PLANO CITY COUNCIL
REGULAR SESSION
December 14, 2020

COUNCIL MEMBERS PRESENT
Harry LaRosiliere, Mayor
Kayci Prince, Mayor Pro Tem – via Zoom
Anthony Ricciardelli, Deputy Mayor Pro Tem
Maria Tu
Shelby Williams
Lily Bao
Rick Smith

COUNCIL MEMBERS ABSENT
Rick Grady

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, December 14, 2020 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

Mayor LaRosiliere led the invocation and Council Members Tu and Williams led the Pledge of Allegiance and Texas Pledge.

Comments of Public Interest

Paul Chabot spoke to relocation to Texas.
Nitzan Granot spoke to concerns regarding the proposed bike trail near Montessori Children's House.
Mohooa Mukhopadhyay spoke to concerns regarding the proposed bike trail near Montessori Children's House.
John Swafford spoke to concerns regarding the proposed bike trail near Montessori Children's House.
Irma Hadzisalihovic spoke to concerns regarding the proposed bike trail near Montessori Children's House.
Jack Ternan spoke to eminent domain processes.
Amanda Wier spoke to concerns regarding the proposed bike trail near Montessori Children's House.
David Baker spoke to concerns regarding the proposed bike trail near Montessori Children's House.
Laurie Borenstein spoke to concerns regarding the proposed bike trail near Montessori Children's House.

Consent Agenda

MOTION: Upon a motion made by Deputy Mayor Pro Tem Ricciardelli and seconded by Council Member Williams, the Council voted 7-0 to approve all items on the Consent Agenda, except Items "P" and "Q", as follows:

Approval of Minutes

December 8, 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. 2020-0498-AC for a three (3) year term with three (3) automatic one-year renewals for Emergency and Mass Notification System to OnSolve, LLC in the total amount of $256,500; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "B")

RFB No. 2020-0579-B for Robinson Justice Center Penal Fixture Control Upgrade, Project No. 7193, for Facilities to Nouveau Technology Services, L.P. in the amount of $94,415; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "C")

RFB No. 2020-0728-B for Wood Park 1 and Dallas North Estates Paving, Drainage, and Water Improvements, Project No. 6900.1, for the Engineering Department to KIK Underground, LLC in the amount of $1,900,327; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "D")

Purchase from an Existing Contract

To approve the purchase of Internet Auctioning Services for an eight (8) month term, with two (2) one-year City optional renewals for the Inventory Control and Asset Disposal Department from Rene Bates Auctioneers, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 620-20) (Consent Agenda Item "E")

To approve the purchase of Cisco ACI hardware, software and support for the Technology Services Data Center Network Refresh for a three (3) year term for Technology Services in the amount of $691,116 from Presidio Network Solutions Group, LLC through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-4167) (Consent Agenda Item "F")

To approve the purchase of Nutanix hardware and software support for a five (5) year term for Technology Services in the amount of $3,249,001 from Freeit Data Solutions through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-4288) (Consent Agenda Item "G")

Approval of Change Order

To approve an increase in the current awarded contract amount of $1,831,393 by $80,065, for a total contract amount of $1,911,458, for Arterial Repair Windhaven Parkway & Parker Road project from HQS Construction LLC for the Public Works Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2020-0224-B; Change Order No. 1) (Consent Agenda Item "H")

Approval of Expenditure

To approve an expenditure for PeopleSoft professional services in the estimated amount of $310,000 from Sierra-Cedar for the Human Resources Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "I")

To approve an expenditure for Stop Loss Insurance for the calendar year 2021 in the estimated amount of $1,999,616 from Hays Companies for Human Resources; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "J")

To approve an expenditure for legal advertising for a two (2) year contract in the estimated annual amount of $70,000 from The Dallas Morning News; and authorizing the City Manager to execute all necessary documents. (City of Plano Internal Contract No. 2021-0007-X) (Consent Agenda Item "K")

To approve an expenditure for surveying professional services for Park Pedestrian Bridges Survey, Project No. 7312, in the amount of $104,000 from Huitt-Zollars, Inc. for the Parks and Recreation Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "L")

To approve an expenditure for engineering professional services for Sewer Improvements Plano Parkway Parallel Interceptor, Project No. 7294, in the amount of $419,500 from Kimley-Horn and Associates, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "M")

To ratify the expenditure for services provided in the first two (2) months of a Motorola Service Agreement for the Radio System in the amount of $108,975 and approve an expenditure for a five (5) year Motorola Service Agreement for the Radio System in the total amount of $3,471,261 from Motorola Solutions, Inc. for the Technology Services Radio Shop; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "N")

Approval of Contract / Agreement

To approve an Economic Development Incentive Agreement between the City of Plano, Texas, and Peloton Interactive, Inc., a Delaware corporation ("Company"), providing an economic development grant to the Company; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "O")

Adoption of Resolutions

Resolution No. 2020-12-2(R): To call a public hearing to consider the levying of the proposed assessments on owners of real property within the Downtown Plano Public Improvement District, and establishing an effective date. (Consent Agenda Item "R")

Resolution No. 2020-12-3(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and Texas A&M University - Commerce for an internship program to allow students enrolled in the Texas A&M University - Commerce's social work program to observe and participate in the routine operations of the Victim Services Unit and Community Outreach Team at the Plano Police Department; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "S")

Resolution No. 2020-12-4(R): To approve the terms and conditions of an Interlocal Agreement by and between the City of Plano, Texas and University of Texas at Arlington for an internship program to allow students enrolled in the University of Texas at Arlington's social work program to observe and participate in the routine operations of the Victim Services Unit and Community Outreach Team at the Plano Police Department; authorizing its execution by the City Manager; and providing an effective date. (Consent Agenda Item "T")

Resolution No. 2020-12-5(R): To approve the hiring of Julianne Pak as Assistant City Attorney III by the City Attorney; and providing an effective date. (Consent Agenda Item "U")

Resolution No. 2020-12-6(R): To suspend the January 23, 2021 effective date of CoServ Gas, Ltd.'s ("CoServ") requested increase to permit the City time to study the request and to establish reasonable rates; approving cooperation with other cities in the CoServ Gas, Ltd. service area; hiring legal and consulting services to negotiate with the Company and direct any necessary litigation and appeals; authorizing intervention in Docket OS-20-00005136 at the Railroad Commission; requiring reimbursement of Cities' rate case expenses; 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 "V")

Adoption of Ordinances

Ordinance No. 2020-12-7: To adopt and enact Supplement Number 134 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date. (Consent Agenda Item "W")

Ordinance No. 2020-12-8: To transfer the sum of $1,749,001 from the Technology Fund (Fund 062) Unappropriated fund balance to the Technology Fund Operating Appropriation for fiscal year 2020-21 and approve a transfer of $1,500,000 from the Technology Services Fund (Fund 066) balance to the Technology Fund (Fund 062) for fiscal year 2020-21 for the purpose of a complete hyper-converged server hardware refresh for city-wide enterprise and public safety systems, amending the Budget of the City adopted by Ordinance No. 2020-9-4, specifically Section 1, Item "JJ", to reflect the actions taken herein; declaring this action to be a case of public necessity; and providing an effective date. (Consent Agenda Item "X")

END OF CONSENT

To approve a Funding Agreement between the City of Plano, Texas and Collin Creek Development LLC, a Delaware limited liability company; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "Q")

MOTION: Upon a motion made by Council Member Smith and seconded by Deputy Mayor Pro Tem Ricciardelli, the Council voted 7-0, to approve a Funding Agreement between the City of Plano, Texas and Collin Creek Development LLC, a Delaware limited liability company as amended.

Consideration to approve an expenditure in the amount of $1,828,120 for the purchase of real property located on the north side of 15th Street between M Avenue and N Avenue from TWCP Westheimer Wilcrest LTD.; and authorizing the City Manager to execute all necessary documents. (Regular Item "1")

Deputy Mayor Pro Tem Ricciardelli made a motion to table to a future meeting for another appraisal, seconded by Council Member Williams. Deputy Mayor Pro Tem Ricciardelli withdrew his motion.

MOTION: Upon a motion made by Deputy Mayor Pro Tem Ricciardelli and seconded by Council Member Williams, the Council voted 5-2, with Mayor LaRosiliere and Mayor Pro Tem Prince in opposition, to deny an expenditure in the amount of $1,828,120 for the purchase of real property located on the north side of 15th Street between M Avenue and N Avenue from TWCP Westheimer Wilcrest LTD.

To approve a Development Agreement by and between the City of Plano, Texas and InTownHomes, Ltd., a Texas limited partnership for the 1897 Addition Project; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item "P")

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Mayor LaRosiliere, the Council voted 2-5, with Deputy Mayor Pro Tem Ricciardelli and Council Members Tu, Williams, Bao, and Smith in opposition, to approve a Development Agreement by and between the City of Plano, Texas and InTownHomes, Ltd., a Texas limited partnership for the 1897 Addition Project. The item was denied.

Consideration to approve an expenditure for the Oak Point Recreation Center Outdoor Pool, Project No. 7034.1, in the amount of $9,395,607 from Core Construction Services of Texas, Inc. for the Parks and Recreation Department; and authorizing the City Manager to execute all necessary documents. (Regular Item "2")

MOTION: Upon a motion made by Council Member Smith and seconded by Deputy Mayor Pro Tem Ricciardelli, the Council voted 7-0, to approve an expenditure for the Oak Point Recreation Center Outdoor Pool, Project No. 7034.1, in the amount of $9,395,607 from Core Construction Services of Texas, Inc. for the Parks and Recreation Department.

Public Hearing and adoption of Ordinance No. 2020-12-9 to adopt Youth Program Standards of Care for the City of Plano; and providing a repealer clause, a severability clause, a savings clause, and an effective date. (Regular Item "3")

No one requested to speak at the public hearing.

MOTION: Upon a motion made by Council Member Williams and seconded by Council Member Smith, the Council voted 7-0, to adopt Youth Program Standards of Care for the City of Plano; and further to adopt Ordinance No. 2020-12-9.

Public Hearing and adoption of Ordinance No. 2020-12-10 as requested in Zoning Case 2020- 026 to repeal in its entirety Ordinance No. 97-10-26, thereby rescinding Specific Use Permit No. 335 and amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 159 for Private School on 8.2 acres of land located at the southwest corner of Independence Parkway and Ridgeview Drive in the City of Plano, Collin County, Texas, presently zoned Planned Development-59-Single-Family Residence-6 and Single-Family Residence-7 with Specific Use Permit No. 335 for Day Care Center; 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: Coram Deo Academy (Regular Item "4")

Britton Church, representing 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 Bao and seconded by Deputy Mayor Pro Tem Ricciardelli, the Council voted 7-0, to repeal in its entirety Ordinance No. 97-10-26, thereby rescinding Specific Use Permit No. 335 and amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, granting Specific Use Permit No. 159 for Private School on 8.2 acres of land located at the southwest corner of Independence Parkway and Ridgeview Drive in the City of Plano, Collin County, Texas, presently zoned Planned Development-59-Single-Family Residence-6 and Single-Family Residence-7 with Specific Use Permit No. 335 for Day Care Center; directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2020-026; and further to adopt Ordinance No. 2020-12-10.

Public Hearing and adoption of Ordinance No. 2020-12-11 as requested in Zoning Case 2020- 027 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015- 5-2, as heretofore amended, so as to rezone 28.4 acres of land located on the north side of Spring Creek Parkway, 468 feet east of K Avenue, in the City of Plano, Collin County, Texas, from Retail to Planned Development-45-Retail; 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: Trident Real Estate Partners (Regular Item "5")

Public Hearing and adoption of Ordinance No. 2020-12-11 (Cont'd.)

Scott Arnoldy, applicant, spoke to the project. Mayor LaRosiliere opened the public hearing. Matthew Loh and Daniel Eng spoke in support of the project. Mayor LaRosiliere closed the public hearing.

MOTION: Upon a motion made by Council Member Williams and seconded by Deputy Mayor Pro Tem Ricciardelli, the Council voted 7-0, to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 28.4 acres of land located on the north side of Spring Creek Parkway, 468 feet east of K Avenue, in the City of Plano, Collin County, Texas, from Retail to Planned Development-45-Retail; directing a change accordingly in the official zoning map of the City; as requested in Zoning Case 2020-027; and further to adopt Ordinance No. 2020-12-11.

Second Public Hearing on the proposed General Obligation Bond Referendum scheduled for May 1, 2021. Additional third public hearing is planned for January 11, 2021. (First public hearing held November 23, 2020.) (Regular Item "6")

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

Public Hearing and Comment: Review of the Consolidated Annual Performance Evaluation Report describing the use of federal funds. This report details how the City used U.S. Department of Housing and Urban Development funds during the 2019-20 grant year. The public will be given an opportunity to speak on the report during the public hearing. (Regular Item "7")

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

With no further discussion, the Regular City Council Meeting adjourned at 9:15 p.m.

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, City Secretary