12, 2017

(Consent Agenda Item “A”)

Approval of Expenditures

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

Bid No. 2017-0354-B for the tank installation at the Custer Pump Station for Fleet Services to D&H United Fueling Solutions, Inc. in the amount of \$130,988; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

Bid No. 2017-0393-B for the Painting of Concrete Screening Walls – Phase IV, Project No. 6870 for Public Works to Myelyn Contractors, LLC, in the amount of \$149,700; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

Bid No. 2017-0384-B for the purchase of eleven (11) pickup trucks for Fleet Services to be utilized by various departments to Grapevine DCJ, LLC in the amount of \$211,236, Randall Reed's Prestige Ford in the amount of \$29,300, and Reliable Chevrolet in the amount of \$29,245, for a total amount of \$269,781; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

Bid No. 2017-0325-C for a one (1) year contract with three (3) one-year City optional renewals for Water Meter Boxes, Repair Sleeves, Lids and Manhole Rings for Inventory Control & Asset Disposal, to Fortiline in an estimated annual amount of \$14,417 and Ferguson in an estimated annual amount of \$39,958, for a total estimated annual amount of \$54,375; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

Bid No. 2017-0382-B for 15th Street Electrical Improvements, Project 6671 to NRG Conservation Inc. d/b/a Energy Experts in the amount of \$74,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

RFP No. 2016-0358-C for a one-year contract with four (4) City optional one-year renewals for vehicle towing and storage services for the Police Department to Jordan Towing, Inc. in the estimated annual amount of \$6,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

RFP No. 2017-0224-C for a one (1) year contract with four (4) City optional renewals for Professional Auditing Services for Finance to Weaver and Tidwell, L.L.P. for the annual estimated amount of \$118,000 in the 2017-18 Budget year; and authorizing the City Manager to execute all necessary documents. The estimated cost in future years is \$118,000 in FY 2018-19, \$118,000 in 2019-20, \$119,000 in FY 2020-21, and \$119,000 in FY 2021-22. (Consent Agenda Item “H”)

Bid No. 2017-0389-B for the Harrington Library Renovation to Concord Commercial Services, Inc. in the amount of \$55,890; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “I”)

Bid No. 2017-0356-B for the Fire Station Vehicle Capture System to Air Cleaning Technologies, Inc. in the amount of \$599,900; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “J”)

Bid No. 2017-0332-B for Russell Creek Drive - Phase 1 Retaining Wall Improvements to Joe Funk Construction, Inc. and Diversity Resources Group Joint Venture, a Joint Venture, in the amount of \$3,058,515, or, in the case that the City, through the City Manager, and the Joint Venture are unable to agree to contract terms, to Ragle Inc., the second lowest responsive and responsible bidder, in the amount of \$3,245,582; 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) Rubber Tire Loader for Fleet Services to be utilized by Streets in the amount of \$218,447 from Kirby Smith Machinery, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 515-16) (Consent Agenda Item “L”)

To approve the purchase of one (1) Tub Grinder for Fleet Services to be utilized by Compost in the amount of \$744,334 from Bane Machinery, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 515-16) (Consent Agenda Item “M”)

To approve the purchase of one (1) Spartan 4 Door Haz Mat Emergency Response Truck for Fleet Services to be utilized by the Fire Department in the amount of \$757,063 from Metro Fire Apparatus Specialists Inc. through an existing HGAC contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. FS12-15) (Consent Agenda Item “N”)

Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)

To approve an Architectural Professional Services Agreement by and between the City of Plano and Brown Reynolds Watford Architects, Inc. in the amount of \$1,359,200 for the Fire Training Facility project; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “O”)

Approval of Expenditure

To ratify an expenditure in the amount of \$635,874 for replacement of eighteen (18) hail-damaged Police Tahoes from Holiday Chevrolet; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “P”)

To ratify an expenditure for equipment and parts for hail-damaged patrol vehicles in the amount of \$62,511 to Defender Supply through an existing Tarrant County contract; and authorizing the City Manager to execute all necessary documents. (Tarrant County Contract No. 2015-157) (Consent Agenda Item “Q”)

Adoption of Resolutions

Resolution No. 2017-6-7(R): To implement and enforce the Texas State Rule on locally enforced motor vehicle idling limitations and authorizing the City Manager to enter into a Memorandum of Agreement with the Texas Commission on Environmental Quality to enforce this Rule locally; and providing an effective date. (Consent Agenda Item “R”)

Resolution No. 2017-6-8(R): To declare official intent to reimburse certain expenditures made prior to the issuance of tax-exempt obligations, and providing an effective date. (Consent Agenda Item “S”)

Resolution No. 2017-6-9(R): To find that Oncor Electric Delivery Company LLC’s (“Oncor”) application to change rates should be denied; finding that the City’s reasonable rate case expenses shall be reimbursed by Oncor; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and legal counsel; and providing an effective date. (Consent Agenda Item “T”)

Adoption of Ordinances

Ordinance No. 2017-6-10: To adopt a new Article XI, Section 12-270 of Chapter 12, Motor Vehicles and Traffic, of the City of Plano Code of Ordinances, to establish local enforcement of motor vehicle idling; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “W”)

Ordinance No. 2017-6-11: To amend Section 19-75, Minimizing the impacts of work in the rights-of-way, of Article IV, Right-of-Way Management Regulations, of Chapter 19, Streets and Sidewalks, of the City of Plano Code of Ordinances; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “X”)

END OF CONSENT

Ordinance No. 2017-6-12: To amend Section 2-98, Standards of Conduct – Officers and Employees, of Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas; revising standards regarding political activity of officers and employees; and providing a repealer clause, a severability clause, a savings clause, a publication clause, and an effective date. (Consent Agenda Item “U”)

Matt Tietz spoke in opposition of the ordinance.

MOTION: Upon a motion made by Mayor Pro Tem Grady and seconded by Council Member Prince, the Council voted 7-0, to amend Section 2-98, Standards of Conduct – Officers and Employees, of Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas; revising standards regarding political activity of officers and employees; and further to adopt Ordinance No. 2017-6-12.

To repeal Ordinance No. 99-12-12 codified as Article V, Noise, of Chapter 14, Offenses – Miscellaneous of the City of Plano Code of Ordinances and adopting a new Article V, Noise, of Chapter 14, Offenses – Miscellaneous of the City of Plano Code of Ordinances; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “V”)

Allan Samara, Jill Suffredini, Collen Epstein, and Robert Miller spoke in opposition to the ordinance.

MOTION: Upon a motion made by Council Member Smith and seconded by Council Member Harrison, the Council voted 7-0, to table the item until December 11, 2017.

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2017-011 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 51 for Mini-Warehouse/Public Storage on 6.4 acres of land located at the northwest corner of K Avenue and Legacy Drive, in the City of Plano, Collin County, Texas, presently zoned Corridor Commercial; directing a change accordingly in the official zoning map of the City; and providing a repealer clause, a savings clause, a penalty clause, a severability clause, a publication clause, and an effective date. Applicant: Jerry Spencer, LP (Regular Item 1)

Mayor LaRosiliere opened the public hearing. Trey Braswell representing the applicant spoke to the project. Alan Smith, Alan Johnson, and Robert Miller spoke in opposition of the project. Mahesh Patel spoke in support of the project. Mayor LaRosiliere closed the public hearing.

MOTION: Upon a motion made by Council Member Prince and seconded by Mayor Pro Tem Grady, the Council voted 6-1, with Council Member Smith in opposition, to deny the request to grant Specific Use Permit No. 51 for Mini-Warehouse/Public Storage on 6.4 acres of land located at the northwest corner of K Avenue and Legacy Drive, in the City of Plano, Collin County, Texas, presently zoned Corridor Commercial, as requested in Zoning Case 2017-011.

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2017-010 to amend Section 24.200 (Noise) of Article 24 (Performance Standards) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to noise regulations; and providing a repealer clause, a savings clause, a penalty clause, a severability clause, a publication clause, and an effective date. Applicant: City of Plano (Regular Item 2)

This item is connected to Consent Agenda Item “V”.

MOTION: Upon a motion made by Mayor Pro Tem Grady and seconded by Council Member Harrison, the Council voted 7-0, to table the item until December 11, 2017.

With no further discussion, the Regular City Council Meeting adjourned at 8:31 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary