

**PLANO CITY COUNCIL  
REGULAR SESSION  
July 27, 2020**

**COUNCIL MEMBERS PRESENT**

Harry LaRosiliere, Mayor  
Kayci Prince, Mayor Pro Tem  
Anthony Ricciardelli, Deputy Mayor Pro Tem  
Maria Tu  
Rick Grady  
Shelby Williams  
Lily Bao  
Rick Smith

**STAFF PRESENT**

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

Mayor LaRosiliere convened the Council into the Regular Session on Monday, July 27, 2020 at 8:28 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**

Deputy Mayor Pro Tem Ricciardelli led the invocation and Council Member Grady led the Pledge of Allegiance and Texas Pledge.

**Proclamations and Special Recognitions**

**Proclamation** - Every 5th Sunday is “Unity Table Sunday” in Plano and all citizens are encouraged to advocate racial reconciliation and fight inequalities.

**Proclamation** - July is Parks and Recreation Month in Plano.

**Certificates of Appreciation**

Kimberly O'Neil - Community Relations Commission

**Consent Agenda**

**MOTION:** Upon a motion made by Mayor Pro Tem Prince and seconded by Council Member Grady, the Council voted 8-0 to approve all items on the Consent Agenda, as follows:

## **Approval of Minutes**

June 22, 2020

June 30, 2020

(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. 2020-0141-AC** for a three (3) year contract with seven (7) one-year City optional renewals for Dental Administration and Vision Policy to Metropolitan Life Insurance Company (MetLife) in the estimated annual amount of \$448,306; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

**RFB No. 2020-0437-ER** for Crack & Joint Sealing Requirements Contract, Project No. 6995, for the Public Works Department to Curtco, Inc. for the initial term of \$1,000,000 or two (2) years, whichever occurs first, with two (2) City optional renewals; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

**RFP No. 2020-0089-AC** for Cleaning and Inspection of Large Diameter Wastewater Lines for Public Works Department to Hoffman Southwest Corp., dba Professional Pipe Services, in the estimated amount of \$1,947,020; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

**RFP No. 2020-0043-AC** for a one (1) year contract with nine (9) one-year City optional renewals for Fire-Rescue Emergency Medical Services (EMS) and Records Management System (RMS) to ESO Solutions Inc. in the estimated annual amount of \$89,980 for the first term and an estimated annual amount of \$65,345 for subsequent renewal terms, for a total estimated contract value of \$678,085; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

**CSP No. 2020-0402-B** for High Point Tennis Center Court Resurfacing for the Parks & Recreation Department to Three Colors in the amount of \$124,450; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

**RFB No. 2020-0388-B** for Aquatic Center Roof Replacement for Facilities Department to Precision Waterproofing and Roofing, Inc. in the amount of \$321,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

**RFB No. 2020-0567-B** for Erosion Control - Prairie Creek at Independence Parkway, Project No. 7051, for the Engineering Department to TREG Erosion Control Specialist, LLC in the amount of \$1,230,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

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

To approve the purchase of four (4) Utility Vans for Fleet Services to be utilized by various departments in the amount of \$125,895 from Reliable Chevrolet through an existing contract; and authorizing the City Manager to execute all necessary documents. (SAT Contract No. 20-01-1017) (Consent Agenda Item “I”)

To approve the purchase of one (1) Compost Windrow Turner for Fleet Services to be used by Compost Marketing and Operations in the amount of \$676,333 from Ecoverse Industries through an existing contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. SM10-18A) (Consent Agenda Item “J”)

To approve the purchase of emergency vehicle equipment and supplies for the Police Department in the estimated amount of \$21,526 from GT Distributors, Inc., \$23,524 from Dana Safety Supply, Inc., and \$20,089 from Defender Supply, LLC through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 603-20 and Tarrant County Contract No. 2019-181) (Consent Agenda Item “K”)

To approve the purchase of ammunition for an eight (8) month term, with two (2) one-year optional renewal periods, for the Police Department in the estimated annual amount of \$150,000 from Precision Delta Corporation through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 603-20) (Consent Agenda Item “L”)

To approve the purchase of Infield Mix for High Point Park and Archgate Park for the Parks and Recreation Department in the estimated amount of \$137,700 from MasterTurf Products and Service, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 611-20) (Consent Agenda Item “M”)

To approve the purchase of notebooks with accessories for Technology Services in the amount of \$162,815 from DataSource Mobility through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-4075) (Consent Agenda Item “N”)

### **Approval of Contract Modification**

To approve an increase in the current awarded contract amount of \$45,752 by \$13,792, for a total contract amount of \$59,544, for construction materials testing professional services for West Spring Creek Parkway Service Roads Reconstruction and Water Line Replacement, Project No. 6827, from Alliance Geotechnical Group, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2019-0042-X; Modification No. 1) (Consent Agenda Item “O”)

To approve an increase to the current awarded contract amount of \$38,555 by \$15,000, for a total contract amount of \$53,555, for City of Plano Storm Drainage Design Manual Update, Project No. 7037, from Freese and Nichols, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2019-0181-X; Modification No. 1) (Consent Agenda Item “P”)

To approve an increase to the current awarded contract amount of \$1,371,078 by \$54,919, for a total contract amount of \$1,425,997, for Custodial Services for Various Locations from Eagle Maintenance Company, Inc.; and authorizing the City Manager to execute all necessary documents. (Contract No. 2018-0152-C; Modification No. 2) (Consent Agenda Item “Q”)

### **Approval of Expenditure**

To ratify expenditures for goods and services required to respond to the COVID-19 emergency in the estimated amount of \$1,158,775 from: AFL Enterprise Services, Inc., Binswanger Glass Company/Plano, Complete Supply, Inc., Dell Marketing L.P., EHP Consulting LLC, Freeit Data Solutions Inc., Texas Furniture Source Inc. and Uline Inc.; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “R”)

To approve an expenditure for Landscape Architect professional services for Bob Woodruff Park North Masterplan 2020, Project No. 7260, in the amount of \$223,792 from Talley Landscape Architects, Inc. for the Parks and Recreation Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “S”)

To approve an expenditure for the High Point North Maintenance Facility, Project No. 6972, in the amount of \$7,837,556 from Pogue Construction Co., LP; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “T”)

To approve an expenditure to conduct a microwave path survey in the amount of \$85,000 from Nokia of America Corporation for the Radio Shop; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “U”)

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

To approve an Interlocal Agreement by and between the City of Plano and University of Texas at Dallas in the estimated annual expenditure of \$35,000 for City of Plano employee training for Human Resources; and authorizing the City Manager to execute all necessary documents. (City of Plano Contract No. 2020-0587-I) (Consent Agenda Item “V”)

To approve an Inter-Local Cooperation Agreement with Collin County for participation in Tax Increment Financing Reinvestment Zone Number Four of the City of Plano, Texas; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “W”)

To ratify an Interlocal Cooperation Agreement between the City of Plano and the City of McKinney to perform certain administrative duties for the Collin CARES Emergency Housing and Living Assistance Food Card Assistance Program; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “X”)

To approve a License Agreement with Dallas Area Rapid Transit (DART) and the City of Plano to complete the construction of an 8-in sanitary sewer pipeline encased inside a 16-in casing at northwest corner of US 75 and President George Bush Turnpike (PGBT) crossing KCS railroad; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “Y”)

## **Adoption of Resolutions**

**Resolution No. 2020-7-1(R):** To approve a contract with the Texas Department of Housing and Community Affairs in an amount not to exceed \$146,179 for the Homeless Housing and Services Program under Texas Government Code §2306.2585; 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; and providing an effective date. (Consent Agenda Item “Z”)

**Resolution No. 2020-7-2(R):** To approve a contract with the Texas Department of Housing and Community Affairs in a total amount not to exceed \$46,496 for the Homeless Housing and Services Program Youth Set-Aside under Texas Government Code §2306.2585; 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; and providing an effective date. (Consent Agenda Item “AA”)

## **Adoption of Ordinances**

**Ordinance No. 2020-7-3:** To amend sections of Article II of Chapter 8, Fire Prevention and Protection, of the Code of Ordinances of the City of Plano, Texas, to communicate the potential penalties for violating the Fire Code more clearly, authorize the Plano Fire Rescue to enforce unlawful parking in the fire lane and establish different penalty levels for parking and non-parking violations; and providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “AB”)

**Ordinance No. 2020-7-4:** To repeal and replace Section 2-100 of the City Code of Ordinances in its entirety to update the training requirements for elected and appointed officials of the City with regard to the City Code of Conduct, ethics, conflicts of interest, open meetings, public information and discrimination and harassment free workplace, and diversity; and providing a repealer clause, a severability clause and an effective date. (Consent Agenda Item “AC”)

**Ordinance No. 2020-7-5:** To abandon all right, title and interest of the City in and to that certain 0.520 Acre Right-of-Way, recorded in Cabinet F, Page 372, of the Plat Records of Collin County, Texas and being situated in the James Ledbetter Survey, Abstract No. 545, which is located within the city limits of Plano, Collin County, Texas; authorizing the quitclaiming all right, title and interest of the City in such right-of-way to the abutting property owner, East Plano Islamic Center; authorizing the City Manager or his authorized designee to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “AD”)

**Ordinance No. 2020-7-6:** To abandon all right, title and interest of the City, in and to that certain Right-of-Way situated in the Henry Cook Survey, Abstract No. 183, City of Plano, Collin County, Texas and being part of Communications Parkway (a variable width right-of-way, Volume G, Page 783 and Volume 2015, Page 63, Official Public Records of Collin County, Texas) and part of

Headquarters Drive (a variable width right-of-way, Volume C, Page 774, Volume 2015, Page 63, Volume 2015, Page 601, Official Public Records of Collin County, Texas); quitclaiming all right, title and interest of the City in such Right-of-Way to the property owner, PARCEL H INVESTORS, LP, to the extent of its interest; authorizing the City Manager or his authorized designee to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “AE”)

## **END OF CONSENT**

**Public Hearing and adoption of Ordinance No. 2020-7-7** as requested in Zoning Case 2020-009 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-176-Retail on 39.6 acres of land located at the southeast corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-176-Retail and located within the Preston Road Overlay District to repeal and replace development standards; 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: Promontory, Ltd. (Regular Agenda Item “1”)

Fritz Duda, Brian Moore, Jonathan Brown, Robert Staubach, Robert Shaw, Scot Johnson, Frank Turner, and David McNeil representing the applicant spoke to the development or were available for questions. Mayor LaRosiliere opened the public hearing. Linda Bastida spoke in support of the project and Vinny Minchillo spoke in opposition of the project. Mayor LaRosiliere closed the public hearing.

Council Member Grady requested that the owners of the nine residential lots adjacent to the greenbelt have the opportunity for input on tree placement adjacent to their lot as part of the landscape plan approval process.

**MOTION:** Upon a motion made by Council Member Grady and seconded by Mayor Pro Tem Prince, the Council voted 7-1, with Council Member Bao in opposition, to amend Planned Development-176-Retail on 39.6 acres of land located at the southeast corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-176-Retail and located within the Preston Road Overlay District to repeal and replace development standards; directing a change accordingly in the official zoning map of the City; including the stipulation that adjacent lots will have input on tree placement; as requested in Zoning Case 2020-009 and further to adopt Ordinance No. 2020-7-7.

**Public Hearing and adoption of Ordinance No. 2020-7-8** as requested in Comprehensive Plan Amendment 2020-001 to amend the Comprehensive Plan, originally adopted by Ordinance No. 2015-10-9, to remove a portion of Nueces Drive from the Thoroughfare Plan Map and providing an effective date. (Regular Agenda Item “2”)

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

**MOTION:** Upon a motion made by Mayor Pro Tem Prince and seconded by Council Member Smith, the Council voted 8-0 to amend the Comprehensive Plan, originally adopted by Ordinance No. 2015-10-9, to remove a portion of Nueces Drive from the Thoroughfare Plan Map; as requested in Comprehensive Plan Amendment 2020-001; and further to adopt Ordinance No. 2020-7-8.

Council took a brief recess at 10:36 p.m. and reconvened at 10:43 p.m.

Mayor Pro Tem Prince left the in person meeting at 10:38 p.m. and continued participating via videoconference.

**Public Hearing and consideration of an Appeal** of the Planning & Zoning Commission's denial of Zoning Case 2019-017 and Concept Plan 2019-010. Request for a Specific Use Permit for Independent Living Facility on 6.0 acres located on the south side of State Highway 121, 545 feet west of Kathryn Lane. Zoned Planned Development-104-Regional Commercial and Planned Development-476-Regional Employment and located within the State Highway 121 Overlay District. Applicant: LA-DF Investment Fund 8, LLC (Regular Agenda Item “3”)

Bill Dalhstom, representing the applicant and Kent Conine, the applicant spoke to the project. Mayor LaRosiliere opened the public hearing. No one requested to speak. Mayor LaRosiliere closed the public hearing.

**MOTION:** Upon a motion made by Council Member Tu and seconded by Deputy Mayor Pro Tem Ricciardelli, the Council voted 8-0, to remand Zoning Case 2019-017 and Concept Plan 2019-010 to the Planning & Zoning Commission for further study.

**Public Hearing and adoption of Resolution No. 2020-7-9(R)** to adopt the 2020-2024 Consolidated Plan, outlining the use of Community Development Block Grant funds and HOME Investment Partnerships funds provided by the U.S. Department of Housing and Urban Development; and providing an effective date. (Regular Agenda Item “4”)

Mayor LaRosiliere opened the public hearing. No one requested to speak. Mayor LaRosiliere 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 adopt the 2020-2024 Consolidated Plan, outlining the use of Community Development Block Grant funds and HOME Investment Partnerships funds provided by the U.S. Department of Housing and Urban Development; and further to adopt Resolution No. 2020-7-9(R).

**Public Hearing and adoption of Resolution No. 2020-7-10(R)** to adopt the 2020-2021 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2020-2021; and providing an effective date. (Regular Agenda Item “5”)

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

**MOTION:** Upon a motion made by Council Member Grady and seconded by Council Member Tu, the Council voted 8-0, to adopt the 2020-2021 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2020-2021; and further to adopt Resolution No. 2020-7-10(R).

**Resolution No. 2020-7-11(R):** To authorize the filing of applications for U.S. Department of Housing and Urban Development funds in an amount not to exceed \$1,958,764 under the Housing and Community Development Act and the HOME Investment Partnerships Act; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances, acting in connection with said application and providing required information; and providing an effective date. (Regular Agenda Item “6”)

**MOTION:** Upon a motion made by Council Member Williams and seconded by Deputy Mayor Pro Tem Ricciardelli, the Council voted 8-0, to authorize the filing of applications for U.S. Department of Housing and Urban Development funds in an amount not to exceed \$1,958,764 under the Housing and Community Development Act and the HOME Investment Partnerships Act; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances, acting in connection with said application and providing required information; and further to adopt Resolution No. 2020-7-11(R).

**Resolution No. 2020-7-12(R):** To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and County of Denton, Texas for CARES Act/Municipal Funds disbursement to address and respond to COVID-19, authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item “7”)

**MOTION:** Upon a motion made by Council Member Bao and seconded by Council Member Smith, the Council voted 8-0, to approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and County of Denton, Texas for CARES Act/Municipal Funds disbursement to address and respond to COVID-19, authorizing its execution by the City Manager; and further to adopt Resolution No. 2020-7-12(R).

With no further discussion, the Regular City Council Meeting adjourned at 11:43 p.m.

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**Harry LaRosiliere, MAYOR**

ATTEST:

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Lisa C. Henderson, City Secretary